

## **Call to the Audience - Sign Code Revision Sub-Committee**

**December 19, 2016**

My name is Bonnie Poulos. I am currently a board member of TRRG, I am also a steering committee member for the Campus Farm Neighborhood Association, and I served for 13 years on the Pima County Planning and Zoning Commission. I have experience with public participation and land use issues. Today I am speaking on my own behalf.

In some ways, the proposed Master Sign Program is analogous to the Planed Area Development, or PAD, that exists for land uses. It is similar because it suspends the normal rules governing signs in favor of an integrated plan that essentially creates its own "sign code" for the property under development (UDC Sec 3.5.5.A2). But it is different because there is little avenue for the public to weigh in on a Master Sign Plan. If this program only affected signs internal to a development then public involvement would be less important. But this program affects signage that can be seen from the development by passersby and people who live adjacent to the site and therefore, the public should be able to have their viewpoints considered during the plan process.

In the UDC, the PAD becomes a unique land use zone, but it must still *conform to general standards such as Plan Tucson and existing Neighborhood and Area Plans* (Sec 3.5.5.C1). It is important that the Master Sign Program also be required to conform to these plans so that community concerns about visual impacts, lighting, and signs in general are respected. It should be stated in the Purpose statement.

The PAD goes through a public hearing before the Zoning Examiner who makes a recommendation to Mayor and Council, who may choose to hold another public hearing on the zoning request (Sec 3.5.5.C2 and C3). The Master Sign program has an extremely limited public process. *A process that allows meaningful public input should be incorporated into a Master Sign Program.*

If changes or modifications to an approved PAD are requested there is a process which is followed, that differentiates between major and minor changes (sec 3.5.5.J). Minor changes can be approved by the Zoning Administrator, but major changes can only be approved by going through the Zoning Examiner via a new public hearing. *Changes to an accepted Master Sign plan should have similar requirements, including what constitutes a major change to the plan.*

The problem with enforcement of codes is a huge concern to the community. Currently, land use and sign code violations are difficult to enforce because the inspectors are not knowledgeable about the codes. In addition, it is difficult, and sometimes impossible, to readily access the zoning conditions for a property, especially if they are more than a few years old. Should you choose to go along with the idea of a Master Sign Program, then please *make sure there is language that specifies how that plan will be distributed and made readily available to anyone who wishes to know what the conditions are for a particular property.*

I have copies of this statement and the PAD section of the UDC for you. Thank you for your consideration of these issues.

### 3.5.5. PLANNED AREA DEVELOPMENT (PAD) ZONE

#### A. **General**

1. The purpose of the Planned Area Development (PAD) zone is to enable and encourage comprehensively planned development in accordance with adopted plans and policies.

2. The PAD is a zoning classification which provides for the establishment of zoning districts with distinct standards.

#### B. **Distinct Land Use Regulations Permitted**

1. A PAD may have land use regulations different from the zoning regulations in the UDC, any other PAD District, or other zoning districts.

2. When a provision in a PAD varies from the UDC, the provisions in the PAD shall govern.

#### C. **Application Processing and PAD Establishment**

1. Each PAD must be in compliance with the General Plan and applicable sub-regional and neighborhood plans.

2. A PAD is processed and established in accordance with Section 3.5.3, *Zoning Examiner Legislative Procedure*, and the following additional requirement.

3. Within 30 days after the PDSO Department recommends approval, the PAD rezoning request is scheduled for a public hearing before the Zoning Examiner.

#### D. **Established Districts**

1. PADs are identified on the City Zoning Maps by the letters “PAD” followed by a number, such as “PAD-1,” signifying the set of standards adopted and applicable to that planned area development.

2. The PDSO is responsible for maintaining the list of established PADs.

#### ~~E.~~ **Initiation of a PAD District.**

A PAD District is initiated by filing an application with the Planning and Development Services Department. The application may be filed by the owners of the subject property, an agent for the property owners, or the Mayor and Council. The application will be accepted for processing only if the following requirements are met:

1. The site is under single ownership or control except when initiated by the Mayor and Council;

2. The PAD District shall be configured to accommodate a well-integrated project. A PAD District may include existing rights-of-way provided the district is planned and developed on a unified basis.

#### F. **PAD Implementation**

PADs are implemented in accordance with the procedures in this Section 3.5.5. PADs may establish additional implementation procedures, provided such methods are not in conflict with required procedures and are fully described by the PAD document.

#### G. **Site Plan Review**

No development may occur within a PAD until a site plan for the development is approved by the City in accordance with Section 3.3.3, *PDSO Director Approval Procedure*.

#### H. **Enforcement**

Standards adopted for each PAD are enforced in the same manner as the enforcement of any zoning violation as provided in Section 10.2.

#### I. **Interpretation**

The Zoning Administrator shall interpret a PAD in accordance with Section 1.5.1, *Zoning Determinations and Zoning Certifications by the Zoning Administrator*. Interpretations of UDC zoning provisions may be applied to similar PAD provisions.

**J. Amendment to an Adopted PAD**

1. PAD amendments must be in substantial conformance with the objectives of the PAD. Changes to conditions and terms of a PAD that affect the overall density, intensity, and classifications of land uses must be processed as a new change of zoning. Changes to other conditions of a PAD must comply with the procedures for changes of conditions in this section.

**2. Amendment Application**

a. An amendment to a PAD may be initiated by the property owner, the owner's agent, or the Mayor and Council upon submittal of a written application to amend one or more of the PAD standards.

b. The application must be accompanied by a statement documenting the need for the amendment.

c. The PDS Director shall determine if the amendment would result in a major change in the PAD. A major change is one which:

- (1) Allows uses not otherwise permitted in the PAD or a section of the PAD;
- (2) Varies or changes a PAD policy;
- (3) Increases the number of proposed residences per acre by more than 10% or exceeds the maximum number of dwelling units permitted within the adopted PAD;
- (4) Changes designated buffers or perimeter landscaping, as delineated in the PAD, which was established to adapt the PAD to specific site characteristics or mitigate development impacts on the site and surrounding area;
- (5) Varies the building height, lot coverage, or building setbacks by more than 10% of that delineated in the adopted PAD;
- (6) As a consequence of more than one non-substantial change submitted concurrently, cumulatively results in a significant change in the objectives or goals of the PAD; or,
- (7) Results in a significant change in pedestrian or traffic circulation within the PAD or in the surrounding area.

d. Major changes to a PAD are processed in accordance with Sections 3.5.3, *Zoning Examiner Legislative Procedure*. A major change may require, as determined by the PDS Director, submittal of amended items, such as a site analysis.

e. The PDS Director may approve changes determined to be minor or administrative.

f. When requested in writing by the applicant, the PDS Director may authorize a delay in the PAD amendment process.

(Am. Ord. 11070, 5/14/2013; Am. Ord. 11127, 11/6/2013; Am. Ord. 11386, 7/6/2016)