February 23, 2017

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

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

Dear Mr. Ranu:

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

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

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

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

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

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

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

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

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

1.) **Page 10 / 7A.6.4 SIGN COPY**
Current Language: *"C. A digital sign is permitted to have a rate of change of sign copy, graphic, or information not more than once an hour"*

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

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

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

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

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

3.) Page 12/ 7A.6.11 PREMISE

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

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

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

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

4.) Page 12 / 7A.6.12 ILLUMINATION

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

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

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

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

Current Language:

a. 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.

b. A sign with lists of categories, tenants or organizations or similar listed items within panels or separately mounted sign copy, shall have behind the copy, i.e. words, names, numbers or symbols using a specific logo or federally registered trademark colors a unifying and proportional outlining background color;

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

Recommendation:

~~a. 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.~~

~~b. A sign with lists of categories, tenants or organizations or similar listed items within panels or separately mounted sign copy, shall have behind the copy, i.e. words, names, numbers or symbols using a specific logo or federally registered trademark colors a unifying and proportional outlining background color;~~

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

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

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

Current Language:

"1. The sign height and sign structure setback for a freestanding sign should be at a height and distance from the right of way to be easily detectable and give a vehicle a reasonable time to adjust to traffic conditions.

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

3. The sign height shall not be greater than 20 feet tall and 100 square feet in area.

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

Recommendation:

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

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

Current Language:

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

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

Recommendation:

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

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

- In addition, the business community requests a diagram and/or images to further substantiate the intent of this section.

- The City should consider that certain commercial projects with defined attributes and eligible for City incentives, be expected to utilize the Master Sign Program as the best means to provide adequate signage and balance the total amount of signage, placement and design.

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

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

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

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

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

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

Current Language: (See Table 2 on page 24)

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

Recommendation for Table 2 -- Non-residential section:
6. Illumination and Color- remove language that details the use of "low pressure sodium lighting."

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

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

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

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

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

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

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

Current Language

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

Recommendation:

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

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

Current Language

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

Recommendation:

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

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

additional sign for every ~~four hundred (400)~~ one hundred fifty (150) feet of additional scenic route street frontage.
(2) Arterial street: One (1) for the first ~~four hundred fifty (450)~~ three hundred (300) feet of arterial street frontage with one (1) additional sign for every ~~two hundred fifty (250)~~ one hundred fifty (150) feet of additional arterial street frontage.
(3) Collector Street: One (1) for the first ~~four hundred fifty (450)~~ three hundred (300) feet of collector street frontage within the premises, with one (1) additional sign for every ~~two hundred fifty (250)~~ one hundred fifty (150) feet of additional collector street frontage.

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

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

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

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

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

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

Sincerely,

Robert Medler	Amber Smith, MPA	David Godlewski
Vice President, Government Affairs	Executive Director	President
Tucson Metro Chamber	Metropolitan Pima Alliance	SAHBA

Attachment: Real Estate Signs vs. Portable Signs Chart

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

Attachment A

Real Estate Signs vs. New Portable Sign Category

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