## 7A SIGN STANDARDS 9- 09 -16 DRAFT

**7A.1 ~~DECLARATION OF~~ PURPOSE ~~AND~~ INTENT, AND APPLICABILITY.**

**1. Purpose.** ~~The purpose of theseis sign code **standards** is to regulate **outdoor advertising**, outdoor advertising signs and outdoor signs of all types and to provide fair and comprehensive regulations that will foster a good visual environment for Tucson, enhancing the fragile desert in which we live and creating an aesthetic and enjoyable appearance for our visitors and our residents, while recognizing the legitimate advertising and signage needs of the community.~~

~~B. **Intent**. The mayor and council declare that the regulation of signs within the City of Tucson is necessary and in the public interest (a) to safeguard and enhance property values within the City of Tucson; (b) to preserve the beauty and unique character of the City of Tucson; (c) to promote and aid in the tourist industry, which is an important part of the economy of the City of Tucson; (d) to protect the general public from damage and injury that may be caused by the faulty and uncontrolled construction of signs within the City of Tucson; and (e) to promote the public safety, welfare, convenience and enjoyment of travel and the free flow of traffic within the City of Tucson.~~

**The purpose of the sign standards is to**

**Accommodate the rights of individuals to freedom of speech, promote equity between businesses and other typical sign users and, enable the fair and consistent enforcement of these sign standards;**

**Provide an improved visual environment for the citizens and visitors to the City and protect prominent natural scenic views by exercising reasonable control over the character and design of signs;**

**Balance the rights of businesses and individuals to convey messages through signs against the aesthetics and safety hazards that come from the proliferation of confusing and objectionable sign clutter;**

**Support the City's tourist industry by encouraging attractive sign design that promotes ease of identification and wayfinding throughout the City;**

**Protect property values by minimizing the possible adverse effect of signs on nearby public and private property;**

**Require the promotion of public safety by ensuring that signs are properly constructed and maintained to protect the general public from damage and injury while maintaining an attractive visual appearance;**

**Enhance the flow of traffic and protect pedestrians and motorists by encouraging legible, well-placed signs, that reduce distractions caused by clutter and impairment of sight lines.**

**2. Applicability. The regulations in this article are applicable to all signs in the City, except as noted in Section XXX (Exemptions) unless otherwise stated.** The City of Tucson shall follow its own sign **standards** ~~code in all cases~~, except where a deviation from the **standards are** ~~sign code~~ is necessary to protect or promote public health, welfare or safety.

~~**D.** Any sign authorized by this sign code is permitted to contain noncommercial copy in lieu of any other copy.~~

**Comment [JM1]:** For a strong Reed defense, the Purpose statement should have a stronger statement about Freedom of speech protection, traffic safety and preserving the visual environment. There should be something about legibility and perhaps reducing external distractions

**Comment [JM2]:** Recommend that the City's signs be defined as governmental signs and placed in the Exempt Signs Section so as not to create Reed implications for Government signs that are not part of the Reed case.

**Comment [JM3]:** **NOTE: SEE SUBSTITUTION CLAUSE BELOW THAT STATES THE SAME THING IN MORE DETAIL.**

**7A.2 INTERPRETATION, SEVERABILITY AND NON-COMMERCIAL SPEECH SUBSTITUTION ~~CONSTRUCTION WITH TUCSON CODE BY THE SIGN CODE ADMINISTRATOR~~.**

**1. Interpretation.** The **zoning administrator** ~~sign code administrator and~~ ~~or designee~~ shall interpret and apply **the sign standards** ~~this sign code in conformance with section 23A-31 of the Development Compliance Code 3.3 Zoning Compliance Review Procedures.~~ Where there is a conflict between provisions of the sign **standards** ~~code~~ and other provisions of the **Unified Development** ~~Tucson~~ Code, the more restrictive provisions shall prevail. ~~The sign code administrator shall be the zoning administrator as defined by A.R.S. § 9-462.05(C) for the purpose of enforcement of this sign code. The zoning administrator shall remain the official responsible for interpretation and enforcement of all land use and zoning matters under the Land Use Code.~~

~~**APPLICATION AND INTERPRETATION OF DISTRICT BOUNDARIES.**~~

**2. Interpretation of District Boundaries - Zones and special** s~~S~~ign districts are determined ~~by the underlying zoning and use or~~ by adopted maps. ~~The single family residential district and the multiple family residential district are based upon residential zoning or, where permitted by less restrictive zoning, an approved site plan, development plan or plat that provides for a single or multi-family use as the principal use. Where a residential use is in less restrictive zoning, the establishment of a more intensive use by redevelopment in conformance with an approved site plan, development plan or plat shall re-designate the property to the applicable sign district. **The O-1 district, the historic district and the planned area development district are coextensive with those respective zones.**~~ The pedestrian business district, **historic district and scenic corridor zone district** ~~is~~ **are** ~~a~~ specifically mapped districts that supersedes the underlying zoning classifications for purpose of determining the sign regulations. The scenic corridor zone district is determined based upon the mapped scenic corridors **of the Major Streets and Routes Plan**. ~~The medical-business-industrial park district includes the specific uses defined in that district. The general business district includes property generally zoned for office, commercial and mixed uses which is not subject to a more restrictive sign district. The industrial district includes property zoned for industrial uses which are not subject to a more restrictive sign district. The park district includes public parks regardless of the underlying zoning.~~

The effectuation of a change of zoning for a property will also effectuate a change in the sign **standards** ~~district to the extent the zoning determines the sign district~~.

Interpretation of ~~the~~ **a** ~~applicable~~ **special** sign district shall be made by ~~the sign code administrator but interpretation of the land use classification for the applicable zoning shall be made by~~ the **zoning** administrator.

~~**REFERENCE TO OTHER CODES**~~

~~All references made in this sign code to building codes, technical codes, or other Tucson Code provisions refer to the most recent edition of the Code, and amendments thereto, adopted by the City of Tucson.~~

**Comment [JM4]:** NOTE: THIS PROVISION is simplified to refer only to the special sign districts since the draft uses the regular zoned in the UDC. SHOULD CONTINUE TO BE REVIEWED FOR REMOVAL OR SIMPLIFIY FURTHER.

**Comment [JM5]:** NOTE: COVERED IN ADMINSITRATION SECTION BELOW.

**3. APPLICATION OF PRIOR CODE SECTIONS**

**Comment [JM6]:** This section is intended to address any outstanding issue that continues after the adoption of the new Article 7A into the UDC.

**Chapter 3** of the Tucson Code as adopted and amended prior to the adoption of this sign code is repealed except that the same is continued in full force and effect as necessary to the final determination and disposition of the prosecution or litigation of any claim or complaint that has been made or may be made in the future alleging a violation of any prior provision of **Chapter 3** based upon acts occurring prior to the repeal of any such provision.

~~**SEVERANCE OF THE PROVISIONS OF THIS THE SIGN STANDARDS CODE**~~

**4. Severability and Non-commercial Speech Substitution. Article 7A is subject to Sec. 1.8 (Severability).** Any provision of ~~this~~ **theses** sign **standards** ~~code~~ that imposes a limitation on freedom of speech shall be construed in a manner that is viewpoint neutral and treats expressive speech either the same as or less restrictive than commercial speech. Any provision of ~~this~~ **the** sign **standards** ~~code~~ that is found to be an unconstitutional limitation on freedom of speech by any court shall be severed from ~~this~~ **the** sign **standards** ~~code~~ in a manner that preserves **the standards** ~~code~~ and protects freedom of speech.

**7A.3 DEFINITIONS**

**Comment [JM7]:** In later sign standards drafts, it can be decided to move this section into the UDC Definitions Article 11. This section should be kept in tact so it can be reviewed against other revisions. Ultimately the definitions should be listed in Article 11 but all these definitions should benoted as e.g., A-frame sign (Art.7A). There may need to be a sentence added at the beginning of Art 11 that notes defitions with a Art 7A only apply to that Article.

The terms used in ~~this~~ **the** sign **standards** ~~code~~ shall have the following meanings, unless the context otherwise requires:

**7A.3.1 DEFINITIONS A**

A A-frame sign. A type of portable sign.

Abandoned. A sign structure that has ceased to be used to display or support a sign and regarding which the owner has manifested an intention to permanently cease the use of the sign structure.

Alter. To change, modify or vary an existing sign structure without constructing a totally new sign structure.

Attached canopy. A roof-like structure that provides shade and/or ornamentation, projecting from and attached to a building wall below the highest point of the top of parapet, and supported in whole or in part by the building.

Attached sign. A~~ny~~ sign that is fastened, connected or supported in whole or in part by a building or structure other than a sign structure that is supported wholly by the ground. ~~Attached signs may include awning signs; banners (building and curbside); electronic message centers; incidental signs; menu boards; parking signs; projecting signs; real estate for sale or lease signs; time, temperature and weather displays; wall signs and window signs.~~

**Comment [JM8]:** Need to confirm if Attached and Detached have a regulatory meaning in the post Reed sign code.

Awning. A durable or fabric structure, attached to and supported in part or in whole by a building, which provides shade to the entries, windows, and walls of the building.

Awning sign. A sign constructed of cloth, plastic or metal and permanently affixed to a structure and intended to provide shade.

**7A.3.2 DEFINITIONS B**

Banners, across the street. See **section 7A.6.10 ~~3-43~~ (Signs In or Over the Public Right of Way)**.

Banners, **a type of portable sign that is constructed of a** piece of fabric **or similar material** ~~permanently~~ attached by one or more edges to a pole, rod or cord **to the ground or to a wall**.

Billboard. An off-site sign relating to a business, activity, use or service conducted off the site or to a product not sold on the site.

**7A.3.3 DEFINITIONS C**

Canopy sign. A permanent sign on or affixed to the top or front of an attached canopy.

**7A.3.4 DEFINITIONS D**

Detached sign. Any sign not supported in whole or in part by a building or structure other than a sign structure that is supported wholly by the ground~~. Detached signs may include billboards; directory signs; electronic message centers; emergency site locators; freestanding signs (monument type, low profile type, and freestanding pole type); freeway signs; menu boards; parking signs; real estate signs (announcement, construction, development, directional, project identity, sale or lease, rental development signs and subdivision signs); time, temperature and weather signs; traffic directional signs and medical services directional signs.~~

**Directory sign. An on-site sign that lists the tenants, occupants, or a list of information that may direct the public to locations**.

Discontinued. A sign or sign structure is discontinued where it is not used for a consecutive period of six (6) months or more, and where the period of non-use is attributable in whole or in part to the owner of the sign or premises, regardless of whether the owner intends to abandon the sign.

**Dwelling Unit Sign. A sign type located at a single family dwelling unit to provide commercial and non-commercial information.**

**7A.3.5 DEFINITIONS E**

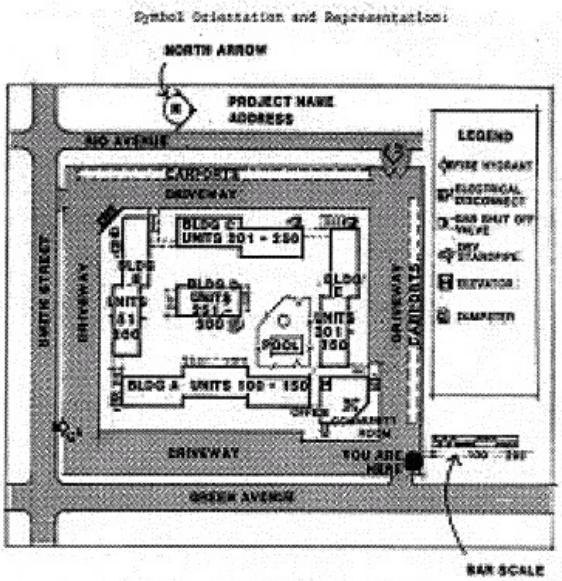
~~**Electronic message center.** An electronic or electronically controlled message board, where scrolling or moving copy changes are shown on the same message board, or any sign that changes the text of its copy electronically or by electronic control~~. **Electronic Sign Copy. A sign component whose informational content can be changed or altered by electric, electro-mechanical or electronic means.**

Emergency site locator. Consists of signs and markers required for direction of emergency vehicles in multiple tenant and multiple building complexes.

**Comment [JM9]:** This definition could be deleted if this is a governmental sign. It is just a banner.

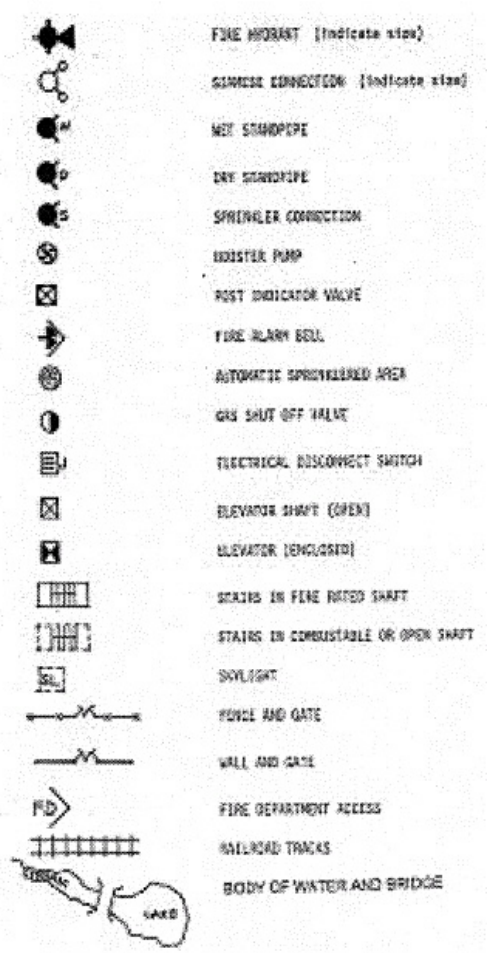
**Comment [JM10]:** Need to discuss with PDSD staff to see if **Attached and Detached** serve any purpose or should be deleted.

**Comment [JM11]:** Post Reed and with technology advances ESC is only a component of a sign type and not an individual sign type. Under the current sign code, It could be all the copy or part of the copy but the sign type could be ground or wall mounted.




EXAMPLE OF
EMERGENCY SITE LOCATOR

This site will have a second Emergency Site Locator Sign located just off Smith Street. Its orientation will show North toward the top of the sign, rather than to the right, because the emergency vehicle is entering from the South rather than from the East off Green Street. The symbols must always be oriented to the walls, piping, electrical lines, etc. to which they are attached, except where noted. Symbol elements should always be presented at the same relative size.




Emergency Site Locator

**7A.3.6 DEFINITIONS F**

Facade. The side or face of a building.

Freestanding sign. An on-site sign or three-dimensional representation of a figure or object, not attached to any building, supported by uprights or braces or some other approved support that is capable of withstanding the stress from weight and wind load. Includes the following sign types:

Freestanding - Monument type ~~freestanding~~ sign: A sign that has been provided with a base of some type (a pole cover or architectural embellishment) or stands alone on its own foundation.

Freestanding - Low profile ~~freestanding~~ sign: A sign that has been provided with a minimum continuous prepared base or support, at least two (2) feet in height, that extends in a continuous base to the outside

dimension of the sign. To encourage design flexibility, the maximum height of the sign may be lowered in order to decrease the required setback from the street.

Freestanding -pole sign: A sign that stands alone on its own foundation and must be provided with a pole cover or architectural embellishment. The sign may be higher than the other types of freestanding signs, must be setback further from the street, and is permitted only for larger premises or developments.

Freeway sign. A detached on-site sign directing attention to a business, commodity, service or entertainment conducted, sold or offered upon the same premises as those upon which the sign is located as provided in section ~~3-62~~ ***7A.10.4 Permanent Signs* – Additional Sign Type Standards- Freeway Sign Standards**.

## 7A. 3.7 DEFINITIONS G THROUGH L

**Interior sign.** A**n** ~~small~~ ~~noncommercial~~ **on-site sign, emblem, or decal that is ground or wall-mounted providing information to the public such as wayfinding, facilities, services or prohibitions relating to the premises and which is inside a building, in a courtyard or hallway, or is within a premise's boundaries but is either not facing or is not readable from the right of way or is not designed nor intended to be readable from the right of way, does not require zoning review but may require building code review.**

**Comment [JM12]:** This sign type is a key part of a ***Reed*** strategy. It removes a lot of signs from zoning review and instead requires only a building code review. It includes signs already exempted when inside a mall or courtyard. This version also removes outdoor signs not intended to be viewed from the right of way. It allows the property owner to create on- wayfinding signs and minor portable signs. Wall signs less than 12 sq ft are exempt but any sign intended to be viewed from the right of way would not be classified as an interior sign. This strategy has been recommended by legal analysts who have reviewed the ***Reed*** case.

Logo. A graphic symbol or insignia that serves to identify a business, building or complex.

## 7A.3.8 DEFINITIONS M THROUGH N

~~**Medical services directional sign.** An off-site sign giving direction to and identifying a medical activity, use or service located within two thousand (2,000) feet of a scenic route. Copy limited to business name and address and directional arrow.~~

**Comment [JM13]:** medical directional sign is a Reed problem - not content neutral. If it is off-site it should be handled as a sign in the right of way and come under general standards addressing any sign in that situation.

**Menu board.** A permanently mounted structure displaying the bill of fare of a drive-in or drive-through restaurant.

**Comment [JM14]:** Menu board is a potential Reed problem. Should be another interior sign grouped with signs not visible from the street but intended for on-site vehicles and pedestrians

**Mural. A noncommercial picture, not advertising a product or service that is sold on the premise,** painted on or attached to the exterior walls.

**Comment [JM15]:** Murals are debatable. It seems commercial speech can be more regulated than non-commercial speech thus allowing non-commercial murals still seems to be compliant with Reed.

Nonconforming sign. A sign lawfully erected or altered in conformance with applicable regulations, including a sign lawfully existing in the county at the time of annexation, that no longer complies with this sign code due to amendments to this sign code adopted subsequent to the approved permit for the sign or the annexation.

## 7A.3.9 DEFINITIONS O

Obsolete sign copy. Any sign copy, excluding historic landmark signs (HLS), that no longer correctly identifies or directs attention to an existing use or product available on the premises.

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

**Off-site sign.** A sign not located on the premises of the use identified or advertised by the sign.

**On-site sign.** A sign located on the same premises as the use identified or advertised by the sign.

## 7A.3.10 DEFINITIONS P THROUGH Q

Parapet. The portion of a wall that extends above the roofline.

**Parking lot sign.** A wall or freestanding sign used to identify a ~~commercial~~ parking facility.

**Parking Lot Sign.**

Pictograph. A graphic, symbolic representation of a commonly recognized idea or item, excluding words or phrases. Example: a picture of a camera used to identify a photographic supply store.

Pole cover. A cover that encloses or decorates a pole or other structural sign support.

**Permanent sign. A sign that is not a portable or temporary sign.**

**Political election sign.** A sign not permanently installed in the ground or attached to a building relating to the election of a person to a public office, or to a political party, or to a matter to be voted upon at an election called by a public body. Does not include political headquarters signage.

**Portable sign.** ~~An on-site non-illuminated sign, including but not limited to A- frame signs, temporarily authorized for one (1) year and used to advertise the location, goods or services offered on the premises.~~ **A sign that is capable of being moved and not designed to be permanently attached to a building or permanently anchored to the ground that is constructed of paper, cloth, canvas, light fabric, cardboard, plywood, light plastic or other similar materials.**

Projecting sign. A sign, other than a wall sign, attached to a building or other structure and extending in whole or in part more than twelve (12) inches beyond the surface of the portion of the building to which it is attached, beyond the building, or over the public right- of-way.

~~**Public use. Any land or building held, used, or controlled exclusively for public purposes by any department or branch of government, state, county or municipality, without reference to the ownership of the building or of the realty upon which it is situated.**~~

## 7A.3.11 DEFINITIONS R

~~Real estate development. A development containing four (4) or more residential or commercial units for sale.~~

~~**Real estate sign.** Any one of the following sign types:~~

**Comment [JM16]:** Parking sign becomes Parking Lot Sign named after the location versus the message which causes a ***Reed*** problem. This sign type may be more appropriate in the Generally Permitted group of signs versus by zone category.

**Comment [JM17]:** This definition is to clarify that other than portable/temporary signs a sign is considered permanent.

**Comment [JM18]:** Political signs are a ***Reed*** problem but ARS requires AZ cities to regulate them per ARS standards.

**Comment [JM19]:** Portable signs - The underlined definition is from the draft Flagstaff ordinance to make it ***Reed*** compliant. This could be the sign type that covers all the temporary signs that are ***Reed*** problems

**Comment [JM20]:** Public use is a definition that belongs in the UDC Civic Use Group and not in a sign standards. It should probably be deleted.

**Comment [JM21]:** Real estate development should be deleted if there is not specific use for it in a sign standards

**Comment [JM22]:** Real estate signs and all the variations are ***Reed*** problems. They can be grouped as portable signs with a sign area allotment type standard and other standards controlling clutter.

~~**Real estate announcement sign.** An on-site sign identifying a proposed development or project. The sign must identify the project and may include leasing information such as a contact person, type of occupancy, opening date, or special features concerning the proposed development.~~

~~**Real estate construction sign.** An on-site sign identifying the name or names of contractors, subcontractors, architects, engineers, material suppliers, and lending institutions responsible for construction, reconstruction or demolition of the project where the sign is located, and the name of the development. This type of sign may be a standard sign type, or it may also be a banner constructed of cloth, canvas, light fabric, cardboard, wallboard or other light material and affixed to the chainlink fence or installed in the ground between posts.~~

~~**Real estate development sign.** An off-site directional sign placed at a location other than on the premises of a subdivision or real estate development and intended to direct prospects to the real estate development or subdivision having lots, houses, townhouses or condominiums for sale.~~

~~**Real estate directional sign.** An off-site sign that is intended to direct prospects to the unit (non-subdivision) for sale.~~

~~**Real estate for sale or lease sign.** An on-site wall or freestanding sign placed upon a property advertising that property for sale, rent or lease.~~

~~**Real estate project identity entrance sign.** An on-site sign displaying the name of the subdivision or development at the major street entrances to the subdivision or development.~~

~~**Real estate rental development sign.** An off-site sign placed at a location other than the premises of a new rental or for lease project offering housing for lease or rent.~~

~~**Real estate subdivision sign.** An on-site sign advertising a subdivision as having lots, townhouses, houses or condominiums for sale.~~

Repair. To mend, renovate or restore a sign structure to its original existing condition.

**7A.3.12 DEFINITIONS S**

~~**School. Any public, parochial or private school for teaching accredited courses of instruction as approved by the Arizona Department of Education**~~

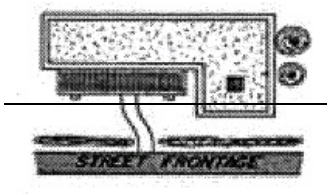
Sign. **A ground or wall mounted structure or painted surface that has a visual display from a right of way or street and is designed to identify, announce, direct, or inform.**

~~CURRRENT DEFINITION - Every advertising message, announcement, declaration, display, illustration, insignia, surface or space erected or maintained in a location outside any building and visible to the public for identification, advertising or promotion of the interest of any person, entity, product or service. **Signs within individual mall stores or inside individual business establishments are excluded from this definition**.~~

**Comment [JM23]:** School is a definition that belongs in the Civic Use Group and not in a sign standard. It should be deleted.

**Comment [JM24]:** This definition is from *Street Graphics* and is the preferred one.

**Comment [JM25]:** Indoor signs should be grouped with **Interior** on-site **signs** as not requiring a zoning review but may need a building code review.




~~Street Frontage~~

## 7A. 3.13 DEFINITIONS T

Temporary sign. Any sign constructed of cloth, canvas, light fabric, cardboard, wallboard, plastic or other light material and not rigidly and permanently installed in the ground or attached to a building. Political election signs are not included in this definition. ~~The definition includes but is not limited to the following sign types:~~

~~**Temporary on-site** - Grand opening, sales and civic events banner. Temporary on-site banner advertising the grand opening, reopening, new management, sales event or civic event at a specific location.~~

~~**Temporary on-site** - Banner used as temporary signage. Temporary on-site banner used to advertise events lasting for a limited time. This type of banner may also be used to temporarily advertise a business location while permanent signage is being constructed, or during a change of business name, exterior remodeling of tenant space or entire center, or periods of road construction.~~

Tenant. The occupant of a portion of a site or structure with exclusive control over that portion, regardless of whether it is by individual ownership or lease.

~~**Time, temperature and weather display**. A sign that displays the current time, temperature or current or forecast weather conditions. A sign whose informational content can be changed or altered by manual or electric,~~

~~**Traffic directional**~~ **Access point sign**. An on-site sign **located at or near the access point or other wayfinding location providing information or** directing the reader to the location or direction of any place or area.

**Comment [JM26]:** Temporary signs may have value to keep until there is more input on sign standards drafts.

**Comment [JM27]:** Temporary Signs have been incorporated into portable signs and this definition may be better to be deleted.

**Comment [JM28]:** Temporary on-site needs to be grouped into the Portable sign type and this definition should be deleted.

**Comment [JM29]:** Time and temperature sign is a ***Reed*** problem. It is basically electronic sign copy (ESC) that changes every minute. It is favored by banks and financial services. Either there is a content neutral version of ESC that scrolls every minute or this sign type is prohibited based on the scrolling time the City wants - now it is over one hour before a change versus the every minute for a time and temp sign type.

**Comment [JM30]:** traffic directional sign is a ***Reed*** problem. It can be renamed as an Access Point sign or a similar name.

## 7A.3.14 DEFINITIONS U THROUGH Z

**Unoccupied**. A premises or structure:

That is not occupied, or

That is not being put to those uses authorized by the last business privilege license issued by the City of Tucson for that address and business, or

Where the public utilities are not in service.

**Vacant.** A premises or structure:

From which the fixtures utilized in conjunction with the business activities as authorized by the last business privilege license for that address issued by the City of Tucson have been removed, or

Where the public utilities are not in service.

Vehicle signs. Signs mounted upon, painted upon or otherwise erected on or affixed to trucks, cars, boats, trailers and other motorized vehicles or equipment.

Wall. An exterior building surface thirty (30) degrees or less from vertical including, ~~interior and~~ **the** exterior window and door surfaces.

Wall sign. A~~ny~~ sign that is fastened, attached, connected or supported in whole or in part by a building or structure, other than a sign structure supported wholly by the ground, with the exposed face of the sign in a plane parallel to the plane of the wall.

Window sign. A~~ny~~ sign affixed to the ~~interior or~~ exterior window surface.

**Comment [JM31]:** PDSD staff has noted it is complicated to regulate the interior of the window or a sign that can be seen through a window but is not attached to the window. See comment below.

**Comment [JM32]:** The Police Code regulates what type of window sign covers are allowed for safety reasons. Window sign is considered a generally permitted sign.

**7A.4. PERMITS, INSPECTIONS, AND FEES**

**.1. All signs shall be erected, reinstalled, altered, repaired, relocated, permitted and inspected in compliance with Article 3 Zoning Compliance Review, Administrative Manual Section 4 Development Review Fee Schedule, and the most recently adopted Unified Building Codes as well as other applicable City codes. A violation of the Sign Standards shall be enforced under Article 10 Enforcement as well as enforcement provisions within this Article.**

**Comment [JM33]:** The Permits /enforcement section should only keep what is not already stated in the current UDC and building codes. Remove redundancy and move if needed to Enforcement and Permitting articles any special rule or keep them here. Need Building Codes Division to weigh in on what is redundant and what needs to be retained in this section. If Enforcement is moved to Article 10 then this statement can be revised accordingly.

**A. Signs attached to the interior wall of a shopping mall for identification, advertisement or promotion of the interest of any person, entity, product or service are required to obtain a sign permit to ensure compliance with applicable building, fire, electrical and technical codes but are not otherwise subject to this sign code. For purposes of the sign standards these signs are considered interior signs**

**Comment [JM34]:** This statement may be redundant in that mall and indoor signs are defined as **interior signs** in the Generally Permitted Sign section

**B.** It shall be a civil infraction for any person to erect, reinstall, alter, change the copy of, repair or relocate a sign ~~within the city limits~~, or cause the same to be done, without first obtaining a permit or permits from the **planning and** development services department, as required by this sign code.

**C.** It shall be a civil infraction for any person to use, maintain, or otherwise allow the continued existence of any sign for which the required permit was not obtained, and each day such violation shall continue shall constitute a separate offense~~:~~

**Comment [JM35]:** This section can be relocated to article 10 enforcement as the draft progresses through public review.

**D.** A permit shall be issued to the owner of the property or the agent for the owner. When a contractor is required to be licensed by the State of Arizona, the permit shall only be issued to a licensed contractor.

**E.** Compliance with technical codes. In addition to compliance with this sign code, all signs shall comply with the appropriate detailed provisions of the adopted building code for the City of Tucson and all adopted technical codes relating to design, structural members, and connections, the applicable provisions of the Electrical and Fire Codes of the City of Tucson and the additional construction standards set forth in this jurisdiction.

**7A. ~~PERMISSION OF PROPERTY OWNER~~**

**Comment [JM36]:** Place all application information in the Administrative Manual.

~~No person shall erect, construct, or maintain any sign upon any property or building without the consent of the owner, person entitled to possession of the property or building, if any, or their authorized representative.~~

Comment [JM37]: NOTE: Is this provision required? Applications require an authorized representative already. An illegal construction of a sign is the only issue that may require this provision.

**7A. ~~APPLICATION FOR PERMIT.~~**

Comment [JM38]: NOTE: THIS SECTION SHOULD BE IN THE ADMIN MANUAL NOT IN THE UDC.

~~To obtain a permit, the applicant shall first file an application therefore in writing on a form furnished by the development services department for that purpose. Every such application shall contain the following information:~~

~~Street address where the sign is to be installed;~~

~~Name and address of the applicant and name(s) and address(es) of the owner(s) of the sign, if the applicant is not the owner;~~

~~Name, address and telephone number of sign and electrical contractor, if any;~~

~~Correct zoning of property;~~

~~Identification and description of the work to be covered by the permit for which application is made;~~

~~Message to be contained on the proposed sign;~~

~~Valuation of the proposed work;~~

~~Signature of the permittee or his authorized agent; and~~

~~Name of business for which sign is being applied.~~

~~Plans and specifications. Scaled plans, diagrams and other material shall be submitted in duplicate with each application for a permit and contain the following information:~~

~~Drawing of sign indicating the sign message or copy;~~

~~Elevation plan of the building showing the proposed sign on the building;~~

~~Site plan indicating street frontage, property lines, sight visibility triangles, proposed and existing rights-of-way, location of sign on property and relationship of proposed sign to ingress and egress points;~~

~~Construction details of the sign; method of attachment (details), including number, size and type of anchors being used; weight of sign or components; and character of structural members to which attachment is to be made;~~

~~For illuminated signs, complete electrical data, including type of illumination, number of fixtures, operating voltage, number of circuits, total line load, and location of electrical disconnect(s); and~~

~~Certificate of insurance must be on file with the development services department.~~

~~C. Engineered plans and specifications. The following signs shall require engineered plans and calculations sealed by an engineer and/or architect registered in the State of Arizona:~~

~~Detached or freeway signs when the area of the sign or the aggregate area of all signs on the sign structure, including the pylon and/or pole cover, exceeds sixty (60) square feet.~~

~~Wall signs in excess of one hundred (100) square feet in area or any signs attached to a building in excess of thirty (30) feet from grade to the bottom of the sign, or as required by the plans examiner, except:~~

~~Non-illuminated individual characters or individual graphics fabricated from lightweight material.~~

~~Any signs painted directly upon the wall of a building.~~

~~All billboards.~~

**7A.4.2 ISSUANCE**

Comment [JM39]: NOTE: THIS PROVISION SHOULD JUST BE REFERRED TO BEING IN COMPLIANCE WITH PDSD APPLICATION SUBMITTAL POLICIES?

**A.** Review and approval. The application, plans, specifications, computations and other data filed by an applicant for permit shall be reviewed by the **planning and** development services department. Such plans may be reviewed by other departments of the city to verify compliance with any applicable laws under their jurisdiction. If the **planning and** development services department finds that the work described in an application for a permit and the plans, specifications and other data filed therewith conform to the requirements of this sign code and other pertinent laws and ordinances, and that the fees specified in the **Administrative Manual** ~~Development Standard 1-05.7.0~~ have been paid, a permit shall be issued to the applicant. When the **planning and** development services department issues the permit where plans are required, the plans and specifications shall be endorsed in writing or stamped "APPROVED." Such approved plans and specifications shall not be changed, modified or altered without authorization from the **planning and** development services department, and all work shall be done in accordance with the approved plans.

**B.** Retention of plans. One set of approved plans and specifications shall be returned to the applicant and shall be kept on the job site at all times during which the work authorized thereby is in progress. One set of approved plans, specifications and computations shall be retained by the **planning and** development services department.

**C.** Validity of permit. The issuance of a permit or approval of plans, specifications and computations shall not be construed to be a permit for, or an approval of, any violation of any of the provisions of this sign code or of any other ordinance of this jurisdiction. No permit presuming to give authority to violate or cancel the provisions of these Codes shall be valid.

**D.** Expiration. Every permit issued by the **planning and** development services department under the provisions of this sign code shall expire by limitation and become null and void if the work authorized by such permit is not commenced within one hundred eighty (180) days from the date of such permit, or if the work authorized by such permit is suspended or abandoned for a period of one hundred eighty (180) days from the date of such permit, or if the work authorized by such permit is suspended or abandoned for a period of one hundred eighty (180) days or more at any time after the work is commenced as evidenced by successive approved inspections. Before such work may be resumed, a new permit shall first be obtained, and the fee shall be one-half ( 1/2) the amount required for a new permit for such work, provided no changes have been made or will be made in the original plans and specifications of such work, and that suspension or abandonment has not exceeded one (1) year. Where a permit has expired for more than one (1) year, a new permit must be obtained at full fee.

Any permittee holding an unexpired permit may apply for an extension of time within which to commence work under that permit when the permittee is unable to commence work within the time required by this section for good and satisfactory reasons. The ~~sign code~~ **zoning** administrator may extend the time for

action by the permittee for a period not exceeding one hundred eighty (180) days upon written request by the permittee showing that circumstances beyond the control of the permittee have prevented action from being taken. No permit shall be extended more than once. Prior to extending the permit, the ~~sign code~~ **zoning** administrator may require the plans to be re-examined and/or on-site inspections to be made, the cost of which will be paid by the applicant requesting the extension of the permit. The **planning and** development services department director may condition an extension of a permit on compliance with any amendments to this sign code adopted after issuance of the initial permit.

**E.** Suspension or revocation. The **planning and** development services department may, in writing, suspend or revoke a permit under the provisions of the Tucson Code whenever the permit is issued in error or on the basis of incorrect information supplied, or in violation of any ordinance or regulation or any of the provisions of the Tucson Code.

**.4.3 EFFECT OF ISSUANCE**

**A.** No permit issued for a sign shall be deemed to constitute permission or authorization to maintain a public or private nuisance, nor shall any permit issued constitute a defense in an action to abate a nuisance.

**Comment [JM40]:** NOTE: SHOULD THIS JUST BE REFERRED TO BEING IN COMPLIANCE WITH PDSD APPLICATION SUBMITTAL POLICIES OR ENFORCEMENT?

**B.** A fabricator may submit plans for a sign to the ~~sign code~~ **zoning** administrator for approval and file as a standard. Thereafter, permits may be obtained for such signs without filing detailed structural plans. Such signs shall be given a standard number by the fabricator, and the standard number shall be shown on each permit application. Standard engineering (such as that currently used by members of the Arizona Sign Association) may be submitted to the ~~sign code~~ **zoning** administrator for approval and filed as a standard. If such standards are submitted and approved for use by more than one contractor, a list of all contractors authorized to use that standard must be submitted to the ~~**sign code**~~ **zoning** administrator by the originator(s) of that standard.

**.4.4 GENERAL**

**Comment [JM41]:** All permitting and inspection references should remain in 7A until further notice by the Building Official.

**A.** All signs for which a permit is required shall be subject to inspection, and certain types of construction shall have continuous inspection by special inspectors. ~~**as required by section 3-23.**~~

**Comment [JM42]:** This provision refers to provisions on Special inspections referred to below.

**B.** A survey of the lot may be required by the ~~sign code~~ **zoning** administrator to verify that the structure is located in accordance with approved plans. It shall be the duty of the permit applicant to cause the work to be accessible and exposed for inspection purposes. The city shall not be liable for expense entailed in the removal or replacement of any material required to allow inspection.

**C.** Inspection requests. It shall be the duty of the person doing the work authorized by a permit to notify the **planning and** development services department that such work is ready for inspection. The ~~sign code~~ **zoning** administrator or chief building official may require that every request for inspection be filed at least one working day before such inspection is desired. Such request must be through the inspection request line.

**D.** Approval required. No work shall be done on any part of the structure beyond the point indicated in each successive inspection without first obtaining the approval of the ~~sign code~~ **zoning** administrator. Such approval shall be given only after an inspection shall have been made of each successive step in the construction as indicated by each of the inspections required. ~~**in subsection D, below.**~~

**Comment [JM43]:** Refers to Required Inspection directly below

## 4.5 REQUIRED INSPECTIONS

A site review inspection is required on all permit applications, except for portable signs and for temporary signs for which a sign permit is required.

At the time of the required site inspection, the inspector will verify that the site complies with the information contained in the sign permit application. The inspector will inform the applicant of any discrepancy or violations found on the site. The requested permit shall not be issued until the site is brought into compliance with ~~this~~ **these** sign ~~code~~ **standards** or plans are modified to conform to the site. At the time of the required site review, billboard sites must be staked indicating property lines, required zoning setback, type and size of billboard, and where the leading edge of the billboard will be. Site address must be on billboard. ~~See **section 3-16**(**D**) for additional construction specifications. Failure of city staff to perform any of the duties in this section shall not be a basis for validating any violation of any code.~~

**Comment [JM44]:** Refers to Permits required especially compliance with Technical Codes (D).

Footing inspections are required on all detached signs.

The **planning and** development services department, upon notification from the permit holder or his agent, shall make the required inspections and shall either approve that portion of the construction as completed or shall notify the permit holder or his agent wherein the same fails to comply with **this** these sign ~~code~~ **standards**.

### 4.5.2 RE-INSPECTION

**Comment [JM45]:** Does building codes procedures already cover this provision?

A re-inspection fee may be assessed for each inspection or re-inspection when such portion of work for which inspection is called is not complete or when corrections called for are not made. A re-inspection fee may be assessed when the permit card is not properly posted on the work site, when the approved plans are not readily available to the inspector, for failure to provide access on the date for which inspection is requested, or for deviating from plans requiring the approval of the ~~sign code~~ **zoning** administrator. This fee must be paid prior to the acceptance of any further re-inspection requests by the **planning and** development services department and is in addition to any fee due for a subsequent re-inspection.

The re-inspection fee shall be charged for the third and subsequent inspections.

To obtain a re-inspection, the applicant must pay the re-inspection fee in accordance **with the Administrative Manual Sec. 4-01** ~~**Development Standard 1-05.7.0**~~.

**Comment [JM46]:** This reference is out of date and fees are now listed in the Admin Manual.

In instances where re-inspection fees have been assessed, no additional inspection of the work will be performed until the required fees have been paid.

### 4.5.3 FINAL INSPECTION

**Comment [JM47]:** Does building codes already cover this provision?

The person erecting, altering or relocating a sign shall request a final inspection upon completion of the work for which permits have been issued. Final inspections on installed signs must be completed prior to the issuance of a certificate of occupancy.

**4.5.4 SPECIAL INSPECTOR REQUIRED**

Comment [JM48]: Does building codes already cover this provision?

The following sign types shall be subject to continuous inspection by special inspectors as provided in Chapter 1 of the International Building Code.

All detached sign structures exceeding one hundred (100) square feet in area or twenty-five (25) feet in overall height.

All signs attached to a building in excess of thirty (30) feet from the bottom of the sign to grade, if, in the opinion of the plans examiner, the subject sign and/or the particular building structure and/or the method of attachment constitutes an unusual and/or dangerous structure and/or attachment.

A record of the special inspections shall be submitted to the **planning and** development services department by the applicant at or prior to final inspection and retained by the **planning and** development services department with the sign permit application.

**4.6 Fees.** All sign permit fees are set forth **in Development Review Fee Schedule Sec. 4-01 of the Administrative Manual.** ~~Standard 1-05.7.0. The citizen sign code committee shall review proposed amendments to the sign permit fees and make recommendations to the mayor and council. The mayor and council shall make the final decision to approve, deny or modify the sign permit fees.~~

**7A.4.7 MAINTENANCE.**

Comment [JM49]: should Maintenance be kept in the sign standards revision?

**A.** Each sign shall be maintained in a safe, presentable and good condition, including the replacement of defective parts, painting, repainting, cleaning, and other acts required for the maintenance of said sign, without altering the basic copy, design or structure of the sign. Any painted sign that is painted out and repainted exactly as it previously existed is considered maintenance of a sign. The **zoning** ~~sign code~~ administrator shall require compliance or removal of any sign determined by said official to be in violation of this section.

**B.** In addition to satisfying the requirements of subsection A, any sign that is constructed of paper, cloth, canvas, light fabric, cardboard, wallboard, plastic or other light material, and that is not rigidly and permanently installed in the ground or permanently attached to a building, must be removed or replaced within one hundred (100) days after it is installed or erected.

**C.** Dangerous or defective signs. No person shall maintain or permit to be maintained on any premise~~s~~ owned or controlled by him or her any sign that is in a dangerous or defective condition. Any such sign shall be promptly removed or repaired by the owner of the sign or the owner of the premises.

**D.** Removal of dangerous or defective signs. The ~~sign code~~ **zoning** administrator shall remove or cause to be removed any dangerous or defective sign pursuant to the provisions for the unsafe structures and equipment in the International Building Code.

## ~~7A.5 VIOLATIONS, ENFORCEMENT, PENALTIES~~

Comment [JM50]: At the appropriate time this section on enforcement should be placed in UDC Article 10 Enforcement.

~~**5.1** Violation a public nuisance.~~

~~If any person erects, alters, relocates or maintains a sign in violation of the provisions of this **these** sign **standards** code, it is declared a public nuisance, and the city attorney is authorized to bring an action in a court of competent jurisdiction to enjoin such person from continuing the violation.~~

~~Violation declared a civil infraction - It shall be a civil infraction for any person to violate any of the provisions of this sign code.~~

~~Abandoned and discontinued signs; obsolete sign copy~~

~~Nonconforming signs — Any nonconforming sign or nonconforming sign structure that is either discontinued for a period of six (6) months or abandoned shall be removed by the owner of the sign or owner of the premises.~~

~~Obsolete sign copy. Obsolete sign copy on either a nonconforming or conforming sign is to be removed by the owner of the sign or owner of the premises. Obsolete sign copy shall be removed by replacing the sign face with a blank face, replacing the obsolete sign copy with copy that is not obsolete, or removing the sign structure.~~

~~Determination of discontinuance, recording of determination of discontinued nonconforming sign. The **zoning** sign code administrator may send notice by certified or registered mail or hand delivery to the record owner or occupier of the property to abate a violation of this section, directing abatement within thirty (30) days from the date the notice was mailed or delivered. In making a determination that a sign or sign structure is either abandoned or discontinued, or that sign copy is obsolete, the **zoning** sign code administrator may consider:~~

~~Whether the property on which the sign is located is vacant or unoccupied;~~

~~The length of time the property is vacant or unoccupied;~~

~~The condition of the property;~~

~~The status of any business licenses, permits, or certificates of occupancy;~~

~~Utility records for the property;~~

~~Any acts taken by any person with respect to the property; and~~

~~Any other factor the **zoning** sign code administrator considers relevant to this determination.~~

~~Temporary signs. Temporary signs shall be deemed discontinued when the time, event or purpose to which the sign pertains has passed or otherwise no longer applies, and shall be removed as directed in a written notification by the **zoning** sign code administrator.~~

~~Illegal signs. Illegal signs are those that do not meet the requirements of this **these** sign code **standards** and that have not received nonconforming status.~~

~~Removal of abandoned, prohibited and illegal signs by **the zoning** sign code administrator.~~

~~The **zoning** sign code administrator shall enforce the **these** sign code **standards** in accordance with one or more of the following procedures:~~

~~Administrative enforcement: For an abandoned or discontinued sign, the sign code **zoning** administrator may send notice by certified or registered mail or hand delivery to the record owner or occupier of the property to abate the nuisance within thirty (30) days from the date the notice was mailed or delivered.~~

**Comment [JM51]:** We need to see if this section on enforcement is redundant with the UDC or NPO enforcement provisions.

~~For a prohibited or illegal sign, the sign code **zoning** administrator may send notice by certified or registered mail or hand delivery to the record owner or occupier of the property to abate the nuisance within five (5) days from the date the notice was mailed or delivered.~~

~~The sign code **zoning** administrator shall specify in the notice the nature of the complaint and penalties and abatement remedies for the violation. Abatement remedies shall consist of one or both of the following remedies:~~

~~Removal of the sign; or~~

~~Obtaining the required permits and bringing the sign into compliance with **these** this sign **standards** code.~~

~~Summary abatement. The sign code **zoning** administrator may immediately remove any dangerous sign or sign that creates an imminent threat to public safety. The sign code **zoning** administrator may immediately remove any prohibited sign or illegal sign that is located within the public right-of-way. Illegal signs located within the public right-of-way are hereby determined to create an imminent threat to public safety.~~

~~Civil citation. The sign code **zoning** administrator or designee may issue or cause to be issued a civil citation or civil complaint to any person violating the provisions of this **these** sign code **standards.**~~

~~Administrative appeal - Review of decisions of the sign code **zoning** administrator may be taken in the following ways:~~

~~Appeal of decisions of the sign code **zoning** administrator relating to this **these** sign code **standards** and requests for variances shall be made pursuant to Article XI **Unified Development Code** .~~

~~Proceedings involving the removal of illegal, abandoned or prohibited signs shall be conducted pursuant to this article.~~

~~In all other cases and whenever a violation of any of the technical codes or this Code article is determined, whether during the construction or plan review stage, and the applicant wishes to appeal the decision of the staff because of code interpretations, unreasonable hardship or other acceptable reasons, an appeal may be made to the **building official** **zoning administrator** pursuant to the provisions of the applicable code.~~

**Comment [JM52]:** PDSD staff pointed out that this provision is out of date and the zoning administrator vs. the Building official would be the decision maker.

~~Penalty.~~

~~Any person found responsible for a violation of this **these** sign code **standards** shall be guilty of a civil infraction and punished in accordance with the provisions outlined in Chapter 8 of the Tucson Code **(City Court)** . If there is any conflict between the procedures of this section and the general procedures of Chapter 8, this section is controlling.~~

~~Upon a finding of responsibility, the magistrate shall impose the penalties (fine and abatement) provided under section 8-6.1 of the Tucson Code **(City Court – Penalties).** Upon expiration of the abatement time, the magistrate shall order the city to abate the violation in accordance with the provisions set forth in section 3-110 below.~~

**Comment [JM53]:** Refers to provision on Abatement by; the city after court order. See below

~~Except where prohibited by law, each day the violation continues shall constitute a separate offense.~~

~~Abatement by the city after court order.~~

~~Pursuant to the summary abatement provisions of section 3-106.B, or after entry of a court order directing removal of an offending sign, the city or its agents may enter upon the property and cause the offending sign to be removed at the expense of the owner, tenant, lessee or occupant either jointly or severally.~~

**Comment [JM54]:** Refers to Summary abatement on removal of dangerous signs

~~A verified statement of the costs or expense shall be sent by certified or registered mail to the last known address of the record owner and to the lessee, tenant or occupant. The record owner or the lessee shall be liable jointly or severally for the payment of said cost or expense.~~

~~The payment for costs or expenses shall be in addition to any civil penalty imposed pursuant to Chapter 8 of the Tucson Code **(City Court).**~~

**7A.5.2 INDEMNIFICATION OF CITY.**

**A.** As a condition to the issuance of a sign permit as required by ~~this~~ **these** sign ~~code~~ **standards**, all persons engaged in hanging of signs that involves, in whole or part, the erection, alteration, relocation, maintenance or other sign work in, over or immediately adjacent to a public right-of-way or public property so that a portion of the public right-of-way or public property is used or encroached upon by the sign hanger in the said sign work, shall agree to hold harmless and indemnify the city, its officers, agents and employees from any and all claims of negligence resulting from said erection, alteration, relocation, maintenance or other sign work.

**B.** Liability insurance required. As a condition to the issuance of a sign permit as required by ~~Article III of this~~ **these** sign ~~code~~ **standards,** all sign hangers performing work shall obtain a public liability insurance policy in the minimum amounts of two hundred thirty thousand dollars/five hundred thousand dollars ($230,000.00/500,000.00) for injury or death to any person in any one accident or for injury or death to two (2) or more persons in any one accident; and one hundred thousand dollars ($100,000.00) for destruction of property in any one accident. The sign hanger shall furnish the city with a certificate of insurance that shall name the city, its officers, agents and employees as additional insured under the policy. The insurance shall provide that the city shall be notified of any cancellation of the insurance ten (10) days prior to the date of cancellation.

**7A.6 MEASUREMENTS, LOCATION AND GENERAL REQUIREMENTS**

~~The sign regulations of~~ ~~this~~ **these** sign ~~code~~ **standards** shall be subject to the additional requirements, conditions and exceptions specified in this ~~article~~ **section.**

~~**REGULATIONS ESTABLISHED**~~

**6.1.** **Sign Area.** The area of a sign shall be determined as follows (see Figure 1: Area of a Sign):

**1. Single Face Sign.** The entire area within a single continuous perimeter composed of squares or rectangles that enclose the extreme limits of the advertising message, announcement, declaration, demonstration, display, illustration, insignia, surface or space of a similar nature, together with any frame or other material, color, or condition that forms an integral part of the display and is used to differentiate such sign from the wall against which it is placed, excluding the necessary supports or uprights on which such sign is placed. **In cases where non-usable space is within the measurement rectangle and the non-useable space is greater than fifty-percent of the area of the useable sign area, the measurement rectangles may enclose the useable sign area only.**

**Comment [JM55]:** PDSD staff seems to have a concern with the provision but need to have more discussion on how to address it.

**Comment [JM56]:** This provision is based on a longstanding interpretation in handling crosses which are disadvantaged by the sign area measurement in that their sign area is predominantly open space. The question is should this apply to non-commercial signs like crosses only but not to commercial multi-component signs with sign components of different sizes types?

**2. Individual Letters.** Where a sign consists only of individual letters, numerals, symbols or other similar components and is painted on or attached flat against the wall of a building, and where such individual components are without integrated background definition and are not within a circumscribed frame area, the total area of the sign shall be the area of the square or rectangle that circumscribes the entire message.

**3. Two (2) Or More Faced Sign.** Where a sign has two (2) or more faces, the area of all faces shall be included in determining the area of the sign, except that only one face of a double-faced sign shall be considered in determining the sign area when both faces are parallel and the farthest distance between faces does not exceed five (5) feet, or when the interior angle of the sign faces does not exceed 45° if the boards are in a "V" configuration.

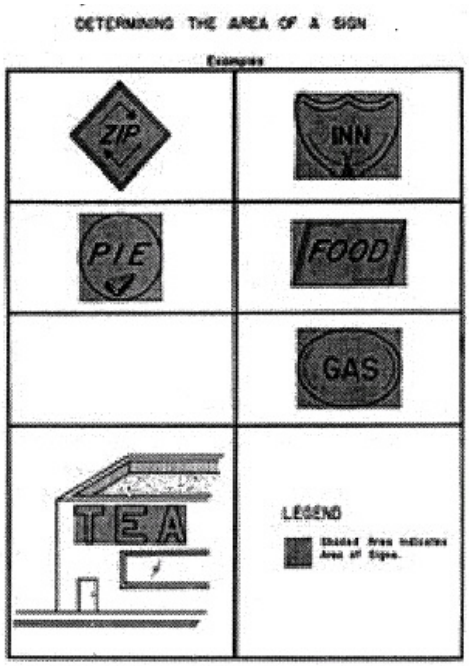



**Figure 1: Area of a Sign**

**7A.6.2 MAXIMUM SIGN AREA**

A. **Maximum** ~~Total allowable~~ **sign area refers to total allowable sign area derived from a calculation of the length** of a **premise** ~~site~~ fronting on a public or private street multiplied by the allowable sign area **ratio in the applicable zone category, special district, or additional standard** ~~each district or as outlined in each district~~.

**B.** Maximum sign area for individual sign types is determined in accordance with **Sec. 7A.10.4** (**Permanent Signs Additional Sign Type Standards).**

The maximum ~~total allowable~~ sign area for **permanent signs on** a **premise** ~~site in each district can never be exceeded regardless of the number of lots or tenants in a development~~. **includes all lots and tenants within the premise's boundaries unless the sign complies with the Sec. 7A.7 (Design Options).**

**In the case where a street frontage or portion of street frontage is within 250 feet of a freeway, the street frontage sign area calculation for a commercial, office or industrial use is four feet per lineal foot of the affected street frontage.**

**Comment [JM57]:** Total allowable sign area is from the definition section

**Comment [JM58]:** Maximum sign area may be increased in a design option master sign program based on the criteria of that section.

**Comment [JM59]:** This is an existing provision relocated here.

~~Maximum sign area is **determined in accordance with Article V- Sign Types and General Regulations[additional sign standards of this revision]**, except that the maximum on site total sign area for commercial, office or industrial uses located within two hundred fifty (250) feet of a freeway shall be four (4) square feet per foot of those portions of street frontage located within two hundred fifty (250) feet of the freeway.~~

~~**Total allowable sign area.** The length of a site fronting on a public or private street multiplied by the allowable sign area in each district or as outlined in each district. The total allowable sign area for a site in each district can never be exceeded regardless of the number of lots or tenants in a development.~~

**Comment [JM60]:** Total allowable sign area is from the Definition Section. Maximum Sign Are is all located in the Measurement Section. Ratios are located in the Standards by Zone Type.

**7A.6.3 Change of Copy.** Refers to the situation w~~W~~here the message or design of an existing sign face is modified or changed, but the size, shape, framework or structure of the sign is not modified or changed. Billboards, marquees, electronic **sign copy** ~~message boards~~, ~~menu boards~~ and approved changeable copy signs are not subject to this definition. **Where a change of copy requires a permit, it may be required to be reviewed as a new sign structure with appropriate inspections.**

**Comment [JM61]:** PDSD needs to clarify when a simple change of a panel or lettering becomes an alteration requiring a building or electric permit. For example the changing of neon tubing. Change of copy should be something that is minor in nature and not triggering the need for a permit.

**7A.6.4 Sign Copy**

**Comment [JM62]:** This provision is meant to be used with the Design Option where legibility is required. It also clarifies that electronic sign copy is allowed when more than an hour and is a component of a sign type and not an individual sign type. Note the scrolling standard reflects the current Sign Code.

**A. Item of information refers to a word, logo, picture, symbol or a separate number or number combination, for example, 123 – 4000 equals two number combinations. Punctuation marks are not counted as an item of information.**

**B. Sign copy that is three inches or less in size is not part of the calculation of items of information.**

**C. Electronic sign copy is permitted to scroll not more than once an hour.**

**7A.6.5 Sign Height Measurement ~~Grade~~**

**The sign height is measured as the vertical distance from the average finished grade beneath the sign to the topmost feature 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 crown of the road nearest the property if no curb exists) to the topmost feature of 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.**

**Comment [JM63]:** This section needs a simple graphic to explain it. A new section that attempts to simplify sign height measurement that is similar to other Arizona jurisdictions especially in this region. A provision addressing signs located on man-made mounds could be added. Most local codes do not do that but there may be codes that do address man-made mounds intended to raise the height of the sign.

~~General: The grade of a sign is the elevation of the outside edge of the street or roadway travel lane nearest to the sign measured perpendicular to the travel lane, except as provided in paragraphs B. through D., below.~~

~~The grade of a sign more than forty (40) feet from the outside edge of the street or roadway travel lane is the lowest point of elevation of a finished surface within a twenty (20) foot radius of the base of the sign.~~

Freeway grade: For freeway signs and billboards, the freeway grade is the elevation of the outside edge of the freeway travel lane nearest to the freeway sign or billboard.

~~A Sign Code Administrator's determination, taking into consideration the surrounding conditions, location of vehicular access points, and topography, is required for any sign located on a finished surface which is five (5) or more feet below the elevation of the outside edge of the street or roadway travel lane nearest to the sign measured perpendicular to the travel lane.~~

**Comment [JM64]:** This standards is existing.

**7A.6.6 CLEARANCE**

**Clearance refers to the distance between grade and the bottom edge of a sign.**

~~Maximum sign area is **determined in accordance with Article V- Sign Types and General Regulations**[**additional sign standards of this revision**], except that the maximum on-site total sign area for commercial, office or industrial uses located within two hundred fifty (250) feet of a freeway shall be four (4) square feet per foot of those portions of street frontage located within two hundred fifty (250) feet of the freeway.~~

~~**Total allowable sign area.** The length of a site fronting on a public or private street multiplied by the allowable sign area in each district or as outlined in each district. The total allowable sign area for a site in each district can never be exceeded regardless of the number of lots or tenants in a development.~~

**Comment [JM65]:** Total allowable sign area is from the Definition Section. Maximum Sign Are is all located in the Measurement Section. Ratios are located in the Standards by Zone Type.

**7A.6.7 SETBACK**

**The sign setback is measured from the leading edge of the sign structure to the curb or edge of the travel lane.** The sign and structure must be installed on private property and set back at least twenty (20) feet from the face of the curb, unless otherwise specified in this sign code.

**Comment [JM66]:** There is a setback measurement standard for freestanding signs in O-1 and it is slightly modified for this provision. Signs set back ten feet vs twenty feet are more visible and would provide a better change for vehicle reaction time. But the current setback standard remains 20 feet.

**7A.6.8 SIGNS NEAR RESIDENCES**

No off-site sign shall be permitted if such sign faces the front or side yard of any lot within any residential district and is located within one hundred fifty (150) feet of such lot line.

**7A.6.9 STREET AND BUILDING FRONTAGES**

**A. Street frontage is measured as ~~T~~the** length of a lot or development fronting on a public or private street.

**Comment [JM67]:** Street Frontage should be moved from definitions into a Measurement Standards Section. Look at Pima County's measurement standards.

**B. Building frontage is the measurement between two 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 or front of the measured wall.**

**Comment [JM68]:** This standards reflects the current interpretation of measuring the front of a building.

## C. MULTIPLE FRONTAGE LOTS

On corner lots and other lots with more than one street frontage, the maximum allowable number and square footage of on-site signs are permitted for each street frontage. The maximum allowances, however, are not transferable either in whole or in part from one street frontage to another.

## D. INTERSECTION CORNER SIGN

When a sign is erected at the street intersection corner of the lot and is placed in such a manner so as to be readable from both streets or both frontages, the sign shall not exceed the maximum area allowed for the longest street frontage.

The sign shall count as one sign for each street frontage.

The area of the sign shall be deducted from the allowable sign area for each street frontage.

## E. SIGNS PER STREET FRONTAGE

General rule: For **a** premise~~s~~ having more than one street frontage, the maximum **sign area and** ~~allowable~~ number **permitted** ~~and square footage~~ of on-site **permanent** signs are permitted for each street frontage and are not transferable ~~either in whole or in part~~ from one street frontage to another. **In the case of a** ~~F~~freestanding sign**,** ~~exception: T~~the more **restrictive standard of the zone category** ~~stringent restrictions of the sign district~~ shall apply ~~to freestanding signs~~.

## F. ACCESS REGULATED

No sign or its supporting members shall be erected, altered or relocated so as to interfere with or restrict access to a window or other opening in a building in such a manner as to unduly limit air circulation or obstruct or interfere with the free use of a fire escape, exit, standpipe, stairway, door, ventilator, window or similar opening, provided however that the ~~sign code~~ **zoning** administrator may approve another form of sign or its attachment when, in his or her judgment, that sign will not restrict access to the openings.

**7A.6.10 SIGNS IN OR OVER PUBLIC RIGHTS-OF-WAY** **Except as provided ~~in paragraph~~ B below,** a sign or sign structure shall not project over a public right-of-way or public property unless the mayor and council grant a special license. Signs licensed pursuant to this section may be displayed for up to sixty (60) days **or over an alternate approved time frame.** The licensee **may require the removal of** ~~shall remove~~ the sign within forty-eight (48) hours after the advertised event **or other temporary occurrence**.

The city manager may grant a special license for building and curbside banners and for across-the-street banners that project or extend over a public right-of-way or over public property. **Signs in the right of way may be reviewed and granted under the Department of Transportation's temporary revocable easement procedure.** ~~, subject to the following:~~

~~The sign shall relate only to city-wide civic events sponsored by non-profit organizations or by individuals conducting the event on a non-profit basis (with fundraising proceeds used for a community benefit). For purposes of this section, a city-wide civic event is one that:~~

**Comment [JM69]:** This review is typically done by TDoT's Real Estate Dept as TRE issue. TDoT is the administrator of these signs requiring City approval of use of their right of way. It depends if this type of sign can be considered a government sign that is not covered by ***Reed***. May need further consideration. Note on a right of way was added to consolidate the right of way standards in one place

**Comment [JM70]:** Paragraph B from Sec 3-43 Signs in the Right of Way it refers to City Manager may grant a special license for curbside banners etc.

**Comment [JM71]:** Appears to be a Reed content limiting issue in listing the acceptable message contents. May need further consideration.

~~**Is open to the public and does not discriminate against patrons in any manner; and**~~

~~**Celebrates or commemorates the historical, cultural and ethnic heritage of the city and the nation; increases the community's knowledge and understanding of critical issues, with the purpose of improving citizens' quality of life; or enhances the educational opportunities of the community; or**~~

~~**Generates broad community appeal and participation; or**~~

~~**Instills civic pride in the city, state or nation; or**~~

~~**Contributes to tourism; or**~~

~~**Is identified as a unique community event.**~~

No sign shall be attached to electric wiring or be energized by electricity.

No sign shall be placed upon traffic signal posts or signs, and no sign shall obstruct a motorist's view of traffic signals.

Any application for a license for a sign attached to utility poles or lamp poles shall include the written approval of the department of transportation of the city and the authorized official of the public utility company owning the poles to which the devices would be attached as to the size and weight of the sign and the manner of attachment to the poles. Building and curbside banners shall comply with the applicable **requirements of Article 7A** ~~**V.**~~ No sign shall be attached to any utility pole carrying primary circuits or to any wooden pole or public property.

Comment [JM72]: Refers to Sign Types and General Regulations Art. V

Signs licensed pursuant to this section may be displayed for up to sixty (60) days. The licensee shall remove the sign within forty-eight (48) hours after the advertised event.

**In no event may signs relating to more than one event be attached to any single pole.**

The license shall state the location where the sign may be placed.

By accepting any license granted under this section, the licensee and its heirs, successors and assigns shall agree to indemnify the city ~~as provided **in section** 3-116~~ and shall provide proof **to the City** of liability insurance ~~as provided **in section** 3-117~~.

Comment [JM73]: Refers to Indemnification of City section.

Comment [JM74]: Refers to 'Liability insurance required' provision

The city manager may impose such additional administrative requirements as may be necessary ~~to give effect to this sign code~~.

**7A.6.11 PREMISE.**

Comment [JM75]: This is a revision of the several versions of premise. It treats signs like other development features' standards and bases the standards on the function of the site versus the ownership of the site. The last statement clarifies that the premise may have one or multiple development plans but essentially is a unified development.

**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.**

**7A.6.12 ILLUMINATION**

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

## 7A.7 SIGN DESIGN OPTIONS

Comment [JM76]: Design options should be encouraged to allow some flexibility and to encourage the best design practices There should be clearer design standards and an option for erect signs that are not in compliance with the purpose statement. It is recommended that a design option should also encourage legibility, reasonable vehicle reaction time, height, and setback as well as considerations as design components. This option also allows for ***Reed*** compliance options especially with portable signs.

### ~~INTEGRATED ARCHITECTURAL FEATURES~~

~~To encourage and promote a harmonious relationship between buildings and signs, the sign code advisory and appeals board is authorized to approve a special permit **in accordance with Article XI** of this sign code for signs that are designed into and constructed as part of an integrated architectural feature of a building where strict application of the provisions of this sign code would otherwise prohibit such signs.~~

### 7A.7.1 MASTER SIGN PROGRAM- PERMANENT SIGNS

**A. Purpose. The purpose of this section is to respond to special permanent sign needs of a development as well as provide and promote superior sign design to implement the purpose of this article.**

**B. Applicability. The master sign program includes all exterior permanent signs at a premise and provides a process where the provisions of Article 7A may be varied subject to the standards and findings listed below.**

Comment [JM77]: The program would include all permanent signs on the site

**C. A master sign program may be submitted before, after, or concurrently with a rezoning, special exception or site plan. Signs regulated by the program require individual permits prior to construction. A sign may be ground or wall mounted or designed into and constructed as part of an integrated architectural feature of a building. In a case where the sign has mixed elements of ground or wall mounted or architecturally integration into the building, the zoning administrator will determine what are the most applicable standards.**

Comment [JM78]: Permits are required of all signs prior to construction

**D. Decision. The Citizen Sign Code Committee shall review design options and make a recommendation to the planning and development services director for a final decision. The director's decision may be to approve, approve with conditions, or deny the application. The director shall base its decision on compliance with the purpose statement, findings, and applicable design standards.**

**An applicant may appeal the director's decision to Mayor and Council in accordance with Sec. 3.9.2 (Mayor and Council Appeal Procedure).**

**E. Design Standards**

**1. All signs**

**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.**

**2. Ground-mounted Signs**

**a. Sign Copy.**

**Signs shall contain legible sign copy. A sign intended to be seen from a right of way or private street shall contain no more than sixteen items of information. An equivalent alternative is a list of six tenants or five tenants and the name of the development.**

**Comment [JM79]:** The last sentence alternative was added where the tenants have long names.

**Sign copy shall be applied to the sign structure in the following manner:**

**Proportional letters, numbers or logos as noted in the section above. Panels of the same size with a unifying background color as noted in the section above;**

**b. Sign Height.**

**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.**

**Comment [JM80]:** This provision is not intended to automatically increase the size or height of a sign but include the visibility of the sign as a consideration. It is also worded with the advisory 'should'.

**The sign height shall be compatible with the surrounding building height profile of the property and surrounding area. The sign structure shall not obstructed significant scenic views from the right of way.**

**Comment [JM81]:** Should it state 'significant' or 'substantive' scenic views? The idea is that some view from some angle may be involved but only to a minor or insignificant degree.

**The height of the sign copy shall not be set so as not to be obstructed by landscaping or a parked vehicle;**

**c. Sign Design Elements.**

**1) Structural components**

**A freestanding sign is to be comprised of design elements consisting of a bottom, middle and top component. A sign blending wall and ground mounted components may use the best practice option noted below.**

**Comment [JM82]:** See above standard that ZA can select which standards apply or the best practice option can be used.

**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;**

**2) Wayfinding and Identification.**

**Freestanding signs shall provide high quality wayfinding and identification, a common and unifying design theme and should be modeled on best practices.**

**In all cases, flexible standards or use of design guidelines noted herein must be consistent with the unique visual environment of Tucson including building height profile of the surrounding area, scenic vistas and vegetation, and the City's outdoor lighting standards for sign illumination.**

**Some examples that may serve as design guidelines include the Manual on Uniform Traffic Control Devices (MUTCD), the American Association of State Highway and Transportation Officials' Guide for the Development of Bicycle Facilities (AASHTO), the National Association of City Transportation Officials' Urban Bikeway Design Guide (NACTO), United States Sign Council Model On-Premise Sign Code, *Street Graphics and the Law*, or a similar document recommended by the Design Professional and approved by the Director.**

**Ground-mounted wayfinding signs that are 20 square feet or less in sign area are not required to have three components but are required to be coordinated in architectural style, colors, materials, and textures with the other larger signs.**

**3) Landscaping.**

**Ground-mounted signs shall be located within a landscaping area that is proportional to the affected sign area. The materials shall consist of non-obstructing live and/or inert landscaping materials.**

**d. Freeway signs**

**If a freeway sign is part of the master sign program, it shall in addition to the standards of the master sign program be constructed in accordance with the Article 7A freeway sign standards and adhere to the items of information legibility standard noted in this section.**

**Comment [JM83]:** One view is the consideration that the freeway sign in some cases may not be part of a master sign program. This current draft suggests if they are on the premise they must be part of the program. PDSD staff have noted that current freeways sign examples tend to have more sign copy and panels than a regular freestanding sign.

**3. Wall-mounted Signs**

**Wall-mounted signs intended to be viewed from the right of way or are greater than twelve square feet in sign area shall be designed to be proportional to the identified tenant space's building frontage wall's display area's size;**

**If the sign is intended to provide wayfinding it shall be located at key decision points for customers or passersby;**

**Sign copy may include the font, logo, symbol and color of the business but constructed or mounted in a manner to abide by the overall design context of the master sign program.**

**For all wall-mounted signs, an organized, proportional appearance is required among the principal and accessory signs of a building or tenant space. Disorganized sizes and color arrangements in the signs' appearance on a specific building or tenant space is to be avoided.**

**Comment [JM84]:** The Wall sign provisions are an attempt to allow a lot of flexibility but to require pre-thought into the layout, sizing, and color arrangement of the signs.

**4. Integrated Architecture Sign**

**Signs that are not classified as either wall or ground mounted shall be constructed in a manner to abide by the overall design context of the architecture of the building and be consistent with the design standards used to develop the master sign program.**

**5. Best Practice Option.**

**A variation from the design standards must show a best practice is being used as an alternative. A best practice may be based on one of the following sources:**

**An already approved permanent sign, master sign program within the City;**

**An award-winning sign design from a national or state sign organization;**

**An American Planning Association, American Sign Association or American Institute of Architects approved documents, books or examples endorsed by one of these organizations;**

**A master sign program, sign design, or document recommended by the Design Professional as being appropriate for the surrounding context of the affected City streetscape.**

**6. Findings.**

**The decision shall show the sign program's compliance with the following applicable findings:**

**Meets the purpose of the Article 7A, the master sign program's purpose section and the master sign program's design standards;**

**Creates a clear connection with the shapes, textures, colors and materials used in the appearance of the buildings of the premise;**

**Creates a proportional sizes of signs placed on or integrated into a building's architecture;**

**Improves the legibility of signs;**

**Improves vehicle reaction time to the signs;**

**Creates an organized wayfinding and identification, and messaging program;**

**Protects significant scenic views; and**

**Reduces clutter along the affected street while enhancing the aesthetics of the street.**

**7A.7.2 MASTER SIGN PROGRAM – PORTABLE SIGNS**

**A. Purpose. The purpose is to respond to special portable sign needs of a business, organization or user that has either a special need or has historically required a larger amount of portable signs than permitted by Article 7A, Sign Standards.**

**In exchange for greater flexibility with dimensions and the amount of signs, the master sign program for portable signs must show that clutter management is achieved by ensuring a coordinated design appearance and using the least amount of signage needed to achieve message display, identification, and wayfinding objectives.**

**Comment [JM85]:** The objective is to assure that zoning rights are at least roughly equivalent to what they were prior to amending the sign standards to comply with ***Reed.***

**B. Applicability. The master sign program for portable signs allows a design option for all portable signs and applies to all portable signs intended to be viewed from the right of way. The program provides a process where the provisions of Article 7A may be varied subject to the standards and findings listed below.. It applies to on-site signs that are intended to be viewed from the right of way.**

**Comment [JM86]:** The applicability is to signs intended to be viewed from the right of way. So the A-frame within a colonnade at a shopping center is not a zoning issue but may be an ADA issue. This provision could also include wall banners.

**If off-site signs are used they must be approved and coordinated with the Department of Transportation.**

**C. Design Standards.**

**1. The number of signs shall be located and spaced or grouped together to reduce a cluttered appearance at the front of a development.**

**2. Spacing, sign area, height and setback shall be adjusted to ensure a legible and well-organized appearance along the right of way.**

**3. A spacing plan within 150-foot street frontage segments shall demonstrate how signs shall be sited to manage their overall appearance. Grouping of signs of different sizes may be used if the visual impact is to improve the overall appearance of an affected street frontage.**

**4. Materials should be similar for all or most signs to reduce the likelihood of a disorganized or cluttered appearance along the street frontage.**

**5. In no case may a sign exceed in sign area or sign height a sign that has historically been used within the City.**

**6. The program may include signs with sign areas exceeding 32 square feet with multiple messages to reduce the overall number of portable signs along the public right of way.**

**8. Items of information per sign shall not exceed sixteen items of information or six equal size panels.**

**D. The Decision, Findings, and Best Practices of the Master Sign Program for Permanent Signs applies to the Master Sign Program for Portable Signs.**

**E. Additional Findings Master Sign Program – Portable Signs**

**1. Clutter and a disorganized streetscape is reduced by appropriate spacing, setback, sign area, and number of signs;**

**2. Legibility is required of all signs;**

**3. Signs are coordinated in materials, color, and design.**

**7A.7.3 INDIVIDUAL SIGN DESIGN OPTION**

**A. The purpose of this section is to implement Section 7A.7.1.A (Purpose), by promoting a harmonious relationship between buildings, signs, and streetscapes through improved legibility and sight lines for moving vehicles and encouraging best design practices by reducing a cluttered and confusing visual environment along the City 's streetscapes.**

**B. The section applies to a new sign or modification or replacement of an existing sign.**

**C. The proposed design option for an individual ground-mounted or wall-mounted signs and signs integrated into the architecture of the building shall follow the decision making, review process, design standards, findings for permanent signs in Section 7A.7.2 (Master Sign Program for Permanent Signs).**

**Comment [JM87]:** In reviewing how signs are actually placed on sites, it appears both spacing and grouping signs can assist in reducing a cluttered appearance.

**Comment [JM88]:** This provision attempts to recognize that certain sign sizes have historically been used in the City but can only be used within the confines of total design plan for identification and wayfinding and only if warranted under the findings.

**Comment [JM89]:** This section could address single sign issues from new to replacing or modifying non-conforming signs.

**D. 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;**

**E. 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.**

## 7A.8 EXEMPT AND PROHIBITED SIGNS

**7A.8.1 Exempt Signs.** The provisions of **the sign standards** ~~this sign code~~, including the requirements for permits, shall not apply to the following specified signs, nor shall the area of such signs be included in the area of signs permitted for any parcel or use. **The following signs are permitted in all zones and special districts.**

**Flags: Non-commercial** ~~F~~**flags, emblems or insignias** ~~**of any nation or political subdivision.**~~

~~**Memorial signs** or tablets: **Memorial signs** or tablets, names of buildings, and dates of building erection, when cut into the surface or facade of a building~~. **Permanent sign cut into the surface of a façade or building**

**Murals that are non-commercial and not advertising a product or service that is sold on the premises.**

~~Specially licensed signs: Signs on or over public right-of-way permitted by the mayor and council or special license, such as signage on bus benches and buses.~~

**Manned hot air balloons are exempt.**

**7A.8.2 Prohibited Signs** ~~**ENUMERATED**~~

No person shall erect, alter, or relocate any sign of the type specified in this section, or of the types **specified in sections regarding signs in the right of way or historic landmark signs** ~~**3-54 and 3-55.**~~

Animated and intensely lighted signs: No sign shall be permitted that is animated by any means, including flashing, scintillating, blinking, or traveling lights, or any other means not providing constant illumination, except as allowed as a historic landmark sign (HLS) ~~**per Sec. 3-71.**~~

No sign shall be permitted that because of its intensity of light constitutes a nuisance or hazard to vehicular traffic, pedestrians or adjacent properties.

~~Electronic message center: An electronic or electronically controlled message board, where scrolling or moving copy changes are shown on the same message board or any sign which changes the text of its copy electronically or by electronic control more than once per hour.~~

~~**Fixed balloon signs:** Except as allowed as a temporary sign, as provided **in this Article V.**~~

~~Prohibition does not apply to manned hot air balloons.~~

**Flags or pennants - commercial:**

**Comment [JM90]:** Flags are being treated the same as murals. Non-commercial flags are exempt but commercial flags continue to be prohibited. Note that flags have features for both portable and permanent signs.

**Comment [JM91]:** Memorial sign is a Reed content-neutral problem.

**Comment [JM92]:** Murals probably can be allowed as non-commercial and commercial murals count as wall signs.. **current definition: "Mural. A noncommercial picture, not advertising a product or service that is sold on the premises**, painted on or attached to the exterior walls."

**Comment [JM93]:** This provision may be a Reed problem. The Signs in the Public Right of Way section address this issue in one place.

**Comment [JM94]:** Regarding hot air balloons, Fixed balloons are moved to Portable signs – temporary signs in that the current sign standards allow these signs conditionally. This type of balloon is not a sign and if mentioned for clarity it should be in Exempt Signs

**Comment [JM95]:** 3-54 refers to signs in the right of way section, and 3-55 refers to Signs in public areas.

**Comment [JM96]:** 3-71 refers to Historic Landmark Signs

**Comment [JM97]:** EMCs are permitted as time and temp and as sign copy when the change is greater than one hour. It should not be a prohibited sign but instead be Reed compliant portion of or the sign copy of a sign.

**Comment [JM98]:** This is allowed at the same time and should be deleted here. It is more like a restricted temporary sign per the existing standard of a one time use. It can be grouped with portable signs but not required to be part of the sign area allotment

**Comment [JM99]:** Regarding hot air balloons, Fixed balloons are moved to Portable signs – temporary signs in that the current sign standards allow these signs conditionally. This provision should be in Exempt Signs

**Comment [JM100]:** It is possible that flags could be part of a feature of an overall master sign program – portable or permanent.

~~**Flags, other than those of any nation, state or political subdivision, except as allowed as a temporary sign, as provided in this Article V.**~~

Propellers, hula strips and **pennants**, except as allowed as a temporary sign, as **provided herein** ~~**in this Article V.**~~

Miscellaneous signs, posters and satellite disks: The tacking, painting, pasting or otherwise affixing of signs or posters of a miscellaneous character, visible from a public way, on the walls of a building, barns or sheds, or on trees, poles, posts, fences or other structures, is prohibited. No signage of any type is permitted on satellite dishes or disks.

Moving signs:

No sign or any portion thereof shall be permitted that moves or assumes any other motion constituting a non-stationary or non-fixed condition, except as allowed as a historic landmark sign (HLS) **per Sec. 3-71**.

~~**Roof signs:** Signs that are erected upon, against, or directly above a roof, or on top of or directly above the parapet of a building, except as allowed as a canopy sign per **Sec. 3-59**, or a historic landmark sign (HLS) **per Sec. 3-71**.~~

Sound, odor or visible matter: Any ~~advertising~~ sign or device that emits audible sound, odor or visible matter.

**7A.8.3 SIGNS CREATING TRAFFIC HAZARDS**

No sign shall be permitted at the intersection of any street in such a manner as to obstruct free and clear vision of motor vehicle operators. No sign shall be located at any location where by reason of its position, shape, or color it may interfere with or be confused with any authorized traffic sign, signal or device. No sign may make use of a word, symbol, phrase, shape or color in such a manner as to interfere with, mislead, or confuse traffic.

**7A.8.4 SIGNS IN PUBLIC AREAS** No sign shall be permitted on any curb, sidewalk, post, pole, hydrant, bridge, tree or other surface located on public property or over or across any street or public thoroughfare, except as expressly authorized by ~~this~~ **these** sign ~~code~~ **standards**.

**7A.9 NONCONFORMING SIGNS AND CHANGE OF USE**

**7A.9 .1** Signs for legal nonconforming uses. Subject to the provisions of this section, signs for a legal nonconforming use, as defined in the **Unified Development** ~~Land Use~~ Code, are allowed. Such signs shall be allowed only so long as the nonconforming use is allowed. A final determination by the zoning administrator that a nonconforming use has been discontinued or abandoned shall also be the final determination of the nonconforming status of the related sign.

Any such sign legally existing on the effective date of this sign code but that does not comply with the regulations of this sign code adopted after the sign was legally permitted shall be deemed to be a nonconforming sign and shall be subject to the provisions of this article.

**Comment [JM101]:** Non-commercial flags are Exempt but commercial flags are prohibited.

**Comment [JM102]:** Article V refers to Sign types and General Regulations

**Comment [JM103]:** Refers to Historic land Mark sign section

**Comment [JM104]:** Roof signs should be reconsidered as a restricted permanent permitted sign. There is an interpretation stating that if a parapet is ten feet above an adjoining parapet it does not constitute a roof sign but a wall sign. It may be more correct to refer to this limited use sign type as a roof sign versus a sub ype of wall sign. Some signs integrated into the roof could be substitute for a freestanding sign. There are many historical/nonconforming signs that have the sign almost attached at the roof line that have not been problematic.

**Comment [JM105]:** There is a difference between a menu board that has a speaker and a sign that specifically is emitting a sound as part of an advertising scheme.

**Comment [JM106]:** Note: this provision probably should remain in the draft. The status of signs in the right of way is mentioned in **7A.6.10 SIGNS IN OR OVER PUBLIC RIGHTS-OF-WAY**

Except for reasonable repairs and alterations, no nonconforming sign shall be moved, altered, removed and reinstalled, or replaced, unless it is brought into compliance with the requirements of **the sign standards** ~~this Sign Code~~. **The updating of electrical components for a non-conforming sign may be considered an approved alteration.**

~~Notwithstanding the provisions of **Sec. 3-96. C.**, a nonconforming detached sign may be relocated, altered, removed and reinstalled, or replaced, subject to meeting all of the following conditions:~~

~~The sign is a legally permitted on-site sign.~~

~~A sign permit must be obtained prior to commencing any such relocation, alteration, removal and reinstallation, or replacement. The following information must be attached to the sign permit application:~~

~~Photographs of all existing signs on the property.~~

~~Scaled drawings showing copy, height, sizes and location of all existing signs on the property.~~

~~Scaled drawings showing the new configuration of the sign and setback.~~

~~The sign must be decreased in height by at least twenty percent (20%) and shall not exceed twenty (20) feet in height.~~

~~The sign must be decreased in sign area by at least twenty percent (20%) and shall not exceed one hundred (100) square feet in area.~~

~~If the sign shares a common structure with other tenants, the aggregate area of all tenant signs must be reduced by at least twenty percent (20%) and shall not exceed one hundred (100) square feet, and the height of the common structure must be reduced by at least twenty percent (20%) and shall not exceed twenty (20) feet.~~

~~The new sign and structure configuration must be equipped with pole covers or architectural embellishments that hide or conceal all structural components or braces (such as pipes, angle iron, cables, internal or back framing, bracing, etc.). The pole cover or architectural embellishment may require plan check for construction purposes.~~

~~No part of the relocated sign and/or structure may occupy or overhang public right-of-way.~~

~~The sign may be relocated, subject to the following:~~

~~If the sign is ten (10) feet tall or less, the sign shall be at least twenty (20) feet behind the existing or future curb whichever is greater.~~

~~If the sign is greater than ten (10) feet tall, the sign shall be at least thirty (30) feet behind the existing or future curb whichever is greater.~~

~~The sign has not been declared abandoned, illegal or prohibited.~~

~~Any nonconforming sign that is relocated, altered, removed and reinstalled, or replaced pursuant to the provisions of this section retains its classification as a nonconforming sign and shall be treated as such.~~

**Comment [JM107]:** Alteration and updating electronic components was allowed through a recent interpretation. This change reflects that interpretation.

**Comment [JM108]:** The section starting with **'Notwithstanding' to 'shall be treated as such.'** Is in the current sign standards but has sunsetted. The individual sign design option could replace this section. Nonconforming signs should be reconsidered when they have value for their conforming setbacks and height for vehicle reaction time analysis. Also they should be considered as candidates for improved design option with legibility standards

**Comment [JM109]:** Sec.3-96.C refers to Signs for legal nonconforming uses section

### 7A.9.2 Change of Use.

Any nonconforming sign may continue to be utilized as long as the occupancy of the use within the structure remains the same. When a use changes from one occupancy category-to another, all signs shall be brought into conformance with the provisions of this **article** ~~chapter~~.

Any ~~occupancy~~ not mentioned specifically or about which there is any question shall be classified by the **zoning** ~~sign code~~ administrator and included in the group which its use most nearly resembles.

Occupancy categories ~~:~~

Comment [JM110]: PDSD staff states this provision on 'occupancy categories' has caused concerns and problems for many and may need more discussion on its continued use.

Assembly uses such as theaters, churches, stadiums, review stands and amusement park structures.

Educational uses such as nurseries, child-care and other educational purposes.

Institutional uses such as hospitals, sanitariums, nursing homes, mental hospitals and sanitariums, jails, prisons and reformatories.

Manufacturing and industrial uses such as storage of materials, dry cleaning plants, paint shops, woodworking, printing plants, ice plants, power plants and creameries.

Service facilities such as repair garages, aircraft repair hangers, gasoline and service stations.

Wholesale uses.

Retail uses.

Office uses.

Restaurant, drinking and dining uses.

Government uses such as police and fire stations.

Multi-occupancy dwellings such as hotels, apartment houses, convents, monasteries and lodging houses.

Single-family dwellings.

Parking facilities such as parking garages.

## 7A.10 SIGN TYPES AND GENERAL STANDARDS

This ~~**Article V**~~ **section** describes the basic sign types that are either permitted or prohibited ~~in the specific sign districts established in Article VI~~. A sign type that ~~is **listed in this Article V** that~~ is not ~~expressly~~ permitted in a **zone** ~~sign district by **Article VI**~~, is prohibited **unless otherwise designated by this article** ~~in that district~~. Any specific regulation of a sign type ~~that is listed **in Article VI**~~ for a specific **zone** ~~sign district~~ supersedes the general requirement for the sign type ~~listed in this article for that sign district~~. **Standards in special districts supersede the regulations for the underlying zone or the general requirements for the sign type.**

### 7A.10 .1 GENERALLY PERMITTED SIGNS

The signs contained in this section **are permitted throughout the city**, regardless of **zone and** sign district, unless otherwise designated.

**A.** ~~Emergency site locator~~. **Emergency, warning, and governmental signs necessary for public safety or civil defense or other governmental use. Signs shall be easily readable and if necessary illuminated**

Comment [JM111]: This version of an emergency sign is reduced but covers the long list of the current sign type provision.

~~No permit is required.~~

~~Not included in the calculation of total allowable sign area.~~

~~Emergency site locators shall:~~

~~Identify each building in accordance with the requirements of the building code as adopted by this jurisdiction.~~

~~Be located at each vehicle entrance into a complex.~~

~~Be either mounted on building walls (or other structures) or placed as freestanding structures.~~

~~Be readily visible and readable by emergency vehicle operators entering the complex.~~

~~Be easily readable at night, either by individual illumination, color or area illumination.~~

~~Be oriented in the same direction as the complex it describes (i.e., if north is to the right, north will be on the right of the sign).~~

~~Include a round, red disc "you are here" symbol.~~

~~Designate all the entryways, driveways, fire department access points, buildings and other pertinent structures in the complex.~~

~~Identify, if existing on site:~~

~~Buildings and other structures by address, numerical, alphabetical or other symbol designation.~~

~~Fire hydrants.~~

~~Electrical main disconnects.~~

~~Gas shutoff valves.~~

~~Elevators.~~

~~Special hazards, such as chemical generators, fuel storage tanks, etc.~~

~~Stairs.~~

~~Swimming pools.~~

~~Bodies of water with bridges noted.~~

~~Railroad tracks.~~

~~Fences and walls with locations of gates.~~

~~**A.1 Maximum area:**~~

~~Complexes with fewer than fifty (50) units: Twelve (12) square feet.~~

~~Complexes with fifty-one (51) to three hundred (300) units: Twenty-four (24) square feet.~~

~~Complexes with three hundred one (301) to six hundred (600) units: Thirty-six (36) square feet.~~

~~Complexes with more than six hundred (600) units: Forty (40) square feet.~~

~~**A.2 Maximum height:** Ten (10) feet.~~

**B Interior Signs. See definition Sec. 7A.3.7.**

**Interior Sign Exception: A sign within a premise, such as a menu board, 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.**

~~**3. Maximum area per sign:** Two (2) square feet.~~

~~4. An incidental sign must be attached to the building or structure as an attached sign~~.

**C. ~~Political election signs~~. RELOCATED TO PORTABLE**

~~Portable construction signs~~.. **RELOCATED TO PORTABLE**

~~**C. Time, temperature and weather displays** (TT&W).~~

~~**1. General.** May be integrated into other allowable sign types without counting toward the allowed signage area.~~

~~**2. Maximum faces:** Two (2).~~

~~**3. Maximum area:** Sixty-six (66) square feet maximum per face, but not to exceed thirty (30) percent of the allowed area of the sign in which the TT&W is integrated.~~

~~**4. Allowable number:** One (1) per site, except on corner lots where two (2) are allowed but may not add to the number of freestanding signs allowed on a site.~~

~~**5. Maximum height:** Same as the sign type in which the TT&W is integrated.~~

**Comment [JM112]:** Time and temp signs are a Reed problem. They favor financial services over, say, churches by allowing one minute scrolling where churches mus comply with over one hour scrolling of electronic sign copy.

**D. Vehicle signs.: ~~Vehicle signs:~~ Signs mounted upon, painted upon, or otherwise erected on trucks, cars, boats, trailers or other motorized vehicles or equipment are prohibited, except as specifically provided below.** Vehicle signs are allowed only where all of the following conditions are met:

**Comment [JM113]:** Vehicle signs were removed from the Prohibited Sign section and place here in Generally Permitted with the current standards. Note signs listed in draft Prohibited Sign section are prohibited and don't have special conditions. Signs that were conditionally allowed were removed from Prohibited Sign section and placed in an appropriate category allowing signs permitted with conditions .

**1.** The primary purpose of such vehicle or equipment is not the display of signs.

**2.** Signs are painted upon or applied directly to an integral part of the vehicle or equipment, do not extend beyond the horizontal or vertical profile of the vehicle, and are not mounted on the truck bed.

**3.** Vehicle/equipment is in operating condition, currently registered and licensed to operate on public streets when applicable, and actively used in the daily function of the business to which such signs relate.

**4.** Vehicles and equipment are not used primarily as static displays advertising a product or service, nor utilized as storage, shelter or distribution points for commercial products or services for the public.

**5.** During periods of inactivity exceeding five (5) days, such vehicle/equipment are not so parked or placed that the signs thereon are displayed to the public. Vehicles and equipment engaged in active construction projects and on-premises storage of equipment and vehicles leased or rented to the general public by a business engaged in vehicle leasing shall not be subject to this condition.

**E. Wall signs, multipurpose facility.**

**Comment [JM114]:** Refers to a community sports complex or similar large and unique facility.

1. Notwithstanding any other limitations and restrictions set forth elsewhere in this sign code, a multipurpose facility is permitted to include as part of its wall signage one (1) or more light emitting diode (LED) or other electronic banners and/or video displays that may include continuously moving words and images. These components shall be used in ticketing areas and other pedestrian gatherings where, in the opinion of the city engineer, such signage will not create a traffic hazard and will not be visible or will be only incidentally visible from public rights-of-way or adjacent properties.

2. For purposes of this section, the term "multipurpose facility" has the meaning set forth in the definition found at Arizona Revised Statutes section 48-4201.

F. **Window signs** are permitted wherever wall signs are permitted.

## 7A.10.2 PERMANENT SIGNS - ZONE CATEGORY STANDARDS

**TABLE 1 - ZONES CATEGORIES AND PERMANENT SIGN TYPES**

**Sign types below are permitted in the applicable zone categories with additional standards. Individual zones may prohibit or have more restrictive standards for a sign type than other specific zones in the same zone category below.**

| Permanent Signs | Residential<br><br>IR, RH, SR, SH, RX-1, RX-2, R-1 MH-1 | Multifamily Residential<br><br>R-2, R-3 MH-2 | Non-residential<br><br>O-1 | General Business<br><br>O-2, O-3, P, RV, NC RVC, C-1, -2, -3, OCR – 1, -2, MU, U | Industrial<br><br>PI, I-1, I-2 |
|---|---|---|---|---|---|
| Access Point | | * | | * | * |
| Awning | * | * | | * | * |
| Billboards | | | | * | * |
| Canopy | | | | * | * |
| Dwelling Unit<br><br>(home occupation) | * | * | | | |
| Freestanding Monument | * | * | | * | * |
| Freestanding | * | * | * | * | * |

| | | | | | |
|---|---|---|---|---|---|
| **Monument low profile** | | | | | |
| **Freestanding Pole** | | | | * | * |
| **Freeway** | | | | * | * |
| **Parking Lot** | * | * | * | * | * |
| **Projecting** | * | * | * | * | * |
| **Roof** | | | | * | * |
| **Wall** | | * | * | * | * |
| | | | | | |
| ***– See Sec. 7A.10.3 and 7A10.4 for Maximum Sign Area and Additional Standards by Zone Category and Sign Type** | | | | | |

**7A.10.3 PERMANENT SIGNS – MAXIMUM SIGN AREA AND SPECIAL ZONE STANDARDS PER ZONE CATEGORY**

**For property in the historic districts, the pedestrian business district, and the scenic corridor zone (SCZ) district, the standards for those special districts take precedent over the zone standards below.**

| MAXIMUM SIGN AREA PER ZONE CATEGORY AND SPECIAL ZONE STANDARDS | | |
|---|---|---|
| **TABLE 2**<br><br>**ZONE CATEGORIES** | **MAXIMUM**<br><br>**SIGN AREA** | **SPECIAL ZONE STANDARDS** |
| **RESIDENTIAL**<br><br>(RX-1, RX-2, R-1 MH-1) AND RURAL ZONES | 20 Sq. Ft. **(2)**<br><br>**50 Sq. Ft. (3)** | 1. On building having more than one street frontage, the maximum allowable number and square footage of on-site signs area permitted for each street frontage. The maximum allowance, however, is not transferable either in whole or in part from one street frontage to another.<br><br>**2. Residential uses - Maximum sign area**<br><br>**3. Non-residential uses - Maximum sign area. Permanent freestanding sign's sign area may not exceed 32 square feet** |
| **MULTI-FAMILY**<br><br>(R-2, R-3 AND MH-2 ZONES) | 50 Sq. Ft**. (4)**<br><br>**80 Sq. Ft.(5)** | 4. **Residential** ~~and nonresidential~~ **uses**<br><br>5. **Non-residential uses**. **Permanent freestanding sign's sign area may not exceed 40 square feet** |
| **NON-RESIDENTIAL**<br><br>O-1 ZONE | 20 Sq. Ft. **(7)**<br><br>**80 Sq. Ft**. **(8)** | 6. **Illumination and color:** Signs on arterial and collector streets shall be illuminated only by low pressure sodium lighting and shall not be illuminated between the hours of 10:00 p.m. and 7:00 a.m. Signs located on a local street frontage shall not be illuminated. Color schemes for all sign components, including copy, shall be compatible with surrounding residential areas.<br><br>7. Residential uses. **Maximum sign area**<br><br>8. **Non-residential uses maximum sign area**. |

**Comment [JM115]:** This number reflects merging the current sign code's two standards of 20 sq feet and a paragraph stating a nonresidential use can use the next most applicable sign district in its sign area amount.

**Comment [JM116]:** This number reflects a higher amount of sign area for nonresidential uses when merging the square footage stated and the paragraph using the next less restrictive sign district. This amount is an estimate since it is very difficult to figure what sign district is intended in the more flexible paragraph.

| | | |
|---|---|---|
| | | **Permanent freestanding sign's sign area may not exceed 40 square feet** |
| **GENERAL BUSINESS**<br><br>(O-2, O-3, P, RV, NC, RVC, C-1, C-2, C-3, OCR-1, OCR-2, MU AND U ZONES) | 3 feet for every lineal foot of street frontage | 9. a. If any portion of a parcel is within two hundred fifty (250) feet of a freeway: Four (4) square feet per foot of street frontage.<br><br>If any portion of a parcel is within two hundred fifty (250) feet of a freeway: Four (4) square feet per foot of street frontage.<br><br>**9.b Design review:** Within effectuated Urban Overlay Districts (UOD) mapped per the Unified Development Code (i.e. with "U" zoning), any single sign 50 square feet in area or larger, or any site where the total sign area exceeds 50 square feet, shall be reviewed under the design review procedure established by the specific UOD.<br><br>**9.c Historic landmark signs (HLS), all types. The first HLS on a premise does not count toward the maximum total sign area.** |
| **INDUSTRIAL**<br><br>(P-I, I-1, I-2 ZONES) | 4 feet for every lineal foot of street frontage | **5. Historic landmark signs** (HLS), all types. The first HLS on a premise does not count toward the maximum total sign area. |

**SPECIAL USE STANDARDS WITHIN ZONE CATEGORIES –**

~~Original Language – The single family residential district also includes property in less restrictive zones where the approved site plan, development plan or plat is for a single family dwelling as the principal use. The establishment of a more intensive use in conformance with an approved site plan, development plan or plat shall re-designate the property to the applicable sign district.~~

**Comment [JM117]:** SPECIAL USE STANDARDS WITHIN ZONE CATEGORIES – NOTE Earlier drafts attempted to revise the language below that currently coexists and conflicts in the existing sign code with specific sign area dimension. The intent is to completely delete these references and revise the sign area dimensions to be less restrictive as is the intent of the language below.

~~**Example of Potential Revised Language - Single Family Dwelling And Multi-Family Dwellings. Where the site plan, plat or development plan were approved for a single family or multi-family dwelling as the principal use in a less restrictive zone category, the sign standards of the Residential and Multi-family zone categories shall apply respectively.**~~

~~Original Language - The multiple family residential district also includes property in less restrictive zones where the approved site plan, development plan or plat is for a multiple family dwelling as the principal use. The establishment of a more intensive use in conformance with an approved site plan, development plan or plat shall re-designate the property to the applicable sign district.~~

~~**Example of Potential Revised Language - More Intensive Use than Single Family or Multifamily Dwellings in the Residential and Multi-family Zone Categories. A more intensive principal use than a single family dwelling or multi-family dwelling in the respective Residential and Multi-family Zone Categories shall allow the more intensive principal use to apply the sign standards of the following less restrictive zone category than the Residential and the Multi-family zone categories respectively.**~~

~~Original Language - The O-1 district does not include property where an approved site plan, development plan or plat provides for a single family dwelling or multi-family dwelling as the principal use, or property in the historic districts, the medical-business-industrial park district, the pedestrian business district, the scenic corridor zone (SCZ) district, or the planned area development (PAD) district~~

~~**Example of Potential Revised Language - O-1 Zone, General Business Zone, and Industrial Zone Categories – In a site plan, plat, or development plan where the principal use is a single family or multi-family dwelling within the above named zone categories shall use the Residential and Multi-family Zone Categories for the respective principal use. The sign standards in historic, pedestrian and scenic corridor districts take precedent over the sign standards of the above named zone categories.**~~

**Comment [JM118]:** The sentence referencing special district standards take precedent is moved to the opening of the special district standards 7A.10

~~PLANNED AREA DEVELOPMENT (PAD) DISTRICT~~.

**Comment [JM119]:** PAD is relocated to special districts section. New standards will state an existing PAD may use the sign standards of the base zone that it was modeled on in the original zoning application or use a separate master sign program.

**7A.10.4 PERMANENT SIGNS - ADDITIONAL SIGN TYPE STANDARDS**

**The sign types below apply to the sign types in all zones but may have more restrictive standards by individual zones or zone categories.**

**A. Sign Types A through E**

1. **Awning signs.**

**a. General Standard**. A sign **shall be** constructed of cloth, plastic or metal and permanently affixed to a structure intended to provide shade.

**b. Zone Category Standard**. **Residential Zone Category (RH, SR, SH, RX-1, RX-2, R-1, MH-1)** For nonresidential and home occupation uses only.

**2. Access point sign** ~~**Traffic directional signs.**~~ ~~**Traffic directional.**~~ An on-site sign **located at or near the access point or other wayfinding location providing information or** directing the reader to the location or direction of any place or area. **This sign type is not permitted in the single family residential district, multi-family residential districts, the O-1 district or the historic district**.

**3. Billboards.**

**a.** Permitted locations: On undeveloped property in the C-2, C-3, I-1, and I-2 zoned property and only within the general business **zone category** ~~district~~ and the industrial **zone category** ~~district~~ ~~**as set forth in section 3-77 and section 3-80 of Article VI of this sign code.**~~

**b.** Maximum area per face, including embellishments:

Generally: Six (6) feet by twelve (12) feet.

Within two hundred fifty (250) feet of a freeway: Three hundred seventy-eight (378) square feet.

**c.** Limitations:

No more than two (2) faces per sign.

Vertical or horizontal stacking is not permitted.

**d.** Maximum height:

Generally: Sixteen (16) feet ~~from grade to top of sign.~~

Within two hundred fifty (250) feet of freeway: Thirty-five (35) feet from freeway grade to top of sign.

**e.** Minimum clearance: Four (4) feet from grade to bottom edge of sign.

**f.** Minimum separation:

Generally: The minimum distance between a billboard and an existing billboard shall be six hundred sixty (660) feet, measured in all directions and regardless of jurisdiction.

Within two hundred fifty (250) feet of a freeway: The minimum distance between a billboard located within two hundred fifty (250) feet of a freeway and an existing billboard shall be one thousand nine hundred eighty (1,980) feet measured in all directions and regardless of jurisdiction.

**g.** Minimum setback: No billboard or part of a billboard shall be located within two hundred (200) feet of a residential zone boundary line.

**h.** Orientation: Billboard faces shall be oriented perpendicular to the road on which they are located.

**i.** Prohibited locations: On property with the following zoning: ~~LUC Article II, Zones, Division 2~~ Rural Residential zones ~~(all), Division 3,~~ Urban Residential zones (all); ~~Division 4~~, Office zones (all); "RVC" Rural Village Center Zone, "NC" Neighborhood Commercial Zone, "C-1", Commercial Zone, "P" Parking Zone and "RV" Recreational Vehicle Zone of Division 5, Commercial zones~~, Division 6~~, Mixed Use Zones (all); "P-I" Park Industrial Zone of Division 7, Industrial Zones; Scenic Corridor Zone, Airport Environs Zone (unless prior approval in writing by Federal Aviation Administration) and Historic Preservation Zone ~~of Division 8,~~ Overlay zones.

Any developed property. Billboards on undeveloped property may remain when there is new development as long as the entire site **fully conforms to the Unified Development Code Sec. 4.9.4.G** ~~**Tucson Land Use Code (LUC), including LUC Sec. 3.5.4.26.**~~

**Comment [JM120]:** The sections mentioned are not from the UDC but the LUC. This section needs to be edited to use the zone categories mentioned throughout the sign standards. Or delete this section because the permitted zones are The other zones are already permitted locations mentioned above in this additional standards by sign type

**Comment [JM121]:** Sec. 4.9.4.G use specific standards on billboard needs to be amended to refer to the new Sign Standards article 7A

Within four hundred (400) feet of the future right-of-way of gateway routes as designated in the Major Streets and Routes Plan.

**j. Prohibited ~~advertising~~ sign copy display**: Notwithstanding any other provision of the Tucson Sign Code, billboards may not change ~~**advertising**~~ **sign** copy by any type of electronic process or by use of vertical or horizontal rotating panels having two or more sides whereby ~~**advertising**~~ **sign** copy is changed by the rotation of one or more panels.

**Comment [JM122]:** This provision confirms that that on a billboard electronic sign copy or a moving feature to change the sign message is prohibited.

**4. Canopy Sign General Standards**

**a.** Maximum number of faces: Canopy signs shall have one (1) face per sign; they shall not be a double faced sign.

**b.** Maximum number.

One (1) per tenant for each tenant elevation up to one hundred fifty (150) feet in length.

Two (2) per tenant for each tenant elevation over one hundred fifty (150) feet in length.

~~Dimensional standards:~~

**c.** Maximum size: The vertical measure of the sign face shall not exceed eighteen (18) inches except for individual letters with descenders that are proportionate to the remaining text but in no case larger than six (6) inches. The horizontal measure of the sign face shall not exceed seventy five percent (75%) of that for the building or tenant elevation that backs the canopy sign and shall not exceed the width of the canopy to which it is attached.

**d.** Maximum height: The top of the canopy sign shall be no more than two (2) feet above the top surface of the canopy directly below the canopy sign, and no more than fifteen (15) feet in height above finished grade immediately below the canopy sign.

**The wall behind the canopy sign shall be vertical and at least six (6) feet higher than the top of the canopy sign, or the angle from horizontal formed by a line connecting the top of the canopy sign and the top of the wall backing the canopy sign shall be no less than twenty (20) degrees.**

**Comment [JM123]:** *Note these standards are 3-59.C.2.b or .c noted below*
per Sec. 3-42. – See new Design Option section

Canopy signs that do not exceed the height of the roof or parapet wall immediately behind the canopy sign but not in compliance with ~~**3-59.C.2.b or .c**~~ **the provision noted above** may be considered as integrated architectural features

**Comment [JM124]:** 3-59.C.2.b or c refers to Canopy signs provision on maximum height and the wall behind the canopy and the angle from the wall connected to a canopy.

**e.** Float: The bottom of a canopy sign (excluding descenders) shall be placed directly on the top surface of the canopy directly below the canopy sign.

**f.** Location: Within twenty (20) feet of the building wall that backs the canopy sign.

**g.** Maximum projection: Canopy signs shall not project from the canopy facia unless the sign copy includes descenders, in which case canopy signs may project up to six (6) inches from the facia.

**h.** Maximum recess: Canopy signs may be recessed up to a maximum of six (6) inches from the facia of the canopy.

**i.** Orientation: The face of the canopy sign shall be vertical and shall be parallel to the building wall that backs it except if it is affixed to a horizontally curved or other irregularly shaped canopy and no individual letter is angled more than twenty-five (25) degrees from the building wall.

~~**Copy: Limited to letters or numbers in outline form, except for one logo or symbol.**~~

**Comment [JM125]:** Regulations on sign copy may be a Reed problem.

**j.** Canopy signs are not permitted on any canopy elevation that also has a wall sign on the canopy.

**5. Dwelling Unit** –

**a. Zone Category Standards**

**Residential, and Multi-family Residential Zone Categories** – No more than one sign may be visible from the exterior the property ~~used as a home occupation~~. The sign shall not exceed one square foot in size, ~~as permit by the Tucson Land Use Code.~~

**Comment [JM126]:** UDC 4.9.7E.10 mentions Chapter 3 and the one square foot rule. This is an opportunity to coordinate the provisions of the new Article 7A and Article 4 USS for home occupations. Home occupation limit on this sign is a Reed problem and defining the sign by the location, namely, dwelling unit helps make the sign content neutral.

***O-1 Non-residential Zone Categories*** **-** No more than one (1) sign may be visible from the exterior of the property ~~used as a home occupation~~. The sign shall not exceed one (1) square foot in size. Freestanding signs may be the monument and low profile types only.

~~**Directory**~~ **signs**.

~~***Permitted in the medical-business-industrial park district and the planned area development district only.***~~

~~Maximum area: Two (2) square feet per occupant plus twenty (20) percent additional square feet for a directional map.~~

~~Setback: None required, except a pull out area for vehicles to pause without inhibiting through traffic.~~

~~Not permitted in public right-of-way, as provided in **section 3-74**.~~

**Comment [JM127]:** the directory sign should be permitted as an on-site sign/incidental that aids drivers and pedestrian with on -site wayfinding and identification. As long as it is not viewable or designed to be viewed from the street. In that case it becomes a freestanding sign and must be under those standards.

**Comment [JM128]:** 3.74Refers to the multifamily residential district standards. This section has been reformatted into several sections in the draft sign standards.

**B. Sign Types F through O**

**1. Freestanding Signs**

**a. General Standards**

**1)** Monument type sign, general requirements:

Maximum faces: Four per sign.

Maximum area: Fifty square feet per face.

Maximum height: Ten feet from grade.

Minimum setback: Twenty feet from curb to leading edge of sign.

**2)** *Low profile type sign, general requirements:*

Maximum faces: Two per sign.

Maximum area: Sixty square feet per face.

Maximum height: Eight feet, or less than eight feet if the setback from the curb is less than sixteen feet (see Table 1).

Minimum setback from curb to leading edge of sign: See Table 1.

Minimum continuous base (clearance from grade to bottom of sign): Two feet.

**3)** Freestanding pole sign requirements:

Maximum faces: Two per sign.

Maximum area: Seventy-two square feet per face.

Maximum height: Twelve feet.

Minimum setback: Thirty feet from curb to leading edge of sign.

Table ~~1~~ **3**

| Distance from Curb to Leading Edge of Sign | Maximum Allowable Height |
|---|---|
| 0'0" | 0'0" |
| 1'0" | 0'6" |
| 2'0" | 1'0" |
| 3'0" | 1'6" |
| 4'0" | 2'0" |
| 5'0" | 2'6" |
| 6'0" | 3'0" |
| 7'0" | 3'6" |
| 8'0" | 4'0" |
| 9'0" | 4'6" |
| 10'0" | 5'0" |
| 11'0" | 5'6" |
| 12'0" | 6'0" |
| 13'0" | 6'6" |
| 14'0" | 7'0" |
| 15'0" | 7'6" |
| 16'0" or more | 8'0" |

***b.* Freestanding signs, all types.**

~~a. Stand-alone premises:~~

One freestanding sign for each street frontage.

**Comment [JM129]:** The freestanding sign standards are overly complex with various types of 'sites' called premises, strip development and malls. The recommendation is to delete these 'site' types in favor of a single site type, namely a **Premise** which is a site under a single development plan. Freestanding signs can be regulated by the lineal feet of street frontage and/or number of access points.

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

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.

~~A "stand-alone premises" for the purposes of this subsection is a piece of land with definite boundaries, which includes the property and the buildings on it, and is separately owned from any other property. A stand-alone premises must meet the on-site parking requirements under the Tucson Land Use Code without sharing parking with another premises and must provide its own ingress from and egress to the public right-of-way.~~

~~b. Strip development.~~

~~(1) One freestanding sign per major arterial or collector street to identify the name of the strip development shopping center or for use as an occupant directory. In addition, one freestanding sign will be permitted for each self-contained premises, not to exceed thirty-two (32) square feet in area.~~

(2) ~~For the purpose of this subsection, a "self-contained premises" is a piece of land with definite boundaries, which includes the property and the buildings on it, and is separately owned from any other property. A self-contained premises must meet the onsite parking requirements under the Tucson Land Use Code without sharing parking with another premises.~~

(3) ~~For the purpose of this subsection, a "strip development" is a development or group of buildings that meets the definition of "premises" found at section 3-34, but shall not include any area treated as a "stand-alone premises" for purposes of this section.~~

(4) Malls: ~~One freestanding sign per major arterial or collector street to identify the name of the mall. One freestanding sign not to exceed twenty (20) square feet will be permitted for each detached building included on the same development plan. A "mall" is a shopping center anchored by two (2) or more major department stores with various specialty stores totaling five hundred thousand (500,000) square feet or more of gross building area.~~

**c. Zone Category Standards**

**1) Residential Zone Category (RX-1, RX-2, R-1 MH-1)**

**Nonresidential uses ~~and home occupations~~ may have a freestanding sign**

**Comment [JM130]:** A Dwelling Unit Sign type has been added that allows for sign area and does not distinguish between wall or ground-mounted signs

**Monument and low profile only are permitted**

**A sign** that includes or consist of a three dimensional representation of a figure or object is prohibited.

**2) Multi-family Zone Category (R-2, R-3 AND MH-2)**

Monument and low profile only.

Low profile maximum area is 50 square feet.

A sign that includes or consist of a three dimensional representation of a figure or object is prohibited.

**3) O-1 - Non-residential Zone Category**

Monument and low profile only

Maximum number one per site or premise

Location: On an arterial or collector street only

Maximum faces two per sign, back to back configuration only

Maximum area twelve square feet per face

Maximum height – four feet

Minimum setback – Twelve feet ~~from curb to leading edge of the sign~~.

A sign that includes or consist of a three dimensional representation of a figure or object is prohibited.

**4) General Business Zone Category O-2, O-3, P, RV, NC, RVC, C-1, C-2, C-3, OCR-1, OCR-2, MU AND U ZONES**

**Freestanding sign all types**

**5) Industrial Zone Category P-I, I-1, I-2**

Freestanding signs, all types. One (1) per street frontage; except, where a developed parcel has in excess of three hundred (300) feet of street frontage, one (1) additional freestanding sign may be erected for each additional one hundred fifty (150) feet of street frontage in excess of the first three hundred (300) feet of street frontage abutting the developed portion of said parcel.

**d. Freestanding pole sign**

Allowed only in the general business **zone category** ~~district~~; and industrial **zone category** district; ~~medical-business- industrial park district~~; ~~park district~~ ~~and planned area development district~~.

Minimum setback: Thirty feet from curb to leading edge of sign.

Pole cover: The sign structure configuration must be equipped with pole covers or architectural embellishments that hide or conceal all structural components or braces (such as pipes, angles, iron, cables, internal back framing, bracing, etc.). Minimum requirement is eighteen inches by six inches. The pole cover or architectural embellishment shall require a plan check for construction specifications in accordance with applicable technical codes.

When allowed: Allowed only when there is a minimum of two hundred twenty- five feet of street frontage, or one hundred twenty-five feet of street frontage and four or more business addresses.

Maximum number: Only one freestanding pole sign allowed per street frontage per premises.

**2. Freeway Sign.**

Permitted only in the general business **zone category** ~~district~~, **and** the industrial **zone category** ~~district~~, ~~and those portions of the planned area development (PAD) district where the permitted uses for such property are consistent with uses permitted in the general business district or the industrial district.~~

Permitted locations: Must be within two hundred fifty feet of a freeway right-of-way.

Maximum area: Three hundred sixty square feet.

Maximum height: Forty-eight feet from freeway grade to top of sign.

Minimum clearance: Fourteen feet from grade to bottom of sign.

Maximum number: ~~Within the PAD district, one (1) per one thousand nine hundred eighty (1,980) linear feet of freeway frontage measured along the freeway center line, not transferable from one (1) freeway frontage to another~~. Within the general business **zone category** ~~district~~ and the industrial **zone category** ~~district~~, one per premises.

**C. Sign Types P through Z**

**1. Parking Lot Sign.**

Comment [JM131]: Parking lot sign standards should be left as is ,that is ,to be on-site or designed to be viewed from the street as a wayfinding sign.

Sign types: A parking **lot** sign may be a wall or freestanding sign.

Permitted locations: Parking **lot** signs are permitted wherever the sign type of which it is a part is permitted. **The sign should follow the best practices for parking lot sign design.**

~~Sign size: Parking signs are governed by the same requirements as the sign type of which it is a part.~~

Comment [JM132]: This appears to be a content neutrality problem. The sign type basically states the sign is in a parking lot but should not comment on the content of the sign type.

~~Parking symbol: Parking signs must include the standard parking identification symbols.~~

~~The parking identification symbol must include the letter "P" in 18 to 32 inch tall lettering on a solid colored background.~~

~~The letter "P" and the solid background must be enclosed within a one- to two- inch wide rectangular border.~~

~~The height of any additional lettering shall not exceed fifty percent of the height of the letter "P."~~

**2. Projecting Sign**

**Maximum sign area: Rural and Residential zones : twelve square feet, Non-residential zones: twenty-four square feet;**

**The sign shall be mounted on a structure at a ninety degree angle and shall be at a minimum separated by twelve feet from another projecting sign.**

**Signs protruding in the right of way shall be approved by the Department of Transportation.**

**3. Roof Sign:**

**A sign may be allowed on a parapet that is no greater than ten feet higher than an adjoining parapet.**

**Any other roof sign must be approved through the Individual Sign Design Option.**

**4. Wall Sign.**

**a. Residential Zone Category** Nonresidential ~~and **home occupation** uses~~ only. Not allowed for residential uses.

**b. General Business Zone Category**

Maximum size:

Generally: No more than thirty percent of the area of each wall may be utilized for wall signs. A wall sign within two hundred fifty feet of a freeway shall be no more than forty percent of the area of each wall.

**c. Industrial Zone Category**

Maximum size: no more than forty percent of the area of each wall.

**d. Wall Sign General Standards**

May not extend above the top of the facade, eaves, firewall or roofline of a building or structure.

Twenty-five percent additional area of each wall over and above the allowable sign area may be utilized if no other sign types are used or if nonconforming signs are voluntarily removed.

**7A.10.5 TEMPORARY/PORTABLE SIGNS GENERAL STANDARDS**

**Table 4 - Portable Maximum Sign Area Allotment**

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

| Zones | Local Street | Collector Street | Arterial Street |
|---|---|---|---|
| IR, RH, SR, SH, RX-1, RX-2, R-1 MH-1 R-2, R-3 MH-2, O-1 | 16 sq. ft. | 32 sq. ft. | 64 sq. ft. |
| O-2, O-3, P, RV, NC RVC, C-1, -2, -3, OCR – 1, -2, MU, U, PI, I-1, I-2 | 32 sq. ft. | 64 sq. ft. | 128 sq. ft. |

**7A.10.6 GENERAL STANDARDS FOR PORTABLE SIGNS**

**A. Ground and Wall Mounted General Standards: These standards apply to ground mounted and wall-mounted portable signs. The signs may be attached to cords, posts and other supports and include posters, banners, A-frames, feather banners, flags and other similar portable signs types.**

**B. No illumination is permitted**

**C. Ground-mounted General Standards. Maximum area in a residential zone is 16 square feet and in a non residential zone 32 square feet unless otherwise regulated by another portable sign type.**

**Comment [JM133]:** The sizes are based on the ARS standard for political sign sizes and adjusted under ***Reed*** for all portable signs.

**1. Maximum Height: Ten feet**

**2. Minimum Setback: Ten feet**

**3. Maximum Number on a Street Frontage: No more than four signs shall be allowed for each 150 feet of a street frontage but not to exceed an additional four signs for premises with street frontages of 300 feet or greater.**

**Comment [JM134]:** This recommendation follows the current standard for freestanding sign allowing another sign every 150' for sites that are 300' or larger.

**4. Materials: A ground-mounted portable sign shall be made of similar materials such as all non-pliable materials. A sign shall not be a ground mounted banner made of a pliable fabric such as cloth with multiple supports unless stated otherwise in Article 7A. If feather banners are used, all the signs must be feather banners with a uniform background color. The sign copy of the feather banners may be in different colors.**

**5. Spacing of ground-mounted portable signs at a premise shall consist of the following:**

**a. Lots with a street frontage of 150' or greater may have up to four 32 square foot signs per each 150 feet with at least a minimum of a thirty foot distance between the individual signs. Two of the four signs whose sign areas combined do not exceed 32 square feet may have a distance between each other that is closer than 30 feet**

**b. Lots with a street frontage less than 150' but greater or equal to 75 feet may have up to two 32 square foot signs with a 30 foot distance between the signs. Two of the four signs whose combined sign areas does not exceed 32 square feet may be a distance between each other that is closer than 30 feet. An individual sign under 32 square feet in sign area and not grouped with another sign must be at a minimum a distance of 15 feet from another sign**

**c. Lots with a street frontage less than 75 feet may have one sign up to 32 square feet in sign area with a 30 foot distance between any other sign. Two of the four signs whose sign areas combined do not exceed 32 square feet may be a distance between each other that is closer than 30 feet. An individual sign under 32 square feet in sign area and not grouped with another sign must be at a minimum a distance of 15 feet from another sign**

**D. Wall-mounted General Sign Standards: A wall-mounted portable sign may not exceed 32 square feet on an arterial street, 16 square feet on a collector street or eight square feet on a local street. Wall-mounted banners are not allowed on a dwelling unit.**

**7A.10. 7 ADDITIONAL STANDARDS FOR INDIVIDUAL PORTABLE SIGN TYPES**

**A.** ~~**Portable**~~ **(A-frame)** signs.

**1.** An A-frame ~~or portable~~ sign is an on-site square in shape non-illuminated sign temporarily authorized for one (1) year used to advertise the location, goods or services offered on the premises. The ~~**portable or**~~ A-frame sign must be made of a durable, rigid material such as, but not limited to, wood, plastic or metal.

**2.** A- Frames ~~or portable~~ signs are prohibited from any form of illumination, animation, movement and miscellaneous attachments including, but not limited to, balloons, ribbons, speakers etc.

**3.** A- frame ~~or portable~~ signs are not permitted in the public right-of-way except where a temporary revocable easement has been granted for their placement.

**4.** Maximum height and width: The A-frame ~~or portable~~ sign when placed in an open position must not exceed a height of thirty (30) inches from ground level to the top of the sign and be no more than thirty (30) inches wide.

**5.** Maximum number: One (1) per business. ~~**Does not count against maximum allowed sign area.**~~ The A-frame ~~or portable~~ sign must be removed from the street at the close of business.

**6.** Districts: A-frames ~~and portable~~ signs are regulated by district: they are permitted in the **commercial and industrial zones**~~, general business district, industrial business district~~, planned area development district, pedestrian business district and historic district subject to subsection ~~3-65(G)~~ below. Subject to the other restrictions under this section, A-frames ~~or portable~~ signs are allowed in all districts to advertise those businesses immediately adjacent to and affected by road or water construction ~~pursuant to section 3-51(F).~~

**Comment [JM135]:** 3-65 G refers to A-frame signs in a special sign district, historic district

**Comment [JM136]:** 3-51.F refers to portable construction sign . This sign type is now included in the more generic portable sign definition and its applicable standards per zone.

**7.** Historic district: An A-frame ~~or portable~~ sign may be permitted in a historic district after review and approval by the **planning and** development services director, the applicable historic district advisory board and the Tucson Pima County Historical Commission.

**8.** Decal required: A decal issued by the city for placement of any A-frame ~~or portable~~ sign shall be displayed on the upper right hand corner of each visible advertising face. An A-frame ~~or portable~~ sign authorized to be located in the city's public right-of-way shall display a decal of a different color than signs not authorized to be in the public right-of-way.

**9.** Permission required: The permission of the property owner for use of the sign is also required.

**10.** Sign maintenance: The A-frame ~~or portable sign~~ shall be properly maintained ~~as required in Article VII.~~

**11.** Application process: By signing and submitting the application the applicant verifies the following:

**Comment [JM137]:** Application directions belong in the Administrative Manual not here.

The property owner or management company is in compliance with their current lease agreement in regard to the permissibility of A-frame ~~or portable~~ signs.

The applicant is responsible to research and verify right-of-way information to ensure that the proposed location of the A-frame ~~or portable sign~~ is on private property and is not located in the city's public right-of-way.

**12.** Site inspection: A site inspection is not required as part of the application and permit process for A-frame ~~or portable~~ signs that are not located in the public right-of-way. For A-frame ~~or portable~~ signs located in the public right-of-way, the ~~sign code~~ zoning administrator may require site inspection or additional inspections ~~described in section 3-22~~ of ~~this~~ **the** sign ~~code~~ **standards** to ensure proper placement.

**Comment [JM138]:** 3-22 refers to Inspections section

**13.** Refunds: No refunds of application or annual permit fees will be given under any circumstance.

**14.** Placement: The A-frame ~~or portable~~ sign must be located at least two (2) feet back from the face of the curb. No A-frame ~~or portable~~ sign shall be located in a median, driving lanes, parking aisles or spaces. An A-frame ~~or portable~~ sign is not permitted in the City's public right-of-way without a temporary

revocable easement. An A-frame ~~or portable~~ sign shall be placed so that a minimum four (4) feet is left clear for pedestrian passage on all sidewalks and walkways. An A-frame ~~or portable~~ sign shall only be placed at grade level and shall not be placed on walls, boulders, planters, vehicles, other signs or any other type of structure.

**15.** Temporary revocable easement: A license to permit the placement of a temporary A-frame ~~or portable~~ sign in the public right-of-way may be granted administratively by the ~~sign code~~ zoning administrator upon the written terms and conditions as are required by the ~~sign code~~ zoning administrator and contained in the written license agreement. The applicant will submit a written application upon a form to be supplied by the office of the ~~sign code~~ zoning administrator. The ~~sign code~~ zoning administrator will then approve or deny such application. A license to permit an A-frame ~~or portable~~ sign in the public right-of-way shall not be granted until all other applicable permit requirements contained in this Code are met.

If at any time after a license is granted, any portion of the public right-of-way occupied and used by the licensee may be needed or required by the city or the licensee fails to maintain the permitted sign so as to block pedestrian traffic, site visibility, or as described by such specific terms and conditions set forth by the ~~sign code~~ zoning administrator, any license granted pursuant to this section may be revoked by the city and all rights there under are terminated. The licensee shall and will promptly remove all property belonging to the licensee from the public right-of-way area upon receipt of written notice of revocation. If removal is not accomplished by the licensee within the time specified in the notice, the city will cause the sign to be removed and stored and the cost thereof shall be charged to the licensee. Notwithstanding the foregoing, any A-frame ~~or portable~~ sign placed in violation of the provisions of this section is deemed to be a public nuisance and subject to removal by the city.

**16.** Removal of sign: In addition to the penalties described below, the ~~sign code~~ **zoning** administrator may remove any A-frame ~~or portable~~ sign that is placed in violation of this sign code. The ~~sign code~~ **zoning** administrator may immediately remove, without prior notice, any A-frame ~~or portable~~ sign illegally placed in the right-of-way or site visibility triangle, or that for any reason presents an immediate hazard. For any A-frame ~~or portable~~ sign otherwise illegally placed, the ~~sign code~~ **zoning** administrator may remove the sign after providing reasonable notice to the responsible party

**Comment [JM139]:** . Note: Check to see if this enforcement issue is already covered in Enforcement or this section should be placed in enforcement.

**17.** Penalties: If an A-frame ~~or portable~~ sign is not permitted or is placed incorrectly or is otherwise in violation of this section, the following civil penalties will apply:

For a first offense, the ~~sign code~~ zoning administrator shall issue a warning notice and shall affix a notice on the face(s) of the non-compliant sign, but not in a manner so as to damage the sign.

For a second offense, the minimum mandatory fine shall be one hundred thirty dollars ($130.00).

For a third offense, the minimum mandatory fine shall be two hundred fifty dollars ($250.00).

For a fourth or subsequent offense, the minimum mandatory fine shall be five hundred dollars ($500.00).

**B. Temporary Signs. The following sign types are permitted for a limited period of time and are not calculated as part of the portable sign area allotment.**

**Comment [JM140]:** This section contains already permitted signs that have specific time limits . Grand opening banners and fixed balloon. The GOB is renamend as a 45 and 90 time limit and is not calculated as part of the sign area allotment.

**1. A Fixed balloon sign is permitted as a temporary sign under the following standards:**

**One (1) balloon sign is permitted per ~~business~~ establishment;**

**A fixed balloon sign is prohibited from having mechanical or electronic movement or animation of any kind;**

**A fixed balloon will be allowed only for a period of ten (10) days;**

**A fixed balloon is allowed in commercial and industrial zones only.**

**2. Temporary Banner** ~~used as temporary signage, general requirements:~~

**1. A wall-mounted banner may be permitted under the following standards:**

**Permitted in a commercial and industrial zone only;**

**A temporary wall-mounted banner is not calculated as part of the portable sign area allotment for a premise or building on a premise;**

All corners must be attached to the building wall or facade or a temporary construction structure during periods of remodeling or road construction.

Maximum number: One (1) banner per street frontage.

Permit: Issued in 45-day increments. This banner cannot be used for more than a cumulative total of ninety (90) days in any calendar year, except that if banner is used to temporarily advertise business activities during the course of construction, permit may be renewed until construction has been completed.

**Comment [JM141]:** Need to review if the section on temporary construction flexibility is a problem with content-neutrality or not.

**The temporary banner is subject to Section 7A.2 ( Non-commercial speech Substitution)**

Removal: Upon completion of construction or as stated on the permit for installation of the banner.

~~**Fixed balloon signs:** Except as allowed as a temporary sign, as provided **in this Article V**.~~

~~A piece of fabric permanently attached by one or more edges to a pole, rod or cord. Banners may be attached to a building, where permitted, or placed along a curb.~~

~~Not allowed for nonresidential or home occupation uses.~~

~~The area of curbside banners shall not be included in the calculation of total allowable sign area.~~

~~Removal: Faded or tattered banners must be replaced or removed at the direction of the **zoning** sign code administrator.~~

**Comment [JM142]:** This is allowed at the same time and should be deleted here. It is more like a restricted temporary sign per the existing standard of a one time use. It can be grouped with portable signs but not required to be part of the sign area allotment

**Comment [JM143]:** Note Place in the Maintenance Section

~~Right-of-way: Banners may extend or project over a public right-of-way or public property only as provided in **section 3-43B.*City Manager license for building and curbside banners***~~

**Comment [JM144]:** Note: Place in Signs in the Right of Way Section

~~Copy limitation: Banners may include logos and pictographs but shall not contain any other lettered copy, except:~~

~~They may include festive or seasonal proclamations or may announce cultural or civic events that are open to the public. In such case, the banner may devote up to twenty-five (25) percent of the surface area to the name and/or logo of one public, private or commercial sponsor.~~

~~A banner meeting the criteria for festive or seasonal proclamations may be displayed for sixty (60) days or less and shall be removed within forty-eight (48) hours after the seasonal, cultural or civic event.~~

**3. Political election signs. Shall be in compliance with Arizona Revised Statutes 16-1019**

**Comment [JM145]:** Since ARS requires all jurisdictions to comply the sign area and permitted areas are restated here. Otherwise the political signs are calculated as part of the sign area allotment when on private property.

**Maximum area: 32 square feet in commercial and industrial zones and 16 square feet in rural and residential zones.**

~~1. Single family and multiple family residential districts: Six (6) square feet.~~

~~2. All other districts: Fifty (50) square feet.~~

~~**3.** Maximum height: Ten (10) feet.~~

~~**4.** Removal: Shall be removed not later than fifteen (15) days after the election to which they refer, except that winners of a primary election need not remove their signs until fifteen (15) days after the general election.~~

~~5. Placement limitations:~~

~~May be placed on private property only.~~

~~Shall not be placed without the permission of the property owner, as provided in section 3-17.~~

~~Shall not be placed in the public right-of-way or on public property.~~

~~Shall not obstruct the view of motor vehicle operators or create a traffic hazard, as provided in section 3-54 *sign creating a traffic hazard*.~~

~~The general setback requirement of section 3-36 *20 feet from curb* does not apply.~~

~~No sign permit required.~~

~~Not counted against a property's otherwise allowable signage area.~~

~~6. Responsible party: The person or organization planning to erect political election signs shall first file with the sign code administrator the name, address and telephone number of a person who shall be responsible for the proper erection and removal of the signs.~~

~~7. Maintenance: Political election signs must be maintained as provided in Article VII of this sign code.~~

~~Grand opening, sales and civic events banner, general requirements.~~

**Comment [JM146]:** See the temporary banner above. Perhaps better coordination may be needed between this provision and the provision above.

~~Banners:~~

~~All corners must be attached to the building wall or facade.~~

~~Maximum number: One (1) per street frontage.~~

~~Maximum area: Ninety (90) square feet.~~

~~A permit for the use of a banner will be issued for up to forty-five (45) days.~~

~~Removal. A banner must be removed after forty-five (45) consecutive days.~~

~~Pennants: Pennants will be allowed only for a period of ten (10) days.~~

~~Portable construction signs. Portable construction signs to advertise those businesses immediately adjacent to and affected by road or water construction are allowed in all districts subject to the compliance **with section 3-65** *A-frame standards.*~~

~~Special event signs.~~

Comment [JM147]: This is a ***Reed*** problem sign and must be part of the portable sign type.

~~Maximum number: One (1) per arterial street.~~

~~Erection: No more than one hundred twenty (120) days prior to the event.~~

~~Removal: Immediately upon termination of the event.~~

~~**Temporary signs.**~~

~~Temporary non-commercial signs may be displayed for sixty (60) days or less unless otherwise specified in this sign code.~~

~~Removal: If the temporary sign relates to a specific event, the sign must be removed within forty-eight (48) hours after the event.~~

~~**Real estate signs.**~~

~~[Sign area:] Real estate signs are not counted against otherwise allowable sign area.~~

~~**Real estate announcement sign,** general requirements:~~

~~General: Must identify the project and may include leasing information such as a contact person, type of occupancy, opening date, or special features concerning the proposed development.~~

~~**Real estate construction sign,** general requirements: Maximum number: One (1) per street frontage.~~

~~**Real estate development sign,** general requirements: Copy changes are allowed for minor items, such as price, phase or unit changes, without a new permit.~~

~~Street location: Major streets (such as section line street, half section line streets, freeways and parkways) within two miles of project~~

~~Interval limitation: None.~~

~~Removal: Immediately when properties are sold.~~

~~Permit duration: First permit good for twenty-four (24) months. Renewal permits for twelve (12) months each, subject to evidence of a continuing sales program.~~

~~**Real estate directional sign,** general requirements:~~

~~General: Shall carry the identity and address of the sign owner.~~

~~Prohibited on public right-of-way.~~

~~Removal: Immediately upon sale, rental or lease of property.~~

~~**Real estate for sale or lease sign,** general requirements:~~

~~General: May display the identification of a real estate agent or broker or of the owner of the premises.~~

~~Maximum number: One (1) per street frontage.~~

~~Removal: Immediately upon sale, rental or lease of property.~~

~~**Real estate project identity entrance sign,** general requirements:~~

~~Permitted locations: At major street entrances to the subdivision or a separately named portion of the recorded subdivision.~~

~~Maximum number: Two (2) signs per street entrance~~

~~Maximum height: Eight (8) feet from grade to top of sign.~~

~~**Real estate rental development sign,** general requirements:~~

~~Copy is limited to project name, address, direction, price and features. This sign is not intended to act as advertising for builders, lenders, management companies or realtors.~~

~~Copy changes are allowed for minor items, such as price, phase or unit changes without new permit.~~

~~Street location: Major streets (such as section line streets, half section line streets, freeways and parkways) within two (2) miles of the project.~~

~~Interval limitation: None.~~

~~Removal: Within thirty (30) days after achieving ninety (90) percent occupancy of units for rent but not longer than twelve (12) months after issuance~~

~~**Real estate subdivision sign,** general requirements:~~

~~Location: Must be located on the premises of the subdivision.~~

~~Copy changes are allowed for minor items, such as price, phase or unit changes, without new permit.~~

~~Removal: Immediately when properties are sold.~~

~~Permit duration: First permit good for twenty-four (24) months. Renewal permits for twelve (12) months each, subject to evidence of a continuing sales program.~~

**7A.10.8 HISTORIC LANDMARK SIGNS (HLS).**

**A.** Definitions.

Historic landmark sign (HLS). A sign that has conditional or final designation as a historic landmark sign. HLS are listed on the City of Tucson Historic Landmark Sign Registry. There are three types of HLS: classic, transitional, and replica.

Classic HLS. A historic landmark sign originally installed prior to 1961 at a location that is within the current Tucson city limits.

Transitional HLS. A historic landmark sign originally installed between 1961 and 1974 inclusive at a location that is within the current Tucson city limits.

Replica HLS. An accurate reconstruction of an original sign that no longer exists. The sign to be replicated must have been originally installed prior to 1961 at a location that is within the current Tucson city limits.

Historic landmark sign (HLS) character defining features. Physical features of an HLS such as materials, technologies, structure, colors, shapes, symbols, text, font/typography and/or art that have cultural and historical significance and are integral to overall sign design.

Historic landmark sign (HLS) concentration. A minimum of three (3) previously designated HLS, or signs meeting the criteria for designation, within two thousand six hundred and forty (2,640) linear feet (1/2 mile) as measured along the center line of a street, including turning in any direction at the intersection of a street to connect with another designated HLS or sign meeting the criteria for designation, together with an additional four hundred and forty (440) feet (1/16 mile) beyond the terminus HLS. A replica HLS cannot be used as part of the number of HLS in the calculation of a HLS concentration.

Historic landmark sign (HLS) registry. The official list of designated historic landmark signs within the City of Tucson.

Historic landmark sign (HLS) treatment plan. A detailed description of an HLS including its character defining features, condition, location, and maintenance, and, as applicable, proposed restoration, adaptive reuse, relocation, and, replication. ~~See **Sec. 3-71 F.**~~

**Comment [JM148]:** Refers to Historic Landmark Signs on content of HLS 's Treatment plan

**B.** Purpose.

The Historic Landmark Sign regulations are intended to provide for the preservation of the City of Tucson's unique character, history, and identity, as reflected in its historic and iconic signs, and

To restore the sense of place that existed within the central business district and in areas of the city with concentrations of surviving historic signs, and

To protect the community from inappropriate reuse of nonconforming and/or illegal signs.

**C.** Historic landmark sign (HLS) designation.

**1.** Requests for HLS designation shall be initiated by the sign owner and supported by an HLS treatment plan.

**2.** "As is" HLS designation. An existing sign which will not be restored/repaired, adaptively reused, or relocated, and retains sufficient integrity and character-defining historic features, is in working order, and has an acceptable appearance, may obtain HLS designation "as is", upon approval of the treatment plan.

**3.** Conditional HLS designation.

The decision to approve or deny an HLS treatment plan that meets each of the HLS designation guidelines is rendered. per ~~**Sec. 3-71 G.9.a** (administrative).~~ **the administsrative process herein.**

**Comment [JM149]:** Refers to Review of HLS treatment Plan. Talks about a administrative decision.

The decision to approve or deny an HLS treatment plan that does not meet each of the HLS designation guidelines is rendered per ~~Sec. 3-71 G.9.b (legislative).~~**the legislative process herein.**

**Comment [JM150]:** Refers to Review of HLS Treatment Plan talks about the legislative process leading to a decision.

Approval of an HLS treatment plan shall constitute conditional HLS designation.

**4.** Final HLS designation. Final HLS designation shall be contingent upon issuance of a sign permit in compliance with an approved HLS treatment plan, and final inspection of the sign within five (5) years of conditional HLS designation. Issuance of a permit is not required for "as is" designation.

5. All signs designated (conditional or final) as historic landmark signs shall be listed in the City of Tucson Historic Landmark Sign Registry.

**D.** HLS designation guidelines. Classic, transitional, and replica HLS shall be reviewed for compliance with the following guidelines.

**1.** Technical guidelines:

The sign shall include or have once included exposed integral incandescent lighting, or exposed neon lighting.

The sign shall use materials and technology representative of its period of construction.

The sign shall be non-rectangular or non-planar.

The sign shall be a detached, projecting, or roof sign.

The sign is structurally safe or can be made safe without substantially altering its historical appearance.

Cultural/historical/design guidelines:

The sign shall exemplify the cultural, economic, and historic heritage of Tucson.

The sign shall exhibit extraordinary aesthetic quality, creativity, and innovation.

The sign is unique; or was originally associated with a chain or franchise business that is either a local or regional chain or franchise only found in Tucson or the southwestern United States; or there is scholarly documentation to support its preservation; or it is a rare surviving example of a once common type.

The sign shall retain the majority of its character defining features. If character-defining features have been altered or removed, the majority are potentially restorable to their historic function and appearance.

**E.** HLS performance requirements. Classic, transitional, and replica HLS shall comply with the following requirements as applicable.

**1.** Restoration/repair.

Restoration/repair of a classic HLS shall be consistent with a documented appearance that existed prior to 1961.

Restoration/repair of a transitional HLS shall be consistent with a documented appearance that existed between 1961 and 1974 inclusive.

Restoration/repair of a replica HLS shall be consistent with a documented appearance that existed prior to 1961.

Restoration/repair shall not add typographical or other elements which result in an increase in the size of the restored/repaired sign.

**2.** Adaptive reuse (change of copy).

Adaptive reuse of a replica HLS is prohibited.

Text changes shall not result in changes to character defining text.

Text changes shall match or be compatible with existing text in material(s), letter size, font/typography, and color.

**3.** Relocation.

Relocation of a classic or transitional HLS shall be to a location within the original premises, or to a location within an HLS concentration.

Relocation of a replica HLS shall be to a location within an HLS concentration.

When relocated, detached HLS shall be setback at least twenty (20) feet from the back of curb (edge of pavement if there is no curb), no more than forty (40) feet from the future right-of-way line of the street, and a distance at least two (2) times the height of the sign from any property with a non-commercial use.

If relocated to another premise, the HLS shall display conspicuous text or a plaque, using a template provided by the City of Tucson, that indicates that the sign has been relocated, the date of relocation, and the original location.

The scale and design of the sign to be relocated shall be compatible with existing HLS in the vicinity of the proposed location.

**4.** Replica HLS.

A replica HLS shall be consistent with a documented appearance that existed prior to 1961.

A replica HLS may only be installed on the premises where it originally existed.

A replica HLS shall display conspicuous text or a plaque, using a template provided by the City of Tucson, that indicates the sign is a contemporary reproduction, and the date of reproduction.

A replica HLS shall utilize historical materials and technologies, or visually matching contemporary materials and technologies.

A replica HLS shall not replicate an existing sign.

**5.** The sign shall not be an off-site sign as defined in the sign code.

**6.** The sign shall not have been previously, altered, removed and reinstalled or replaced pursuant to **Sec. 7A.9 (Non-conforming Signs)** ~~3-96 C.1.~~

**Comment [JM151]:** Refers to Section Signs for legal nonconforming signs on reasonable repairs and alterations. Note there is no C.1 only C.

**F.** Content of HLS treatment plan. An HLS treatment plan shall include the following:

**1.** Completed application form.

**2.** Existing and proposed elevation of the proposed HLS showing height and area of the sign.

**3.** Description and age of construction materials and type of illumination.

**4.** GPS coordinates for the final location of the proposed HLS.

**5.** Dimensioned site plan, with the existing and proposed land use, graphically showing existing and proposed location and setbacks for the proposed HLS and any other existing or proposed signs on the premises, existing and proposed site improvements, and adjacent streets.

**6.** Photographs of the existing sign and photo simulation(s) of the completed sign as viewed from the street and other significant vantage points as appropriate, together with photographs of the existing site

conditions. Photographs must be sufficient to demonstrate the sign's dimensions, construction materials used including electrical and any types of illumination which is or was used.

**7.** Date of original construction and installation, and the address where the proposed HLS was first installed.

**8.** List of character defining features.

**9.** Documentation of the authenticity of the proposed HLS including approved permits, site plans, elevations, and dated photographs, and age of existing materials, as available.

**10.** A narrative describing compliance with each of the HLS designation guidelines and all applicable HLS performance requirements.

**11.** Maintenance program.

**12.** List of parts and materials to be replaced.

**13.** Mitigation measures to reduce the impact on non-commercial uses within three hundred (300) feet of the proposed HLS.

**G.** Review of HLS treatment plan. HLS treatment plans shall be submitted to the planning and development services department for review.

**1.** Pre-submittal conference. Prior to submitting an HLS treatment plan, an applicant may, but is not required to meet with City staff responsible for administration of the HLS program. Comments supplied by City staff during the conference are advisory and do not constitute approval of any proposed application.

**2.** Neighborhood meeting. A neighborhood meeting is encouraged for a proposed HLS relocation, or for a proposed construction of a HLS replica sign.

**3.** Initial review. Initial review of an HLS treatment plan or revised treatment plan will be for completeness, compliance with HLS designation guidelines, and compliance with applicable HLS performance requirements. No later than ten days after submittal, the ~~sign code~~ **zoning** administrator will issue a determination as to whether the request meets each of the HLS technical designation guidelines.

**4.** Where an applicant produces physical evidence or documentation sufficient to prove that a proposed HLS included intermittent lighting features (e.g. flashing, blinking, chasing or sequentially lit elements which create the appearance of movement) or moving parts, such sign elements may be repaired or restored conditioned upon a determination by Tucson department of transportation (TDOT) that no negative safety issues will result.

**5.** If the subject property is within a historic preservation zone (HPZ), the treatment plan shall be forwarded to the HPZ advisory board for review and recommendation prior to being forwarded to the Tucson-Pima County Historical Commission (T-PCHC) Plans Review Subcommittee.

**6.** Review of the treatment plan shall include an analysis of applicable policies of the Tucson general plan.

**7.** The treatment plan shall be forwarded to the T-PCHC Plans Review Subcommittee for review of the treatment plan for compliance with HLS Cultural/ historic/design designation guidelines and applicable HLS performance requirements. Notice of the treatment plan and subcommittee meeting shall also be provided to the registered neighborhood association in which the proposed sign would be located; to property owners immediately adjacent to the proposed location; and to any persons who have submitted a written request to the director to be notified of HLS applications.

**8.** The T-PCHC shall forward a recommended list of character defining features, including all character defining text, and a recommendation to approve or deny the treatment plan, to the planning and development services department.

**9.** Decision.

**10.** Administrative: The planning and development services director will prepare a written decision to approve or deny the treatment plan within ten (10) days of receiving the T-PCHC Plans Review Subcommittee recommendation.

**11.** Legislative: The planning and development services director will prepare a written recommendation to approve or deny the treatment Plan within ten (10) days of receiving the T-PCHC Plans Review Subcommittee recommendation and forward it to the mayor and council for a public hearing and decision at the earliest practical date. In granting approval, the mayor and council must find that preservation of the sign will contribute to Tucson's unique character, history, and identity.

**H.** Review of permits for HLS. All permits for the installation, repair/restoration, adaptive reuse, relocation, or replication of HLS shall be consistent with an approved HLS treatment plan.

**I.** Maintenance. All maintenance activities relating to HLS shall be consistent with an approved HLS treatment plan.

**J.** Demolition. Demolition of HLS shall be consistent with an approved treatment plan for relocation or subject to a maximum thirty (30) day waiting period to facilitate salvage of the sign. The sign owner shall allow reasonable access to the sign to facilitate documentation and salvage activities.

## 7A.11 SPECIAL DISTRICTS

**The sign standards in historic, pedestrian and scenic corridor districts take precedent over the sign standards listed above in Sec. 7A.10 (Sign Types and General Standards)**

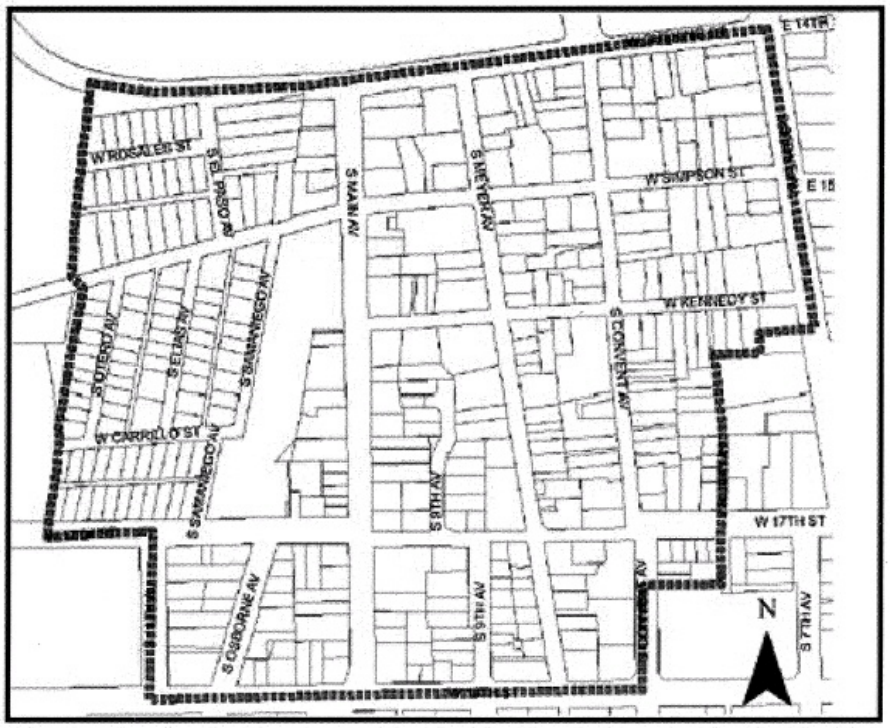
### 7A.11.1 HISTORIC DISTRICT.

**A.** Location: Historic districts include property established as historic preservation zones pursuant to Sec. ~~2.8.8 of the Land Use Code~~ **5.8 (Historic Preservation Zone)** and designated with the preface "H" which is added to the assigned residential, office, commercial, or industrial zone designation, i.e., R-1 becomes HR-1. For purposes of this sign code, historic districts are treated as specific mapped districts and are not treated as overlay zones. The established city historic districts are as follows:

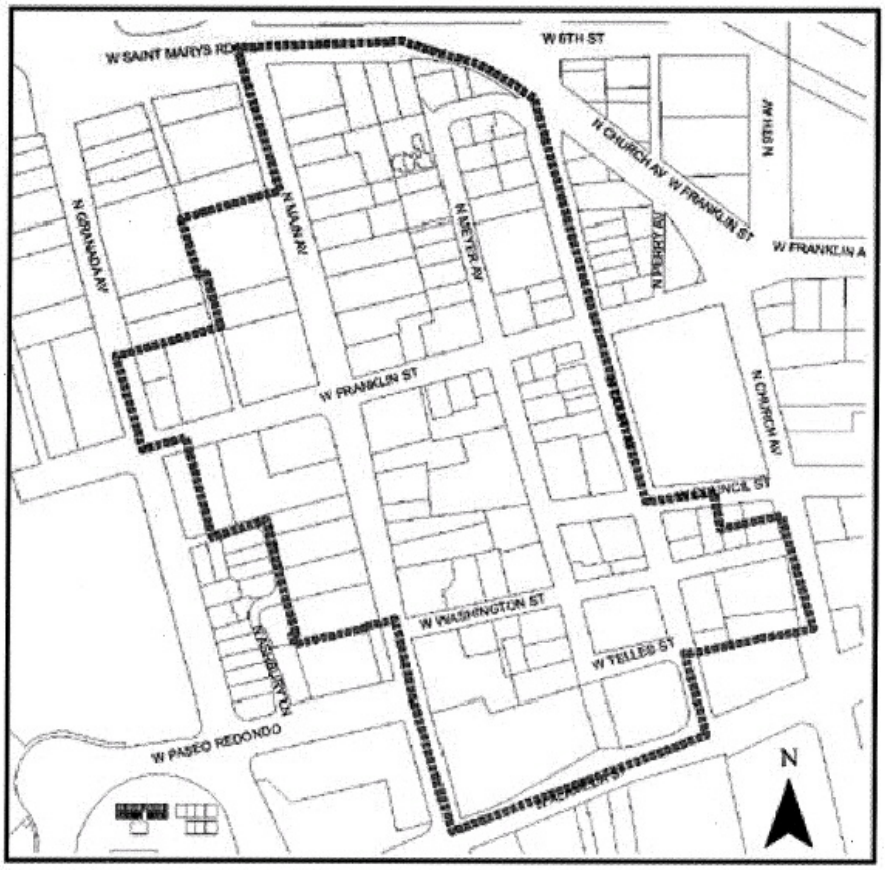
**Comment [JM152]:** Refers to HPZ regulations In the UDC it's Sec. 5.8.

**NOTE: HISTORIC PRESERVATION ZONE MAPS ARE LOCATED ON THE OFFICIAL CITY OF TUCSON'S ZONING MAPS.**

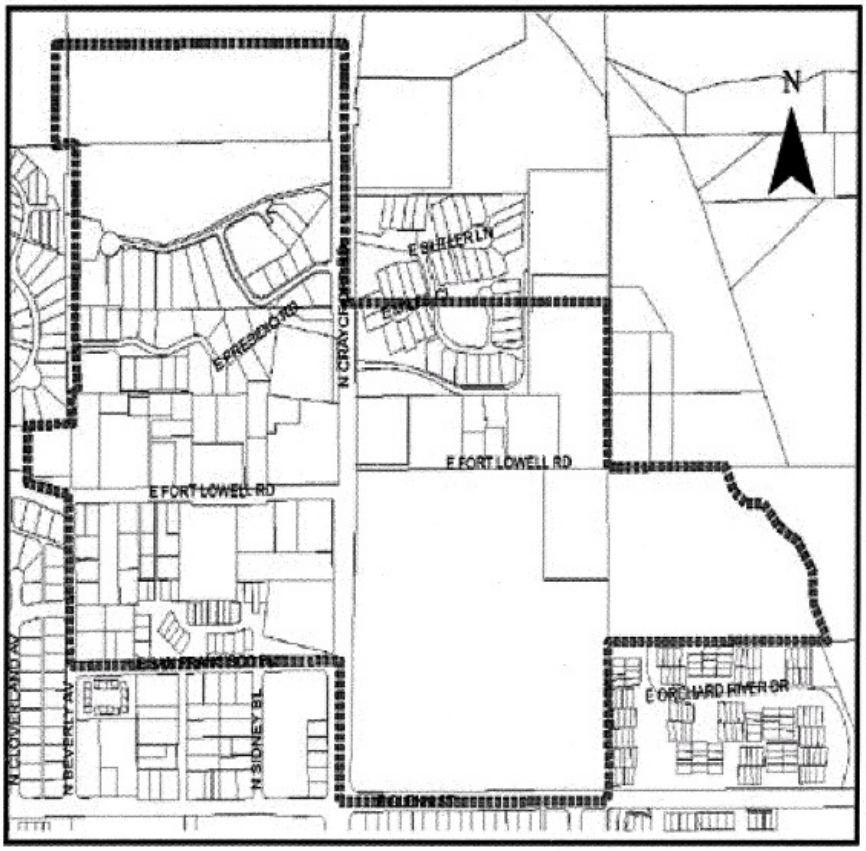
Amory Park Historic District



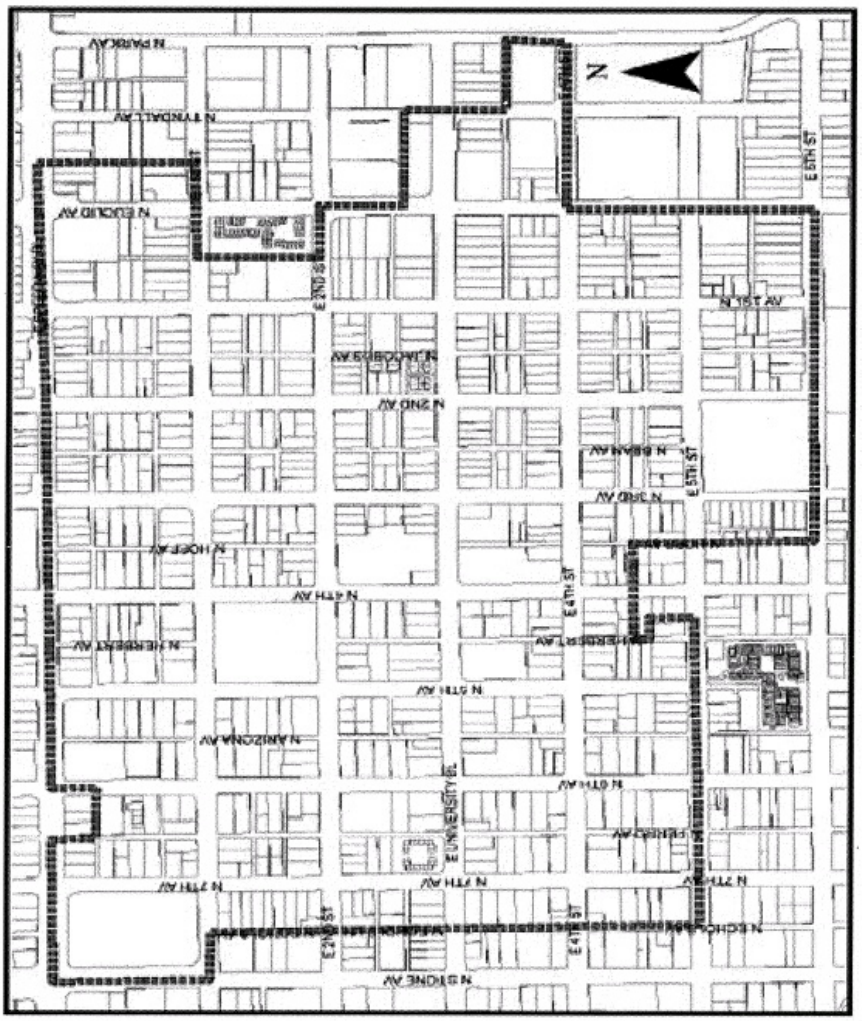

Barrio Historico Historic District




El Presidio Historic District




Fort Lowell Historic District




West University Historic District

**B.** Total number of signs: One (1) per street frontage per premises, except that businesses with frontage on more than two (2) streets are permitted to have a total of no more than three (3) signs.

**C.** Maximum area of any sign: Eight (8) square feet.

**E.** Historic district advisory board approval: All sign permit applications must be approved by the appropriate historic district advisory board.

**F.** Protrusion limitation: No signs may extend above the top of the nearest facade, eaves or firewall of a building or structure.

**G.** Illumination: Signs within the historic district may be illuminated by remote light sources that are shielded from adjacent properties.

**H.** Prohibited features: Visible bulbs, neon tubing, luminous paints, and plastics are prohibited, except as provided in ~~Section~~ Sec .**5.8.9 (HPZ Design Standards)** ~~2.8.8.6~~ and approved in accordance with ~~Section 2.8.8.5 of the Land Use Code~~. **Sec. 5.8.8 Design Review Required**.

**Comment [JM153]:** Refers to Land Use Code Development Criteria It is a section in the HPZ. It refers to the Dev Crit. Guide decisions on proposed development It is Sec .5.8.9 HPZ Design Standards

**Comment [JM154]:** Refers to Developmet Review Required. It explains the HPZ processes of full and minor HPZ reviews. Sec. 5.8.8 Design Review Required.

**I.** Permitted signs:

Signs generally permitted ~~by **section** 3-51~~ and sign types listed in **Sec. 7A.10** ~~Article V~~, except as modified by this subsection for this district, and signs exempt **under Section** ~~**3-52**~~ **Sec.** ~~-~~**7A.8 Exempt And Prohibited Signs**

**Comment [JM155]:** Refers to section Generally permitted signs. It is the first provision of Article V Sign Types and General Regulations.

**Comment [JM156]:** Refers to Exempt signs.

Awning signs.

Banners, building and curbside.

Freestanding signs, monument and low profile only.

Maximum number: One (1) per premises.

Freestanding signs that include or consist of a three-dimensional representation of a figure or object are prohibited.

Portable signs.

**Comment [JM157]:** Note this sign type is part of a Reed compliance strategy and has a new meaning in the draft.

May be permitted in this district only after review and approval by the **planning and** development services director, the applicable historic district advisory board and the Tucson Pima County Historical Commission.

Use is subject to the provisions of section **3-51.F**, except that use in this district is not limited to advertisement related to road or water construction.

**Comment [JM158]:** Refers to the Generally Permitted Signs provisions for portable construction signs. All temporary signs (portable signs) should be regulated the same as they are elsewhere in the City.

Projecting signs.

Allowed use: Limited to commercial uses only.

Maximum height: Twelve (12) feet from grade (pedestrian surface) to top of sign.

Minimum clearance: Eight (8) feet between grade and bottom of sign.

Maximum projection from building: Five (5) feet.

~~Real estate signs, all types.~~

~~Real estate for sale or lease sign. Maximum area for residential properties: Four (4) square feet.~~

**Comment [JM159]:** These sign types are now considered portable signs. These signs are message-oriented signs

Temporary signs.

**Comment [JM160]:** This sign type has a revised meaning in the draft. It means the alternate for grand opening banner.

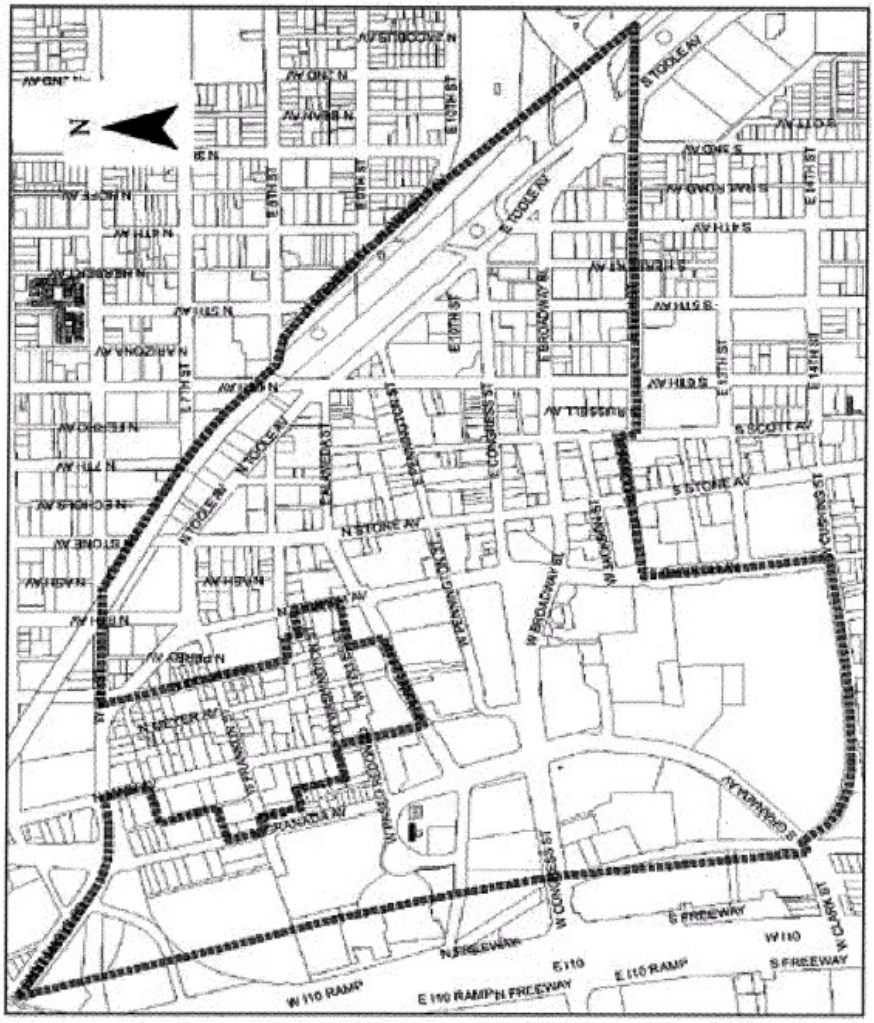
Wall signs.

Canopy signs, limited to properties zoned HO-2, HO-3, HNC, HC-1, HC-2, HC-3, HOCR-1 and HOCR-2.

## 7A.11. 2 PEDESTRIAN BUSINESS DISTRICT

**A.** Location: The pedestrian business district includes property as shown in Figure 1: Pedestrian Business District Downtown; Figure 2a: Pedestrian Business District Fourth Avenue; Figure 2b: Pedestrian Business District Park Avenue; and Figure 2c: Pedestrian Business District Mercado.

For a printer-friendly, PDF of these figures, click here


N
W 110 RAMP
E 110 RAMP
N FREEWAY
E 110
E 110 RAMP
S FREEWAY
W 110
S FREEWAY
W CONGRESS ST
N STONE AV
S STONE AV
S SCOTT AV
E 14TH ST
E 10TH ST
E 6TH ST
N STOCKTON AV
N STONE AV
N STOCKTON AV
N STONE AV
N STOCKTON AV
N STONE AV

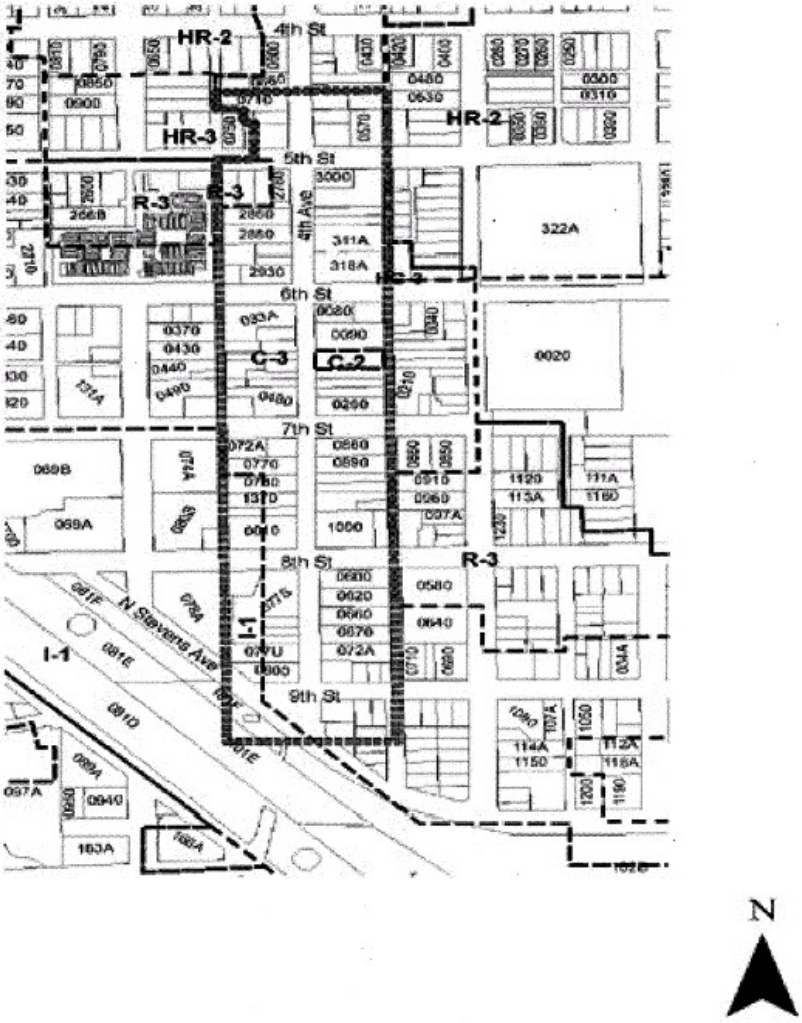



Figure 2a: Pedestrian Business District Fourth Avenue

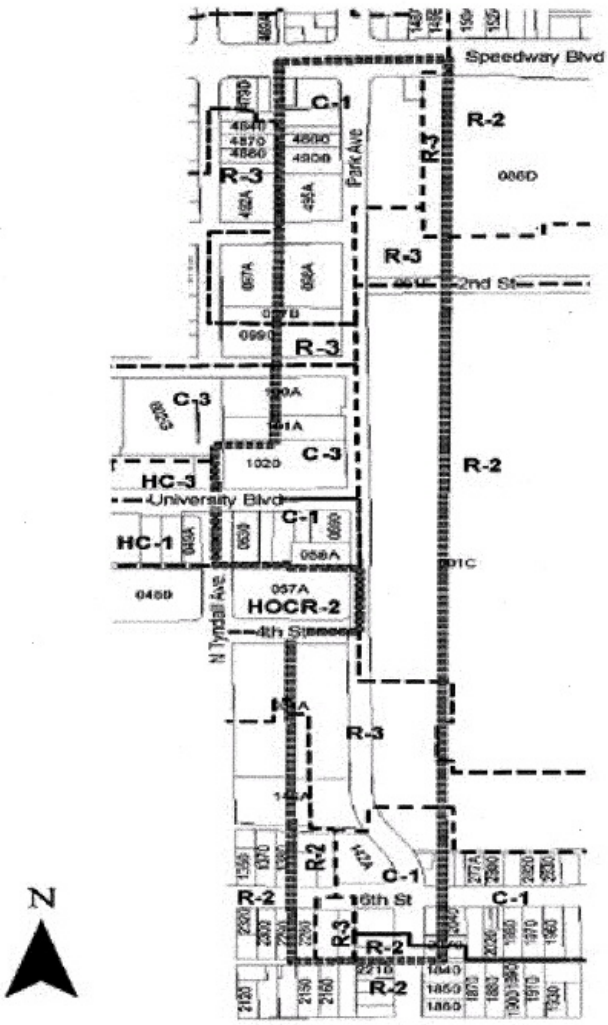
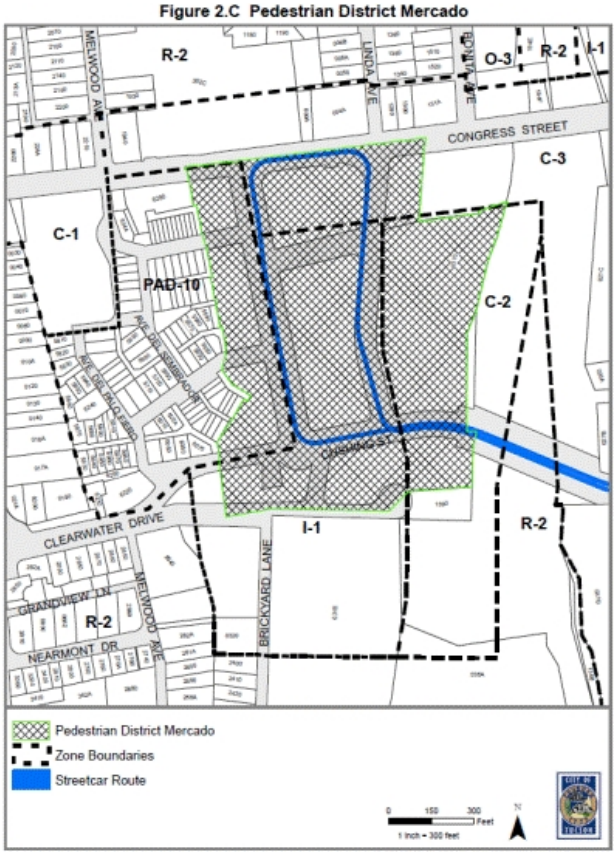



Figure 2b: Pedestrian Business District Park Avenue

Figure 2.C Pedestrian District Mercado




B. Intent: Signs in the pedestrian business district should provide clear and understandable identification for buildings, businesses and parking. Signs on historic buildings should be carefully designed and located to respect the visual integrity of the historic architecture, including building scale, proportions, surface texture and decorative ornamentation.

C. Maximum total sign area: Three (3) square feet per foot of street frontage.

D. Permitted signs.

Signs generally permitted ~~by section~~ ~~3-51~~ and sign types listed in **Sec. 7A.10** ~~Article V,~~ except as modified by this subsection for this district, and signs exempt under **Sec. 7A.8 (Exempt And Prohibited Signs)** ~~section 3-52.~~

**Comment [JM161]:** Refers to Generally Permitted Signs and Article V is an overall section referred to Sign Types and General Regulations.

**Comment [JM162]:** Refers to Exempt Signs

Awning signs.

Banners, building and curbside.

Freestanding signs, low profile and monument type only.

Maximum number: One (1) per building per street frontage where a building facade is set back at least ten (10) feet from a public right-of-way, or one (1) per street frontage for a surface parking lot where parking is the primary use of the property.

Maximum area: Twenty (20) square feet per sign.

Parking lots: Where used to identify a commercial parking facility, each freestanding sign must display the standard Parking I.D. symbol.

Maximum height: Twelve (12) feet above grade.

Parking **lot** signs.

Portable signs ~~are permitted subject to the provisions of section 3-51.F, except that use in this district is not limited to advertisement related to road or water construction.~~

Projecting signs.

Allowed for commercial uses only.

Maximum area: Twenty (20) square feet.

Maximum height: Twelve (12) feet from grade (pedestrian surface) to top of sign.

Minimum clearance: Eight (8) feet between grade and bottom of sign.

Maximum projection from building: Five (5) feet.

~~Real estate signs, all types.~~

Temporary signs.

~~Traffic directional~~ **Access point** signs.

Wall signs. Maximum size: Thirty (30) percent of the area of each wall.

Historic landmark signs (HLS), all types. The first HLS on a premise does not count toward the maximum total sign area.

Canopy signs.

~~Sec. 3-83. Scenic corridor zone (SCZ) district.~~

**Comment [JM163]:** Refers to 'portable construction sign'. Need to regulate portable signs the same as all portable signs in the draft to comply with Reed.

**Comment [JM164]:** This standard has been called out as overly restrictive and should be adjusted to 12 feet.

**Comment [JM165]:** These signs are now considered portable signs under a Reed compliant draft

**Comment [JM166]:** These signs are revised as a subcategory of portable signs. They allow for an alternative to grand opening signs.

**Comment [JM167]:** Under the draft this is referred to as an Access Point Sign

## 7A.11.3 SCENIC CORRIDOR ZONE (SCZ) DISTRICT.

Location: The scenic corridor zone (SCZ) district includes any portion of property or parcels within four hundred (400) feet, measured in any direction, of the future right-of-way lines of a scenic route, as designated on the Major Streets and Routes (MS&R) Plan map. If any portion of a development is within the SCZ district, the entire development will be treated, for sign purposes only, as though it were entirely within the SCZ district.

Maximum total attached sign area:

For commercial or industrial uses: one and one-fourth (1.25) square feet per foot of building frontage with a minimum allowance of not less than twenty-five (25) square feet and a maximum of two hundred fifty (250) square feet per tenant. Signs must be oriented toward a scenic route, arterial street, collector street, or the interior of the premises.

For multifamily complexes: Twenty (20) square feet per street frontage.

~~Land Use Code~~ **Unified Development Code** compliance: All signs in this District shall comply with applicable provisions of the ~~Land Use~~ **Unified Development** Code and must be approved through the applicable review process.

Colors: All signs shall use colors that are predominant within the surrounding landscape, such as desert and earth tones, as required in the scenic corridor zone provisions of the ~~Land Use~~ **Unified Development** Code.

Permitted signs:

Signs generally permitted ~~by section 3-51~~ and sign types listed in **Sec. 7A.10** ~~Article V~~, except as modified by this subsection for this district, and signs exempt under **Sec. 7A.8 (Exempt and Prohibited Signs)** ~~section 3-52~~.

Comment [JM168]: Add the permanent sign standard section

Awning signs.

Freestanding signs, monument and low profile only.

Maximum number per premises:

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.

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.

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.

Maximum area:

Multifamily residential uses: Twenty (20) square feet per street frontage.

Commercial or industrial uses: Thirty-five (35) square feet per sign if located within the SCZ buffer, fifty (50) square feet per sign if located outside the SCZ buffer.

Maximum height: Ten (10) feet.

Location:

Scenic route: Maximum height signs shall be located no less than seven and one-half (7.5) feet behind the leading edge of the SCZ buffer and within fifty (50) feet of the right-of-way line. Signs may be located one (1) foot closer to the leading edge of the SCZ buffer for each foot (below the maximum) they are reduced in height.

All other streets: Within twenty (20) feet of the right-of-way line and at least one hundred fifty (150) feet from the centerline of the scenic route.

Freestanding signs that include or consist of a three-dimensional representation of a figure or object are prohibited.

Lighting: Sign panels shall be opaque. Light shall be emitted through individual translucent letters and/or symbols only, or individual letters and/or symbols may be halo illuminated. Unused tenant panels shall be opaque and designed to match the rest of the sign.

Within SCZ buffer electronic **sign copy** ~~message signs~~ and exposed neon signs are prohibited.

Comment [JM169]: Need to ask staff if this change is more restrictive or the same by referring to EMCs and electronic sign copy.

~~Menu boards.~~

Comment [JM170]: Under the draft menu boards are considered interior signs that are in the section Generally Permitted Signs.

~~Medical services directional~~ **Access point sign.**

Maximum area: Eight (8) square feet.

Maximum height: Four (4) feet to top of sign.

Permitted: Only if no frontage on collector or arterial street.

~~Real estate signs, only types listed.~~

~~Real estate for sale or lease signs.~~

~~Maximum area:~~

~~Residential properties: Four (4) square feet.~~

~~Vacant land: Sixteen (16) square feet.~~

~~Commercial and industrial development: Eight (8) square feet. Must be placed on the building for sale or lease and not on any buffer wall, landscape element, etc.~~

~~Real estate project identity entrance sign.~~

~~Real estate subdivision sign.~~

~~Maximum faces: Two (2).~~

~~Maximum area: Sixteen (16) square feet.~~

~~Maximum height: Ten (10) feet from grade to top of sign.~~

Temporary signs

~~Traffic directional signs.~~

~~Within the scenic corridor thirty (30) foot landscape buffer the following shall apply:~~

~~Minimum site area: Ten (10) acres.~~

~~Maximum area: Three (3) square feet; tenant identification or logo not to exceed one (1) square foot.~~

~~Maximum number: One (1) per vehicular entrance.~~

~~Location: Within twenty (20) feet of the entrance.~~

Wall signs.

Canopy signs.

**~~7A. MEDICAL-BUSINESS-INDUSTRIAL PARK DISTRICT. NEW LOCATION IN SPECIAL DISTRICTS SECTION.~~**

**~~Location: The medical-business-industrial park district is property within a planned medical, business, or industrial complex of two (2) or more acres and consisting of multiple buildings and tenants that share parking, private streets and signage.~~**

**~~7A. PARK DISTRICT~~**

**~~The park district is property containing public parks that are either neighborhood parks, district parks or regional parks.~~**

**Comment [JM171]:** The Access point sign should be sufficient. If the sign is on –site then it is an interior sign and is generally permitted.

**Comment [JM172]:** The standards below

**Comment [JM173]:** Real estate signs are now part of the content-neutral portable sign type and those standards would apply.

**Comment [JM174]:** This is s subset of a portable sign and is intended mainly to replace grand opening banners.

**Comment [JM175]:** Need to rename as Access Point signs to be Reed compliant

**Comment [JM176]:** PDSD stated that this district is not used and should be removed.

**Comment [JM177]:** PDSD staff supports deleting this district in that it is simultaneously controlled as government signs.

## 7A.11. 4 PLANNED AREA DEVELOPMENT (PAD) DISTRICT.

Comment [JM178]: new location in special districts or regular zones??? it may use base zone of the pad for sign regulations or a master sign program

~~**Location:** The boundaries of a planned area development (PAD) district are coextensive with each approved PAD, a comprehensively planned development approved by ordinance by mayor and council.~~

**A property owner within a PAD district may use the sign standards of the zone upon which the PAD regulation is modeled or may submit a master sign program.**

~~The development may combine commercial, administrative, professional, residential, business and other compatible land uses to create an internally oriented, high intensity, mixed use activity center.~~

~~**PAD compliance:** Sign plans proposed in planned area developments and redevelopment plan areas will be reviewed for consistency with qualitative plan objectives and approved by the city planning director prior to issuance of a sign permit.~~

~~Maximum on-site sign area: Three (3) square feet per foot of street frontage.~~

~~**Developments with more than one street frontage:** The maximum allowable number and square footage of on-site signs are permitted for each street frontage. The maximum allowance, however, is not transferable either in whole or in part from one street frontage to another, except as provided in subsection E.9, below.~~

~~**Sign placement:**~~

~~**Tenant identification signage** shall be placed only on a sign band as delineated in building elevation drawings approved with the related development plan.~~

~~The sign band shall not be located more than three (3) stories above the average finished grade at the building line, except that building and/or tenant signage may be placed within discernible parapets.~~

~~**Historic landmark signs (HLS), all types.** The first HLS on a premise does not count toward the maximum total sign area.~~

~~**PAD - Freestanding signs, all types.**~~

~~**Maximum number:** One (1) per building or cluster of buildings (when located on the same lot) per street frontage to be located at the building's street frontage.~~

~~The allowance for freestanding signs is not transferable either in whole or in part between street frontages, buildings, or lots within the district.~~

~~P I, I 1, I 2. Freestanding signs, all types.~~

~~One (1) per street frontage; except, where a developed parcel has in excess of three hundred (300) feet of street frontage, one (1) additional freestanding sign may be erected for each additional one hundred fifty (150) feet of street frontage in excess of the first three hundred (300) feet of street frontage abutting the developed portion of said parcel~~

## 7A.12 ~~SIGN CODE ADVISORY AND~~ APPEALS ~~BOARD~~ AND VARIANCES

**All appeals and variances shall be heard in accordance with UDC Section 3.10 (Board of Adjustment Appeals and Variances). The applicant may appeal a Board of Adjustment decision to the Mayor and Council per Sec. 3.9.2(Mayor and Council Appeals Procedure) or to Superior Court.**

## 7A.13 CITIZEN SIGN CODE COMMITTEE

**Creation.**

A citizen sign code committee is hereby created to assist the **planning commission and** mayor and council by reviewing and recommending to the **planning commission and** mayor and council amendments to the~~is~~ sign standards ~~code~~ **and recommending design options in compliance with Sec. 7A.7 (Sign Design Options) to the planning and development services director.**

~~be the planning commission for the review and recommendation regarding sign regulations.~~

**Authority.**

**The citizen sign code committee shall advise the planning commission on sign standards amendments and act as the sign standards design review committee and advise the planning and development services director as part of the design review process in Sec. 7A.7 (Sign Design Options)**

~~General. Consistent with this **section 3-142**, the citizen sign code committee shall hold hearings and make specific recommendations as appropriate or deemed necessary to the mayor and council on:~~

~~Proposed additions or amendments to or deletions from this sign code.~~

~~Sign code enforcement, including but not limited to enforcement procedures and budgetary and personnel requirements.~~

Procedure. The committee shall hold at least one public hearing on any sign code matter. ~~that may be forwarded to the mayor and council for their consideration.~~

Notice content. The committee shall give notice of the time and place of hearings, including as appropriate:

An explanation of the subject matter to be considered, including references to specific sections of this sign code as necessary.

Information on the availability of any studies or summaries of the subject matter of the hearing.

Notice procedure. Notice shall be given not less than fifteen (15) nor more than thirty (30) calendar days before the hearing by:

Publication for three (3) consecutive days in a newspaper of general circulation in the City of Tucson, with all three (3) publications occurring within the required time frame; and

Such other manner as the committee may deem necessary.

**Composition.**

Number of members. The citizen sign code committee shall be composed of eleven (11) members who shall serve without compensation.

Special committees. The committee may create such special committees as it may from time to time deem necessary or desirable. The members of such committees may be selected either from among the members of the committee or residents of the City of Tucson qualified to contribute to the work of the special committee or both.

**Comment [JM179]:** Design options should be encouraged to allow some flexibility and to encourage the best design practices for anyone wanting to erect signs that are not in compliance with the existing sign standards. Recommendations to the planning commission and the pdsd director should be done in a timely manner. Similar design review committees assisting pdsd only continue an item one time unless the applicant ask for more time.

**Comment [JM180]:** Refers to the authority provision of the CSCC

**Comment [JM181]:** If the committee is an advisor to the Planning Commission probably a 24 hour notice is needed so they can consider the amendment and make a recommendation to the Planning Commission who will hold the formal public hearing on the amendment.

**Comment [JM182]:** The provision refers to 7 from M/C and 4 from the City Manager. It should be considered if this size of a committee is needed.

**Appointment and terms.**

Appointment:

The members of the mayor and council shall each appoint one member to the citizen sign code committee in conformance with **Article XIII, Chapter 10A of the Tucson Code (Community Affairs – Terms and Conditions of Membership on Boards, Committees, and Commissions and Filing Rules).**

The city manager shall appoint four (4) members to the citizen sign code committee.

Terms. The terms of members of the committee appointed by the mayor and council shall be in conformance with Article XIII, Chapter 10A of the Tucson Code. All city manager appointments shall be for four (4) years.

**Comment [JM183]:** This committee apparently does not have term limits like the Planning Commission. It is something that should be discussed if a no-term limit status should continue.

City employees, elected officials excluded. No member of the committee may be a city employee or hold a city elective office.

**Vacancies.**

Vacancies on the citizen sign code committee shall be filled by appointment in the same manner in which members are initially appointed, ~~as provided in section 3-144(A) and~~ in conformance with Article XIII, Chapter 10A of the Tucson Code.

**Comment [JM184]:** Refers to Appointment Provision in CSCC section. Probably a provision that is not needed.

**Meetings.**

~~The citizen sign code committee shall meet at least semiannually consistent with the requirements of section 3-142.~~

**Comment [JM185]:** Refers to the authority provision of the CSCC

Special meetings, with proper notice, may be called by the chairperson of the committee, upon request of the majority of the committee members, or upon a formal request by a majority of the mayor and council.

A majority of the committee members shall be necessary to conduct business and to adopt and forward any recommendations to the mayor and council.

**Removal.**

Removal of the members shall be in conformance with Article XIII, Chapter 10A of the Tucson Code.

**Administrative procedures.**

City manager. The city manager shall ensure that all city departments and persons under his authority shall cooperate in providing assistance and data to the citizen sign code committee.

Executive secretary. The ~~sign code~~ **zoning** administrator or designee shall serve as executive secretary to the committee.

Chairperson and other officers. The committee shall elect a chairperson and vice- chairperson and such other officers as it may deem necessary from its members. The terms of chairperson, vice-chairperson and other officers shall be for one year subject to one additional term of one year.

**ARTICLE 10: ENFORCEMENT AND PENALTIES**

**10.1 PURPOSE**

* * * * * * *

**10.2 ENFORCEMENT AUTHORITY**

* * * * * * *

**10.3 VIOLATION**

* * * * * * *

**Violation of Site Plan**

* * * * * * *

**10.3.6. Violation Of Plat Condition**

* * * * * * *

**10.3.7 Sign Violations, Enforcement, Penalties**

**A. Violation a public nuisance.**

**If any person erects, alters, relocates or maintains a sign in violation of the provisions of ~~this~~ these sign standards ~~code~~, it is declared a public nuisance, and the city attorney is authorized to bring an action in a court of competent jurisdiction to enjoin such person from continuing the violation.**

**Violation declared a civil infraction - It shall be a civil infraction for any person to violate any of the provisions of this sign code.**

**B. Abandoned and discontinued signs; obsolete sign copy**

**1. Nonconforming signs - Any nonconforming sign or nonconforming sign structure that is either discontinued for a period of six (6) months or abandoned shall be removed by the owner of the sign or owner of the premise~~s~~.**

**2. Obsolete sign copy. Obsolete sign copy on either a nonconforming or conforming sign is to be removed by the owner of the sign or owner of the premise~~s~~. Obsolete sign copy shall be removed by replacing the sign face with a blank face, replacing the obsolete sign copy with copy that is not obsolete, or removing the sign structure.**

**3. Determination of discontinuance, recording of determination of discontinued nonconforming sign. The zoning ~~sign code~~ administrator may send notice by certified or registered mail or hand delivery to the record owner or occupier of the property to abate a violation of this section, directing abatement within thirty (30) days from the date the notice was mailed or delivered. In making a determination that a sign or sign structure is either abandoned or discontinued, or that sign copy is obsolete, the zoning ~~sign code~~ administrator may consider:**

**a. Whether the property on which the sign is located is vacant or unoccupied;**

**The length of time the property is vacant or unoccupied;**

**The condition of the property;**

**The status of any business licenses, permits, or certificates of occupancy;**

**Utility records for the property;**

**Any acts taken by any person with respect to the property; and**

**Any other factor the zoning ~~sign code~~ administrator considers relevant to this determination.**

**4. Temporary signs. Temporary signs shall be deemed discontinued when the time, event or purpose to which the sign pertains has passed or otherwise no longer applies, and shall be removed as directed in a written notification by the zoning ~~sign code~~ administrator.**

**C. Illegal signs. Illegal signs are those that do not meet the requirements of ~~this~~ these sign ~~code~~ standards and that have not received nonconforming status.**

**D. Removal of abandoned, prohibited and illegal signs by the zoning ~~sign code~~ administrator.**

**The zoning ~~sign code~~ administrator shall enforce ~~the~~ these sign ~~code~~ standards in accordance with one or more of the following procedures:**

**1. Administrative enforcement: For an abandoned or discontinued sign, the ~~sign code~~ zoning administrator may send notice by certified or registered mail or hand delivery to the record owner or occupier of the property to abate the nuisance within thirty (30) days from the date the notice was mailed or delivered.**

**Comment [JM186]:** We need to see if this section on enforcement is redundant with the UDC or NPO enforcement provisions.

**For a prohibited or illegal sign, the ~~sign code~~ zoning administrator may send notice by certified or registered mail or hand delivery to the record owner or occupier of the property to abate the nuisance within five (5) days from the date the notice was mailed or delivered.**

**The ~~sign code~~ zoning administrator shall specify in the notice the nature of the complaint and penalties and abatement remedies for the violation. Abatement remedies shall consist of one or both of the following remedies:**

**Removal of the sign; or**

**Obtaining the required permits and bringing the sign into compliance with these ~~this~~ sign standards ~~code~~.**

**E. Summary abatement. The ~~sign code~~ zoning administrator may immediately remove any dangerous sign or sign that creates an imminent threat to public safety. The ~~sign code~~ zoning administrator may immediately remove any prohibited sign or illegal sign that is located within the public right-of-way. Illegal signs located within the public right-of-way are hereby determined to create an imminent threat to public safety.**

**F. Civil citation. The ~~sign code~~ zoning administrator or designee may issue or cause to be issued a civil citation or civil complaint to any person violating the provisions of ~~this~~ these sign ~~code~~ standards.**

**G. Administrative appeal - Review of decisions of the ~~sign code~~ zoning administrator may be taken in the following ways:**

**Appeal of decisions of the ~~sign code~~ zoning administrator relating to ~~this~~ these sign ~~code~~ standards and requests for variances shall be made pursuant to ~~Article XI~~ Unified Development Code .**

**Proceedings involving the removal of illegal, abandoned or prohibited signs shall be conducted pursuant to this article.**

**In all other cases and whenever a violation of any of the technical codes or this ~~Code~~ article is determined, whether during the construction or plan review stage, and the applicant wishes to appeal the decision of the staff because of code interpretations, unreasonable hardship or other acceptable reasons, an appeal may be made to the ~~building official~~ zoning administrator pursuant to the provisions of the applicable code.**

**Comment [JM187]:** PDSD staff pointed out that this provision is out of date and the zoning administrator vs. the Building official would be the decision maker.

**H. Penalty.**

**Any person found responsible for a violation of ~~this~~ these sign ~~code~~ standards shall be guilty of a civil infraction and punished in accordance with the provisions outlined in Chapter 8 of the Tucson Code (City Court) . If there is any conflict between the procedures of this section and the general procedures of Chapter 8, this section is controlling.**

**Upon a finding of responsibility, the magistrate shall impose the penalties (fine and abatement) provided under ~~section 8-6.1 of~~ the Tucson Code (City Court – Penalties). Upon expiration of the**

**abatement time, the magistrate shall order the city to abate the violation in accordance with the provisions set forth in section ~~3-110~~ below.**

**Except where prohibited by law, each day the violation continues shall constitute a separate offense.**

**Comment [JM188]:** Refers to provision on Abatement by; the city after court order. See below

**I. Abatement by the city after court order.**

**Pursuant to the summary abatement provisions ~~of section 3-106.B~~, or after entry of a court order directing removal of an offending sign, the city or its agents may enter upon the property and cause the offending sign to be removed at the expense of the owner, tenant, lessee or occupant either jointly or severally.**

**Comment [JM189]:** Refers to Summary abatement on removal of dangerous signs

**A verified statement of the costs or expense shall be sent by certified or registered mail to the last known address of the record owner and to the lessee, tenant or occupant. The record owner or the lessee shall be liable jointly or severally for the payment of said cost or expense.**

**The payment for costs or expenses shall be in addition to any civil penalty imposed pursuant to Chapter 8 of the Tucson Code (City Court).**

* * * * * * *

10.4 PENALTIES AND REMEDIES