

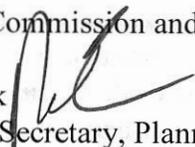


PLANNING COMMISSION / CITIZEN SIGN CODE COMMITTEE

Planning & Development Services Department • 201 N. Stone Ave. • Tucson, AZ 85701

DATE: July 12, 2017

TO: Planning Commission and Citizen Sign Code Committee

FROM: Scott Clark 
Executive Secretary, Planning and Development Services

SUBJECT: C8-16-09 Sign Code Revision Project

Issue: This is a Public Meeting for the Planning Commission and Citizen Sign Code Committee to jointly consider the Sign Code Revision Project as directed by Mayor and Council (see Background below for details). On August 9, 2016, the Mayor and Council initiated a Sign Code revision process and gave direction to do the following:

Comply with the 2015 U.S. Supreme Court decision in *Reed v. Town of Gilbert*; Simplify the Sign Code by integrating it into the Unified Development Code; Make practical changes that modernize the Code; Improve the quality of design and flexibility of the overall code, and ground it in technical standards; Have the Citizen Sign Code Committee (CSCC) and the Planning Commission (PC) hold joint study sessions and public hearings on the proposed changes to the Sign Code; Have staff return to the Mayor and Council with a recommendation no later than January 2017.

At the June 21, 2017 Public Hearing, the joint Planning Commission and Citizen Sign Code Committee elected to continue the item to a later date to allow for time to consider public testimony and the letter submitted on June 15, 2017 by the Metropolitan Pima Alliance / Tucson Metro Chamber / Southern Arizona Homebuilders Association (Attachment Q) for a post-hearing discussion prior to a vote. To help facilitate the review of this letter, staff has included the following attachments: Attachment R is a staff overview and response to issues raised at the June 21, 2017 Public Hearing, Attachment S is a matrix documenting previous discussion of issues raised in the June 15 letter, and Attachment T is recommended staff direction related to issues in the June 15 letter.

At this time, staff seeks a recommendation from the joint Commission on the remaining issues as identified by the Planning Commission and Citizen Sign Code Committee, along with consideration of public input.

Recommendation: Staff recommends that the joint Planning Commission and Citizen Sign Code Committee recommend approval of the proposed amendments (see

Attachment A) to repeal and revise Tucson Code Chapter 3 Sign Code and portions of Chapter 10A, and add them to City of Tucson Code, Chapter 23B, Unified Development Code (UDC) Section 7A Sign Standards.

Background: The June 2015 U.S. Supreme Court decision in the case *Reed v. Town of Gilbert* has required all jurisdictions in the country to review and amend their sign codes to be content-neutral. This case requires all jurisdictions, including the City of Tucson to bring its Sign Code into conformance with the *Reed* decision. Additional background information about the *Reed* case is available in Attachment I.

About the time that the *Reed* decision was announced, members of the business community raised concerns that the City's Sign Code is out of date, overly restrictive, and difficult to use in comparison to other regional and Arizona jurisdictions. After the Mayor and Council's August 2016 Study Session, several community stakeholders not related to the business community raised concerns that this revision project may cause the current Sign Code to be weakened. It is the intention of the Sign Code Revision project to create a document where future rights to signage are roughly proportional to the current Sign Code, where the legal implications of *Reed* are addressed, and where process improvements eliminate existing problems.

The Joint Planning Commission – Citizen Sign Code Committee Subcommittee Review of the Preliminary Draft Sign Standards - Between October 2016 and March 2017, a joint subcommittee to review the Sign Code revisions met fourteen times. Overall, the subcommittee members met for a combined total of 170 hours of meetings and reviewed 49 committee suggested edits (Attachment C) at least two times each. During the process, staff has sent out more than sixty emails to the subcommittee and notification group of over 120 stakeholders. 146 stakeholders attended these meetings representing 32 different organizations (not including individuals representing themselves). During call to the audience, 87 speakers addressed the subcommittee. There were 32 comments submitted on the Sign Code Revision website. Links to the website and public/stakeholder comments received to date are included in Attachment D.

The joint subcommittee reviewed the entire draft Sign Standards document and forwarded the following key remaining issues requiring resolution (detailed list is included in Attachment E) to the full bodies of the Planning Commission and Citizen Sign Code Committee to be reviewed jointly:

- Rate of change on digital signs
- Definition of premise
- Design option criteria (prohibited signs, specific caps, uniform background color, etc.)
- Public notice of design options
- Prohibition of feather banners
- Alterations to nonconforming signs
- Menu board sound mitigation
- Window sign standards
- Parapet and canopy sign standards

- Portable sign area allotment
- Scenic Route sign spacing standards
- Sign Design Review Committee appointment and quorum numbers.

In preparation for review by the Planning Commission and the Citizen Sign Code Committees, both individually and jointly, staff prepared an updated Draft Sign Standards. This draft, dated March 30, 2017, incorporated all of the edits and changes addressed during the subcommittee meetings, and provided options for the key remaining issues listed above.

Planning Commission Study Sessions – To date, the Planning Commission has held four individual study sessions for staff to provide updates on the process and progress related to the Sign Code Revision Project. At those meetings, staff has presented an overview of *Reed v. Town of Gilbert* and the problems it has created, procedural complications with the existing code brought up by staff and the business community, and ultimately proposed strategies for *Reed* compliance and process improvement. The March 1, 2017 Planning Communication, which details these items, is provided in Attachment F, for reference.

Citizen Sign Code Committee Study Sessions – The Citizen Sign Code Committee also held four study sessions for staff to provide updates on the process and progress related to the Sign Code Revision Project. Similar to the Planning Commission meetings, staff presented an overview of *Reed v. Town of Gilbert* and the problems it has created, procedural complications with the existing code brought up by staff and the business community, and ultimately proposed strategies for *Reed* compliance and process improvement. Additionally, at the April 19, 2017 study session, the Citizen Sign Code Committee voted on the issues yet to be resolved, and were forwarded to the joint study session of the Planning Commission and Citizen Sign Code Committee as a recommendation. Also at that meeting, Commissioner McLaughlin presented her recommendation for the Sign Design Option, which is provided in Attachment G.

The Joint Study Session of the Planning Commission and Citizen Sign Code Committee – On May 3, 2017 the Planning Commission and the Citizen Sign Code Committee held a joint study session to review the Sign Code Revision Project. At that meeting, both the Planning Commission and Citizen Sign Code Committee voted to set the Sign Code Revision Project for Public Hearing on June 21, 2017 (see attachment H for the Legal Action Report). Additionally, they directed staff to bring back a revised draft that incorporates issues yet to be resolved in the March 30, 2017 draft. At this meeting, the Planning Commission directed staff to utilize the Citizen Sign Code Committee votes and recommendations when revising the Draft Sign Standards.

The Joint Public Hearing of the Planning Commission and Citizen Sign Code Committee – On June 21, 2017 the Planning Commission and the Citizen Sign Code Committee held a joint public hearing to review the Sign Code Revision Project. At the meeting, the Joint Committee closed the public hearing, and discussed issues raised by the public and the June 15, 2017 MPA-Chamber-SAHBA letter (Attachment Q). At that time some of the

commissioners expressed concern about voting without enough time to review the letter. After some discussion, it was agreed that the CSCC would meet on July 11 and review the June 15, 2017 letter more carefully, then they would join the Planning Commission on July 12 and discuss the letter and the entire draft as a joint group. Additionally, to aid in the review of these issues, staff has prepared a summary of each of those issues with a response (Attachment R). In this summary, the issues have been categorized into the following three categories: (1) items from the members of the joint Planning Commission / Citizen Sign Code Committee, (2) items from the speakers at the public hearing, and (3) items from the MPA-Chamber-SAHBA letter. Additionally, staff has prepared a matrix documenting previous discussion of issues raised in the June 15 letter (Attachment S), and recommended staff direction related to issues in the June 15 letter (Attachment U).

Present Considerations – When the Mayor and Council directed staff to begin the Sign Code Revision Project their direction was to address three items through the process. These three items were: (1) comply with the 2015 U.S. Supreme Court decision in *Reed v. Town of Gilbert*; (2) simplify the Sign Code by integrating it into the UDC; and (3) make practical changes that modernize the Code, improve the quality of design and flexibility of the overall code, and ground it in technical standards. The following is how these were addressed:

1. Compliance with Reed v. Town of Gilbert – In creating a strategy to revise the current Sign Code, the following has been used to strengthen the City’s defense against any *Reed* challenges:

- Technical Studies - Include in the adopting ordinance for a sign code revision references to the technical studies that were reviewed in the preparation of the standards. In addition to *Street Graphics and the Law*, several other technical studies were consulted. While these studies can be very complex, they are useful tools in combining technical viewpoints with the City’s own position on creating a pleasing visual environment.
- Purpose Statement - Have a Purpose Statement with a clear connection to traffic safety and the visual environment. The Purpose Statement makes clear the prominence of compliance with First Amendment rights as well as the use of technical standards in the development of the sign standards.
- Substitution and Severability Clause - Have a substitution clause that states all commercial signs permitted are also available to non-commercial signs and a severability clause which explains that if a portion of the Sign Code is found unconstitutional that the remaining ordinance is still constitutional. The current Sign Code has both of these provisions.
- Sign Type Changes - Amend or delete all message-oriented sign types currently in the Sign Code. This strategy will also require an approach to temporary signs, that are re-named portable signs where clutter management becomes a more prominent issue for government to address and sign messages become the concern of the property owner and not the government.

2. Simplify by Integrating into the UDC – Through this process, staff has revised and amended the sign standards to simplify the terms, processes and appeals, as well as using staffing resources more efficiently by placing the Sign Code in the UDC. The majority of the simplification of terms and processes were areas that have been highlighted as problems by both the business community utilizing the code and the PDS staff reviewing the sign permits.

3. Practical Changes to Modernize the Code, Improve Quality of Design, and Ground it in Technical Standards – The revised code introduces a more robust sign design process tied to technical and visual environment standards that protect views and improve signs, so as not to be disorienting and distracting. Through the Sign Design Option, sign design proposals will be required to consider vehicle reaction time, legibility, architectural integration, and clutter management.

Citizen Sign Code Committee Review of Edits – At the April 19, 2017 Citizen Sign Code Committee, staff presented the members with the March 30, 2017 draft and a list of the issues brought forward from the joint subcommittee, on which they voted. The following is a list of the issues presented:

- Five-Minute Rate of Change for Digital Signs (Sec. 7A.6.4)
- Premise Definition (Sec. 7A.6.11)
- Design Option - Not Allowing Prohibited Signs (Sec. 7A.7.1.B)
- Design Option - Dark Skies Illumination Interim Design Guideline (Sec. 7A.7.1.E.1)
- Design Option - Uniform Background Color for Listed Tenants (Sec. 7A.7.1.E.2)
- Design Option - Use More Prescriptive Standards (dimensional caps) on Sign Dimensions (Sec. 7A.7.1.E.2.c)
- Design Option – Public Notice of Application for Design Review (Sec. 7A.7.4)
- Roof Signs Remain Prohibited (Sec. 7A.8.2.F)
- Prohibiting or Allowing Feather Banners (Sec. 7A.8 Prohibited Signs & Sec.7A.10.3.C.2)
- Alteration Of Electronic Components On Non-Conforming Signs (Sec. 7A.9.1.C)
- Interior Signs - Menu Board Setbacks (Sec. 7A.10.1.C)
- Window Sign Standards (Sec. 7A.10.1.F)
- Increase Maximum Sign Area in Residential Zones for Non-residential Uses on Arterials and Collectors (Sec. 7A. 10.2.B)
- Canopy Sign Standards (Sec. 7A.10.2.C.1)

- Increase / Decrease All Portable Sign Area Allotment and Number of Signs (Sec. 7A.10.3.A)
- Roof Sign, Wall Sign and the Extended Parapet Option (Sec. 7A.8.2.F, Sec. 11.4.24, & Sec. 7A.10.2.C.3)
- Scenic Route Signs Spacing (Sec. 7A.11.3)
- Composition of Sign Design Review Committee (SDRC) (Sec. 2.2.12.C)
- Mayor and Council or City Manager Appointment of SDRC (Sec. 2.2.12.D)
- SDRC Quorum Number (Sec. 2.2.12.H)

A complete list of those issues is presented along with the procedural vote count in Attachment E.

Edits / Changes Since March 30th Draft – At the joint study session of the PC/CSCC held on May 3, 2017 the joint committee directed staff to bring forward a revised draft that incorporated votes from the Citizen Sign Code Committee, comments from commissioners such as the exhibit from Commissioner Martin, historic items being reviewed by the Tucson-Pima County Historical Commission - Plans Review Subcommittee, and minor staff clean-ups. The revised draft Sign Standards (see Attachment A for June 1, 2017 draft) is a generally clean document. All new text that has been added since the March 30th draft is in red, but all of the options and highlighting that previously existed have been moved to a separate document (see Attachment B for a detailed list of changes in the June 2nd draft) which details all of the changes that have occurred. The following is an overview of the edits made:

- Citizen Sign Code Committee - Per the direction of the joint Planning Commission and Citizen Sign Code Committee at the May 3rd meeting, the language that remains in the June 1st draft Sign Standards is representative of the votes taken by the Citizen Sign Code Committee at their April 19, 2017 meeting.
- Commissioner Martin's Memo – At the May 3, 2017 joint study session, Commissioner Martin submitted a list of questions and potential edits (see Attachment J). In response, staff reviewed all of the items and addressed them in Attachment K. Some only required clarification, but others required small changes to the text of the Sign Standards Draft. All of those changes are documented in Attachment B.
- Revisions to Historic Items - On May 18, 2017 staff requested direction from the Tucson-Pima County Historical Commission - Plans Review Subcommittee (TPCHC-PRC) on whether to include four issues concerning historic signs in the current Sign Code Revision Project. Those issues presented were the following:
 - Due to the current interpretation of the Sign Code, Historic Landmark Signs (HLS) are not allowed in historic overlay zones, such as a Historic Preservation Zone (HPZ) or Historic Landmark (HL).

- Allow for a wall sign to be designated as a Historic Landmark Sign.
- Allow for rooftop-mounted signs for a building listed or eligible for listing on the National Register of Historic Places, when the applicant can show that there are no wall or building mounted options that would not damage historic integrity or have an adverse effect. In these cases the signs must be static channelized exposed neon or non-lit metal letters.
- Increase in maximum sign area allotment for Historic Districts when zoned as commercial (currently eight (8) square feet per street front and per sign).

At that meeting the TPCHC-PRC voted to recommend staff move forward with the four items presented. For additional information please see Attachment L for the Staff Memo and Legal Action Report from that meeting.

- Minor Staff Clean-ups – While making the revisions to the March 30th draft, staff noticed a few items that require a clean-up before adoption. Those were minor, but are documented both in Attachment I and noted in red text throughout the June 1st draft. At the May 3rd meeting staff was also asked by the joint committee to address questions related to the clarity of the Sign Design Option. This has been addressed in Attachment O. Additionally, the City Manager’s office requested the boundary of the Mercado Pedestrian District be changed as a part of this process. The maps for the Mercado Pedestrian District have been changed to reflect the removal of everything south of Cushing Street.

Consideration of 18 Month Sunset Date – Staff recommends a sunset provision of 18 months for the proposed changes in the Sign Code Revision Project. 18 months is recommended as it allows for a full year to determine the efficacy of the proposed amendments, then another 6 months to make the necessary changes and go through the text amendment process. The following are examples of potential items to be addressed or studied prior to the 18 month sunset date:

- Future General Plan Update - Consider in a future update to the General Plan inclusion of a sign policy that addresses the key provisions stated in the Purpose Statement. This type of policy is very useful in showing a community-wide endorsement of a more comprehensive sign policy in the case that the Sign Code is legally challenged.
- Major and Minor Reviews – Prior to the 18 month sunset date, staff recommends the consideration of a major and minor review process. Data from projects during the first year could provide insight as to what types of projects should require a full Sign Design Review Committee review and what projects may be more suited to a review by a Design Professional.
- Interim Dark Skies Guidelines – Prior to the proposed sign standards becoming approved and effective, staff will work to develop a set of interim dark skies guidelines with the help of the Outdoor Lighting Committee and a lighting engineer. Those guidelines will provide assistance for applicants using the sign design options.

- Review of sign standard's effectiveness – Throughout the first year, once the sign standards becomes effective, staff will monitor approvals of sign permits and the proposals using the Sign Design Option. From this data, a review will be conducted to understand if we have appropriately met the goals of the Sign Code Review Project and what changes may be made to increase the efficacy of the proposed amendments.

Plan Tucson Consideration(s) - The current *Plan Tucson* mainly addresses the treatment and removal of non-conforming signs. The current proposed revision project is not in conflict with these non-conforming sign policies. Policy on non-conforming signs should be refined at some point as many non-conforming signs may qualify to be future historic landmark signs, for which Tucson has a positive national reputation. The Plan Tucson policy HP4 refers to identifying and preserving significant character defining features along streetscapes which could include historic landmark signs. Further, a focal point of this proposed Sign Code revision project is to improve design in the public realm. This item is consistent with the Elements of (1) Historic Preservation and (2) Land Use, Transportation, & Urban Design. Specifically, this item is supported by the following policies:

HP-4 Identify historic streetscapes and preserve their most significant character defining features.

LT-4 Ensure urban design that: a. is sensitive to the surrounding scale and intensities of existing development; b. integrates alternative transportation choices, creates safe gathering places, and fosters social interaction; c. provides multi-modal connections between and within building blocks; d. includes ample, usable public space and green infrastructure; e. takes into account prominent viewsheds.

Conclusion: These draft Sign Standards have undergone a significant public review process to get to this point. It has been reviewed individually by both the Planning Commission and Citizen Sign Code Committee; jointly as a subcommittee of the Planning Commission and Citizen Sign Code Committee; and jointly between the two larger bodies of the Planning Commission and Citizen Sign Code Committee. Staff believes it is both within the scope directed by City leadership on August 9, 2016 and achieves the goal for the sign standards to (1) comply with the 2015 U.S. Supreme Court decision in *Reed v. Town of Gilbert*; (2) simplify the Sign Code by integrating it into the UDC; and (3) make practical changes that modernize the Code, improve the quality of design and flexibility of the overall code, and ground it in technical standards. Staff recommends the Commission forward the current draft to Mayor and Council for adoption.

LB/jm/db
 Planning and Development Services Department

Attachments:

- A – Sign Standards Draft – June 2, 2017
- B – Detailed List of Changes in June 2, 2017 Sign Standards Draft
- C – Updated Matrix of Suggested Edits
- D – Links to website and public - stakeholder comments received to date
- E – CSCC Overview - Draft Sign Standards Issues Requiring Resolution – Updated on April 19, 2017
- F – March 1, 2017 PC Communication for Sign Code Revision Project
- G – Commissioner McLaughlin’s Recommendation for the Sign Design Option
- H – Legal Action Report from May 3, 2017 Joint PC/CSCC Meeting
- I – Background on *Reed* and the Subcommittee Process
- J – Commissioner Martin’s Memo of Questions and Potential Edits
- K – Staff Response to Commissioner Martin’s Memo
- L – Staff Memo to TPCHC-PRC and Legal Action Report
- M – Sign Table of Changes
- N – Chapter 3 – Current Sign Code
- O – Design Option Overview for June 21, 2017 Public Hearing
- P – List of Variances
- Q – June 15, 2017 MPA-Chamber-SAHBA letter
- R – PDSO Overview and Response to Public Hearing Items
- S – Matrix Documenting Previous Discussion of Issues Raised in the June 15 MPA-Chamber-SAHBA letter
- T – Recommended Staff Direction Related to Issues in the June 15 MPA-Chamber-SAHBA letter

7A SIGN STANDARDS

NEW DRAFT 06-02-17

As directed by the Joint PC/CSCC at the May 3rd Study Session, the following revised draft is based on the options presented to and voted upon by the Citizen Sign Code Committee, comments from Commissioners, remaining historic items, and minor staff clean-ups . Options and staff comments related to the language provided within are provided in Attachment B.

bold underlined indicates new language added as a part of the Sign Revision Project.

red underlined indicates new language added since the 3-30-17 draft.

red-strikethrough indicates new language removed since the 3-30-17 draft.

A Redline in left margin indicates where changes have occurred since the 3-30-17 draft.

7A.1. PURPOSE, INTENT, AND APPLICABILITY.

7A.1.1. PURPOSE

The purpose of the sign standards is to:

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

A. Recognize the legitimate signage needs of businesses and other interests to communicate messages, provide identification, and enable wayfinding throughout the city for tourists and residents;

B. Ensure that signage contributes to the maintenance of an aesthetically pleasing visual environment by exercising reasonable regulations over type, size, number, appearance and location;

C. Respect Tucson's unique natural environment of surrounding mountain ranges and dark night skies by regulating sign illumination and height;

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

E. Promote public safety by ensuring that signs are properly constructed and maintained to protect the general public from property damage and personal injury;

F. Facilitate traffic flow and safety of pedestrians, bicyclists, and motorists through enforcement of sight lines and other appropriate sign placement regulation.

7A.1.2. 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** and be in compliance with Section 1.07-6 of the City of Tucson Administrative Directives.

7A.2. INTERPRETATION, SEVERABILITY, AND NON-COMMERCIAL SPEECH SUBSTITUTION

7A.2.1. INTERPRETATION

A. The **zoning administrator** shall interpret and apply **the sign standards**. Where there is a conflict between provisions of the sign **standards** and other provisions of the **Unified Development Code**, the more restrictive provisions shall prevail.

7A.2.2. INTERPRETATION OF DISTRICT BOUNDARIES

A. Zones and special sign districts are determined by adopted maps. The pedestrian business district, **historic district and scenic corridor zone district** are specifically mapped districts that supersede the underlying zoning classifications for purpose of determining the sign regulations. **Please reference Section 7A.11 Special Districts for maps showing locations of special districts.** The scenic corridor zone district is determined based upon the mapped scenic corridors **of the Major Streets and Routes Plan**.

B. The effectuation of a change of zoning for a property will also effectuate a change in the sign **standards**.

C. Interpretation of **a special** sign district shall be made by the **zoning** administrator.

7A.2.3. APPLICATION OF PRIOR CODE SECTIONS

A. Chapter 3 of the Tucson Code as adopted and amended prior to the adoption of **the sign standards** 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.

7A.2.4. SEVERABILITY AND NON-COMMERCIAL SPEECH SUBSTITUTION.

A. Article 7A is subject to Sec. 1.8 (Severability). Any provision of **the sign standards** 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 **the sign standards** that is found to be an unconstitutional limitation on freedom of speech by any court shall be severed from **the sign standards** in a manner that preserves **the standards** and protects freedom of speech.

7A.3 DEFINITIONS

The terms used in **the sign standards** shall have the meanings as noted in **Article 11 (Definitions)**, unless the context otherwise requires.

7A.4. PERMITS, INSPECTIONS, AND FEES

7A.4.1. 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. 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 the sign standards. **For purposes of the sign standards these signs are considered interior signs**

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

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:

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 standards, 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.

F. Permission of Property Owner

1. 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.

7A.4.2. ISSUANCE

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 standards and other pertinent laws and ordinances, and that the fees specified in the **Administrative Manual** 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 **the sign standards** 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 **the sign standards** 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 **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 **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 **standards** 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.

7A.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.

B. A fabricator may submit plans for a sign to the **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 **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 **zoning** administrator by the originator(s) of that standard.

7A.4.4 GENERAL

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.

B. A survey of the lot may be required by the **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 **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 **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.

7A.4.5. REQUIRED INSPECTIONS

A. 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.

B. 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 **the sign 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.

C. Footing inspections are required on all detached signs.

D. 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 **the sign standards**.

7A.4.6. RE-INSPECTION

A. 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 **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.

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

C. To obtain a re-inspection, the applicant must pay the re-inspection fee in accordance **with the Administrative Manual Sec. 4-01.**

D. 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.

7A.4.7. FINAL INSPECTION

A. 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.

7A.4.8. SPECIAL INSPECTOR REQUIRED

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

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

C. 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.

D. 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.

7A.4.9. FEES

A. All sign permit fees are set forth **in Development Review Fee Schedule Sec. 4-01 of the Administrative Manual.**

7A.4.10. MAINTENANCE

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** 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 premises—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 **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

Sign Standards violations, enforcement and penalties provisions shall be in accordance with Article 10 Enforcement and the provisions below.

7A.5.1. INDEMNIFICATION OF CITY

A. As a condition to the issuance of a sign permit as required by **the sign 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 **the sign 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 **standards** shall be subject to the additional requirements, conditions and exceptions specified in this **section**.

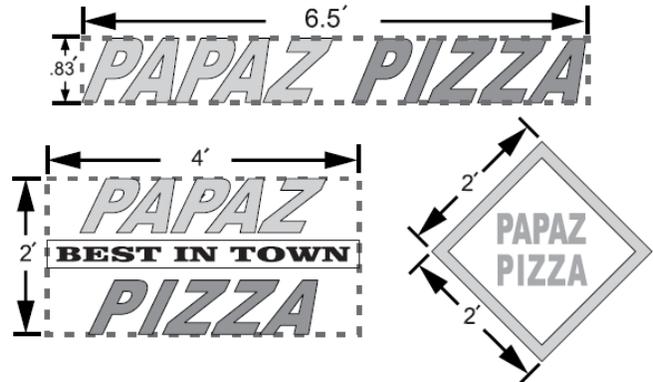
7A.6.1. SIGN AREA The area of a sign shall be determined as follows (see Figure 1: Area of a Sign):

A. 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-useable 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.**

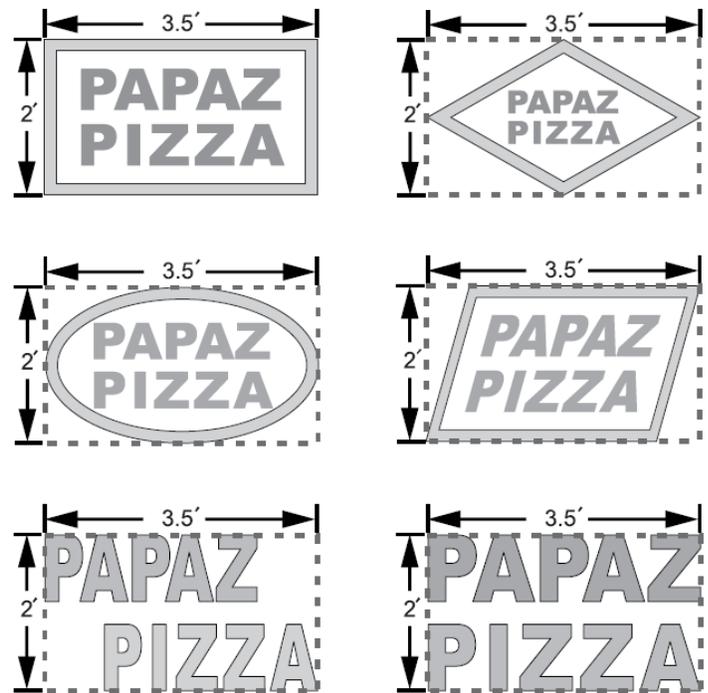
FIGURE 1.

THIS ILLUSTRATION SHOWS HOW WE CALCULATE THE AREA OF A SIGN.

A RECTANGLE OR SQUARE IS "DRAWN" AROUND EACH SIGN TO CALCULATE ITS AREA.



THIS SHOWS HOW SIX DIFFERENT SHAPED SIGNS HAVE THE SAME AREA



B. 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.

C. **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.

7A.6.2. MAXIMUM SIGN AREA

A. **Maximum sign area refers to total allowable sign area derived from a calculation of the length of a premise fronting on a public or private street multiplied by the allowable sign area ratio in the applicable zone category, special district, or additional standard. This is not applicable to Sec 7A.11.1 Historic Districts.**

B. Maximum sign area for individual sign types is determined in accordance with **Sec. 7A.10.2.C (Permanent Signs Additional Sign Type Standards)**.

C. **The maximum sign area for permanent signs on a premise. This includes all lots and tenants within the premise's boundaries unless the sign complies with the Sec. 7A.7 (Design Options).**

D. **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.**

7A.6.3. CHANGE OF COPY

A. **Refers to the situation where 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, 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.**

7A.6.4. SIGN COPY

A. **"Item of information" is used as part of the Sign Design Option Section 7A.7 and 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 used as part of the Sign Design Option Section 7A.7 and is three inches or less in size is not part of the calculation of items of information.**

C. A digital sign is permitted to have a rate of change of sign copy, graphic, or information not more than once every five minutes. The digital sign copy shall not have any transitions or animations.

7A.6.5. SIGN HEIGHT MEASUREMENT

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.

B. 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.

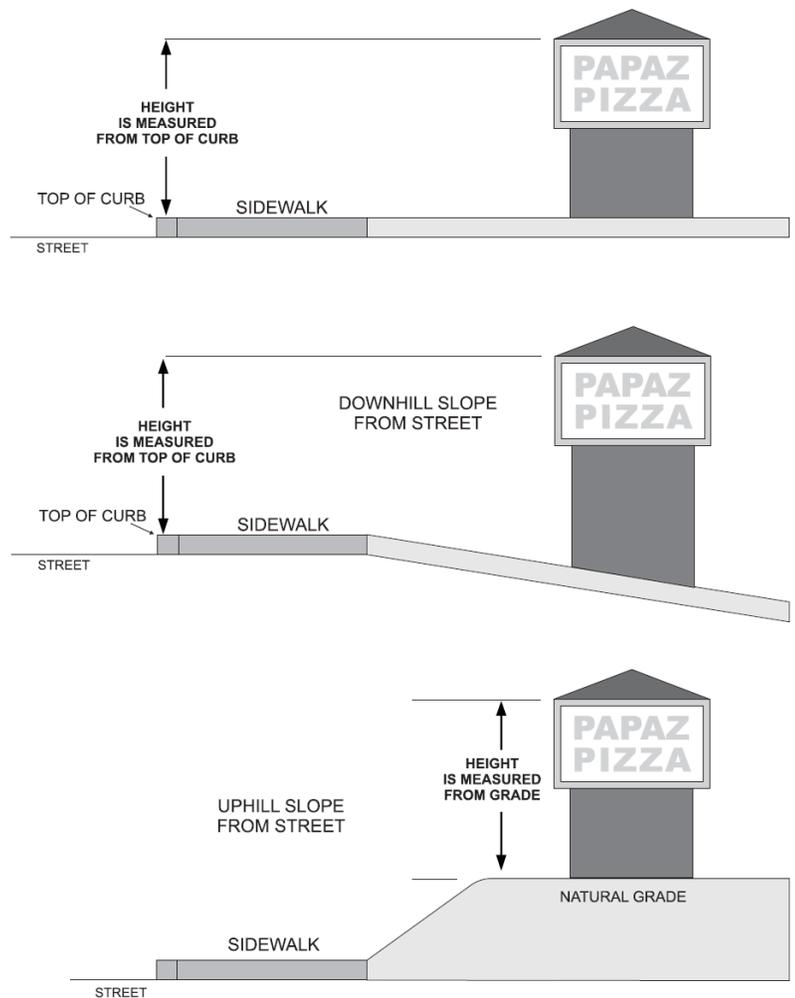


Figure 2: Sign Height Measurement

7A.6.6. CLEARANCE

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

7A.6.7. SETBACK

The sign setback is measured from the leading edge of the sign structure to the face of curb or edge of the travel lane where no curb exists. 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 the sign standards.

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 the length of a **premise**, lot or development fronting on a public or private street.

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.

C. Multiple Frontage Lots

1. 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

1. 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.

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

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

E. Signs per Street Frontage

1. General rule: For **a** premise having more than one street frontage, the maximum **sign area and number of permitted** on-site **permanent** signs are permitted for each street frontage and are not transferable from one street frontage to another. **In the case of a** freestanding sign, **the more restrictive standard of the zone category** shall apply.

F. Access Regulated

1. 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 **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

A. Except as provided 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** the sign within forty-eight (48) hours after the advertised event **or other temporary occurrence concludes**.

B. 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.

C. Permits obtained through the Department of Transportation.

D. The Mayor and Council and/or City Manager may grant special license for signage such as on buses, bus benches, bus shelters, and street cars.

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

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

G. 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**. No sign shall be attached to any utility pole carrying primary circuits or to any wooden pole or public property.

H. 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.

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

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

K. By accepting any license granted under this section, the licensee and its heirs, successors and assigns shall agree to indemnify the city and shall provide proof **to the City** of liability insurance-

H. The city manager may impose such additional administrative requirements as may be necessary.

I. The time frame for a permanent sign and an A-Frame sign are regulated separately as part of the temporary revocable easement process.

7A.6.11. PREMISE

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 **the sign standards**, 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

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 premise 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. **Billboard signs may not be proposed as part of the Master Sign Program.**

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 architectural integration into the building, the zoning administrator will determine what are the most applicable standards.

D. Decision. The Sign Design Review 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 her decision on compliance with the purpose statement, findings, and applicable design standards.

1. An applicant may appeal the director's decision to the Board of Adjustment in accordance with Sec. 3.10.2 and further to the Mayor and Council in accordance with Sec. 3.9.2 (Mayor and Council Appeal Procedure).

E. Design Standards

1. All signs

a. Illumination shall 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.

2. Ground-mounted Signs

a. Sign Copy.

(1) 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.

(2) 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.

(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 buildings, freestanding signs, and structures on the property and in the 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.~~

(3) 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 should be comprised of a design such as ~~a~~ two or more components articulated by materiality. A sign blending wall and ground mounted components may use the best practice option noted **below in Section 7A.7.1.F.**

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;

(2) Wayfinding and Identification.

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

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) Visual Environment.

In all cases, **to achieve the unique visual environment of Tucson, all flexible standards or use of design guidelines in Section 7A.7.1.F Best Practice Option, noted herein must be address a consistent and compatible**

~~treatment with the unique visual environment of Tucson including the building height profile of the buildings and signs in the surrounding area, protecting scenic vistas and vegetation, and the City's outdoor lighting standards for dark skies compatible 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, the Scenic America recommended handbook for on-premise signs 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.~~

(4) 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

~~(1) 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.~~

3. Wall-mounted Signs

- a. 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 of the tenant space wall's display area's size;
- b. If the sign is intended to provide wayfinding it shall be located at key decision identification points for customers or passersby;
- c. Sign copy may include the font, logo, symbol and color of the business but shall be constructed or mounted to be consistent with in a manner to abide by the overall design context of the master sign program.
- d. 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.

4. Integrated Architecture Sign

a. 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.

F. Best Practice Option.

1. 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:

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

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

c. ~~A n document, book, or example endorsed by the American Planning Association, American Sign Association or American Institute of Architects approved documents, books or examples endorsed by one of these or similar organizations, and approved by the PDS D Director;~~

d. A design guideline based in technical standards including, 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, the Scenic America recommended handbook for on-premise signs or a similar document recommended by the Design Professional and approved by the PDS D Director.

e. 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.

G. Findings.

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

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

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

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

d. Improves the legibility of signs;

e. Improves vehicle reaction time to the signs;

f. Creates an organized wayfinding and identification, and messaging program;

g. Protects significant scenic views; and

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

i. Represents a best practice of the design of dark sky sign illumination.

7A.7.2. MASTER SIGN PROGRAM – PORTABLE SIGNS

A. Purpose.

1. 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 signage than permitted by Article 7A, Sign Standards.

2. 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.

B. Applicability.

1. 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. If off-site signs are used they must be approved and coordinated with the Department of Transportation. ~~Prohibited signs may not be used in a master sign program for portable signs except for commercial flags.~~

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 been used in previous standards 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 or similar arrangement.

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. SINGULAR 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.7.1 (Master Sign Program for Permanent 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.7.4. NOTIFICATION

A. Notification for Sign Design Option shall be in accordance with PSDS departmental policy.

7A.8. EXEMPT AND PROHIBITED SIGNS

7A.8.1. EXEMPT SIGNS.

A. The provisions of **the sign standards**, 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.**

1. ~~Flags~~-**Non-commercial flags**, emblems or insignias.
2. **Permanent sign cut into the surface of a façade or building.**
3. ~~Non-commercial Murals~~ **that are non-commercial.**
4. ~~Commercial murals~~ **that are commercial** in pedestrian districts.

5. Manned hot air balloons.

7A.8.2. PROHIBITED SIGNS

A. No person shall erect, alter, or relocate any sign of the type specified in this section, unless it is regulated elsewhere such as, ~~or of the types specified in sections regarding signs in the right of way or historic landmark signs.~~

B. 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).

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

D. Flags or pennants - commercial:

1. Propellers, hula strips and **pennants**, except as allowed as a temporary sign, as provided herein accordance with the timeframe as stated in Section 7A.10.3.C.3.b.

2. 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.

E. Moving signs:

1. 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).

F. 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. Signs placed upon the face of a parapet or architectural feature are considered a wall sign.

1. Roof sign exceptions:

a. canopy sign in accordance with Section 7A.10.2.C.d.

b. historic landmark sign (HLS) in accordance with Section 7A.10.4.

c. On a National Register of Historic Places (NRHP) listed or eligible to be listed building where the applicant can demonstrate both:

(1) that the only wall or building-mounted options available would damage the building's historic fabric or would have an adverse effect on qualities that make building eligible for listing in the NRHP, and

(2) that use of a roof sign would result in minimal damage to historic fabric and avoid adverse effects on qualities that make building eligible for listing in the NRHP.

d. Review of roof signs on a NRHP listed or eligible to be listed building and recommendation to the PSDS Director shall be provided by the Tucson-Pima County Historic Commission Plans Review Subcommittee (T-PCHC-PRS).

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

H. Feather Banners

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 **the sign standards**.

7A.9. NONCONFORMING SIGNS AND CHANGE OF USE

7A.9.1. SIGNS FOR LEGAL NONCONFORMING USES.

A. Subject to the provisions of this section, signs for a legal nonconforming use, as defined in the **Unified Development** 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.

B. A sign legally existing on the effective date of **the sign standards** but that does not comply with the regulations of **the sign standards** 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.

C. 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**. **The updating of electrical components for a non-conforming sign may be considered an approved alteration. The alteration cannot change the sign copy from static sign copy to digital sign copy.**

7A.9.2. CHANGE OF USE.

A. 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**.

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

C. Occupancy categories:

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

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

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

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

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

6. Wholesale uses.

7. Retail uses.

8. Office uses.

9. Restaurant, drinking and dining uses.

10. Government uses such as police and fire stations.

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

12. Single-family dwellings.

13. Parking facilities such as parking garages.

7A.10. SIGN TYPES AND GENERAL STANDARDS

This **section** describes the basic sign types that are either permitted or prohibited. A sign type that is not permitted in a **zone**, is prohibited **unless otherwise designated by this article**. Any specific regulation of a sign type for a specific **zone** supersedes the general requirement for the sign type. **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, warning, and governmental signs necessary for public safety or civil defense or other governmental use. Signs shall be easily readable and if necessary illuminated.

B. Interior Signs. See Definitions (Article 11).

C. 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 or provide a wall or fence that ~~properly~~ mitigates sound. If applicant chooses mitigation through a wall or fence it is their responsibility to demonstrate their proposal ~~properly~~ mitigates the sound. 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. All signs intended to be readable from the right of way are counted as part of the applicable sign type's maximum sign area.

D. 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:

- 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.

1. Notwithstanding any other limitations and restrictions set forth elsewhere in **the sign standards**, 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. **No more than thirty percent of the total window surface may be covered. No permit is required. Window coverage is also regulated by Section 7-411 of the City Code.**

7A.10.2 PERMANENT SIGNS

A. PERMANENT SIGNS - ZONE CATEGORY STANDARDS

TABLE 1 - ZONES CATEGORIES AND PERMANENT SIGN TYPES					
Sign types below may be permitted in the zone categories below with additional standards.					
Individual zones within a zone category or another specified zone may prohibit a sign type or have more restrictive standards for that individual zone.					
<u>Permanent Signs</u>	<u>Residential Category</u> <u>IR, RH, SR, SH, RX-1, RX-2, R-1 MH-1 zones</u>	<u>Multifamily Residential Category</u> <u>R-2, R-3 MH-2 zones</u>	<u>Non-residential Category</u> <u>O-1 zone</u>	<u>General Business Category</u> <u>O-2, O-3, P, RV, NC RVC, C-1, -2, -3, OCR – 1, -2, MU, U zones</u>	<u>Industrial Category</u> <u>PI, I-1, I-2 zones</u>
<u>Access Point</u>		<u>P*,2</u>		<u>P*</u>	<u>P*</u>
<u>Awning</u>	<u>P*,1</u>	<u>P*</u>		<u>P*</u>	<u>P*</u>
<u>Billboards</u>	<u>5</u>	<u>5</u>	<u>5</u>	<u>P*,4, 5</u>	<u>P*,4, 5</u>
<u>Canopy</u>				<u>P*</u>	<u>P*</u>
<u>Dwelling Unit</u>	<u>P*</u>	<u>P*</u>			
<u>Freestanding Monument</u>		<u>P*</u>		<u>P*</u>	<u>P*</u>
<u>Freestanding Monument low profile</u>	<u>P*,3</u>	<u>P*</u>	<u>P*</u>	<u>P*</u>	<u>P*</u>
<u>Freestanding Pole</u>				<u>P*</u>	<u>P*</u>
<u>Freeway</u>				<u>P*</u>	<u>P*</u>
<u>Parking Lot</u>	<u>P*</u>	<u>P*</u>	<u>P*</u>	<u>P*</u>	<u>P*</u>
<u>Projecting</u>	<u>P*,6</u>	<u>P*,6</u>	<u>P*,6</u>	<u>P*,6</u>	<u>P*,6</u>

<u>Wall</u>	<u>P[*],3</u>	<u>P[*]</u>	<u>P[*]</u>	<u>P[*]</u>	<u>P[*]</u>
<p><u>*P = Generally Permitted - See Sec. 7A.10.4 for Additional Standards.</u></p> <p><u>1. Restricted to home occupation use</u></p> <p><u>2. Not permitted for home occupation use</u></p> <p><u>3. Restricted to nonresidential and home occupation use</u></p> <p><u>4. Restricted to C-2, C-3, I-1, I-2 zones</u></p> <p><u>5. Prohibited locations: On property with the following zoning: Rural Residential zones, Urban Residential zones (all); Office zones (all); "RVC" Rural Village Center Zone, "NC" Neighborhood Commercial Zone, "C-1", Commercial Zone, "P" Parking Zone and "RV" Recreational Vehicle Zone, Commercial zones, 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 Overlay zones.</u></p> <p><u>6. Signs shall be permitted only within a Historic or Pedestrian District in compliance with Sec. 7A.11.1.I and 2.D respectively.</u></p>					

B. Permanent Signs - Maximum sign area and special zone standards per zone category

MAXIMUM PERMANENT SIGN AREA PER ZONE CATEGORY AND SPECIAL ZONE STANDARDS		
TABLE 2	MAXIMUM SIGN AREA	SPECIAL ZONE STANDARDS
ZONE CATEGORIES	SIGN AREA	
RESIDENTIAL (RX-1, RX-2, R-1 MH-1) AND RURAL ZONES		
ALL PERMANENT SIGNS	See below	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.
<u>Residential uses and non-residential uses located on local streets.</u>	20 Sq. Ft.	

<u>Non-residential uses on arterial or collector streets.</u>	<u>100 Sq. Ft.</u>	<u>1. Permanent freestanding sign's sign area may not exceed 32 square feet</u>
MULTI-FAMILY (R-2, R-3 AND MH-2 ZONES)		
ALL PERMANENT SIGNS	See Below	1. Historic landmark signs (HLS), all types. The first HLS on a premise does not count toward the maximum total sign area.
<u>Residential uses and non-residential uses located on local streets.</u>	50 Sq. Ft	
<u>Non-residential uses on arterial or collector streets.</u>	<u>100 Sq. Ft.</u>	<u>1. Permanent freestanding sign's sign area may not exceed 40-50 square feet</u>
NON-RESIDENTIAL O-1 ZONE		
ALL PERMANENT SIGNS	20 Sq. Ft.	1. 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.
GENERAL BUSINESS (O-2, O-3, P, RV, NC, RVC, C-1, C-2, C-3, OCR-1, OCR-2, MU AND U ZONES)		
ALL PERMANENT SIGNS	3 feet for every lineal foot of street frontage	<p>1. 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.</p> <p>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.</p> <p>2. 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.</p> <p>3. Historic landmark signs (HLS), all types. The first</p>

		<u>HLS on a premise does not count toward the maximum total sign area.</u>
INDUSTRIAL (P-I, I-1, I-2 ZONES)		
ALL PERMANENT SIGNS	4 feet for every lineal foot of street frontage	1. Historic landmark signs (HLS), all types. The first HLS on a premise does not count toward the maximum total sign area.

C. 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.

1. Sign Types A through E

a. 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. **This sign type is not permitted for residential uses in the single family residential districtzone category, -multi-family residential districts, the O-1 district non-residential zone category or the historic district.**

b. Awning signs.

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

(2) Zone Category Standard. **Residential Zone Category (RH, SR, SH, RX-1, RX-2, R-1, MH-1)** For nonresidential and home occupation uses only. **See Section 7A.10.2 Table 1 for additional standards.**

c. Billboards.

(1) 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** and the industrial **zone category**.

(2) 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.

(3) Limitations:

No more than two (2) faces per sign.

Vertical or horizontal stacking is not permitted.

(4) Maximum height:

Generally: Sixteen (16) feet.

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

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

(6) 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.

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

(8) Orientation: Billboard faces shall be oriented perpendicular to the road on which they are located.

(9) Prohibited locations: ~~See Section 7A.10.2 Table 1 On property with the following zoning: Rural Residential zones, Urban Residential zones (all), 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, 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, 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.**

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

(10) Prohibited sign copy display: Notwithstanding any other provision of **the sign standards**, billboards may not change **sign** copy by any type of electronic process or by use of vertical or horizontal rotating panels having two or more sides whereby **sign** copy is changed by the rotation of one or more panels.

d. Canopy Sign General Standards

(1) Canopy signs are not allowed to extend above the roofline.

(2) Canopy signs are counted as a part of the wall sign allotment for the sign standards.

e. Dwelling Unit Sign

(1) Zone Category Standards

Residential, and Multi-family Residential Zone Categories – No more than one sign may be visible from the exterior the property. The sign shall not exceed one square foot in size.

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

2. Sign Types F through O

a. Freestanding Signs

(1) General Standards

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.

Low profile type sign, general requirements:

Maximum faces: Two per sign.

Maximum area: Sixty square feet per face.

Maximum height: Eight feet

Minimum setback from curb to leading edge of sign: **Two times the height of the sign.**

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

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.

(2) Freestanding signs, all types.

One freestanding sign for each street frontage.

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.

(3). Zone Category Standards

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

**Nonresidential uses may have a freestanding sign
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.

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

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.

Non-residential Zone Category (O-1 ZONE)

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.

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

Industrial Zone Category (P-I, I-1, AND I-2 ZONES)

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.

Freestanding pole sign

Allowed only in the general business **zone category** and industrial **zone category**.

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.

b. Freeway Sign.

(1) Permitted only in the general business **zone category** and the industrial **zone category**.

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

(3) Maximum area: Three hundred sixty square feet.

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

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

(6) Maximum number: Within **a** PAD, 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** and the industrial **zone category**, one per premises.

3. Sign Types P through Z

a. Parking Lot Sign.

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

(2) 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.**

b. Projecting Sign

(1) Signs shall be permitted only within a Historic or Pedestrian District and in compliance with Sec. 7A.11.1.I and 2.D respectively.

(2) Signs protruding in the right of way shall be approved by the Department of Transportation.

c. Wall Sign.

(1) Residential Zone Category Non-residential only. Not allowed for residential uses **except as allowed as home occupation.**

(2) 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.

(3) Industrial Zone Category

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

(4) 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.10.3 PORTABLE SIGNS

A. Portable signs - maximum sign area allotment

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

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

Table 4 – Portable Maximum Sign Area Allotment

B. Portable signs - general standards

1. Ground and Wall Mounted General Standards: These standards apply to ground mounted and wall-mounted portable signs. The signs may be attached by cords to posts and other supports and include posters, banners, A-frames, feather banners, flags and other similar portable signs types. Ground-mounted includes affixed to the ground, placed on the ground, or attached to a perimeter wall or fence that faces the street.

2. No illumination is permitted.

3. Ground-mounted General Standards: Maximum area **per sign 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 **standard**.**

a. Maximum Height: Ten feet

b. Minimum Setback: Ten feet

c. 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.

d. Materials: A ground-mounted portable sign shall be made of similar materials such as ~~all~~ non-pliable or taut 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.~~

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

(1) 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

(2) 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

(3) 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

4. 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.

C. Portable sign - additional standards

1. A-frame signs.

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

b. A-Frame signs are prohibited from any form of illumination, animation, movement and miscellaneous attachments including, but not limited to, balloons, ribbons, speakers etc.

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

d. Maximum height and width: The A-frame 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.

e. Maximum number: One (1) per business. The A-frame sign must be removed from the street at the close of business.

f. Districts: A-frames signs are regulated by district: they are permitted in the **commercial and industrial zones**, planned area development district, pedestrian business district and historic district subject to subsection below. Subject to the other restrictions under this section, A-frames signs are allowed in all districts to advertise those businesses immediately adjacent to and affected by road or water construction.

g. Historic district: An A-frame 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.

h. Decal required: A decal issued by the city for placement of any A-frame sign shall be displayed on the upper right hand corner of each visible advertising face. An A-frame 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.

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

j. Sign maintenance: The A-frame shall be properly maintained.

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

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

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

i. Site inspection: A site inspection is not required as part of the application and permit process for A-frame signs that are not located in the public right-of-way. For A-frame signs located in the public right-of-way, the zoning administrator may require site inspection or additional inspections of the sign standards to ensure proper placement.

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

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

o. Temporary revocable easement: A license to permit the placement of a temporary A-frame sign in the public right-of-way may be granted administratively by the zoning administrator upon the written terms and conditions as are required by the 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 zoning administrator. The zoning administrator will then approve or deny such application. A license to permit an A-frame 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 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 sign placed in violation of the provisions of this section is deemed to be a public nuisance and subject to removal by the city.

p. 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 the sign standards. The zoning administrator may immediately remove, without prior notice, any A-frame 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 sign otherwise illegally placed, the **zoning** administrator may remove the sign after providing reasonable notice to the responsible party

g. Penalties: If an A-frame 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 **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).

2. Feather Banners. In lieu of Portable Sign allotment, applicant may use four (4) feather banners using two colors. One (1) additional portable sign permitted in commercial/industrial zones. (NOTE: This had a split 4-4 vote from CSCC – the other option would be to prohibit Feather Banners in Section 7A.8.2.)

3. 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.

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

(1) One (1) balloon sign is permitted per establishment;

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

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

(4) A fixed balloon is allowed in commercial and industrial zones only.

b. Temporary Banner

(1) A wall-mounted banner may be permitted under the following standards:

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

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.

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.

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.

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

(1) Maximum area: 32 square feet in commercial and industrial zones and 16 square feet in rural and residential zones.

7A.10.4 HISTORIC LANDMARK SIGNS (HLS).

A. Definitions.

1. 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.

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

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

4. 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.

5. 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.

6. 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.

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

8. 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.

B. Purpose.

- 1.** 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
- 2.** 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
- 3.** 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/repared, 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.
 - a.** The decision to approve or deny an HLS treatment plan that meets each of the HLS designation guidelines is rendered per **the administrative process herein.**
 - b.** The decision to approve or deny an HLS treatment plan that does not meet each of the HLS designation guidelines is rendered per **the legislative process herein.**
 - c.** 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:

- a.** The sign shall include or have once included exposed integral incandescent lighting, or exposed neon lighting.
- b.** The sign shall use materials and technology representative of its period of construction.
- c.** The sign shall be non-rectangular or non-planar.
- d.** The sign shall be **a permanent sign, including but not limited to** a detached, projecting, **wall,** or roof sign.
- e.** The sign is structurally safe or can be made safe without substantially altering its historical appearance.

2. Cultural/historical/design guidelines:

- a.** The sign shall exemplify the cultural, economic, and historic heritage of Tucson.
- b.** The sign shall exhibit extraordinary aesthetic quality, creativity, and innovation.
- c.** 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.
- d.** 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.

- a.** Restoration/repair of a classic HLS shall be consistent with a documented appearance that existed prior to 1961.
- b.** Restoration/repair of a transitional HLS shall be consistent with a documented appearance that existed between 1961 and 1974 inclusive.
- c.** Restoration/repair of a replica HLS shall be consistent with a documented appearance that existed prior to 1961.
- d.** 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).

- a.** Adaptive reuse of a replica HLS is prohibited.
- b.** Text changes shall not result in changes to character defining text.
- c.** Text changes shall match or be compatible with existing text in material(s), letter size, font/typography, and color.

3. Relocation.

- a.** Relocation of a classic or transitional HLS shall be to a location within the original premises, or to a location within an HLS concentration.
- b.** Relocation of a replica HLS shall be to a location within an HLS concentration.
- c.** 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.
- d.** 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.

e. 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. A replica HLS shall be consistent with a documented appearance that existed prior to 1961.

b. A replica HLS may only be installed on the premises where it originally existed.

c. 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.

d. A replica HLS shall utilize historical materials and technologies, or visually matching contemporary materials and technologies.

e. A replica HLS shall not replicate an existing sign.

5. The sign shall not be an off-site sign as defined in the sign **standards**.

6. The sign shall not have been previously, altered, removed and reinstalled or replaced pursuant to **Sec. 7A.9 (Non-conforming Signs)**.

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. 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.

5. 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.

6. Date of original construction and installation, and the address where the proposed HLS was first installed.

7. List of character defining features.

8. Documentation of the authenticity of the proposed HLS including approved permits, site plans, elevations, and dated photographs, and age of existing materials, as available.

9. A narrative describing compliance with each of the HLS designation guidelines and all applicable HLS performance requirements.

10. Maintenance program.

11. List of parts and materials to be replaced.

12. 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 **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. **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 **the sign standards**, historic districts are treated as specific mapped districts and are not treated as overlay zones. **Note: historic preservation zone maps are located on the official city of tucson's zoning maps.**

B. Total number of signs: One (1) per street frontage per premise, 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 in a residential zone; Forty (40) square feet in a commercial zone. The sign shall be appropriately sized, result in minimal damage to historic fabric, and avoid adverse effects on qualities that make a building eligible for listing in the National Register of Historic Places.**

D. Historic district advisory board approval: All sign permit applications must be approved by the appropriate historic district advisory board.

E. ~~Protrusion limitation:~~ No signs may extend above the top of the nearest facade, eaves or firewall of a building or structure.

F. Illumination: Signs within the historic district may be illuminated by remote light sources that are shielded from adjacent properties.

G. Prohibited features: Visible bulbs, neon tubing, luminous paints, and plastics are prohibited, except as provided in Sec. **5.8.9 (HPZ Design Standards)** and approved in accordance with **Sec. 5.8.8 Design Review Required**.

H. 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. Banners, building and curbside.
4. Freestanding signs, monument and low profile only.
 - a. Maximum number: One (1) per premises.
 - b. Freestanding signs that include or consist of a three-dimensional representation of a figure or object are prohibited.
5. Portable signs.
 - a. 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.
b. Use is subject to the provisions of section 7A.10
6. Projecting signs.
 - a. Allowed use: Limited to commercial uses only.
 - b. Maximum height: **20 feet or two feet below the parapet whichever is more restrictive** feet from grade (pedestrian surface) to top of sign.
 - c. Minimum clearance: Eight (8) feet between grade and bottom of sign.
 - d. Maximum projection from building: Five (5) feet.
7. Temporary signs.
8. Wall signs.
9. Canopy signs, limited to properties zoned HO-2, HO-3, HNC, HC-1, HC-2, HC-3, HOCR-1 and HOCR-2.

10. Historic landmark signs (HLS), all types. The first HLS on a premise does not count toward the maximum total sign area.

7A.11.2. PEDESTRIAN BUSINESS DISTRICT

A. Location: The pedestrian business district includes property as shown in Figure 1: Pedestrian Business District Downtown; Figure 2: Pedestrian Business District Fourth Avenue; Figure 3: Pedestrian Business District Park Avenue; and Figure 4: Pedestrian Business District Mercado.

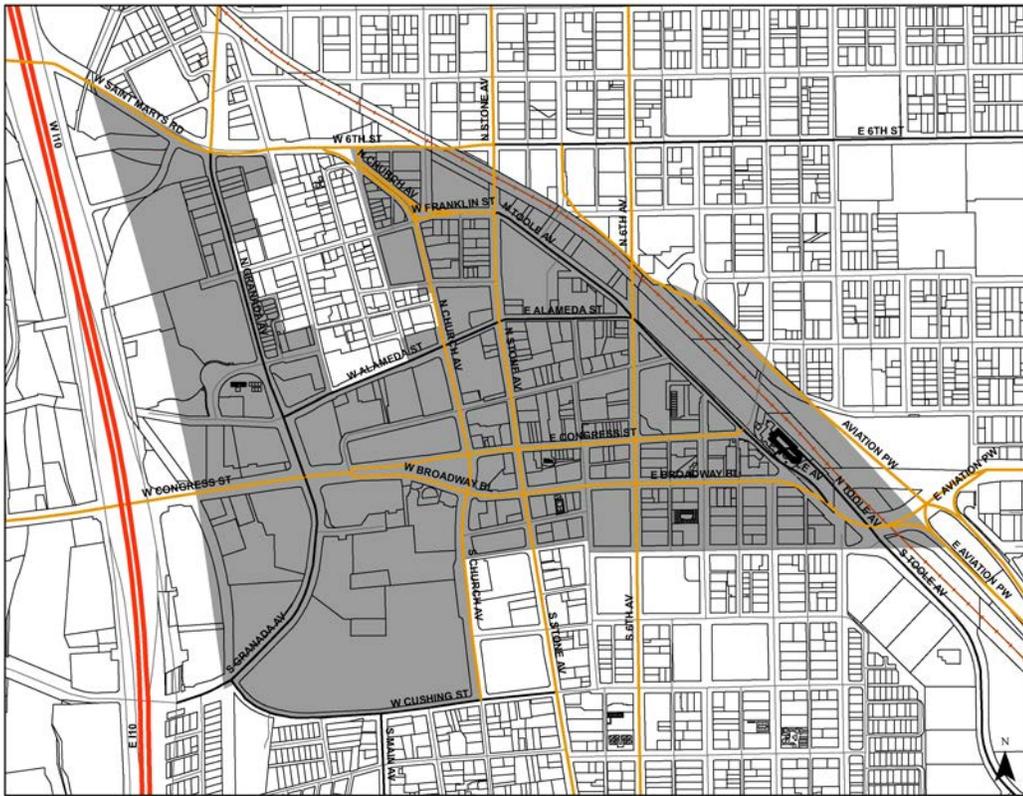


Figure 1: Pedestrian Business District Downtown



Figure 2: Pedestrian Business District Fourth Avenue

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.

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. Banners, building and curbside.

4. Freestanding signs, low profile and monument type only.

a. 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.

b. Maximum area: Twenty (20) square feet per sign.

c. Parking lots: Where used to identify a commercial parking facility, each freestanding sign must display the standard Parking I.D. symbol.

d. Maximum height: Twelve (12) feet above grade.

5. Parking **lot** signs.

6. Projecting signs.

a. Allowed for commercial uses only.

b. Maximum area: Twenty (20) square feet.

c. Maximum height: **20 feet or two feet below the parapet whichever is more restrictive** from grade (pedestrian surface) to top of sign.

d. Minimum clearance: Eight (8) feet between grade and bottom of sign.

e. Maximum projection from building: Five (5) feet.

7. Portable signs are subject to the provisions of section 7A.10.

8. Temporary signs.

9. Access point signs.

10. Wall signs. Maximum size: Thirty (30) percent of the area of each wall.

11. Historic landmark signs (HLS), all types. The first HLS on a premise does not count toward the maximum total sign area.

12. Canopy signs.

7A.11.3. SCENIC CORRIDOR ZONE (SCZ) DISTRICT.

A. 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.

B. Maximum total attached sign area:

1. 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.
2. For multifamily complexes: Twenty (20) square feet per street frontage.

C. **Unified Development Code** compliance: All signs in this District shall comply with applicable provisions of the **Unified Development** Code and must be approved through the applicable review process.

D. 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 **Unified Development** Code.

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.

- b. Maximum area:

- (1) Multifamily residential uses: Twenty (20) square feet per street frontage.

- (2) 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.

- c. Maximum height: Ten (10) feet.

- d. Location:

(1) 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.

(2) 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.

e. Freestanding signs that include or consist of a three-dimensional representation of a figure or object are prohibited.

f. 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.

g. Within SCZ buffer electronic sign copy and exposed neon signs are prohibited.

4. Access point sign (medical uses).

a. Maximum area: Eight (8) square feet.

b. Maximum height: Four (4) feet to top of sign.

c. Permitted: Only if no frontage on collector or arterial street.

5. Portable signs are subject to the provisions of section 7A.10.

6. Access point sign

a. Within the scenic corridor thirty (30) foot landscape buffer the following shall apply:

b. Minimum site area: Ten (10) acres.

c. Maximum area: Three (3) square feet; tenant identification or logo not to exceed one (1) square foot.

d. Maximum number: One (1) per vehicular entrance.

e. Location: Within twenty (20) feet of the entrance.

7. Wall signs.

8. Canopy signs.

7A.11.4. PLANNED AREA DEVELOPMENT (PAD) DISTRICT.

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. Billboards are prohibited in a PAD district.

7A.12 APPEALS 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 SIGN DESIGN REVIEW COMMITTEE

A **sign design review 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 sign standards **and recommending design options in compliance with Sec. 7A.7 (Sign Design Options) to the planning and development services director. The committee's authority and organization shall be in accordance with Sec. 2.2.12.**

REVIEW AUTHORITIES AND POWERS

2.1. PURPOSE OF ARTICLE

This Article describes the powers and responsibilities of the legislative and administrative bodies, appointive officers, municipal agencies, and boards and commissions involved in the planning, zoning, and division of land within the City.

2.2. REVIEW AND DECISION-MAKING BODIES

2.2.1. MAYOR AND COUNCIL

* * * *

2.2.2. CITY MANAGER

* * * *

2.2.3. PLANNING COMMISSION

* * * *

2.2.4. ZONING EXAMINER

* * * *

2.2.5. BOARD OF ADJUSTMENT

* * * *

2.2.6. DESIGN REVIEW BOARD

* * * *

2.2.7. TUCSON-PIMA COUNTY HISTORICAL COMMISSION

* * * *

2.2.8. HISTORIC PRESERVATION ZONE ADVISORY BOARDS

* * * *

2.2.9. PLANNING AND DEVELOPMENT SERVICES DEPARTMENT (PDS)

* * * *

2.2.10. HOUSING AND COMMUNITY DEVELOPMENT DEPARTMENT (HCDD)

* * * *

2.2.11. DESIGN PROFESSIONAL

* * * *

2.2.12. SIGN DESIGN REVIEW COMMITTEE

A. Creation.

A sign design review committee is hereby created to assist the mayor and council, **the planning commission, and the planning and development services director by advising on sign standard text amendments and design option applications permitted by Section Sec. 7A.7 (Sign Design Options).**

B. Authority.

The sign design review committee shall advise the mayor and council and the planning commission on sign standards text amendments. It shall also act as the design review committee for Section 7A.7 (Sign Design Options) and advise the planning and development services director on various design option applications.

C. Composition. The committee shall be composed of the following nine (9) members who shall serve without compensation. Members shall include an architect, an Outdoor Lighting Committee representative, a sign industry representative, a local business representative, a planner

(architect, land use planner or landscape architect), portable sign expert (e.g. commercial real estate broker), one at-large appointment by the City Manager, general neighborhood association representative, and an ad hoc representative appointed by a neighborhood association within 300 feet of the location of the subject property submitting the application.

D. Appointment and Terms.

1. Appointment: The members shall be appointed by the City Manager.~~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).]~~
2. Terms. City Manager shall appoint a member for a four-year term. After two terms the member shall be replaced. A former member may return after a one-year hiatus from the committee.~~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.~~
3. City employees, elected officials excluded. No member of the committee may be a city employee or hold a city elective office.

E. Vacancies.

Vacancies on the committee shall be filled by appointment in the same manner in which members are initially appointed.

F. Removal.

Removal of the members shall be ~~in conformance with Article XIII, Chapter 10A of the Tucson Code~~done by the City Manager.

F. Sign Standards Text Amendment Meeting.

The committee shall have meetings as needed to discuss sign standard text amendments and make recommendations to the planning commission. Along with the planning commission recommendation, the committee's recommendation shall be forwarded to the mayor and council.

G. Design Review Meeting.

1. The applicant will present the proposal. The committee will review the application in accordance with the applicable provisions of Sec. 7A.7(Sign Design Options).
2. The applicant may ask for a pre-application meeting with the committee to receive input on the proposal.
3. When the applicant requests a meeting on the application, the committee may continue a case one time.
4. The applicant may ask for additional continuances.

5. After reviewing the case, the committee shall make a recommendation of approval, approval with conditions or denial to the planning and development services director.

H. Quorum.

A quorum for a meeting shall be five members. If for any reason the City Manager has not appointed the members of the committee or a quorum is not obtained for a particular application, the director may request that the Design Professional ~~shall~~ make a recommendation directly to the PDSD Director.

G. Administrative Procedures.

1. 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 **sign design review committee.**
2. Executive secretary. The **zoning** administrator or designee shall serve as executive secretary to the committee.
3. 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.

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ARTICLE 4 ZONES

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3.5.5. PLANNED AREA DEVELOPMENT (PAD) ZONE

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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.
3. **Signs shall be in compliance with Sec 7A.11.4**

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ARTICLE 4 ZONES

* * * *

4.9.4. COMMERCIAL SERVICES USE GROUP

* * * *

G. Billboards

1. Pedestrian Access

Pedestrian access shall not be located under, or within five feet of, a vertical line intersecting the ground and any structural element extending from a billboard, including, but not limited to, overhangs, cantilevered beams, and elevated walkways. Refer to Section 7-01, *Pedestrian Access*, of the Technical Standards Manual for requirements.

2. Parking

Parking area access lanes shall not be located under, or within five feet of, a vertical line intersecting the ground and any structural element extending from a billboard, including, but not limited to, overhangs, cantilevered beams, and elevated walkways.

3. Loading

Refer to Section 7.5, *Off-Street Loading*, for loading (servicing) space requirements and Section 7.5.4, *Design Criteria*, for location requirements for such loading spaces.

4. Landscaping and Screening

Refer to Table 7.6.4-1, *Landscape Border and Screening Standards*, for landscaping and screening requirements for billboards.

5. Height

The maximum permitted height shall be in accordance with **Section 7A, Sign Standards.**

ARTICLE 10: ENFORCEMENT AND PENALTIES

10.1 PURPOSE

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10.2 ENFORCEMENT AUTHORITY

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10.3 VIOLATION

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Violation of Site Plan

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10.3.6. Violation of Plat Condition

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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 the sign standards, 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 the sign standards.

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 premises.

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 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.

3. Determination of discontinuance, recording of determination of discontinued nonconforming sign. The zoning administrator or designee 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 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 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 administrator.

C. Illegal signs. Illegal signs are those that do not meet the requirements of the sign standards and that have not received nonconforming status.

D. Removal of abandoned, prohibited and illegal signs by the zoning administrator.

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

1. Administrative enforcement: For an abandoned or discontinued sign, the zoning administrator or designee 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.

For a prohibited or illegal sign, the zoning administrator or designee 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 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 the sign standards.

E. Summary abatement. The zoning administrator or designee may immediately remove any dangerous sign or sign that creates an imminent threat to public safety. The 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 zoning administrator or designee may issue or cause to be issued a civil citation or civil complaint to any person violating the provisions of the sign standards.

G. Administrative appeal - Review of decisions of the zoning administrator may be taken in the following ways:

Appeal of decisions of the zoning administrator relating to the sign standards and requests for variances shall be made pursuant to 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 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 zoning administrator pursuant to the provisions of the applicable code.

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 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 below.

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

I. Abatement by the city after court order.

Pursuant to the summary abatement provisions 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.

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

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ARTICLE 11 DEFINITIONS AND RULES OF CONSTRUCTION

* * * * *

11.4 OTHER TERMS DEFINED

11.4.1 PURPOSE

This section provides definitions for terms that are not land uses and are not contained in Section 11.3 above. **Definitions marked (7A) applied only to Article 7A, Sign Standards.**

11.4.2 DEFINITIONS--A

A-frame sign (7A)

A type of portable sign.

Abandoned (7A)

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.

Abandonment

A process whereby easement interests are terminated by a legally recorded document.

* * * * *

Access Point Sign (7A)

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.**

Accessory Use or Structure

A use or a structure subordinate to the principal use or building on a lot and serving a purpose customarily incidental to the use of the principal building. An accessory use or structure must be established or built together with or after the establishment or construction of the principal use or building.

Alter (7A)

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

Acre

An area equal to 43,560 square feet.

Adjacent

Two or more parcels or lots sharing a common boundary or separated by an alley or other right-of-way 20 feet or less in width. Parcels or lots having only a common corner are considered adjacent.

Adjoining

Same as abutting.

* * * *

Assurance

A legally binding and enforceable instrument ensuring the construction of all required assurable infrastructure by a subdivider. Assurances may be in the form of third party land trusts, or monetary sureties such as performance bonds, escrow funds, letters of credit, or such other security as are acceptable to the City.

Attached Canopy (7A)

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 (7A)

A 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.

Average Daily Traffic (ADT)

The total traffic for a calendar year divided by number of days in a year (365).

Average Finished Grade

The mean average elevation of ground after site preparation, measured five feet from a building at five-foot intervals. If the property line is closer than five feet from the building, then the measurement is taken from the property line.

* * * *

Average Cross-Slope

The slope of the topographic configuration of land, graphically represented by contour lines, prior to any grading or other disturbance.

Awning (7A)

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 (7A)

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

11.4.3 DEFINITIONS–B

Banners, Across The Street (7A)

See section **7A.6.10 (Signs In or Over the Public Right of Way)**.

Banners (7A)

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

* * * *

Bicycle Parking Space

An area designated for the use of an individual bicycle.

Billboard (7A)

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.

Block

A unit of land bounded by streets or by a combination of streets and public lands, railroad rights-of-way, watercourses, or other barriers to the continuity of the unit of land. A block may be comprised of one or more lots. A block made up of one lot may also be referred to as a lot or parcel.

* * * *

11.4.4 DEFINITIONS–C

Caliper

A measurement taken between the outer dimensions of a tree trunk at six inches for single-trunked specimens and 12 inches for multi-trunked specimens above grade level at the base of the tree. For a noncircular specimen, use the average of the shortest and longest measurements, and for a multi-trunked specimen, use the sum of the measurements of the two largest trunks.

Canopy Sign (7A)

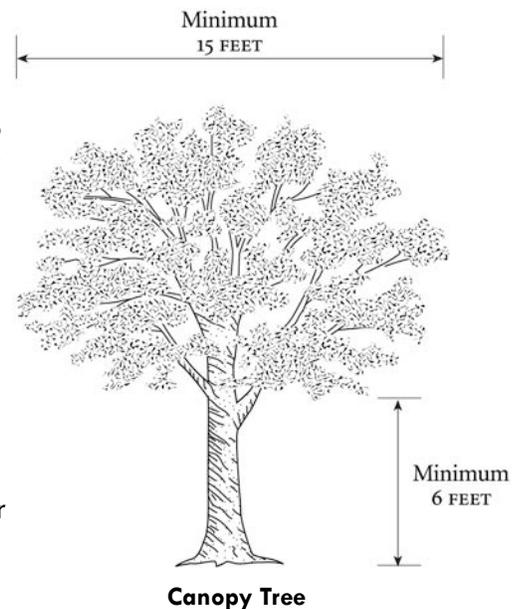
A permanent sign on or affixed to the top or front of an attached canopy.

Canopy Tree

A woody plant, other than a palm tree, with a mature crown diameter of at least 15 feet and having a trunk that, at maturity, is kept clear of leaves and branches at least six feet above grade. (See Illustration)

Clearance (7A)

See definition in Section 7A.6.6.



* * * *

11.4.5 DEFINITIONS–D

Damaged

Plant materials, previously rated Viable, that have little chance of survival in a healthy and attractive manner after injury sustained during salvage, transplanting, or construction operations.

Days

Days of the week, including Saturdays, Sundays, and holidays. To apply days to a review schedule, the day of the event or act from which the designated period of time begins shall not be included. The last day of the designated period shall be included, unless it is a Saturday, Sunday, or holiday, in which event the period runs to the end of the next day that is not a Saturday, Sunday, or holiday. When a designated period of time is less than ten days, intermediate Saturdays, Sundays, and holidays shall not be included. Holidays are those recognized by the City of Tucson

* * * *

Design Professional

A registered architect with historic preservation experience employed by or under contract with the City.

Detached Sign (7A)

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.

* * * *

Digital Sign (7A)

A sign component whose informational content such as symbols, logos, graphics, and words can be changed or altered by electric, electro-mechanical or electronic means.

Director

The chief executive officer of a City department.

Directory Sign (7A)

~~An on-site sign that lists the tenants, occupants, or a list of information intended for wayfinding.~~

Discontinued (7A)

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.

Disguise

To furnish with a false appearance or to alter in such a manner as to hide the true character of an object.

* * * *

Dwelling Unit

A building or portion of a building that is designed, occupied, or intended for occupancy as living quarters exclusively for a single household, which includes one or more rooms, with sleeping and sanitary facilities and one enclosed kitchen. One accessory cooking facility per dwelling unit is permitted.

Dwelling Unit Sign (7A)

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

11.4.6 DEFINITIONS–E

Earth Material

Any rock, natural soil, fill, or any combination thereof.

* * * *

11.4.7 DEFINITIONS–F

Façade (7A)

The side or face of a building.

Family

Any number of individuals customarily living together as a single household and using common cooking facilities.

* * * *

Freestanding Sign (7A)

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 Sign (7A)

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 Sign (7A)

A sign that has been provided with a prepared base or support. **In order** 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 (7A)

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-Oriented Business

A commercial use with direct access to the interstate frontage roads or a commercial use with a driveway entrance within 100 feet of the interstate frontage roads.

Freeway Sign (7A)

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 7A.10.4 Permanent Signs – Additional Sign Type Standards- Freeway Sign Standards.

Frontage

The length of a lot line that abuts a street right-of-way.

Frontage Road

A local street or road auxiliary that runs parallel to a freeway or expressway or other controlled access roadway to allow local traffic to gain access to abutting property and adjacent areas.

* * * *

Future Right-of-Way Line

The same as major streets and routes (MS&R) right-of-way line.

11.4.8 DEFINITIONS–G

Garage

A building enclosed with walls or doors on three or more sides used for the parking of one or more motor vehicles.

* * * *

11.4.9 DEFINITIONS–H

Height, Patio Wall or Fence

Same as Structure Height.

* * * *

11.4.10 DEFINITIONS–I.

Improvements

Any on-site or off-site improvements, such as, but not limited to, refuse container enclosures, streets, sidewalks, sewer, water, and electric utility installations, drainage and flood control facilities, monuments or other similar facilities or developments for which the City of Tucson may ultimately assume responsibility for maintenance and operation, or landscaping, screening, or other site improvements required by the Tucson Unified Development Code (UDC) or other appropriate City code.

* * * *

Interior Sign (7A)

An 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.

Intrusion

A building, object, site, structure, or portion thereof that detracts from a district's historic significance because of its architectural incompatibility with the district's time, place, and historic development or its incompatibility of scale, materials, or texture or a building, object, site, or structure whose historic architectural integrity has been irretrievably lost.

11.4.11 DEFINITIONS–J

Reserved

11.4.12 DEFINITIONS—K

Kitchen

A room within a building containing facilities for the storage, cooking, and preparation of food, specifically a sink, refrigerator, stove, and an oven.

11.4.13 DEFINITIONS—L

Land Use

A description of the existing or proposed occupancy or utilization of land that include the principal use and accessory uses.

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Logo (7A)

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

* * * *

11.4.14 DEFINITIONS—M

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Minor Subdivision

A subdivision that complies with the criteria established for minor subdivisions in Section 8.4.3, *Minor Subdivision*. A Minor Subdivision may be accomplished with less documentation than other subdivisions.

Mural (7A)

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

11.4.15 DEFINITIONS—N

Native Plant Preservation Plan

A graphic representation of a project site that includes, but is not limited to, an aerial photograph, at a minimum scale of one inch equals 100 feet, indicating the project site boundaries and individual native plants or native plant preservation areas to be assessed and utilized to satisfy preservation standards. Based on the Native Plant Preservation methodology selected by the applicant, additional Plan elements will be required.

* * * *

Nonconforming Sign (7A)

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 **the sign standards** due to amendments to this sign code adopted subsequent to the approved permit for the sign or the annexation.

Nonconforming Structure or Lot

A structure or portion thereof that was lawfully erected or altered or a lot that was legally established that no longer complies with the specific land use standards of the Unified Development Code (UDC) applicable to the zoning category in which the building or structure or lot is located.

Nonconforming Use

An existing land use activity lawfully established and maintained which no longer complies with land use standards of the Unified Development Code (UDC) applicable to the zoning category in which the land use activity is located.

Noncontributing Property

A building, object, site, or structure that does not add to a historic district's sense of time, place, or historic development. A Noncontributing Property may be a nonhistoric incompatible property, a historic architecturally compromised property, or an intrusion.

* * * *

11.4.16 DEFINITIONS—O

Oasis Allowance

A certain percentage of the land area on a site in which plants not listed on the Arizona Department of Water Resource's Low Water Use/Drought Tolerant Plant List may be used and that is located where the oasis will return maximum benefit in terms of cooling, aesthetic pleasure, and exposure to people.

Obsolete Sign Copy (7A)

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 (7A)

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

Off-site Sign (7A)

A sign not located on the premises of the use identified or advertised by the sign.

Off-Street

To be within property boundaries and not within a right-of-way, such as a street or alley.

Off-Street Parking

Any space provided for vehicular parking not within the street right-of-way.

On-site Sign (7A)

A sign located on the same premises as the use identified or advertised by the sign.

* * * *

11.4.17 DEFINITIONS—P

Parapet (7A)

The portion of a wall that extends above the roofline.

Premise (7A)

See definition in Section 7A.6.11.

* * * *

Parking Lane

An area set aside at the edge of a paved roadway for purposes of parking vehicles.

Parking Lot

Same as Vehicular Use Area.

Parking Lot Sign (7A)

A wall or freestanding sign used to identify a parking facility.

Parking Structure

A structure used for the parking of vehicles where parking is accommodated on one or more levels.

* * * *

Permanent Sign (7A)

A sign that is not a portable or temporary sign.

* * * *

Pictograph (7A)

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 (7A)

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

Political Election Sign (7A)

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.

Population Ratio

Population ratio is a formula used to derive a relationship between a population or dwelling unit count within a development and the square footage, acreage or number of facilities such as parks, fire stations, and related facilities required in the development.

Portable Sign (7A)

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 non-permanent similar materials.

* * * *

Projecting Sign (7A)

A sign, other than a wall sign, attached to a building or other structure and extending in whole or in part more than twelve 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.

* * * *

11.4.18 DEFINITIONS—Q

Reserved

11.4.19 DEFINITIONS—R

Radioactive Material

Any material (solid, liquid, or gas) that emits radiation spontaneously. For the purpose of this definition, radiation means ionizing radiation, i.e., gamma rays and X-rays, alpha and beta particles, high-speed electrons, neutrons, protons, and other nuclear particles.

* * * *

Repair (7A)

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

* * * *

11.4.20 DEFINITIONS—S

Salvageable/Transplantable Plant

A plant rated as Viable that also has a good likelihood of surviving and adapting to a new location if dug up and replanted.

* * * *

Sign (7A)

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.

Site

The land area consisting of a portion of a lot, an entire lot, or contiguous lots, not including dedicated public property, designated for development as a single entity.

Site Area

The land area of a site.

* * * *

11.4.21 DEFINITIONS—T

Tagging

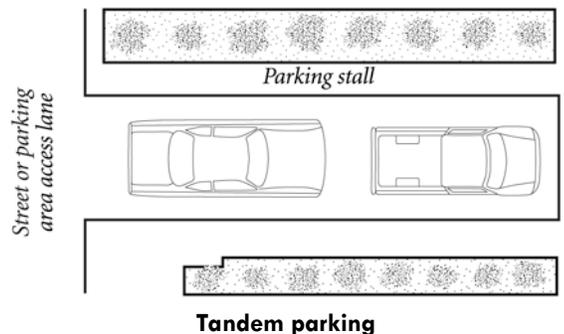
The tagging of plants on-site to denote their identification number and their disposition, such as whether they will be preserved in place, salvaged and transplanted on-site, and/or salvaged and transplanted off-site.

Tandem Parking

Two motor vehicle parking spaces placed one behind the other with direct access from a street, alley, parking area access lane (PAAL), or other travel lane to only one of the spaces. (See Illustration.)

Temporary Sign (7A)

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.

Tenant (7A)

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.

* * * *

11.4.22 DEFINITIONS—U

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Unoccupied (7A)

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.

* * * *

11.4.23 DEFINITIONS—V

Vacant (7A)

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.

Valet Parking

A service provided whereby a patron leaves his or her car for an attendant to park the car on-site or at an approved off-site location and retrieves it.

Vehicle-miles of Capacity (VMC)

The product of the maximum number of vehicles that can be accommodated on a roadway during an hour and the length of the roadway in miles.

Vehicle Signs (7A)

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

* * * *

11.4.24 DEFINITIONS—W

Waiting Area

That portion of a public accommodations use allocated to clientele waiting to request or receive products or services offered by the use.

Wall (7A)

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

Wall Sign (7A)

Sign that is **placed upon** a building, its structure, **parapet, or architectural feature**, with the exposed face of the sign in a plane parallel to the plane of the **affected wall, parapet, or architectural feature**.

Window Sign (7A)

A sign affixed to the interior or exterior **of** window surface.

Wireless Communications Provider

The entity that provides the wireless communication service.

11.4.25 DEFINITIONS–X

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11.4.26 DEFINITIONS–Y

Reserved

11.4.27 DEFINITIONS–Z

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Attachment B - Changes in 6-2-17 Draft

This is intended to be a companion document to the 6-2-17 Draft Sign Standards. For each change made since the 3-30-17 draft, there will be information related to that below. In many cases it will only be a staff clean-up item, in others it may have a more extensive explanation with options. In general, the edits made fall into the following categories:

1. Recommendation of the Citizen Sign Code Committee,
2. Responses to Commissioner Martin's Recommendations,
3. Historic items that have been presented to the Tucson-Pima County Historic Commission – Plans Review Subcommittee,
4. Items needing clean-up that staff has found through their review of the draft.

1. Page 1 - Section 7A.1.1 - Removed highlighting from purpose statement. **(Staff Clean-up)**

2. Page 2 - Section 7A.2.2 - Added text referencing special district maps. **(Commissioner Martin Recommendation)**

- **Background Info:** Commissioner Martin asked *these* vs *the* 'sign standards' – Should all references throughout the Sign standards use the same word?
- **Comment:** We don't believe there is any conflict using two words. We can change all reference by doing a document search to the phrase, "the sign standards"
- **Additional Options:** None

3. Page 9 - Section 7A.6.2.A - Clarification language added related to historic districts. **(Staff Recommendation)**

- **Background Info:** In reviewing the 3-30-17 draft, staff noticed a clarification was needed stating that the maximum sign area calculation ratio does not apply to historic districts.
- **Comment:** Staff believes this is an important clarification.
- **Additional Options:** None

4. Page 10 - Section 7A.6.4 - Removed highlighting and changed rate-of-change to five-minutes **(CSCC Recommendation)**

- **Background Info:** Citizen Sign Code Committee voted to recommend a five-minute change rate (5-3 approval – three votes for one minute) and the Joint Subcommittee (JSC) voted to recommend a five-minute change rate (4-1 approval – one vote for one minute).
- **Comment:** Staff has changed text to reflect the recommendation of the Citizen Sign Code Committee.

- **Additional Options:**

C. A digital sign is permitted to have a rate of change of sign copy, graphic, or information not more than once an hour. The digital sign copy shall not have any transitions or animations.

-or-

C. A digital sign is permitted to have a rate of change of sign copy, graphic, or information not more than once every five minutes. The digital sign copy shall not have any transitions or animations.

-or-

C. A digital sign is permitted to have a rate of change of sign copy, graphic, or information not more than once every one minute. The digital sign copy shall not have any transitions or animations.

5. Page 12 - Section 7A.6.10.I - Added language clarifying A-Frame signs and permanent signs.
(Chuck Martin Recommendation)

- **Background Info:** Commissioner Martin asked *does the section 'Signs in or over Public Right of Way' apply to permanent signs?*
- **Comment:** Section 7A.6.10 was intended to regulate temporary (now called portable) signs over the right of way. In reorganizing sections to respond to the Reed case, this section included signs in the right of way which are also portable.

In other sections of 7A, the temporary revocable easement (TRE) is required. These include A-frame signs that have their own time limits and permanent projecting signs that regularly receive TREs from the Department of Transportation. Section 7A.6.10 is limited to only the type of signs not regulated elsewhere in Article 7A.

Section 6.10.A states the City may allow for 60 days or allow a sign to be in the right of way for an alternative time frame. This provision may take care of A-frames and Permanent Signs when using a TRE. The alternative time frame can be stated in the TRE document. Another option is to add a section stating in an additional Section I (i.e., 7A.6.10.I) stating, "the time frame for a permanent sign and an A-frame sign are regulated separately as part of the temporary revocable easement process."

- **Additional Options:** None

6. Page 13 - Section 7A.7.1.B - Removed language related to prohibited signs in Master Sign Program **(CSCC Recommendation)**

- **Background Info:** Citizens Sign Code Committee voted to recommend not including mentioning prohibited signs as part of a master sign program (7-1 approval), and the Joint Subcommittee voted to recommend to not allow Prohibited Signs as part of a Master Sign Program but exempted commercial flags (4-1 approval).
- **Comment:** The original vote of the JSC focused on master portable sign programs being allowed to use commercial flags as part of their design. They felt other prohibited signs should not be allowed.

In the CSCC discussion, it was mentioned that a historical building with a historic roof sign would be prohibited to replace it for a new business to keep the historic designation and historical credibility in its setting. The CSCC decided that there may be other situations where a prohibited signs may be acceptable in that situation and that the Sign Design Review Committee (SDRC) considering its composition of design professionals as well as neighborhood and business stakeholders would be able to discern where a prohibited sign has a case to be considered appropriate and where a proposal is not appropriate.

Ultimately, the Planning and Development Services Department (PDSD) Director will decide and can also consult with the City’s Design Professional on any SDRC recommendation.

- **Options:**

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. Prohibited signs are not allowed to be used in a master sign program.

-or-

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.

7. Page 13 - Section 7A.7.1.B - added language clarifying that Billboard signs are not to be used in a master sign program. **(Staff Recommendation)**

- **Background Info:** There has been considerable concern throughout the Sign Code Revision process about loosening up regulations on billboards.
- **Comment:** Clarification was added to ensure that Billboard Signs may not be used in a master sign program.
- **Additional Options:** None

8. Page 14 - Section 7A.7.1.E.2.c - Removed requiring caps from design option **(CSCC Recommendation)**

- **Background Info:** Citizens Sign Code Committee voted to recommend no caps be applied in reviewing design option applications (6-2 approval), and the joint Subcommittee voted to recommend the draft standard that required freestanding signs to have caps of 20 feet sign structure height and 100 square feet sign area (3-2 approval).
- **Comment:** Staff stated to the CSCC that in reviewing this issue it became clearer that, if there are caps, someone who cannot meet the caps for various reasons is forced to go to the Board of Adjustment to resolve the matter with a variance.

The proposed design review process is modeled after existing successful design review committees of the Infill Incentive District and the Main Gate Urban Overlay District.

The SDRC, staff stated, is the most appropriate group to review sign design issues and not the Board of Adjustment. A given situation may require a larger sign that fits within its context and setting and is apparent to a design reviewer looking at the facts of the application. To send such an applicant to the Board of Adjustment causes the applicant and staff to switch review criteria from design considerations to the standards of a variance where having a unique hardship becomes the key standard. During the 18-month period prior to the ordinance sunseting or being readopted, the caps issue can be monitored.

As noted above with the composition of the SDRC, the ability of the PDSO Director to consult with the City's Design Professional, having a set of design standards connected to the Purpose Statement, and having an appeal to the Board of Adjustment and Mayor and Council, it becomes difficult for a sign representing an intrusive or inappropriate design to be approved.

Some JSC members voting in the minority favored a more cap-oriented process with some type of incentives. Those preferring caps pointed to Flagstaff and Phoenix's use of caps in their review processes. In the case of Flagstaff, greater areas could be obtained for greater amounts of compliance with specific incentivized design criteria.

- **Additional Options:** None

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

9. Page 14-16 - Section 7A.7.1.E, .F, & .G - Reformatted and rearranged these sections to improve clarity of regulations and make text more concise. **(Staff Clean-up)**

- **Background Info:** During the process there has been some concern raised that the Sign Design Option not concise and is difficult to understand.
- **Comment:** Through the reorganization and minor text changes to these sections, staff believes they have tightened up the regulations and in turn made them more clear for the future users of the code.

- **Additional Options:** None

10. Page 17 - Section 7A.7.2.B.1 – Removed highlighting and to remove language related to prohibited signs for portable master sign programs as voted upon by the CSCC. **(CSCC Recommendation)**

- **Background Info:** Citizens Sign Code Committee voted to recommend not including mentioning prohibited signs as part of a master sign program (7-1 approval), and the Joint Subcommittee voted to recommend to not allow Prohibited Signs as part of a Master Sign Program but exempted commercial flags (4-1 approval).
- **Comment:** The original vote of the JSC focused on master portable sign programs being allowed to use commercial flags as part of their design. They felt other prohibited signs should not be allowed.

In the CSCC discussion, it was mentioned that a historical building with a historic roof sign would be prohibited to replace it for a new business to keep the historic designation and historical credibility in its setting. The CSCC decided that there may be other situations where a prohibited signs may be acceptable in that situation and that the Sign Design Review Committee (SDRC) considering its composition of design professionals as well as neighborhood and business stakeholders would be able to discern where a prohibited sign has a case to be considered appropriate and where a proposal is not appropriate.

Ultimately, the Planning and Development Services Department (PDS) Director will decide and can also consult with the City’s Design Professional on any SDRC recommendation.

- **Options:**

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

-Or-

1. 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. If off-site signs are used they must be

approved and coordinated with the Department of Transportation.
Prohibited signs may not be used in a master sign program for portable signs except for commercial flags.

11. Page 18 - Section 7A.7.4 - Removed highlighting and revised to keep language voted upon by CSCC. **(CSCC Recommendation)**

- **Background Info:** Citizens Sign Code Committee voted to recommend the current draft standard using the PDSO Notice Policy (6 approval - 2 abstentions), and the Joint Subcommittee voted to recommend the draft standard using PDSO notice policy focusing on email to neighborhood associations and a PDSO email lists (3 -2 approval). The minority preferred the sending of first class mail to property owners within either 50 or 300 feet of the subject property depending on the size of the project.
- **Comment:** The current draft language follows a policy already in place for other similar City design review committees. It attempts to balance the need to be open and transparent while avoiding special time constraints that may be interpreted as an undue burden on the timing of the review of an application and inhibiting the applicant from exercising his/her First Amendment rights (the legal term is prior restraint). In addition, the SDRC will have a local neighborhood representative who can act as a liaison with the applicant and the neighborhood if there is an issue. There is also an at-large neighborhood representative involved in the application review.

The Tucson Residents for Responsible Government (TRRG) has recommended that the Sign Design Option include notification similar to rezonings and special exceptions (notification to property owners within 300' for Master Sign Program or to property owners within 50' for Singular Sign Program).

- **Options:**

Notification for Sign Design Option shall be in accordance with PDSO Departmental policy.

-or-

Notification for the Master Sign Program – Permanent Signs shall be in accordance with Section 3.3.5 300' notice procedure.

Notification for the Singular Sign Program shall be in accordance with Section 3.3.4 50' notice procedure.

12. Page 18 - Section 7A.8.1.A.4 - Removed highlighting related to murals in commercial districts and cleaned up text. **(Staff Clean-up)**

13. Page 19 – Sections 7A.8.2.A, & .D.1 – Added clarifying text related to prohibited signs. **(Staff Clean-up)**

14. Page 19 - Section 7A.8.2.F - Removed highlighting on text related to Roof Signs. **(CSCC Recommendation)**

- **Background Info:** The Citizens Sign Code Committee voted unanimously to recommend revising the definitions of roof sign and wall sign so that architectural features of the building would not be interpreted to be roof signs and the Joint Subcommittee voted 4-1 approval on two extended parapet options dealing with the size of the sign and parapet. The JSC ultimately asked Commissioner Cook to recommend an alternative.
- **Comment:** There was consensus among the CSCC members on Commissioner Cook's recommendation. Over the years, there have been several staff interpretations on what is a roof or wall sign. The extended parapet option was the first attempt to resolve the interpretation issue in the draft.

The JSC asked Commissioner Jude Cook to recommend an alternative so that signs on the actual building features that represent the architecture of the building would not be considered roof signs. A roof sign has to be a separate structure from the building and is attached to the building in a way to be above the roof line. A wall sign is a sign placed against a wall or various incorporated integrated feature of the building's architecture. The sign must be in the same plane as the wall or building feature.

Additional Options: None

15. Page 19 - Section 7A.8.2.F - Added text related to roof signs on historic buildings. **(Staff & Historic Commission Recommendation)**

- **Background Info:** Staff has presented this option to the Tucson-Pima County Historic Commission – Plans Review Subcommittee and they have voted to recommend this revision be a part of the Sign Code Revision Project.
- **Comment:** Currently, on some of the older commercial corridors, preservation efforts towards buildings listed, or eligible to be listed in the National Register of Historic Places are being compromised. Examples of this are the old Table Talk building, which is now the Bisbee Breakfast Club in Broadway Village, and the old Tucson Podiatry building on Broadway Boulevard. Because there were no obvious locations for signs (all glass walls, art walls, and shallow or no parapets), the parapet heights were significantly increased to accommodate new signs. These changes have compromised the historic integrities, designs and National Register eligibilities of the buildings. This regulation attempts to address this issue.
- **Additional Options:** None

16. Page 19 - Section 7A.8.2.H - Removed highlighting and text related to prohibition of Feather Banners. **(CSCC Recommendation)**

- **Background Info:** The Citizens Sign Code Committee had a tie vote on whether to recommend allowing four feather banners (two color limit) and one portable sign in a

residential/commercial area in lieu of the limit of four signs and sign area allotment for portable signs (4-4 no recommendation), and the Joint Subcommittee - Voted to recommend prohibiting feather banners (3-2 approval).

- **Comment:** During the review by the JSC and CSCC, there was discussion to consider allowing four feather banners (limited to two colors) and a portable sign as a substitute for the standards on a sign area allotment plus a number limit of four portable signs. The other consideration was to place feather banners in the Sec.7A.8 - Prohibited Sign Section.

The supporters of prohibiting them said that they can be unsightly and are a common feature of sign clutter along City streets. The supporters for allowing feather banners said they are likely to occur whether they are allowed or prohibited and having a standard would help to control their display.

Staff said that non-commercial flags like national flags are exempt in the current Sign Code and the draft. There are national flags, however, that are composed of two simple bands of color that someone could use for commercial wayfinding reasons and be in compliance (e.g. Poland's flag has one red and one white stripe). It is worth considering having a regulation that focuses sign users on a controlled amount of display. On the point of someone using a non-commercial flag in a commercial setting, it is likely to be unpopular having a regulation that limits the display of a non-commercial flag like the American flag.

It was mentioned that apartment complexes are common users of these banners and that they are similar to commercial flags that are already prohibited by the current Sign Code. There have been staff interpretations stating feather banners are commercial flags thus prohibited and, on the other hand, that the current Sign Code inadvertently allows them through the wording of the definition for banner.

The outcome of the Sign Code Project is to clarify the status of feather banners to be either regulated with standards or prohibit them and control them through enforcement.

- **Options:**

H. Feather Banners Prohibited

-or-

2. Feather Banners. In lieu of Portable Sign allotment, applicant may use four (4) feather banners using two colors. One (1) additional portable sign permitted in commercial/industrial zones.

17. Page 21 - Section 7A.10.1.C - Removed options and highlighting related to menu boards. **(CSCC Recommendation)**

- **Background Info:** The Citizens Sign Code Committee voted unanimously to recommend allowing menu boards with a voice-activated feature to be set back either 30 feet from residential property or have a sound mitigation wall in place, and the Joint Subcommittee voted unanimously to recommend the same as noted above.
- **Comment:** A menu board is a type of interior sign located at a drive through restaurant. The two committees considered a setback distance and mitigation options for two-way communication devices on menu boards. Both agreed to send it forward with the 30-foot setback or the use of an option for a sound mitigation wall.
- **Additional Options:** None

18. Page 21 - Section 7A.10.1.C – Added clarifying sentence related to Interior Signs that are readable from the right of way. **(Staff Clean-up)**

19. Page 23 - 25 – Section 7A.10.2 – Revised tables to use “P” for permitted signs in place of an “*” and removed text “See Below”. **(Chuck Martin Recommendation)**

- **Background Info:** Commissioner Martin asked what does the note ‘See Below’ refer to in Table 2?
- **Comment:** This note is intended to direct attention to the sign area standards immediately below the note. This has been removed to reduce confusion.
- **Additional Options:** None

20. Page 25 – Section 7A.10.2.B – Revised amount of area allowed for freestanding sign’s in the multi-family zone category for non-residential uses on arterial or collector streets from 40 to 50 so that it matches current regulation in the Sign Code. **(Staff Clean-up)**

21. Page 26 – Section 7A.10.2.C – Conflicting regulations between 7A.10.2 table and 7A.10.2.C additional sign standards. Changed to allow Access Point Signs as is the case in the current Sign Code. **(Staff Clean-up)**

22. Page 27 - Section 7A.10.2.C.1 - Removed highlighting and text related to Canopy Signs. **(CSCC Recommendation)**

- **Background Info:** The Citizens Sign Code Committee voted unanimously to recommend keeping the draft language that simplifies the current Sign Code provision, and the Joint Subcommittee did not make a specific recommendation. They suggested the issue continue to be reviewed.

- **Comment:** The CSCC voted to simplify the canopy sign standards to prohibit the sign type to be above a roof line. Additionally, it is to be part of the sign area allotment for wall signs.

The current standard is very complicated for both staff and applicants to use and has often created the need for variances and interpretations. Earlier discussion considered size limits on the sign copy lettering and whether the letters could exceed the sides of the background panel or the beam upon which it was attached. The CSCC recommendation does not address the attachment issues but rather looks at the sign as a subtype of a wall sign.

- **Options:**

(1) Canopy signs are not allowed to extend above the roofline.

(2) Canopy signs are counted as a part of the wall sign allotment for these sign standards.

-or-

(1) Canopy signs are not allowed to extend above the roofline.

(2) Canopy signs may be no greater than 100 square feet in area and are counted as a part of the wall sign allotment for these sign standards.

-or-

(1) Canopy signs are not allowed to extend above the roofline.

(2) Canopy signs are counted as a part of the wall sign allotment for these sign standards.

(3) Maximum size: The vertical measure of the sign face shall not exceed twenty-four (24) inches except for individual letters with descenders that are proportionate to the remaining text but in no case larger than eight (8) inches. Logos may be thirty (30) inches in height.

(4) 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) in height above the finished grade immediately below the canopy sign.

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

23. Page 28 - Section 7A.10.2.C.2 - Removed highlighting and text related to setback from curb. **(Staff Clean-up)**

24. Page 29 & 30 - Section 7A.10.2.C.2.a.3 - Reorganized and removed duplicate text related to general business zone category. **(Chuck Martin Recommendation)**

- **Background Info:** Commissioner Martin asked, should the term ‘general business zone category’ be removed from the standards in the Industrial Zone Category related to Freestanding pole signs?
- **Comment:** The sections involved in what zones various freestanding signs are permitted. In c.4, it states in the general business zone category that all types of freestanding signs are permitted.

In c.5 it states which freestanding signs are permitted in the industrial zone category. In one statement it mentions both general business zone and industrial zone categories allow freestanding pole signs. Note this is Chapter Three Sign Code original language. It is repetitious in that the general business zone category already allows freestanding pole signs. The general business zone category reference will be removed from section c.5.

- **Additional Options:** None

25. Page 31 - Section 7A.10.2.C.3 - Removed text related to Extended Parapet Option. **(CSCC Recommendation)**

- **Background Info:** The Citizens Sign Code Committee voted unanimously to recommend revising the definitions of roof sign and wall sign so that architectural features of the building would not be interpreted to be roof signs, and the Joint Subcommittee voted 4-1 approval on two extended parapet options dealing with the size of the sign and parapet. The JSC ultimately asked Commissioner Cook to recommend an alternative.
- **Comment:** There was consensus among the CSCC members on Commissioner Cook’s recommendation. Over the years, there have been several staff interpretations on what is a roof or wall sign. The extended parapet option was the first attempt to resolve the interpretation issue in the draft.

The JSC asked Commissioner Jude Cook to recommend an alternative so that signs on the actual building features that represent the architecture of the building would not be considered roof signs. A roof sign has to be a separate structure from the building and is attached to the building in a way to be above the roof line. A wall sign is a sign placed against a wall or various incorporated integrated feature of the building’s architecture. The sign must be in the same plane as the wall or building feature.

- **Additional Options:** None

26. Page 32 – Section 7A.10.3.B.3 – Added clarifying text to Ground-mounted General Standards and removed text related to Feather Banners. **(Staff Clean-up)**

27. Page 35 - Section 7A.10.3.C.2 - Removed highlighting and text related to prohibition of Feather Banners - **(CSCC Recommendation)**

- **Background Info:** The Citizens Sign Code Committee had a tie vote on whether to recommend allowing four feather banners (two color limit) and one portable sign in a residential/commercial area in lieu of the limit of four signs and sign area allotment for portable signs (4-4 no recommendation), and the Joint Subcommittee - Voted to recommend prohibiting feather banners (3-2 approval).
- **Comment:** During the review by the JSC and CSCC, there was discussion to consider allowing four feather banners (limited to two colors) and a portable sign as a substitute for the standards on a sign area allotment plus a number limit of four portable signs. The other consideration was to place feather banners in the Sec.7A.8 - Prohibited Sign Section.

The supporters of prohibiting them said that they can be unsightly and are a common feature of sign clutter along City streets. The supporters for allowing feather banners said they are likely to occur whether they are allowed or prohibited and having a standard would help to control their display.

Staff said that non-commercial flags like national flags are exempt in the current Sign Code and the draft. There are national flags, however, that are composed of two simple bands of color that someone could use for commercial wayfinding reasons and be in compliance (e.g. Poland's flag has one red and one white stripe). It is worth considering having a regulation that focuses sign users on a controlled amount of display. On the point of someone using a non-commercial flag in a commercial setting, it is likely to be unpopular having a regulation that limits the display of a non-commercial flag like the American flag.

It was mentioned that apartment complexes are common users of these banners and that they are similar to commercial flags that are already prohibited by the current Sign Code. There have been staff interpretations stating feather banners are commercial flags thus prohibited and, on the other hand, that the current Sign Code inadvertently allows them through the wording of the definition for banner.

The outcome of the Sign Code Project is to clarify the status of feather banners to be either regulated with standards or prohibit them and control them through enforcement.

- **Options:**

H. Feather Banners Prohibited

2. Feather Banners. In lieu of Portable Sign allotment, applicant may use four (4) feather banners using two colors. One (1) additional portable sign permitted in commercial/industrial zones.

28. Page 37 - Section 7A.10.4.D.d – Added clarifying text related to permitting wall signs as a Historic Landmark Sign type. **(Staff & Historic Commission Recommendation)**

- **Background Info:** Staff has presented this option to the Tucson-Pima County Historic Commission – Plans Review Subcommittee and they have voted to recommend this revision be a part of the Sign Code Revision Project.
- **Comment:** In the current Sign code, the only sign types that fall under the Historic Landmarks Signs ordinance are detached, projecting, or roof sign. This is to allow for Wall Signs to be a permitted type of Historic Landmark Sign.
- **Additional Options:** None

29. Page 37 & 38 - Section 7A.10.4.D - Reorganized and renumbered to reflect intension of current code. **(Staff Clean-up)**

30. Page 41 - Section 7A.11.1.C - revised text to allow for 40 square feet in historic district when appropriate. **(Staff & Historic Commission Recommendation)**

- **Background Info:** Staff has presented this option to the Tucson-Pima County Historic Commission – Plans Review Subcommittee and they have voted to recommend this revision be a part of the Sign Code Revision Project.
- **Comment:** The current sign area allotment for all zones in a historic district (HPZ or HL) is 8 square feet per street front and per sign. In order to allow for commercial properties that are either within an HPZ or seeking an HL designation to remain economically viable, we should consider increasing the maximum sign area allotment for buildings in commercial zones.
- **Additional Options:** None

31. Page 41 - Section 7A.11.1.E - Protrusion limitation removed from text. **(Chuck Martin Recommendation)**

- **Background Info:** Commissioner Martin asked, should a reference to a ‘Protrusion Limitation’ be removed as the title of a section referring to a height increase?
- **Comment:** The use of one version of the verb to protrude has been used in the Sign Standards to mean something that is projecting horizontally. However, in this case it means to extend above. Protrude means ‘to extend beyond or above a surface.’ Project means ‘to extend outward beyond something else or to protrude.’ It appears to be more of an issue of preference in wording choices versus a substantial difference in meaning. Staff does not see a substantive issue here and defers to the Planning Commission if they want to change the wording. We recommend the removal of the

title of the Section, 'Protrusion Limitation' and leave the standard which is original Chapter Three Sign Code language as is.

- **Additional Options:** None
32. Page 42 - Section 7A.11.1.H - added Historic Landmark Signs are a permitted sign type in Historic Districts. **(Staff & Historic Commission Recommendation)**

- **Background Info:** Staff has presented this option to the Tucson-Pima County Historic Commission – Plans Review Subcommittee and they have voted to recommend this revision be a part of the Sign Code Revision Project.
- **Comment:** Over the years, as new regulations have been written for the Sign Code, and interpretations made, unintended consequences have arisen. One such case is that through interpretation, Historic Landmark Signs are not allowed in historic zones such as Historic Preservation Zones (HPZ) or Historic Landmark Zones (HL). A clarification would be made in the Sign Code, making it clear that Historic Landmark Signs are allowed in these historic zones.
- **Additional Options:** None

33. Page 45 – Section 7A.11.2 – Revised boundary of Mercado per Planning Commission recommendation and updated map. **(PC & CSCC Recommendation)**

34. Page 48 – Section 7A.13 – Revised text related to Sign Design Review Committee (SDRC) to reflect change from CSCC to SDRC. **(Staff Clean-up)**

35. Page 50 & 51 - Section 2.2.12 - Removed highlighting and text related to M&C appointed Sign Design Review Committee. **(CSCC Recommendation)**

- **Background Info:** The Citizens Sign Code Committee voted unanimously to recommend keeping the current composition in the draft, and the Joint Subcommittee voted unanimously to recommend keeping the current composition in the draft.
- **Comment:** This issue was mostly a consensus item. There may be future discussion on making the commercial real estate representative a real estate representative for commercial or residential property.

The SDRC is composed of nine members. They are an architect, an Outdoor Lighting Committee member, a sign industry representative, a local business representative, a planner, who could be one of the following, (architect, land use planner or landscape architect), a real estate representative, who could have a commercial or residential background, one at-large appointment by the City Manager, a general neighborhood association representative, and an ad hoc neighborhood representative from a neighborhood association within 300 feet of the application property.

- **Additional Options:** None

36. Page 51 & 52 – Section 2.2.12.G – Separated Section 2.2.12.G.2 into four sections for added clarity. **(Staff Clean-up)**
37. Page 60 – Section 11.4.5 – Removed definition of Directory Sign as it is now listed as an interior sign. **(Staff Clean-up)**
38. Page 68 - Section 11.4.24 - Removed highlighting related to the wall sign definition and highlighting and text from Window Sign definition. See number 14 for more information. **(CSCC Recommendation)**

General Changes

1. Throughout the document only refer to "the sign standards." **(Chuck Martin Recommendation)**

SUGGESTED MODIFICATIONS (OR EDITS) TO PRELIMINARY DRAFT OF SIGN CODE REVISIONS

Basis: Member discussion at meeting of the Joint Subcommittee of the Planning Commission / Citizen Sign Code Committee

Prepared by: City of Tucson Planning and Development Services (PDS) Department. Contact Daniel Bursuck (Daniel.bursuck@tucsonaz.gov)

Note 1: Under the Redline Edits, within a "quote", black plain text is from the September 20, 2016 draft, and red underline & ~~strikethrough~~ text is the proposed edits for a recommendation to the larger Planning Commission and Citizen Sign Code Committee.

Note 2: A/R/M used for responses to comments A = Comment accepted A/M = Comment accepted with modifications R = Comment rejected M = Comment modified

Suggestion	Section	Subcommittee Suggestions	Redline Edits	City Staff Comments	Edits related to:			
					Reed	Fairness	Process Improvement	A/R/M
1.	7A.1.1 (Page 1)	<p><i>October 17, 2016, Subcommittee Meeting:</i> "promote equity between businesses and other sign users " - in the revised version, 1st line. Comment: Don't think this belongs in the purpose statement.</p> <p><i>October 24, 2016, Subcommittee Meeting:</i> The Code purposely restricts certain types of signs and not everybody should be treated equitably.</p> <p>November 7, 2016, Subcommittee Meeting: No consensus was reached regarding the use of the word "business." There are commissioners who believe it should remain and others who don't think it belongs.</p>	<p>Accommodate the rights of individuals to freedom of speech, promote equity between businesses and other typical <u>among all</u> sign users and, enable the fair and consistent enforcement of these sign standards;</p>	<p>Ultimately Reed v. Town of Gilbert mandates that we regulate all signs without regard to content. This addresses this issue and provides a basis for the code that follows.</p> <p>It is important to note that the court will apply strict scrutiny analysis to non-commercial speech regulations, but commercial speech is protected and regulations relating to commercial speech will be analyzed using intermediate scrutiny, an only slightly lower standard. Further, any one commercial message must be treated the same as any other commercial message.</p> <p>Staff recommends adding "business," or similar wording back into suggested edit #2. In order to provide a more complete and accurate portrayal of sign use and regulation, it should acknowledge the role businesses have. Staff suggests the Subcommittee explore ways to bring this language back that would be acceptable to the group as a whole. This would help to strengthen the Sign Code's purpose statement, and be beneficial should the City receive a Reed-based legal challenge to the Sign Code.</p>	X			M

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Suggestion	Section	Subcommittee Suggestions	Redline Edits	City Staff Comments	Edits related to:			
					Reed	Fairness	Process Improvement	A/R/M
2.	7A.1.1 (Page 1)	<i>October 17, 2016, Subcommittee Meeting</i> In the 3rd line suggest removing the word "prominent" from "protect prominent scenic views..." Strike hazard from - fear legibility.	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;	Staff has no objection if this is included or excluded.	X			A
3.	7A.1.1 (Page 1)	<i>October 17, 2016, Subcommittee Meeting</i> Add something about protecting dark skies and something more about tourism	This comment has been combined with edit #4. Please see below:	This is something neither covered in the purpose statement of the current sign code nor is it a <i>Reed</i> issue. Dark skies are currently addressed and covered in the Outdoor Lighting Code. All permitted signs must currently comply with this and must do so under the draft. If anything related to the Outdoor Lighting Code is included, it should only be a reference to that governing Code.				N/A

SUGGESTED MODIFICATIONS (OR EDITS) TO PRELIMINARY DRAFT OF SIGN CODE REVISIONS

Basis: Member discussion at meeting of the Joint Subcommittee of the Planning Commission / Citizen Sign Code Committee

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4.	7A.1.1 (Page 1)	<p><i>October 17, 2016, Subcommittee Meeting:</i> Feel original wording about beauty and protecting our desert environment, etc. should be in the language. The language about makes Tucson special.</p> <p><i>October 24, 2016, Subcommittee Meeting:</i> It is suggested more needs to be stated about dark skies. It is suggested that Staff look at combining statement #3 of Commissioner McLaughlin's proposed purpose statement with suggested edit #4. It is also suggested to remove "enhance" and replace with "protect", in relation to the fragile desert.</p> <p>November 7, 2016, Subcommittee Meeting: Additional language from Commissioner McLaughlin added related to commercial and non-commercial speech.</p>	<p>Add "<u>Foster a good visual environment for Tucson, protect the fragile desert and its environmental assets, preserve the natural resource of dark night skies, and create an aesthetic and enjoyable appearance for visitors and residents, while allowing avenues of speech for both non-commercial and commercial messages.</u>"</p>	<p>While currently covered in purpose statement under aesthetics, staff has no objection to adding in the following section from the original purpose statement. Additional suggested language from Commissioner McLaughlin has been combined with the previous suggested edit #4.</p>	X			M

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5.	7A.1.1 (Page 1)	<p><i>October 17, 2016, Subcommittee Meeting:</i> Third item in the list -- delete "businesses" and just leave "individual". The safety concerns should be for the general community vs. individual.</p> <p><i>October 24, 2016, Subcommittee Meeting:</i> Commissioner Ench suggested removing "Balance" in proposed edit 5, and substituting "Observe." He also suggested removing "against" and substituting "exercise reasonable control."</p> <p><i>November 7, 2016, Subcommittee Meeting:</i> No consensus was reached regarding the use of the word "business." There are commissioners who believe it should remain and others who don't think it belongs. It was suggested possibly using "entities" in its place.</p>	<p>Balance-<u>Observe</u> the rights of businesses and individuals to convey messages through signs, against and exercise reasonable control to <u>mitigate</u> the aesthetic and safety hazards that come from the proliferation of confusing and objectionable sign clutter;</p>	<p>Staff has no objection to removing "businesses" from this text and adding a comma after signs. Staff has added suggested edits from the October 24, 2016 Subcommittee meeting.</p> <p>Staff recommends adding "business," or similar wording back into suggested edit #2. In order to provide a more complete and accurate portrayal of sign use and regulation, it should acknowledge the role businesses have. Staff suggests the Subcommittee explore ways to bring this language back that would be acceptable to the group. This would help to strengthen the Sign Code's purpose statement, and be beneficial should the City receive a <i>Reed</i>-based legal challenge to the Sign Code.</p>	X			M
6.	7A.1.1 (Page 1)	<p><i>February 6, 2016, Subcommittee Meeting:</i> Committee suggested reviewing Ruth Beeker's suggested revisions to the purpose statement and discussing at future meeting.</p>	<p><u>No changes at this time.</u></p>	<p><u>Staff has no objection to adopting suggested purpose statement from Ruth Beeker.</u></p>				

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7.	7A.1.2 (Page 2)	<p><i>October 24, 2016, Subcommittee Meeting:</i> Committee was in agreement with Staff suggestion to say "City shall be in compliance with City Administrative Directives."</p> <p><i>November 7, 2016, Subcommittee Meeting:</i> Committee was concerned with the effect this may have on the ability for the city to not follow the Sign Code.</p> <p><i>November 14, 2016, Subcommittee Meeting:</i> Committee still has concerns and would like to have wording, "City shall follow its own sign standards" remain in the code.</p> <p><i>November 21, 2016, Subcommittee Meeting:</i> Committee was in general agreement with the changes.</p>	<p>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, except where a deviation from the standards are is necessary to protect or promote public health, welfare or safety, and be in compliance with Section XXX of City Administrative Directives.</p>	<p>Staff has no objection to the edits suggested by the subcommittee.</p> <p>Staff does not believe this will have any effect on how the Sign Code is enforced. This is simply a more clear way of stating existing policies.</p> <p>Additionally, Staff has added back in the language related to the City of Tucson following its own sign standards.</p>	X		X	M
8.	7A3.2 (Page 4)	<p><i>November 7, 2016, Subcommittee Meeting:</i> It was suggested that the definition for Billboard be change off-site to off-premise.</p>	<p>No changes at this time.</p>	<p>Staff recommends this is not changed from "off-site" to "off-premise," as there are examples where a billboard may be off-site per its definition, but may not have an actual premise.</p>				N/A

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9.	7A3.5 (Page 5)	<p><i>November 7, 2016, Subcommittee Meeting:</i> Committee had concern with the use of the term Electronic Sign Copy in place of Electronic Message Center. They also expressed the need to include digital signs (e.g. computer screens), in the definition.</p> <p><i>November 14, 2016, Subcommittee Meeting:</i> Committee preferred the word "Digital" to Variable, and suggested staff use that.</p> <p><i>November 21, 2016, Subcommittee Meeting:</i> Committee was in general agreement with the changes. Additionally, they express concern about use of the word "scroll" or "scrolling" later in the document.</p>	<p>Electronic Sign Copy <u>Digital Sign</u>. A sign component whose informational content <u>such as symbols, logos, graphics, and words</u> can be changed or altered by electric, electro-mechanical or electronic means.</p>	<p>Staff proposes the name be changed to "Variable Message Sign," which is a common term used for this type of sign. Staff also recommends the clarifying words, "such as symbols, logos, graphics, and words" be used.</p> <p>Staff has no objection to committee's recommendation to use the word "Digital Sign" in place of either Electronic Sign Copy or Variable Message Sign.</p>	X	X	X	M
10.	7A3.5 (Page 5)	<p><i>November 7, 2016, Subcommittee Meeting:</i> Committee suggested that this is currently regulated by other public service agencies, and may not be within the purview of the Sign Code.</p>	<p>Emergency site locator. Consists of signs and markers required for direction of emergency vehicles in multiple tenant and multiple building complexes.</p>	<p>Staff recommends the removal of Emergency Sign Locator definition as it is regulated by Tucson Fire and under the staff suggested revisions, would be considered an interior sign.</p>			X	A

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11.	7A3.7 (Page 6)	<p><i>November 7, 2016, Subcommittee Meeting:</i> Committee stated concern about whether an "interior sign" can be seen from adjacent property.</p> <p><i>November 21, 2016, Subcommittee Meeting:</i> Committee was in general agreement with addressing in a later Section instead of the definitions.</p>	<p>Interior sign. An 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.</p>	<p>Staff recommends there be no changes to the interior sign definition, but the additional clarifying language be added to wall signs section to ensure there are no unintended consequences of this regulation. For discussion, staff suggests the addition to the wall signs regulation would be to require a setback of 100 feet for illumination of interior wall signs facing adjacent single-family residential uses that are not viewable from a right of way.</p>	X	X		M
12.	7A3.10 (Page 7)	<p><i>November 7, 2016, Subcommittee Meeting:</i> Committee suggested the words non-permanent be added to the end of the definition of portable sign.</p>	<p>Portable sign. 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 <u>non-permanent</u> materials.</p>	<p>Staff has no objection to the edits suggested by the subcommittee.</p>	X			A
13.	7A3.11 (Page 8)	<p><i>November 7, 2016, Subcommittee Meeting:</i> Committee suggested the words "existing" be removed from the definition of repair.</p> <p><i>November 14, 2016, Subcommittee Meeting:</i> Committee suggested adding the words "as it applies to historic sign definition."</p> <p><i>November 21, 2016, Subcommittee Meeting:</i> Committee was in general agreement with addressing at a later date.</p>	<p>No changes at this time.</p>	<p>The word "existing" refers to language used in the Historic Landmark Signs section of the Sign Code and is important for clarification of the definition.</p> <p>Staff has concerns about larger implications related to adding this language and will conduct further research and return to this issue.</p>		X		M

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14.	7A3.12 (Page 8)	<i>November 7, 2016, Subcommittee Meeting:</i> Committee suggested the former definition of "sign" be used with the exception of the last sentence related to malls.	Sign. <u>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.</u> 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.	Staff has no objection to the edits suggested by the subcommittee.	X			A
15.	7A3.13 (Page 9)	<i>November 7, 2016, Subcommittee Meeting:</i> Committee suggested the definition of tenant add the following language: "of a site or portion of a site."	Tenant. The occupant of a <u>site or a</u> portion of a site or structure with exclusive control over that portion, regardless of whether it is by individual ownership or lease.	Staff has no objection to the edits suggested by the subcommittee.				A

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16.	7A.3.14 (Page 10)	<p><i>November 7, 2016, Subcommittee Meeting:</i> Committee has concern over the removal of the word "interior" from the definition of wall and window sign.</p> <p><i>November 14, 2016, Subcommittee Meeting:</i> Committee has concern over the removal of the word "interior" from the definition of wall and window sign.</p> <p><i>November 21, 2016, Subcommittee Meeting:</i> Committee suggested moving comma after "including" to after "vertical. Committee members also expressed a concern about not regulating a sign on the interior of the window, but not affixed – anything intended to attract attention on the exterior of the building should be included. There was no consensus at this time among the Committee if these non-affixed interior window signs should be regulated or what the distance behind the window should be, if it were to be regulated.</p> <p><u>February 27, 201, Subcommittee Meeting: Committee still not in agreement if non-affixed interior window signs should be regulated.</u></p>	<p>Wall. An exterior building surface thirty (30) degrees or less from vertical, including, affixed to interior and the exterior <u>of</u> window and door surfaces.</p> <p>Window sign. Any sign affixed to interior or exterior <u>of</u> window surface.</p> <p style="text-align: center;"><u>Or</u></p> <p>Window sign. Any sign affixed to interior or exterior window surface <u>intended to be seen from exterior of window surface.</u></p>	<p>This is simply a reflection and clarification of how this windows sign regulation is currently enforced. As a process improvement, PDS staff has noted it is very complicated to regulate the interior of a window or a sign that can be seen through a window, but is not attached to the window.</p> <p>Staff suggests changing the definition of window sign reference signs to "affixed to interior or exterior" of a window. Additionally, we recommend adding a regulation to section 7A.10.1.F in relation to window signs that will limit window signs to 30% of the surface area of a window. Those windows would be regulated, but would not require a permit.</p>	X	X	X	
17.	7A.3.14 (Page 10)	<p><i>December 12, 2016, Subcommittee Meeting:</i> Committee suggested adding definition of wayfinding, as it can be both broad and/or narrow.</p>	<p><u>No changes at this time.</u></p>	<p>PDS staff believes the addition of this definition is not necessary for the effectiveness of the sign code.</p>			X	

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18.	7A.6.4 (Page 14)	<p>January 9, 2017, Subcommittee Meeting Committee suggested changing the word "scroll" to something else that more accurately portrays the regulation.</p> <p>January 23, 2017, Subcommittee Meeting Committee suggested adding in graphic to make sure it covers all changes. Committee also suggested we look at solutions to reduce from a one hour rate of change.</p> <p>February 6, 2017, Subcommittee Meeting: Committee suggested changing the rate of change from one hour to five minutes and adding language that it may not have transitions or animations.</p>	<p>A digital sign is permitted to <u>have a rate of change of sign copy, graphic, or information scroll</u>-not more than once an hour <u>every five minutes</u>. <u>The digital sign copy shall not have any transitions or animations.</u></p>	<p>Rate of change replaces scroll and refers to the timing of copy or information change on a digital sign. The hour rate of change has been changed from one hour to five minutes.</p>	X		X	
19.	7A.6.5 (Page 21)	<p>January 9, 2017 Subcommittee Meeting: Committee suggested staff clarify the interpretation of how the top of sign is measured.</p> <p>January 23, 2017, Subcommittee Meeting Committee suggested staff clarify the word "crown."</p> <p>February 6, 2017, Subcommittee Meeting: Committee suggested there be a graphic to better clarify.</p>	<p><u>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.</u></p>	<p>PDS staff have interpreted the current Sign Code based on the definition of a sign to mean that the top of the sign is measured from the highest point of the sign copy. Thus any top constructed feature above the sign copy is not counted.</p> <p>Staff has replaced the word "crown" with "highest point".</p> <p>Staff agrees and will be adding graphics into the new sign code revisions.</p>		X	X	

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20.	7A.6.6	<i>February 6, 2017, Subcommittee Meeting: Committee suggested we reference clearance in definitions.</i>	<u>Clearance (7A): See definition in Section 7A.6.6.</u>	Staff is amenable to changes.				
21.	7A.6.10 (Page 23)	<i>January 9, 2017 subcommittee Meeting: Committee suggested staff add the word "concludes" to the end of the first paragraph of 7A.6.10.</i>	The licensee may require the removal of the sign within forty-eight (48) hours after the advertised event or other temporary occurrence <u>concludes</u> .	Staff has no objection to the changes.			X	
22.	7A.6.11 (Page 24)	<i>January 9, 2017 Subcommittee Meeting Committee asked about 7A.6.11 and if Premise belongs in definitions.</i>	<u>Premise (7A): See definition in Section 7A.6.11.</u>	Staff believes a reference in the definitions directing to Section 7A.6.11 will adequately address the concern.			X	
23.	7A.7.1.E. 1 (Page 25)	<i>December 12, 2016, Subcommittee Meeting: Committee expressed concern related to the term, "Illuminated colors shall be predominantly those colors that reduce light trespass and offer protections to dark skies in compliance with the City's outdoor lighting standards." The committees concern was that it may be too vague. Committee members suggested use of the term opaque for the background of a sign panel may be more appropriate.</i>	<u>No changes proposed at this time.</u>	PDS staff has reviewed this and believes the current language is necessary to provide the flexibility needed for quality design. The regulation is intended to decrease the amount of light emitted from signs as opposed to the general standards. For example, if the amount of light was depicted on a continuum with general standards on one end and no light on the other, the goal would be a sign at the midpoint or below.			X	

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24.	7A.7.1.E.2.b (Page 26)	<p><i>December 12, 2016, Subcommittee Meeting:</i> Committee expressed concern with no cap on either the height or area within the Master Sign Program.</p> <p><i>January 23, 2017, Subcommittee Meeting:</i> It was agreed upon by the committee to add a cap to the height of 20 feet and 100 square feet for the Master Sign Program and Singular Sign Option.</p> <p><i>February 13, 2017, Subcommittee Meeting:</i> To help address 7A.7.3, the Committee suggested the addition of "sign" to 7A.7.1.E.2.b.2, to help address this issue.</p>	<p>The sign height shall be compatible with the surrounding building height profile of the buildings, <u>freestanding signs</u>, and structures on the property and in the surrounding area. The sign structure shall not obstructed significant scenic views from the right of way .</p> <p><u>The sign height shall not be greater than 20 feet tall and 100 square feet in area.</u></p> <p>The height of the sign copy shall not be set so as not to be obstructed by landscaping or a parked vehicle;</p>	<p>PDS staff has reviewed this and believes the current language is necessary to provide the flexibility needed for quality design. The provision is not intended to automatically increase the size or height of a sign but includes the visibility of the sign as a consideration. General standards set the acceptable height baseline. It is also worded with the advisory 'should' as a design consideration but not a standard per se.</p>			X	
25.	7A.7.1.E.2.c	<p><i>February 13, 2017, Subcommittee Meeting:</i> Committee suggested add clarifying language regarding components of a sign.</p>	<p>A freestanding sign should be comprised of a design such as a bottom, middle and top two or more components <u>articulated by materiality</u>. A sign blending wall and ground mounted components may use the best practice option noted below.</p>	<p>Staff is amenable to this change.</p>				

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26.	7A.7.1.E. 5 (Page 26)	<i>December 12, 2016, Subcommittee Meeting:</i> Committee expressed concern that the provision, "An already approved permanent sign, master sign program within the City" is too vague and has a potential to set poor precedent for signage that is not site specific.	<u>No changes at this time.</u>	There has been discussion with removing this provision and that previous approval decisions may set a precedent. If some previous approval is considered an outlier that can be reviewed as part of the entire design process. It should be noted that this is only one criteria being used by the Sign Design Committee and they still need to meet all other criteria.			X	
27.	7A.7.2.E. 6 (Page 26)	<i>December 12, 2016, Subcommittee Meeting:</i> Committee suggested adding in a finding related to dark skies.	<u>Represents a best practice of the design of dark sky sign illumination.</u>	This finding would further clarify the purpose statement on preserving dark sky by reducing sign illumination.			X	
28.	7A.7.2.C. 5 (Page 26)	<i>December 12, 2016, Subcommittee Meeting:</i> Committee expressed concern in the provision that states, "In no case may a sign exceed in sign area or sign height a sign that has historically been used within the city." The Committee commented on if this may need to have a specific date put on it.	In no case may a sign exceed in sign area or sign height a sign that has historically been used <u>in previous standards</u> within the City-.	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. The word 'historically' was changed to 'used in previous standards' to address the Committee's concern.	X	X	X	

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29.	7A.7.3 (Page 29)	<p><i>December 19, 2016, Subcommittee Meeting:</i> Committee suggested moving this to the Master Sign Program section. They also stated they believe that the requirement of using option should be to bring other signs up to code. Committee also suggested replacing word "individual" with "singular."</p> <p><i>January 23, 2017, Subcommittee Meeting:</i> Committee suggested requiring a list of non-conforming signs on-site with submittal.</p> <p><i>February 6, 2017, Subcommittee Meeting:</i> Committee suggested a clarification of the word status</p> <p><i>February 13, 2017, Subcommittee Meeting:</i> Committee suggested the addition of "sign" to 7A.7.1.E.2.b.2, to help address this issue.</p>	<p>7A.7.3 INDIVIDUAL-SINGULAR SIGN DESIGN OPTION</p> <p>F. Applicant shall include list of non-conforming signs currently on-site with submittal materials.</p>	<p>There is a suggestion to require all signs at a premise with a single sign option to be brought into compliance as a condition for approval of a single sign.</p> <p>In that a premise can include multiple lots with multiple owners this type of condition could be impractical. It also requires an evaluation of all signs on the site to find what is applicable. The intent of this single sign provision was 1) to replace the integrated architecture option in the current sign code and 2) to separate minor design cases from major ones.</p> <p>After further review of this edit, staff is concerned with the implications of this regulation. Many times shopping centers will have a large amount of tenants with only one single owner. An example of this is The Crossroads Shopping Center at Swan and Grant. Forcing a tenant who may want to use the singular sign design option to document all the signs and statuses on-site would be a logistical nightmare and nearly impossible. A similar situation could also be true of a large shopping center with many different owners, like many of the ones on Broadway.</p> <p>Staff suggests this be addressed as a case-by-case basis during the application process.</p>			X	

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30.	7A.10.1.C	<u>February 27, 2017, Subcommittee Meeting: Committee suggested staff look into options on how menu boards and drive through windows are addressed in the sign code and through other code regulations. There was no consensus on how to regulate this.</u>	<p><u>Keep existing language that sets back two-way communication device 30 feet from a residence or residential zone.</u></p> <p style="text-align: center;"><u>Or</u></p> <p><u>If there is a two-way communication device, use of a wall or fence should be used to mitigate noise.</u></p> <p style="text-align: center;"><u>Or</u></p> <p><u>Remove language to how it used to be and utilize the Neighborhood Preservation Ordinance to mitigate sound.</u></p>	<u>Staff has reviewed the regulations, existing and proposed, and provided the following options. If the committee is unable to come to a consensus, they may also send this as unresolved to the larger bodies.</u>		X		
31.	7A.10.2 (Page 36)	<i>December 19, 2016, Subcommittee Meeting: Committee suggested to add footnote to Billboards entry on table to clarify it only applies to C-2, C-3, I-1 and I-2 zones.</i>	<u>4. Restricted to C-2, C-3, I-1, I-2 zones</u>	The following footnote should be added to clarify where billboards are allowed.			X	
32.	7A.10.2 (Page 36)	<i>December 19, 2016, Subcommittee Meeting: Committee suggested removing Roof as type of sign in table.</i>	Roof	Staff agrees that roof should be removed from the table.			X	
33.	7A.10.2 (Page 36)	<i>December 19, 2016, Subcommittee Meeting: Committee suggested finding a way to simplify the headers on the table so that they read better.</i>		Staff agrees, the formatting of the table will be adjusted			X	
34.	7A.10.3 (Page 38)	<i>December 19, 2016, Subcommittee Meeting: Committee suggested adding a legend to the table for clarification.</i>		Staff agrees, a legend will be added for clarification.			X	

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35.	7A.10.3 (Page 38)	<i>December 19, 2016, Subcommittee Meeting:</i> Committee suggested a larger non-residential maximum sign area on collectors and arterials to account for churches.	<u>20 Sq. Ft. (2)</u> <u>100 Sq. Ft. (3)</u> <u>2. Maximum sign area - Residential uses and non-residential uses located on local streets.</u> <u>3. Maximum sign area - Non-residential uses on arterial or collector streets. Permanent freestanding sign's sign area may not exceed 32 square feet</u>	This number reflects discussion at the Subcommittee on allowing non-residential uses like churches some flexibility when on arterials and collectors streets.			X	
36.	7A.10.3 (Page 38)	<i>December 19, 2016, Subcommittee Meeting:</i> Committee was in general agreement related to including Historic Landmark Signs in the R-3 Zone.	<u>6. Historic landmark signs (HLS), all types. The first HLS on a premise does not count toward the maximum total sign area.</u>	Staff agrees with these changes.			X	
37.	7A.10.4 (Page 41)	<i>December 19, 2016, Subcommittee Meeting:</i> Committee suggested staff look into if we need to have a provision related to the relocation of billboards.	<u>No changes at this time.</u>	Staff does not believe a provision related to relocation of billboards is necessary.		X	X	

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38.	7A.10.4 (Page 42)	<p><i>December 19, 2016, Subcommittee Meeting:</i> There was considerable discussion related to the general standards for the Canopy Signs. While the Committee acknowledged this section is confusing and needs work, it was suggested it be put in a parking lot of issues to be addressed at a later date.</p> <p><i>January 23, 2017, Subcommittee Meeting:</i> Committee suggested we fix this and make it a wall sign.</p> <p><i>February 6, 2017 Subcommittee Meeting:</i> Committee suggested looking into adding back in size, height, and distance from the building.</p> <p><i>February 13, 2017 Subcommittee Meeting:</i> Committee was unable to come to a consensus between two options for Canopy Signs. The options they were in disagreement were: (1) Canopy signs not above the roofline and counted as a wall sign, (2) Canopy signs not above the roofline, counted as a wall sign, and with an area cap, and (3) Canopy signs not above the roofline with size, height, and location regulations.</p>	<p><u>a. Canopy signs are not allowed to extend beyond the roofline.</u></p> <p><u>b. Canopy signs are counted as part of the wall sign allotment for these sign standards.</u></p> <p style="text-align: center;"><u>or</u></p> <p><u>a. Canopy signs are not allowed to extend beyond the roofline.</u></p> <p><u>b. Canopy signs may be no greater than 100 square feet in area and are counted as part of the wall sign allotment for these sign standards.</u></p> <p style="text-align: center;"><u>or</u></p> <p><u>a. Canopy signs are not allowed to extend beyond the roofline.</u></p> <p><u>b. Canopy signs are counted as part of the wall sign allotment for these sign standards.</u></p> <p><u>c. Maximum size: The vertical measure of the sign face shall not exceed eighteen (24) inches except for individual letters with descenders that are proportionate to the remaining text but in no case larger than six (8) inches. Logos may be thirty (30) inches in height.</u></p> <p><u>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.</u></p> <p><u>e. Location: Within twenty (20) feet of the building wall that backs the canopy sign.</u></p>	<p>Staff believes the current regulations are onerous to enforce and create the need for variances. We could keep existing language and deal with it at a later date or remove and make a wall sign for the time being.</p> <p>Staff has provided two options for how to deal with Canopy Signs.</p>				X

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39.	7A.10.4 (Page 45)	<i>December 19, 2016, Subcommittee Meeting:</i> Committee concluded that the spacing requirement shall remain what it is in the current sign code. The committee was in general agreement that issues brought up earlier in the process have been addressed through revisions to the definition of premise.	<u>No changes at this time.</u>	Staff agrees to leave the language as is.		X	X	

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40.	7A.10.4 (Page 45)	<p><i>December 19, 2016, Subcommittee Meeting:</i> Committee was in general agreement to remove "roof sign" and replace with "extended parapet option."</p> <p><i>January 23, 2017, Subcommittee Meeting:</i> Committee suggested adding clarification to the dimensional restrictions.</p> <p><i>February 6, 2016, Subcommittee Meeting:</i> Committee suggested staff review regulation and address concerns related to size of parapet, disguising structural bracing of parapet, and size of sign.</p> <p><u><i>February 13, 2017 Subcommittee Meeting:</i> Committee was unable to come to a consensus between two options for the Extended Parapet Option.</u></p>	<p>3. Roof Sign: A sign may be allowed on a parapet that is no greater than ten feet higher than an adjoining parapet.</p> <p>Any other roof sign must be approved through the Individual Sign Design Option.</p> <p><u>Extended Parapet Option. A sign may be allowed on a parapet that is no less than ten feet wide and no greater than ten feet higher than an adjoining parapet. The sign may be perpendicular to the front of the building. Any other type of extended wall sign must be approved through the Section 7A.7 Sign Design Options. All braces shall be concealed from streetview.</u></p> <p>-or-</p> <p><u>Extended Parapet Option. A sign that is no greater than ten feet high and no greater than 100 square feet may be allowed on a parapet. The sign may be perpendicular to the front of the building. Any other type of extended wall sign must be approved through the Section 7A.7 Sign Design Options. All braces shall be concealed from streetview.</u></p>	<p>Staff agrees to these changes.</p> <p><u>Staff has clarified related to the extended parapet option and has added language related to mitigation of braces used.</u></p>		X	X	

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41.	7A.10.6 (Page 48)	<i>December 19, 2016, Subcommittee Meeting: Committee suggested staff add in section related to annual fee for portable signs.</i>	<u>No changes at this time.</u>	This provision will be part of a greater change to the overall PDS fee schedule and when the applications for the new portable signs are created.			X	
42.	7A.10.6 (Page 48)	<i>December 19, 2016, Subcommittee Meeting: Committee suggested staff include language such as taut fabric related to feather banners. There was not a consensus among the committee on whether this should be a permitted sign type or not.</i>	A ground-mounted portable sign shall be made of similar materials such as all non-pliable <u>or taut</u> materials.	Staff agrees to the proposed changes.		X	X	
43.	7A.10.7.A (Page 49)	<i>January 9, 2017 Subcommittee Meeting: Committee suggested remove requirement for a shape to be square in A-Frame Signs</i>	1. An A-frame or portable sign is an on-site <u>square in shape</u> 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.	Staff agrees to the proposed changes.			X	
44.	7A.10.7.A (Page 51)	<i>January 9, 2017 Subcommittee Meeting: Committee suggested adding a reference to ADA and sight triangles.</i>	<u>No changes at this time.</u>	Staff doesn't believe this is necessary as there are already references to them in the code and they are addressed on the existing application for A-Frame Signs.			X	
45.	7A.10.7.B .1 (Page 52)	<i>January 9, 2017 Subcommittee Meeting: Committee suggested rearranging list so that "Maximum number" is listed first.</i>	<u>This change has been made.</u>	The language in Section 7A.10.7.B.1 has been rearranged per Committee recommendation.			X	
46.	7A.10.8.D .1 (Page 57)	<i>January 9, 2017 Subcommittee Meeting: Committee suggested adding wall sign to list of qualifying signs for Historic Landmark Signs.</i>	The sign shall be a detached, <u>wall</u> , projecting, or roof sign.	It was agreed by the committee that wall signs can have historic significance and due to the outdoor lighting code may become non-conforming and need to mentioned in the HLS section as potential candidates.			X	

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47.	7A.10.8.F.4 (Page 58)	January 9, 2017 Subcommittee Meeting: Committee suggested deleting HLS Treatment Plan reference to GPS coordinates.	4. GPS coordinates for the final location of the proposed HLS.	The language in Section 7A.10.8.F.4 has been edited per Committee recommendation.			X	
48.	7A.11.2.D	<u>February 27, 2017, Subcommittee Meeting: Staff suggested permitting commercial murals in the pedestrian districts. Committee agreed to this and were in general agreement.</u>	<u>11. Murals</u>	<u>Staff is amenable to these changes.</u>			X	
49.	7A.13 (Page 75)	December 12, 2016, Subcommittee Meeting: Committee has not reached a consensus related to the structure of the new Citizen Sign Code Committee. A few committee members were in favor of term limits, some were not. A few committee members were fine with a shift to an all-City Manager appointed committee; others would like to see a mix, as it is currently.					X	
50.	11.4.2	February 6, 2017, Subcommittee Meeting: Committee suggested we check to make sure the definition of Abandoned is in agreement with the enforcement section.	<u>No changes at this time.</u>	Staff has reviewed the document and this is clarified through the enforcement section.			X	
51.	11.4.7	February 6, 2017, Subcommittee Meeting: Committee suggested indenting the different kinds of freestanding signs, and look into removing the dimension from the low-profile sign. <u>February 13, 2017 Subcommittee Meeting: Committee suggested further clarification of the text.</u>	Freestanding - Low profile freestanding Sign (7A) 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.	<u>Staff is amenable to these changes.</u>			X	

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52.	11.4.19	<p><i>November 7, 2016, Subcommittee Meeting:</i> Committee suggested the words "existing" be removed from the definition of repair.</p> <p><i>November 14, 2016, Subcommittee Meeting:</i> Committee suggested adding the words "as it applies to historic sign definition."</p> <p><i>November 21, 2016, Subcommittee Meeting:</i> Committee was in general agreement with addressing at a later date.</p> <p><i>February 6, 2017, Subcommittee Meeting:</i> Committee suggested the words "existing" be removed from the definition of repair.</p>	<p>Repair (7A) To mend, renovate or restore a sign structure to its original condition.</p>	<p>The word "existing" refers to language used in the Historic Landmark Signs section of the Sign Code and is important for clarification of the definition.</p> <p>Staff has concerns about larger implications related to adding this language and will conduct further research and return to this issue.</p>			X	
53.								

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Sign Code Revision Project

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Planning and Development Services Department is currently working with the Sign Code Subcommittee on revisions to the City's Sign Code to address the recent *Reed v. Town of Gilbert* Supreme Court Case as directed by Mayor and Council. The Sign Code Subcommittee, which was established/formed on August 9, 2016, includes members from the Citizen Sign Code Committee and from the Planning Commission. As part of those revisions, it is also looking at revisions to address overall simplification and process improvement items such as moving the current Sign Code from Chapter 3 of the Tucson Code into Chapter 23b (Unified Development Code).

The direction given by the Mayor and Council providing an outline for the scope of work of this project is available via this [LINK](#).

Copies of the preliminary draft revisions and original sign code

[Revised Sign Code Preliminary Draft \(Chapter 23b of Tucson Code\)](#)

[Current City of Tucson Sign Code \(Chapter 3 of Tucson Code\)](#)

Reed v Town of Gilbert Documents

[Legal Report - Opinion - *Reed v. Town of Gilbert*](#)

Tentative Meeting Schedule for Joint Subcommittee of the Planning Commission and Citizen Sign Code Committee

[Tentative Meeting Schedule - as of 01.25.17](#)

Sign Code Subcommittee Packet - will continue to be updated as additional materials become available

Select Language | ▼

1 - Draft Sign Code	Updated Revised Sign Standards as of 3-30-17-clean with comments and highlighted unresolved issues
	Draft Sign Standards UDC Sections
	Revised Sign Code Preliminary Draft (Chapter 23b of Tucson Code)
	New Revised Section 2.1.1 - Sign Design Review Committee
	Updated Revised sign Code Preliminary Draft as of 2-1-17 (Marked-up copy)
	Updated Revised sign Code Preliminary Draft as of 2-1-17 (Clean copy)
	Current City of Tucson Sign Code (Chapter 3 of Tucson Code)

2 - Meeting Notes	Mayor and Council Memorandum - Study Session - August 9, 2019		
	Mayor and Council Action Report - August 9, 2016		
3 - Edits	Sign Code Preliminary Draft - Table of Changes		
	Sample Edit Matrix from Urban Agriculture Project		
	Suggested Edits for Purpose Statement from Commissioner McLaughlin		
	Subcommittee Edits for October 24th Meeting		
	Subcommittee Edits for November 7th Meeting		
	Additional Suggested Edits for Purpose Statement from Commissioner McLaughlin		
	Subcommittee Edits for November 14th Meeting		
	Top of Sign Exhibit from Commissioner Holguin		
	Subcommittee Edits for November 21st Meeting		
	Subcommittee Edits for December 5th Meeting		
	Subcommittee Edits for December 19th Meeting		
	Subcommittee Edits for January 9th Meeting		
	Subcommittee Edits for January 23rd Meeting		
	Subcommittee Edits for February 6th Meeting		
	Subcommittee Edits for February 13th Meeting		
	Additional edits suggested by staff - 2-13-17		
	Subcommittee Edits for February 27th Meeting		
	Subcommittee Edits for March 6th Meeting		
4 - Comments	Comment Matrix from Subcommittee Meetings - Updated as of October 17, 2016		
	Comments Received by Email / Mail		
	Letter from Scenic Arizona - 9.20.16	Memo - Response to Letter from Scenic Arizona - 10.11.16	Mayor & Council Call-to-Audience - TRRG - 9.20.16
	Email from Ruth Beeker - 10.9.16	Email from Buell Tomasson Jannuzi - 10.9.16	Email from Hannah Glasston - 10.10.16
	Letter from Scenic Arizona to CSCC-PC - 10.16.16	Letter from Scenic Arizona to CSCC-PC - 10.20.16	Materials on Electronic Message Centers from Dan Brocious - 10.21.16
	Letter from Scenic Arizona to CSCC-PC - 10.29.16	Email from Rory Juneman - 11.2.16	Letter from Scenic Arizona to CSCC-PC - 11.2.16
	Letter from Astronomy Planetary and Space Sciences in Arizona (APSS) - 11.4.16	Attachment to letter from APSS dated 11.4.16	Email from Scott Addis - 11.4.16

	Email from Robert Gent - 11.7.16	Email from Scenic Arizona - 11.17.16	Letter from Sierra Club - 11.21.16
	Email from JD Garcia - 12.1.16	Letter from TRRG - CSCC restructuring - 12.9.16	Call to the Audience Comments from Bonnie Poulos - 12.19.16
	Letter from Tucson Metro Chamber and Metropolitan Pima Alliance - 1.3.17	Email of support for TMC / MPA Revisions from Bud Guion - dated 1.13.17	Email of support for TMC / MPA Revisions from Craig Frinrock - dated 1.16.17
	Email of support for TMC / MPA Revisions from Thomas Hunt - dated 1.16.17	Master Sign Program Public Process Proposal - TRRG - 1.18.17	Ruth Beeker - Call to the Audience Transcript - 1.23.17
	Email from Nancy McClure - 1.23.17	Letter from James Robertson - 1.24.17	Comments from Dan Brocious on 2-1-17 Draft
	Comments on Purpose - Ruth Beeker - 2.6.17	Letter from Tucson Metro Chamber, Metropolitan Pima Alliance, and SAHBA - 2.23.17	Continuing Sign Code Revisions Concerns from Ruth Beeker - 2.27.17
	Memo from TRRG relatd to removal of two articles of Revised Sign Code - 3.6.17		
5 - Additional Handouts & Resources	Powerpoint Presentation - Overview of Sign Code Revision Project		
	Powerpoint Presentation - Open Meeting Law		
	Powerpoint Presentation - The New World of Municipal Sign Code		
	Article - Zoning and Planning Law Report - Reed Applied: The Sign Apocalypse or Another Bump in the Road		
	Additional Reed v. Gilbert Materials		
	Article - Shearer v. City of Scottsdale - Goldwater Institute		
	Powerpoint Presentation - Practical Strategies for Speech Regulation in a Post-Reed World		
	Legal Report - Opinion - <i>Reed v. Town of Gilbert</i>		
	Legal Report - Opinion - <i>Arlington County Republican Committee v Arlington County Va</i>		
	Legal Report - Opinion - <i>Central Hudson Gas And Elec Corp v Public ServiceCommission of New York</i>		
	Legal Report - Opinion - <i>Metromedia Inc v City of San Diego</i>		
	Legal Report - Opinion - <i>Walker v Texas Div Sons of Confederate Veterans Inc</i>		
	Legal Report - Opinion - <i>Pleasant Grove City, Utah v. Summum</i>		
Harvard Law Review - <i>Reid v. Town of Gilbert</i> - 5.10.16			

	Mind-map related to the definition of "Premise"
	Scenic America website related to signs
	Scenic America - Free Speech Law for On Premise Signs - Daniel R. Mandelker (PDF)
	Overview of Design Review Board - Submitted by Ruth Beeker
	Research on sign area variances for nonresidential uses in residential districts
	Mind map of Sign Code Revision Process
	Submitted Images of Canopy and Wall Signs from Mike Addis

Meeting Agendas / LARs / Minutes

October 17, 2016 Agenda	October 17, 2016 Legal Action Report & Meeting Minutes
October 24, 2016 Agenda *Revised*	October 24, 2016 Legal Action Report & Meeting Minutes
October 24, 2016 Agenda	
November 7, 2016 Agenda	November 7, 2016 Legal Action Report & Meeting Minutes
	November 7, 2016 Legal Action Report & Meeting Minutes *Revised*
November 14, 2016 Agenda	November 14, 2016 Legal Action Report & Meeting Minutes
	November 14, 2016 Legal Action Report & Meeting Minutes *Revised*
November 21, 2016 Agenda	November 21, 2016 Legal Action Report & Meeting Minutes
December 5, 2016 Agenda	December 5, 2016 Legal Action Report & Meeting Minutes
December 12, 2016 Agenda	December 12, 2016 Legal Action Report & Meeting Minutes
December 19, 2016 Agenda	December 19, 2016 Legal Action Report & Meeting Minutes
	December 19, 2016 Legal Action Report & Meeting Minutes *Revised*
January 9, 2017 Agenda	January 9, 2017 Legal Action Report & Meeting Minutes
	January 9, 2017 Legal Action Report & Meeting Minutes *Revised*
January 23, 2017 Agenda	January 23, 2017 Legal Action Report & Meeting Minutes
February 6, 2017 Agenda	February 6, 2017 Legal Action Report & Meeting Minutes
February 13, 2017 Agenda	February 13, 2017 Legal Action Report & Meeting Minutes
February 27, 2017 Agenda	February 27, 2017 Legal Action Report & Meeting Minutes
March 6, 2017 Agenda	March 6, 2017 Legal Action Report & Meeting Minutes

Commission Materials

All Planning Commission materials related to the Sign Code Revision project are located here: <https://www.tucsonaz.gov/pdsd/planning-commission>

All Citizen Sign Code Committee materials related to the Sign Code Revision project are located here: <https://www.tucsonaz.gov/clerks/boards?board=21>

Additional Meeting Information

Both Planning Commission and the Citizen Sign Code Committee have appointed members to be on a joint subcommittee to review and comment on the draft Sign Code Revisions. The following is a tentative schedule for the meetings:

[Meeting 1 – Monday, October 17, 2016 \(3pm-5pm\)](#)

[Meeting 2 – Monday, October 24, 2016 \(3pm-5pm\)](#)

[Meeting 3 – Monday, November 7, 2016 \(3pm-5pm\)](#)

[Meeting 4 – Monday, November 14, 2016 \(3pm-5pm\)](#)

[Meeting 5 – Monday, November 21, 2016 \(3pm-5pm\)](#)

[Meeting 6 – Monday, December 5, 2016 \(3pm-5pm\)](#)

[Meeting 7 – Monday, December 12, 2016 \(2pm-5pm\)](#)

[Meeting 8 – Monday, December 19, 2016 \(2pm-5pm\)](#)

[Meeting 9 - Monday, January 9, 2017 \(2pm-5pm\)](#)

[Meeting 10 - Monday, January 23, 2017 \(2pm-5pm\)](#)

[Meeting 11 - Monday, February 6, 2017 \(2pm-5pm\)](#)

[Meeting 12 - Monday, February 13, 2017 \(2pm-5pm\)](#)

[Meeting 13 - Monday, February 27, 2017 \(2pm-5pm\)](#)

[Meeting 14 - Monday, March 6, 2017 \(2pm-5pm\)](#)

These meetings will be held at the Planning and Development Services Department office, on the third floor of the Pima County Public Works Building (201 North Stone Avenue) unless otherwise noted on agenda.

If you have any questions or would like to provide feedback, please email SignCodeRevisionProject@tucsonaz.gov.

Groups audience:

[PDS](#)

[2034 reads](#)

Contact Information

Public Works Building - 201 North Stone Avenue
Monday - Friday, 8:00 a.m. - 4:00 p.m.
Contact Us & Hours of Service
PDSDInquiries@tucsonaz.gov

Related Links

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Draft Sign Standards Issues

Citizen Sign Code Committee (CSCC) Meeting

April 19, 2017

Below is a list of issues reviewed and voted on by both the Joint Subcommittee of the Planning Commission and Citizens Sign Code Committee and by the Citizens Sign Code Committee separately. Note 'the draft' noted below refers to the 3-30-17 draft.

Section 7A.6 Measurement, Locations, and General Requirements

Five-Minute Rate of Change for Digital Signs (Sec. 7A.6.4 - Page 9 in draft)

Citizen Sign Code Committee – Voted to recommend a five-minute change rate (5-3 approval – three votes for one minute).

Joint Subcommittee (JSC) – Voted to recommend a five-minute change rate (4-1 approval – one vote for one minute).

Background – There is general consensus to reduce the change rate from the current Sign Code's one hour. The members supporting the five-minute rate offered greater flexibility than the one-hour rate. Further, a five-minute change rate digital sign would not be viewed as a distraction to drivers. Members supporting one-minute felt that, because of the *Reed* decision, time and temperature signs will not be allowed. The one-minute change rate, they contend, would not be a distraction to drivers in that time and temperature signs are not considered a distraction.

An approved change rate of digital signs will apply to permanent non-governmental signs. Further, digital signs are typically a component of freestanding and wall signs. A clarification can be made that the digital sign copy shall not have any transitions or animations.

Premise Definition (Sec. 7A.6.11 - Page 12 and 65 in draft)

Citizen Sign Code Committee – Voted unanimously to recommend keeping current definition as is.

Joint Subcommittee – Voted unanimously to recommend keeping current definition as is.

Background- Premise refers to the unified site upon which signs are permitted. For clarification, the definition of *Premise* was referenced in the definitions section of the updated draft.

Previously, an MPA/Chamber/SABHA letter recommended allowing multiple development plans with separate access within a unified site to have their own freestanding sign.

Both of the above committees recommended not to change the draft sign standard for *Premise*. The current draft which is similar to the current Sign Code relies on a spacing requirement applied to street frontages to control the number of freestanding signs along a street frontage.

This issue can be monitored after the initial action by Mayor and Council in the next few months. There will be in the current draft a recommended 18 –month period to monitor and consider the revised standards. During or at the end of that period, the Mayor and Council can decide to sunset, re-adopt, or amend the Sign Standards.

Section 7A.7 Sign Design Option

Design Option - Not Allowing Prohibited Signs (Sec. 7A.7.1.B - Page 13 in draft)

Citizens Sign Code Committee – Voted to recommend not including mentioning prohibited signs as part of a master sign program (7-1 approval).

Joint Subcommittee – Voted to recommend to not allow Prohibited Signs as part of a Master Sign Program but exempted commercial flags. (4-1 approval).

Background – The original vote of the JSC focused on master portable sign programs being allowed to use commercial flags as part of their design. They felt other prohibited signs should not be allowed.

In the CSCC discussion, it was mentioned that a historical building with a historic roof sign would be prohibited to replace it for a new business to keep the historic designation and historical credibility in its setting. The CSCC decided that there may be other situations where a prohibited signs may be acceptable in that situation and that the Sign Design Review Committee (SDRC) considering its composition of design professionals as well as neighborhood and business stakeholders would be able to discern where a prohibited sign has a case to be considered appropriate and where a proposal is not appropriate.

Ultimately, the Planning and Development Services Department (PDSD) Director will decide and can also consult with the City’s Design Professional on any SDRC recommendation.

Design Option - Dark Skies Illumination Interim Design Guideline (Sec. 7A.7.1.E.1 - Page 13 in draft)

Citizens Sign Code Committee – Voted unanimously to recommend creating an interim design guideline for sign illumination.

Joint Subcommittee – Voted unanimously to recommend creating an interim design guideline for sign illumination.

Background - Due to the complex nature of regulating illumination of individual signs, it has been suggested that members of the astronomy community work with PSDS to develop a set of interim design guidelines for applicants using the Sign Design Option. PSDS intends to work with astronomy and Outdoor Lighting Code stakeholders to develop an interim guideline. The guideline would be available to design option

applicants on the PDS website. Through practical use the guideline can evolve into an eventual standard that most appropriately would be placed in the City's Outdoor Lighting Code.

Design Option - Uniform Background Color for Listed Tenants (Sec. 7A.7.1.E.2 - Page 14 in draft)

Citizens Sign Code Committee – Voted to recommend keeping the current draft standard as is (6-2 approval).

Joint Subcommittee - Voted to recommend keeping the draft standard as is (4-1 approval).

Background - The requirement for a uniform background color when developing under the Sign Design Options is intended to achieve the purpose of the Signs Standards by improving aesthetics and overall legibility of signs. This requirement does not limit a logo's colors or logo lettering of a business. The general standards of the current Sign Code and the draft still allow a sign to have tenants listed with multi-colored background panels. The Design Option encourages best practices of design, having uniform background colors on the list of sign panels reflects a best practice of sign design.

Design Option – Use More Prescriptive Standards (dimensional caps) on Sign Dimensions (Sec. 7A.7.1.E.2.c – Page 15)

Citizens Sign Code Committee – Voted to recommend no caps be applied in reviewing design option applications (6-2 approval).

Joint Subcommittee - Voted to recommend the draft standard that required freestanding signs to have caps of 20 feet sign structure height and 100 square feet sign area (3-2 approval).

Background – Staff stated to the CSCC that in reviewing this issue it became clearer that, if there are caps, someone who cannot meet the caps for various reasons is forced to go to the Board of Adjustment to

resolve the matter with a variance.

The proposed design review process is modeled after existing successful design review committees of the Infill Incentive District and the Main Gate Urban Overlay District.

The SDRC, staff stated, is the most appropriate group to review sign design issues and not the Board of Adjustment. A given situation may require a larger sign that fits within its context and setting and is apparent to a design reviewer looking at the facts of the application. To send such an applicant to the Board of Adjustment causes the applicant and staff to switch review criteria from design considerations to the standards of a variance where having a unique hardship becomes the key standard. During the 18-month period prior to the ordinance sunseting or being readopted, the caps issue can be monitored.

As noted above with the composition of the SDRC, the ability of the PDSD Director to consult with the City's Design Professional, having a set of design standards connected to the Purpose Statement, and having an appeal to the Board of Adjustment and Mayor and Council, it becomes difficult for a sign representing an intrusive or inappropriate design to be approved.

Some JSC members voting in the minority favored a more cap-oriented process with some type of incentives. Those preferring caps pointed to Flagstaff and Phoenix's use of caps in their review processes. In the case of Flagstaff, greater areas could be obtained for greater amounts of compliance with specific incentivized design criteria.

Design Option – Public Notice of Application for Design Review (Sec. 7A.7.4 - Page 19 in draft)

Citizens Sign Code Committee – Voted to recommend the current draft standard using the PDSD Notice Policy (6 approval - 2 abstentions).

Joint Subcommittee - Voted to recommend the draft standard using PDSD notice policy focusing on email to neighborhood associations and a

PDSO email lists (3 -2 approval). The minority preferred the sending of first class mail to property owners within either 50 or 300 feet of the subject property depending on the size of the project.

Background – The current draft language follows a policy already in place for other similar City design review committees. It attempts to balance the need to be open and transparent while avoiding special time constraints that may be interpreted as an undue burden on the timing of the review of an application and inhibiting the applicant from exercising his/her First Amendment rights (the legal term is *prior restraint*). In addition, the SDRC will have a local neighborhood representative who can act as a liaison with the applicant and the neighborhood if there is an issue. There is also an at-large neighborhood representative involved in the application review.

The Tucson Residents for Responsible Government (TRRG) has recommended that the Sign Design Option include notification similar to rezonings and special exceptions (notification to property owners within 300' for Master Sign Program or to property owners within 50' for Singular Sign Program).

Section 7A.8 Exempt and Prohibited Signs

Roof Signs Remain Prohibited (Sec. 7A.8.2.F – Page 20)

Citizens Sign Code Committee – Voted unanimously to recommend keeping roof signs as prohibited.

Joint Subcommittee – Voted unanimously to recommend keeping roof signs as prohibited.

Background –In an earlier draft to address certain types of extended parapets, roof signs were moved to the Permitted Sign section of the draft standards. This issue is resolved as noted below with changes to the definitions of roof and wall signs. The edits to the definitions allow architectural features of buildings to have signs placed on them.

Prohibiting or Allowing Feather Banners (Sec. 7A.8 Prohibited Signs Sec.7A.10.3.C.2 - Page 19 or 37 in draft)

Citizens Sign Code Committee – Had a tie vote on whether to recommend allowing four feather banners (two color limit) and one portable sign in a residential/commercial area in lieu of the limit of four signs and sign area allotment for portable signs (4-4 no recommendation).

Joint Subcommittee - Voted to recommend prohibiting feather banners (3-2 approval).

Background – During the review by the JSC and CSCC, there was discussion to consider allowing four feather banners (limited to two colors) and a portable sign as a substitute for the standards on a sign area allotment plus a number limit of four portable signs. The other consideration was to place feather banners in the Sec.7A.8 - Prohibited Sign Section.

The supporters of prohibiting them said that they can be unsightly and are a common feature of sign clutter along City streets. The supporters for allowing feather banners said they are likely to occur whether they are allowed or prohibited and having a standard would help to control their display.

Staff said that non-commercial flags like national flags are exempt in the current Sign Code and the draft. There are national flags, however, that are composed of two simple bands of color that someone could use for commercial wayfinding reasons and be in compliance (e.g. Poland's flag has one red and one white stripe). It is worth considering having a regulation that focuses sign users on a controlled amount of display. On the point of someone using a non-commercial flag in a commercial setting, it is likely to be unpopular having a regulation that limits the display of a non-commercial flag like the American flag.

It was mentioned that apartment complexes are common users of these banners and that they are similar to commercial flags that are already

prohibited by the current Sign Code. There have been staff interpretations stating feather banners are commercial flags thus prohibited and, on the other hand, that the current Sign Code inadvertently allows them through the wording of the definition for banner.

The outcome of the Sign Code Project is to clarify the status of feather banners to be either regulated with standards or prohibit them and control them through enforcement.

Section 7A.9 Non-Conforming Signs and Change of Use

Alteration Of Electronic Components On Non-Conforming Signs (Sec. 7A.9.1.C - Page 21 in draft)

Citizens Sign Code Committee – Voted unanimously to recommend keeping the standard as is.

Joint Subcommittee - Voted unanimously to recommend keeping the standard as is.

Background – The issue involved a recent interpretation regarding whether the upgrading of electrical components of a nonconforming sign was a reasonable repair. The standard states you can update the electronic components of the non-conforming sign as long as the alteration does not make a static sign into a digital sign.

Section 7A.10 Permitted Signs

Interior Signs - Menu Board Setbacks (Sec. 7A.10.1.C - Page 21 in draft)

Citizens Sign Code Committee – Voted unanimously to recommend allowing menu boards with a voice-activated feature to be set back either 30 feet from residential property or have a sound mitigation wall in place.

Joint Subcommittee - Voted unanimously to recommend the same as noted above.

Background – A menu board is a type of interior sign located at a drive through restaurant. The two committees considered a setback distance and mitigation options for two-way communication devices on menu boards. Both agreed to send it forward with the 30- foot setback or the use of an option for a sound mitigation wall.

Window Sign Standards (Sec. 7A.10.1.F - Page 23 and 69 in draft)

Citizens Sign Code Committee – Voted to recommend keeping the current draft standard (7-1 approval).

Joint Subcommittee - Voted to recommend keeping the draft standard (3-2 approval).

Background – The current draft’s window standards state that 30% of a window surface may be covered by interior and exterior attached signs. The current Sign Code would allow 100% coverage. Most jurisdictions have a coverage limit. There appears to be consensus on a coverage limit. No permit is required because the temporary nature of the signs is too difficult to cover through on-going records. However, the total coverage may be enforced if reported to the City.

The new standard is also, coordinated with the Tucson Code’s provision for police views through late night businesses’ windows. The minority vote recommended that besides attached signs the window coverage percentage should include hung signs within three feet of the interior window surface. The members not in favor of the hung signs agreed that the difficulty of enforcement is a reason not to include hung signs in the coverage limit.

Increase Maximum Sign Area in Residential Zones for Non-residential Uses on Arterials and Collectors (Sec. 7A. 10.2.B -Table 2 - Page 25 in draft)

Citizens Sign Code Committee – Voted unanimously to recommend keeping the draft standard.

Joint Subcommittee - Voted unanimously to recommend keeping the draft standard.

Background – It is very common for churches to require variances to the maximum sign area because they are located in residential zones but are also on arterial and collector streets.

Residential zones have a very restrictive maximum sign area allotment of 20 square feet that causes frequent sign problems for institutional uses like churches. The draft standard allows 100 square feet of area and represents a more balanced amount of sign area for such land uses while still maintaining a controlled amount of signage as intended for a residential zone.

The maximum sign area for non-residential uses along local streets remains at 20 square feet which is the same as the current Sign Code.

Canopy Sign Standards (Sec. 7A.10.2.C.1 - Page 28 in draft)

Citizens Sign Code Committee – Voted unanimously to recommend keeping the draft language that simplifies the current Sign Code provision.

Joint Subcommittee – Did not make a specific recommendation. They suggested the issue continue to be reviewed.

Background –The CSCC voted to simplify the canopy sign standards to prohibit the sign type to be above a roof line. Additionally, it is to be part of the sign area allotment for wall signs.

The current standard is very complicated for both staff and applicants to use and has often created the need for variances and interpretations. Earlier discussion considered size limits on the sign copy lettering and whether the letters could exceed the sides of the background panel or the beam upon which it was attached. The CSCC recommendation does not address the attachment issues but rather looks at the sign as a subtype of a wall sign.

Increase / Decrease All Portable Sign Area Allotment (SAA) And Number Of Signs (Sec. 7A.10.3.A - Page 33 in draft)

Citizens Sign Code Committee – Voted to recommend keeping the current draft standards related to the number and sign area allotment (6-1 approval with one abstention).

Joint Subcommittee - Voted to recommend keeping the current draft standards (3-2 approval with one vote to increase and one to decrease the SAA).

Background – The draft portable sign standards attempt to address First Amendment and sign clutter management issues together.

The SAA and the number of signs are based on sign case law (*Arlington County Republican Committee v. Arlington County VA*), Arizona Revised Statutes (ARS) political sign provisions, the allowance under *Reed* to classify signs by their construction materials, and the basic spacing requirement for freestanding signs in the current Sign Code.

By addressing these issues, it becomes much more difficult to challenge the standards as being arbitrary and capricious. The CSCC decided that the current standards represent an acceptable legal strategy. Further, special sign needs, for example, used by the real estate industry can be addressed as part of the master portable sign program in the Design Option.

Roof Sign, Wall Sign and the Extended Parapet Option (Sec. 7A.8.2.F - Pages 20, Sec. 11.4.24 – Page 70, Sec. 7A.10.2.C.3 – Page 33 in draft)

Citizens Sign Code Committee – Voted unanimously to recommend revising the definitions of roof sign and wall sign so that architectural features of the building would not be interpreted to be roof signs.

Joint Subcommittee - Voted 4-1 approval on two extended parapet options dealing with the size of the sign and parapet. The *JSC* ultimately asked Commissioner Cook to recommend an alternative.

Background – There was consensus among the CSCC members on Commissioner Cook’s recommendation.

Over the years, there have been several staff interpretations on what is a roof or wall sign. The extended parapet option was the first attempt to resolve the interpretation issue in the draft.

The *JSC* asked Commissioner Jude Cook to recommend an alternative so that signs on the actual building features that represent the architecture of the building would not be considered roof signs. A roof sign has to be a separate structure from the building and is attached to the building in a way to be above the roof line. A wall sign is a sign placed against a wall or various incorporated integrated feature of the building’s architecture. The sign must be in the same plane as the wall or building feature.

See the recommended definitions below:

Roof Sign: A sign that is 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 or a historic landmark sign (HLS). Signs placed upon the face of a parapet or architectural feature are considered a wall sign.

Wall Sign (7A): A sign that is placed upon a building, its structure, parapet, or architectural feature, with the exposed face of the sign in a plane parallel to the plane of the affected wall, parapet, or architectural feature.

Section 7A.11 Special Districts

Scenic Route Signs Spacing (Sec. 7A.11.3 - Page 48 - 49 in draft)

Citizens Sign Code Committee – Voted unanimously to recommend keeping the standards as is.

Joint Subcommittee - Voted unanimously to recommend keeping the standards as is.

Background – There was a recommendation in an MPA/Chamber of Commerce/SAHBA letter to consider reducing the sign spacing requirements for Scenic Route Corridors. Both committees decided that this issue is beyond the scope of Mayor and Council direction and should be monitored as something to consider after the 18-month review period prior to a vote by Mayor and Council on whether to sunset, re-adopt or amend the Sign Standards.

Section 2.2.12 Sign Design Review Committee

Composition of Sign Design Review Subcommittee (Sec. 2.2.12.C - Page 53 in draft)

Citizens Sign Code Committee – Voted unanimously to recommend keeping the current composition in the draft.

Joint Subcommittee - Voted unanimously to recommend keeping the current composition in the draft.

Background – This issue was mostly a consensus item. There may be future discussion on making the commercial real estate representative a real estate representative for commercial or residential property.

The SDRC is composed of nine members. They are an architect, an Outdoor Lighting Committee member, a sign industry representative, a local business representative, a planner, who could be one of the following, (architect, land use planner or landscape architect), a real estate representative, who could have a commercial or residential

background, one at-large appointment by the City Manager, a general neighborhood association representative, and an ad hoc neighborhood representative from a neighborhood association within 300 feet of the application property.

Mayor and Council or City Manager Appointment of SDRC (Sec. 2.2.12.D - Page 53 in draft)

Citizens Sign Code Committee – Voted unanimously to recommend the City Manager appoints the Sign Design Review Committee.

Joint Subcommittee - Voted to recommend the City Manager appoints the Sign Design Review Committee (4-1 approval).

Background – It was discussed that the City Manager version creates two four-year terms and then requires a year hiatus before a person can be reappointed. The members ultimately advise the PDS Director. It also allows members to have more open discussion with the applicant on design issues. There appears to be consensus on this issue.

Sign Design Review Committee Quorum (Sec. 2.2.12.H - Page 53 in draft)

Citizens Sign Code Committee – Voted unanimously to recommend having the quorum at five members.

Joint Subcommittee - Voted unanimously to recommend having the quorum at five members.

Background – This issue is a consensus item. Considering the size of the SDRC the five-member quorum seems appropriate. Staff noted that an effort would be made to have alternates for all the members.

Citizen Sign Code Committee voted unanimously to recommend forwarding the recommendations above to the joint meeting with the Planning Commission.



PLANNING COMMISSION

Planning & Development Services Department • 201 N. Stone Ave. • Tucson, AZ 85701

DATE: March 1, 2017

TO: Planning Commission

FROM: Manjeet Ranu, AICP
Executive Secretary, Planning and Development Services

SUBJECT: Sign Code Revision Project

Issue: This is a study session to provide the Planning Commission an update on the Joint Subcommittee to review the Sign Code Revision Project as directed by Mayor and Council (see Background below for details). On August 9, 2016, the Mayor and Council initiated a Sign Code revision process and gave direction to do the following:

Comply with the 2015 U.S. Supreme Court decision on *Reed v. Town of Gilbert*; Simplify the Sign Code by integrating it into the Unified Development Code, and Make practical changes that modernize the Code, improve the quality of design and flexibility of the overall code, and ground it in technical standards; Have the Citizens Sign Code Committee and the Planning Commission hold joint study sessions and public hearings on the proposed changes to the Sign Code; Have staff return to the Mayor and Council with a recommendation no later than January 2017.

Note several councilmembers stated that Mayor and Council may consider a longer period of time at a study session if needed.

Recommendation: Receive the staff report and provide direction.

Background: The June 2015 U.S. Supreme Court decision in the case *Reed vs. The Town of Gilbert* has required all jurisdictions in the country to review and amend their sign codes to be content-neutral. This case resulted in the City of Tucson needing to bring its Sign Code into conformance with the *Reed* decision. Additional background information about the *Reed* case is available in Attachment E.

About the time that *Reed* was announced, members of the business community raised concerns that the City's Sign Code is out of date, overly restrictive, and difficult to use in comparison to other regional and Arizona jurisdictions. After the Mayor and Council's August Study Session, several stakeholders not related to the business community have raised concerns that this revision project may cause the current Sign Code to be weakened.

Citizen Sign Code Committee – Planning Commission Joint Subcommittee Update -
 Since October 2016, a joint subcommittee to review the Sign Code revisions has met thirteen times. The Subcommittee’s key remaining issue areas include:

- Rate of change on digital signs
- Public notice of design options
- Design option criteria
- Alterations to nonconforming signs
- Sign type standards
- Menu board sound mitigation
- Sign Design Review Committee appointment and quorum numbers.

Overall, the subcommittee members have met for a combined for a total of 155 hours of meetings and reviewed 49 committee suggested edits (Attachment D) at least two times each. During the process, staff has sent out more than fifty emails to the subcommittee and notification group. 120 stakeholders have attended these meetings representing 29 different organizations (not including individuals representing themselves). There have also been 76 speakers at the call to the audience and 32 comments submitted on the Sign Code Revision website. Links to the website and public/stakeholder comments received to date are included in Attachment F.

Planning Considerations

Reed and Sign Code Problems – One of the lessons of *Reed* is not to name signs by the message they convey. Instead, it is preferable to be content-neutral by naming the sign by time, place or manner. Here are several examples:

<i>Content Problem</i>	<i>Content Neutral Option</i>
Real Estate Sign	Temporary Sign - time
Directional Sign	Access Point Sign - place
Freestanding Identification Sign	Freestanding Sign - manner

Exempt Signs –National legal analysts recommend closely reviewing the Sign Code’s Exempt Section as a potential problem area where the code often gives more flexibility to some signs that are message-oriented. The current Sign Code has only six exempt signs and only one appears to be a problem that a minor renaming will resolve.

Message-oriented Signs - The other problem area is message-oriented sign categories. In reviewing the Sign Code, the following signs are problems: real estate, directional, political, time and temperature, home occupation, grand opening, building memorial marker. At the same time, these Sign Code signs are probably acceptable: A-frame, awning, banner, canopy, freestanding, freeway, wall, portable, projecting, and window.

One idea that may be appropriate in Tucson is using an overall sign area allotment per property for a newly defined sign type called a portable sign. It is basically a long-term

temporary sign made of light materials like wood, plastic, light metal, and various thick paper products that may practically be erected for several months or several years. A total sign area allotment along with dimensions such as total number, height, setback and maximum sign area per sign allow for a content-neutral strategy to control typical clutter typically related to temporary signs.

Simplification Problems - In 2012, the Mayor and Council adopted the Unified Development Code (UDC) that helped to simplify the City's zoning standards. Placing the Sign Code into the UDC could further simplify zoning standards. By placing the Sign Code in the UDC, it removes redundant terms, processes, and appeals, allows for a more efficient use of staff resources, and creates clearer rules for the public to use. It further allows for adjustments to measurement standards, reviewing provisions where interpretations have been needed, introducing a more comprehensive design review process, updating of all the graphics and maps.

Business Community Concerns – Sign Code section staff reviewed the Sign Code for what they found to be particularly problematic in reviewing sign permit applications. Staff met with the business community representatives to discuss their comments and concerns. The business community mentioned the ongoing need to debate with staff the meaning of unclear provisions when interpreting the existing Sign Code and not being allowed to use design techniques that are common in other jurisdictions. Below are examples of some issues that have been raised:

Alteration of non-conforming signs - In addressing alteration of non-conforming signs, staff has interpreted a reasonable alteration to include replacing out of date electronic components with newer components. This type of alteration should be clarified in any sign code update.

Roof/Wall Sign using tall parapets - There has been a longstanding allowance to use a tall parapet (up to ten feet higher than the adjoining parapet) on a building as a grand entrance to the building. There have been some inconsistent interpretations as to whether the taller parapet is a prohibited roof sign or a wall sign. Staff has interpreted that a parapet that is up to ten feet may have a sign as a type of wall sign. This point should be clarified in a sign code revision as either a conditional roof sign or a wall sign allowance.

Premise definition - The term, premise has been problematic for applicants. It is interpreted to include single-owned property. This interpretation is a problem for a unified development complex using common parking, landscaping and other standards. Only signs standards are treated by separate parcel when the signage should be reviewed and permitted as another development component of the entire unified development center.

Grade definition – Concerns have been raised over the strictness of the grade calculation when the existing or finished grade of the sign structure is higher than the adjoining street's elevation. For such signs, the sign height which is normally

ten feet, is reduced by the amount that the existing grade is higher than the street grade. For example, if the sign structure's existing grade is three feet above the road, the sign structure cannot exceed seven feet in height, if four feet above the road then six feet in height and so on.

The Planned Area Development zone (PAD) - PAD is often used in the rezoning of large developments like shopping malls, power centers, and other types of business and retail complexes. The applicants often request the use of a master sign program that creates a unified design of signs for wayfinding and identification. The current Sign Code does not allow this option. Such an option could allow for more flexibility with standards in exchange for greater attention to integrated identification and wayfinding, architectural design, legibility, and vehicle reaction time.

Portable Signs –There are businesses in Tucson that have traditionally used portable signs as part of their advertising, wayfinding and identification programs. A master sign program could be considered for this type of use also where clutter management, legibility, and unified design could be considered for a greater signage allowance.

Religious Institutions in Residential Zones – It is common for religious institutions to have sign problems. They often must request sign variances for sign area. The current residential zone maximum sign area permitted for non-residential uses is 20 square feet for all signs on the property. There is also in the same section of the code a provision that appears to give some flexibility but staff has not used it because at the same time there is another provision that states 20 square feet is the maximum area. This duplication is confusing and a single clear standard is needed.

Integrated Architecture Option - The current Sign Code has an integrated architecture option. This provision is a step in the right direction except it lacks clear standards and findings to do a more thorough review prior to allowing an application to use the option. An individual sign design option with greater design review criteria would be an improvement that most Sign Code users would welcome. It could include the use of best design practices that consider vehicle reaction time, integrated architectural design, legibility, and clutter management as part of the review.

Approaches to Consider for Reed and Process Improvement - In creating a Sign Code revision strategy to revise the current Sign Code, the following points would improve the City's defense against any *Reed* challenges, be a step forward in process improvement, and encourage the use of best design practices:

Technical Studies - Include in the adopting ordinance for a sign code revision references to the technical studies that were reviewed in the preparation of the standards. Besides Street Graphics and the Law several technical studies have

been consulted. While these studies can become very complex, they are useful tools in combining technical viewpoint with the City's own position on creating a pleasing visual environment.

Purpose Statement - Have a Purpose Statement that with a clear connection to traffic safety and the visual environment. The Purpose Statement can also make it clear the prominence of being in compliance with First Amendment rights as well as using technical standards in the development of the sign standards.

Substitution and Severability Clause - Have a substitution clause that states all commercial sign permitted are also available to non-commercial signs and a severability clause that basically states if a portion of the Sign Code is found unconstitutional that the remaining ordinance is still constitutional. The current Sign Code has both of these provisions

Sign Type Changes - Amend or delete all message-oriented sign types currently in the Sign Code. This strategy will also require an approach to temporary signs that are re-named portable signs where clutter management becomes a more prominent issue for government to address and sign messages become the concern of the property owner and not the government.

Design Options - Introduce a more robust sign design process tied to technical and visual environment standards that protect views, and improve signs so as not to be disorienting and distracting. Good design should consider vehicle reaction time, legibility, architectural integration, and clutter management.

Simplification - Simplify the terms, processes and appeals as well as using staffing resources more efficiently by placing the Sign Code in the UDC.

Future General Plan Update - Consider in a future update to the General Plan to include a sign policy that addresses the key provisions stated in the Purpose Statement. This type of policy is very useful in showing a community-wide endorsement of a more comprehensive sign policy in the case that the Sign Code is legally challenged.

The current *Plan Tucson* mainly addresses the treatment and removal of non-conforming signs. The current proposed revision project is not in conflict with these non-conforming sign policies.

Policy on non-conforming signs should be refined at some point in that many non-conforming signs may qualify to be future historic landmark signs for which Tucson has a positive national reputation. The *Plan Tucson* policy HP4 refers to identifying and preserving significant character defining features along streetscapes which could include historic landmark signs.

Further, this proposed Sign Code revision project has as one of its focal points to improve design in the public realm and is consistent with *Plan Tucson* policy LT4 that encourages design which is sensitive to the surrounding scale and intensity of existing development.

Next Steps:

Once the Joint Subcommittee of the Planning Commission (PC) and Citizen Sign Code Committee (CSCC) are completed with their review of the Sign Code Revisions, they will each hold their own study session and then both groups will hold a joint study session and make independent recommendations to the M&C. Staff anticipates the draft going to Mayor and Council in early summer. It will include a sunset provision to look at it again in 18 months to determine if additional revisions are needed.

NEG/jm

Planning and Development Services Department

Attachments:

A - Preliminary Sign Standards Sections

B - Preliminary Sign Standards Draft

C - Sign Table of Changes

D - Updated Matrix of Suggested Edits

E – Background on *Reed* and the Subcommittee Process

F – Links to website and public - stakeholder comments received to date

7.A. ~~XX~~ SIGN DESIGN OPTION

A. Purpose Statement

1. The Sign Design Option is intended to provide sign design flexibility and alternatives to the regulations noted elsewhere in this Code. It provides an Applicant the opportunity to design a unique, comprehensive Plan for all exterior permanent signs located on one premise, or a single sign that is part of an integrated architectural feature, or a single sign that is new, being replaced, or is non-conforming and will be brought into closer conformance to these Sign standards.
2. This Option is intended to provide a procedure to allow signage which is not in strict compliance with the provisions of the regulations of the underlying sign zone, but which are found, through the review process, to be appropriate to the character of the development, provides adequate identification and information, provides a good visual environment, promotes traffic safety, and is regulated to the extent necessary to be consistent with the purpose and intent of these Sign Standards.
3. It is further an opportunity to maximize the sign message to facilitate driver and pedestrian comprehension, while minimizing sign clutter and distraction.

B. Comprehensive Plan:

1. An Applicant can earn modifications in specific sign parameters such as height, area, and setback by adhering to design feature criteria noted in this Section. The Applicant may submit a Comprehensive Plan for all signs contained on one premise, or a single sign design option for a new or existing sign. The applicant must demonstrate that utilization of the Sign Design Option will make a positive contribution toward meeting the City of Tucson's Sign Standards Purpose Statement noted in Section 7A.1.1, and the design criteria "Findings" as itemized in this section.
2. The Premise Plan will include all signs that are intended to be seen from a public right of way or private street, including ground mounted, wall, and portable signs.
3. Sign Standards that cannot be revised using the Sign Design Option include:
 - a. The Outdoor Lighting Code
 - b. Electronic Sign message change rate or permitted zones.
 - c. Prohibited Signs, Section 7A.8.2
 - d. Permanent Signs Zone Category Standards 7A.10.2.A, Table 1 - Zones, Categories, and Permanent Sign Types

C. Process:

1. The Application may be submitted before, after, or concurrently with a Rezoning, Special Exception, or Development Plan. Signs that are part of the Sign Design Option will require individual permits prior to construction.
2. Decision: The Sign Design Review Committee will review the Application and make a recommendation to the Planning Commission, which will make a final recommendation to the PDSO Director. The Director's decision may be to approve, approve with conditions, or deny the application. The Director will base the decision on compliance with the Sign Standards Purpose Statement, Findings, and other applicable design standards identified through the review process.
3. Appeal: An Applicant may appeal the Director's decision to the Board of Adjustment in accordance with Section 3.10.2 and further to the Mayor and Council in accordance with Section 3.9.2 (Mayor and Council Appeal Procedure).

D. Suggested Resources to assist in determining the Applicant's Sign Design Option include but are not limited to those noted in **A.7.1.E.2.c** "Sign Design Elements."

E. Design Standards

1. Location: All signs will be placed where they are sufficiently visible and readable for their function. Factors to be considered shall include the purpose of the sign, its location relative to traffic movement, arterial or collector street designation, site features and topography, existing and proposed structures, and sign orientation relative to viewing distances and angles.
2. Quantity: The number of signs that may be approved within any development shall be no greater than that required to provide project identification, entry signs, and business identification. Factors to be considered shall include the size of the development, the number of development sub-areas, and the division or integration of sign functions.
3. Height, Area, Setbacks: All signs shall be no larger than necessary for visibility and readability. Factors to be considered in determining appropriate size shall include topography, volume of traffic, speed of traffic, visibility range, proximity to adjacent uses, amount of sign copy, placement of the sign, lettering style, and the presence of potential distractions. **In no event shall the Plan contain a ground or wall sign which exceeds by more than fifty percent (50%) any maximum height standard, or by twenty-five percent (25%) any maximum area standard, or by twenty-five percent (25%) the setback requirements pertaining to the particular sign zone where the development is located.**
4. Materials: Sign structure materials shall be compatible with the architectural materials being used for the development. In the case of a single sign, the materials will be compatible with those that already exist in the structure(s) for which the sign will be used. Colors of the sign materials, if the sign is internally or externally lit, will be those that have been identified by the astronomy industry as being minimally impacting on Dark Skies.
5. Illumination shall meet all requirements of the Outdoor Lighting Code. Internally lit signs will have a dark background color that does not allow light to be emitted when lit.
6. Color: Background color for freestanding signs will be uniform when backing elements of the sign identifying tenants or services.
- 7.

F. Findings

- The proposed sign(s)
1. Meets the Purpose Statement of these sign regulations in general, and the Purpose Statement noted in Section A of this Sign Design Option.
 2. Creates a clear connection with the forms, massing, textures, colors and materials used in the design of the buildings located on the premise.
 3. Is proportional to the scale of the building /complex which it identifies.
 4. Is integrated into the architectural design of the building near, or on which, it is placed.
 5. Improves the legibility of the sign, and the reaction time of the driver, with respect to the category of street on which the sign is located (arterial, collector, local).
 6. Comprehensively organizes the site signs to facilitate wayfinding and improve safety.
 7. Protects significant scenic views and other environmental assets.
 8. Reduces visual clutter along the street.
 9. Enhances the aesthetics of the street and the building /complex.
 10. Conforms with the Outdoor Lighting Code and the Best Practices Standards identified by the Dark Skies interests.



**Planning Commission
& Citizen Sign Code Committee
joint meeting
Wednesday, May 3, 2017
6:00 p.m.
City Hall
255 W. Alameda Street
1st Floor Conference Room
Tucson, AZ 85701**

LEGAL ACTION REPORT

Call to Order. Meeting was called to order at 6:03pm.

Approval of Minutes/Legal Action Report – April 12, 2017. Commissioner Bryson made a motion to approve the April meeting minutes, seconded by Commissioner Pafford. The motion passed with a 8-0 vote.

PDS Staff Announcements. Ms. Wells said the Historic Landmark Signs would be going to the Tucson Pima County Historical Plans Review Subcommittee to discuss changes to the Sign Code related to Historic Landmark Signs in the Historic Preservation Zone. Ms. Wells also let members know that Mayor and Council approved the Industrial Zone text amendment.

Call to the audience. Ms. Beeker spoke about section 7A.7 Sign Design Option, and section 2.2-12 Sign Design Review Committee. Ms. Beeker asked that 2.2.12 be given its own review. She said the new code needs to be clearly and concussively written. She said she has looked at many websites for flexible design and has found many, but none so flexible. If there are conditions beyond what is allowed the applicants should apply for a variance.

Study Session: Sign Code Revision Project. Ms. McLaughlin made a motion to suspend the Citizen Sign Code Committee's rules to allow the Planning Commission Chair to run this joint meeting. The motion was seconded by Mr. Cook. The motion passed with a 6-0 vote. Ms. McLaughlin made a motion to suspend the Citizen Sign Code Committee's rules and appoint Mr. Davis to be the adhoc chair for the May 17, 2017 meeting. The motion was seconded by Mr. Cook. The motion passed with a 6-0 vote. Elaine Becherer gave a presentation to the Committee regarding an update request to the Pedestrian District. Mr. Swaim spoke regarding Rio Nuevo Project/Catapillar development. The request is to take the Catapillar parcels out of the Pedestrian District. Mr. Mazzocco gave a presentation on the Draft Sign Standard Issues. The committee discussed the Draft Sign Standard Issues as they were presented by Mr. Mazzocco. Commissioner Reynolds made a motion to move forward to public hearing with no more study sessions. The motion was seconded by Commissioner Howell. The motion passed with a 6-1 vote. Ms. McLaughlin made a

motion to schedule the public hearing for June 21, 2017. The motion was seconded by Mr. Findysz. The motion passed with a 6-0 vote. Ms. McLaughlin made a motion to cancel the regularly scheduled May and June Citizen Sign Code Committee meetings. The motion was seconded by Mr. Findysz. The motion passed with a 6-0 vote.

Adjournment. Commissioner Bryson made a motion to adjourn at 9:02 pm. The motion was seconded by Commissioner Yee. The motion passed unanimously.

Background information on Sign Code Revision Project

Reed vs. Town of Gilbert – As noted in June 2015, **United States Supreme Court** made a ruling affecting a municipality’s sign code’s relationship to content-based restrictions. The case also stated the level of constitutional scrutiny that should be applied to content-based restrictions on speech. The case originated in 2005, regarding a sign ordinance in Gilbert, Arizona that regulated the manner in which signs could be displayed in public areas.

The Gilbert ordinance placed stricter limitations on directional signs advertising services than signs that displayed "political" or "ideological" messages. When the Town's code enforcement cited a local church for violating the ordinance, the church filed a lawsuit that contended the Town's sign regulations violated its **First Amendment** right to **freedom of speech**.

The Supreme Court voted 9-0 in favor of the plaintiff, Reed stating that Gilbert’s sign code violated the First Amendment. Further, the level of judicial review that a sign code is subject to under Reed is “strict scrutiny” judicial review (the highest and most demanding level of review) to any standards based on a sign’s content i.e., what is written or portrayed on the sign. In a strict scrutiny review the typical community character rationales of sign clutter management or traffic safety are not adequate. Instead strict scrutiny involves issues like advertising illegal activity, pornography, hate speech, or a similar First Amendment issue.

The outcome is that all jurisdictions in the country must review their codes for sign types and categories that are regulated by the content of the sign’s message and revise them to be regulated in a manner that is content-neutral.

Background on Subcommittee process – The subcommittee has met on Monday afternoons starting in October 2016. They began meeting from 3PM to 5PM, then expanded the meetings to meet from 2PM to 5PM at the beginning of December. The meetings were generally organized as follows:

- Call to Order / Roll Call
- Approval of Previous Meeting’s Minutes / Legal Action Reports
- 1st Call to the Audience
- Presentation of Supporting Information Regarding Process and Requested Clarifications
- Review of Previous Meeting Discussion and Suggested Modifications to Language
- Review and Discussion by Subcommittee of the Sections of Preliminary Sign Code Revisions
- 2nd Call to the Audience

Currently the subcommittee has reviewed all sections of the Revised Sign Code. These include the following:

- Section 7A.1 – Purpose and Applicability
- Section 7A.2 – Interpretation and Substitution Clause
- Section 7A.3 – Definitions
- Section 7A.4 – Permits, Inspections, Fees

- Section 7A.5 – Violations, Location, and General Requirements
- Section 7A.6 – Measurement, Location, and General Requirements
- Section 7A.7 – Sign Design Option (partial review completed)
- Section 7A.8 – Prohibited and Exempt Signs
- Section 7A.9 – Non-conforming Signs
- Section 7A.10 – Sign Types and General Standards
- Section 7A.11 – Special Districts
- Section 7A.12 – Appeals and Variances
- Section 7A.13 – Citizen Sign Code Committee

In addition, between each meeting, Staff has a number of tasks they conduct. On the Wednesday prior to the next scheduled subcommittee meeting, Staff will post the upcoming agenda and email it out to the subcommittee and a public group of interested individuals. On the Friday prior to the next scheduled subcommittee meeting, Staff will post on the website (<https://www.tucsonaz.gov/pdsd/projects/sign-code-revision-project>) and distribute a matrix of suggested edits based on comments by the subcommittee and the Meeting Minutes / Legal Action Report from the previous meeting.

CHUCK MARTIN
5/1/17

- P6 CONC. 3/30 DRAFT
- 1 7A.2.1 7A.2.4 - "THESE" VS "THE" IN ALL SECTIONS
 - 2 7A.2.2 REF. LOCATION OF MAPS 7.A.11
 - 4 7A.4.3 ADD TITLE "STANDARD PLANS" TO CLARIFY
 - 9 7A.6.2 MOVE PREMISE (7A.6.11) TO PROCEED OR FOLLOW THIS SEC
 - 11 7A.6.10 DOES THIS SEC. APPLY TO PERM. PROJECTING SIGNS
 - 15 7A.7.1.E.3 USE "WALL SIGN" FOR CONTINUITY
 - 21 7A.10.1 WHY "GENERALLY"?
 - 23 7A.10.2.A TABLE 1 - REF 7A.10.4, BILLBOARDS "P" FOR PERMITTED
WHY SHOW IF NOT ALLOWED IN CATEGORY?
 - 24/25 10.2.B "SEE BELOW" TEXT?
 - 28 10.2.C.1.a. ADD "SIGN" LATER UNIT ht
 - 29 10.2.C.2.a LOW PROFILE SETBACK? 16' USE DIM VIEW
 - 28 10.2.C.2.c. CHANGE TO PROHIBIT POLE SIGN
 - 30 10.2.C.2.c (5) "BUSINESS" IN INDUSTRIAL ZONE CAT
 - 31 10.2.C.3.b USE "PROJECTING" APVL PROCESS 7.6.10 ??
 - 35 6.1.N APVL PROCESS REF. 7A.6.10?
 - 43 11.1.E USE HEIGHT LIMIT NOT PROTRUSION
 - 41⁴⁶ 11.2.2.6.c⁴ REF. SIGN HEIGHT SECTION 7A.6.5? WALL/FACADE?
 - 59 11.4.2 ATTACHED CANOPY MATERIALS? VS AWNING
 - 61 11.4.5 DETACHED SIGN \approx FREESTANDING? 62 11.4.6
 - 62 11.4.6 FACADE/FACE/BUILDING WALL/PARAPET?
 - 62 11.4.6 DELETE SIDE OR ADD REAR OR ALL EXTERIOR WALLS
 - 65 11.4.16 OCCUPANCY VS USE 7.A.9.2 SAME AS UDC?
 - 65 11.4.17 PARAPET USED IN UDC TOO
 - 66 11.4.17 ADD WALL TO PROJECTING SIGN TABLE PG 24
 - 59 11.4.2 ATTACHED SIGN \approx WALL SIGN ONLY USED IN SOTB TEXT
 - 68 11.4.22/23 "UNOCCUPIED" VS "VACANT" ?

Commissioner Chuck Martin's List Submitted on May 2, 2017

Staff has reviewed Commissioner Martin's list and can recommended many of the suggestions for inclusion in the final draft. Most are not substantial changes but are intended to clarify something within a section or among several sections. Other items on the list were questions to staff, or were preferences in wording by the Commissioner. The list submitted is handwritten and in a note format. Below staff has tried to express the notes as questions to help understand the issue and comment.

The proposed *Article 7A Sign Standards* is referred to as 'the draft' or 'sign standards' and the current Sign Code is called '*the Chapter Three Sign Code*' in reference to it being a separate chapter of the City Code.

We have attempted to accommodate most of the changes into the final draft that goes to public hearing on June 21, 2017.

7A.2 Interpretation, Severability, and Non-Commercial Speech Substitution

2.1 "these" vs "the" 'sign standards' – Should all references throughout the Sign standards use the same word?

Comment – We don't believe there is any conflict using two words. We can change all reference by doing a document search to the phrase, "*the sign standards*"

2.2 Use an Article 7A reference in referring to sign standard maps.

Comment – We will add in 2.2 a reference to the maps from the subsequent Section 11 Special Districts.

7A.4 Permits, Inspections and Fees

4.3 Add the title "Standard Plans" to the section for clarification.

Comment - We believe the phrase in question currently reads "*A fabricator may submit plans for a sign to the zoning administrator for approval and file as a standard.*" We will add the word '*plan*' after '*standard*' to clarify what is being submitted.

7A.6 Measurement, Location, and General Requirements

6.2 Move the section on 'premise' to proceed or follow the first mention of the term in Section 6.

Comment – The term '*premise*' is in the current Chapter Three-Sign Code as part of the Measurement section. It actually is a definition. In earlier drafts staff continued to keep it in the Measurement section. Staff believes it is appropriate to locate the term in the *Unified Development Code's Article 11 Definitions*. The on-line version of the Unified Development Code (UDC) has hyperlinks and a color code for all definitions and by clicking on the word in any section, the word's definition appears in a box on the same page.

6.10 Does the section 'Signs in or over Public Right of Way' apply to permanent signs?

Comment – Section 7A.6.10 was intended to regulate temporary (now called portable) signs over the right of way. In reorganizing sections to respond to the *Reed* case, this section included signs in the right of way which are also portable.

In other sections of 7A, the temporary revocable easement (TRE) is required. These include A-frame signs that have their own time limits and permanent projecting signs that regularly receive TREs from the Department of Transportation. Section 7A.6.10 is limited to only the type of signs not regulated elsewhere in Article 7A.

Section 6.10.A states the City may allow for 60 days or allow a sign to be in the right of way for an alternative time frame. This provision may take care of A-frames and Permanent Signs when using a TRE. The alternative time frame can be stated in the TRE document. Another option is to add a section stating in an additional Section I (i.e., 7A.6.10.I) stating, "the time frame for a permanent sign and an A-frame sign are regulated separately as part of the temporary revocable easement process."

7A.7 Sign Design Options

7.1.E.3 - Should 'wall sign' be used instead of the word 'wall-mounted sign'?

Comment Wall-mounted is preferred because there are several signs that are on walls but are not defined as wall sign. Examples are awning, projecting, and canopy signs.

7A.10 Sign Types and General Standards

10.1 Why is the term 'Generally' used in the title, *Generally Permitted Signs*?

Comment – The term is from the Chapter Three-Sign Code. It referred then and now to signs that were 'permitted throughout the City.' Staff has no problem with an alternate term that does the same thing.

10.2.A Table 1 Note 4 and 5 Why should billboards be shown in the table categories if they are not allowed in a category?

Comment – During the Joint Subcommittee process, it was requested that whether a sign type is allowed or prohibited should all be gathered into the *Table 1 of Section 7A.10*. So Table 1's Note 5 shows all the zones where billboards are prohibited. This note is based on the existing language of the Chapter Three Sign Code and that language was transferred into *Article 7A's Table 1 Note* as requested by the Joint Subcommittee. It appears there was some concern to state clearly where billboards are permitted and prohibited.

10.2.B What does the note 'See Below' refer to in Table 2?

Comment – This note is intended to direct attention to the sign area standards immediately below the note.

10.2C.1.a Add *'Sign'* after *'Unit'*

Comment – The adjustment is to add a missing word 'sign' to the sign type Dwelling Unit Sign. There is also a numbering problem in this section. It should refer to 1.e. The change will be made.

10.2.C.2.a *Should the low profile freestanding sign just say 16-foot setback?*

Comment – The current language states, *'two times the height of the sign'*. Staff believes the current language is appropriate since it is a variable setback based on whatever the sign height is. Prior to this language, there was a long chart with minor adjusted setbacks listed. This language makes a cleaner statement on variable setbacks versus a long rather confusing list.

10.2.C.2.c *Should this section specify that pole signs are prohibited?*

Comment – The section states monument-style freestanding signs are permitted in rural and residential zones. It is not needed to state what is prohibited. A standard practice is anything not stated or that can be interpreted as not being included is prohibited.

10.2.C.2.c.5 *Should the term 'general business zone category' be removed from the standards in the Industrial Zone Category related to Freestanding pole signs?*

Comment – The sections involved in what zones various freestanding signs are permitted. In c.4, it states in the general business zone category that all types of freestanding signs are permitted.

In c.5 it states which freestanding signs are permitted in the industrial zone category. In one statement it mentions both general business zone and industrial zone categories allow freestanding pole signs. Note this is Chapter Three Sign Code original language. It is repetitious in that the general business zone category already allows freestanding pole signs. The general business zone category reference will be removed from section c.5.

10.2.C.3.b *Will permanent projecting signs be regulated by the time constraints in Section 6.10.H (Signs in and over the Public Right of Way)?*

Comment - See the comments above for the question – *'6.10 Does the section 'Signs in or over Public Right of Way' apply to permanent signs?'*

7A.11 Special Districts

11.1.E *Should a reference to a 'Protrusion Limitation' be removed as the title of a section referring to a height increase?*

Comment –The use of one version of the verb *to protrude* has been used in the Sign Standards to mean something that is projecting horizontally. However, in this case it means to extend above. *Protrude* means *'to extend beyond or above a surface.'* *Project* means *'to extend outward beyond something else or to protrude.'* It appears to be more of an issue of preference in wording choices versus a substantial

difference in meaning. Staff does not see a substantive issue here and defers to the Planning Commission if they want to change the wording. We recommend to drop the title of the Section, 'Protrusion Limitation' and leave the standard which is original Chapter Three Sign Code language as is.

11.2.D.4 What does façade refer to in this provision on the maximum number of low profile monument signs.

Comment - The issue appears to be that the building's façade is either the front of the building or it could be any side of the building. The dictionary definition of façade is "The face of a building, especially the principal front that looks onto a street or open space." The Chapter Three Sign Code's definition for façade is 'The side or face of a building.'"

The standard in D.4 states that you can have one monument sign per building street frontage where a building's façade is set back at least ten feet from a public right of way. This provision is in Chapter Three Sign Code and was transferred verbatim into the new UDC's Article 7A. Staff is not aware of a Sign Section issue with the current wording. If the Planning Commission wants to discuss this matter further, it can if a problem is seen with the existing wording.

11.2.D.6.c How does the height reference in Sec 6.5 apply to projecting signs?

Comment - The height standards in Sec. 6.5 have always applied to freestanding signs but not to various types of signs attached to walls like projecting signs. The proposed 6.5 is accompanied by illustrations of how to measure the height of a freestanding sign. Note in D6.c the proposed standard regarding 20 feet height for a projecting sign was added by the Joint Sign Committee to fix a problem with permitting projecting signs in the Pedestrian District in the Downtown area. Also the provision states its own sign height measurement standard for the projecting sign in this situation.

11.4.2 How does a canopy sign differ from an awning sign?

Comment - The dictionary definition of canopy and awning are similar. In the Chapter Three Sign Code the two terms are treated differently. An awning sign refers to a sign on a shade structure that is usually made of light fabrics. The awning shape can be curved or angular but it is a fairly light-weight structure attached to a building. Also the awning sign standards are simple and non-controversial.

A canopy sign refers to several types of structures. They can be a significant structure attached to a building wall that protrudes outward from the building and is held up by vertical posts. An attached canopy is defined in Article 11 Definitions coming from the Chapter Three Sign Code's definition section stating, "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."

It can also be a simpler structure such as a curved beam that may or may not provide shade and is attached to a building that protrudes outward but in the same plane as the building (Taco Bell and Lottaburger buildings favor this version).

Canopy signs as contained in the Chapter Three Sign Code had very complex standards that caused confusion requiring interpretations and variances for otherwise fairly simple issues that were not controversial.

It stated that the amount of sign copy letter extension beyond their attachment such as a fascia board or a beam. Separate letters can be attached to stand up on a beam or hang down from it. The proposal is to simplify the standard to ensure that in no case may letters of a canopy sign protrude above the roof line. The Joint Subcommittee and the Citizens' Sign Code Committee voted to recommend this simpler approach.

11.4.5 and .6 What is the difference between a detached and freestanding sign?

Comment - A freestanding sign is a permanent on-site sign that stands on its own and is not attached to a building. It is an essential sign type in both the Chapter Three Sign Code and the proposed Article 7A Sign Standards.

A detached sign has a similar but more general definition. It refers to any sign thus it could be both portable and permanent and on-site or off-site. There may be a reason to delete detached sign. Staff recommends keeping it in the draft sign standards for this project. It is mentioned in Section 4 (*Permits, Inspections, And Fees*) regarding footing inspections and other minor inspection-related provisions. Deleting it may have an unintended consequence that is not apparent right now. During the time prior to the recommended 18-month sunset it can be monitored as to its relevance and removed if it is not needed.

11.4.7 What is the purpose of having the terms façade, face, building wall, parapet?

Comment - The term 'face' is used in various parts of the draft to address the face of the sign. Sec. 7A.6.1 goes into great detail on the standards for sign faces. There are no references in the draft about the 'face of a building' other than as part of the definition of a façade. It tends to mean the front of the building but façade can include a side of the building too. This wording is existing wording and has not been noted as a problem by PDS's Sign Section.

Façade has been discussed above and is defined as the side or face of a building.

Building wall has only been mentioned in the Sign Code and draft as a place for attachments. It is mentioned with how a canopy is attached and is again mentioned regarding how a temporary banner can be attached.

Parapet is defined in the Sign Standards as "The portion of a wall that extends above the roofline." It is not in the UDC other than as a new addition as part of this project. The term was part of a long discussion at the Joint Subcommittee about the

development practice of raising the parapet's height at the entrance of the building to display a sign and to place a parapet perpendicular to the front of the building to display a sign.

Both the Joint Subcommittee and the Citizens' Sign Code Committee recommended that these structures are part of the architecture of the building and should be counted as wall signs versus roof signs.

11.4.7 Should the term 'side' be deleted in describing walls or should 'rear wall' be added or say 'all exterior walls'?

Comment – The current definition of façade is *“The side or face of a building.”*

Façade is mentioned about four times in the Chapter Three Sign code and draft sign standards. It is not considered a problem term by Sign Section staff.

This group is a summary of the use of the term façade in the draft:

10.2 Wall signs - It states the sign may not extend above the facade etc.

10.3 C.3 It discusses temporary signs in the portable sign section and attachments to the façade.

11.1 It discusses projecting signs may not extend above the façade.

11.2.D It discusses the location of low profile monument sign in the Pedestrian District and allowing one per street frontage where a building façade is set back at least 10 feet.

Regarding where one can locate signs on the façade or wall of a building, that standard is derived from the maximum sign area calculated as a ratio of the lineal street frontage. For example, a commercial use may have three square feet of sign area for every lineal foot of street frontage.

The maximum sign area can be used for all permitted permanent sign types such as freestanding and wall signs that are viewable from the right of way. The draft has created an interior sign type that accounts for signs that are not seen (e.g. inside a mall) or are not viewable from the right of way (e.g. a suspended sign under a shaded walkway not intended to be read from the right of way).

Article 11 Definitions

11.4.16 What does 'occupancy' refer to?

Comment – the term 'occupancy' is defined as *“The purpose for which a building or part thereof is used or intended to be used.”* It is a term more familiar to Building Codes than a zoning code but was included the Chapter Three Sign Code. The term has mostly been used to determine when a property owner moving a new use onto a site could use the site's non-conforming sign.

Staff is recommending that the current language of the Chapter Three Sign Code be used in the draft. It appeared from reviewing the Use Groups of the UDC that more uses would be permitted to use non-conforming signs. This change was not directed by Mayor and Council. The discussion with the Joint Subcommittee concluded to leave the language as is. If there is a desire to change from occupancy to UDC Use Groups and potentially allow more changes of a use to be permitted the use of a non-conforming sign, then it can be done in a later revision effort when the impact is better understood.

11.4.2 Should attached sign definition and use of the term be deleted in favor of using only wall sign?

Comment – The attached sign type is in the Chapter Three Sign Code and the current draft. It is defined as, “A 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.” As a general rule, staff did not change existing language other than for a *Reed* issue, something connected to a stated process improvement or it was something pointed out during the Joint Subcommittee process. The term is rarely used but is mentioned in the Scenic Corridor District section referring to “Maximum total attached sign area.” It appears to refer to wall signs and other attached sign types.

Staff was especially reluctant to revise the Scenic Corridor standards since they were a fairly recent Sign Code revision that was recommended by the Citizens’ Sign Code Committee. Further, there are several types of attached signs including those with definitions, for example, wall, awning, window, projecting, and canopy signs. The attached sign term is more general than wall sign and allows for an interpretation for something unusual. If the Commission prefers wall sign, it can be changed but staff recommends keeping it as is for now.

11.4.22 and 23 What are the purposes of the terms unoccupied and vacant?

Comment - The terms unoccupied and vacant are defined in the Chapter Three Sign Code and the draft the same way. The terms are used together only once in the newly added sign section of the UDC’s *Article 10 Enforcement and Penalties* for sign violations. The terms are in the section called ‘Determination of discontinuance’. The terms use similar wording but emphasize a different feature of discontinuance. ‘Unoccupied’ emphasizes the structure is not occupied or being used in the way the current permit allows. ‘Vacant’ emphasizes that the fixtures related to a previous permitted use have been removed. There is no indication from the Sign Section staff that having both of these terms has been a problem for enforcement staff.



MEMORANDUM

DATE: June 8, 2017

TO: Tucson-Pima County Historic Commission
Plans Review Subcommittee

FROM: Daniel Bursuck
Lead Planner

SUBJECT: Sign Code Revision Project – Historic Issues (Citywide)

Issue – This is a courtesy review to allow the Tucson-Pima County Historic Commission – Plans Review Subcommittee to deliberate on historic issues related to the draft amendments to the City of Tucson Sign Code, as directed by Mayor and Council on August 9, 2016 (see Background below and Attachment A for details). At the May 18, 2017 meeting of the Tucson-Pima County Historic Commission – Plans Review Subcommittee, staff presented proposed changes to the commission. Since that meeting, staff has revised the language based on feedback from the committee and the City of Tucson Historic Preservation Officer.

Recommendation – Staff recommends that the Tucson-Pima County Historic Commission – Plans Review Subcommittee vote to recommend proposed changes related to historic issues to the City of Tucson Sign Code.

Background – The June 2015 U.S. Supreme Court decision in the case *Reed vs. The Town of Gilbert* has required all jurisdictions in the country to review and amend their sign codes to be content-neutral. This case resulted in the City of Tucson needing to bring its Sign Code into conformance with the *Reed* decision. Additional background information about the *Reed* case is available in Attachment F.

About the time that *Reed* was announced, members of the business community raised concerns that the City’s Sign Code is out of date, overly restrictive, and difficult to use in comparison to other regional and Arizona jurisdictions. After the Mayor and Council’s August Study Session, several stakeholders not related to the business community have raised concerns that this revision project may cause the current Sign Code to be weakened.

CSCC – PC Joint Subcommittee Review of the Preliminary Draft Sign Standards - Between October 2016 and March 2017, a joint subcommittee to review the Sign Code revisions met fourteen times. Overall, the subcommittee members met for a combined total of 170 hours of meetings and reviewed 49 committee suggested edits (Attachment D) at least two times each. During the process, staff has sent out more than sixty emails to the subcommittee and notification group. 146 stakeholders have attended these meetings representing 32 different organizations (not including individuals representing themselves). There have also been 87 speakers at the call to the audience and 32 comments submitted on the Sign Code Revision website. Links to the website and public/stakeholder comments received to date are included in Attachment G.

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Planning Commission Study Sessions – To date, the Planning Commission has held four study sessions to provide updates on the process and progress related to the Sign Code Revision Project. At those meetings, staff has presented an overview of Reed v. Town of Gilbert and the problems it has created, existing procedural complications with the existing code brought up by staff and the business community, and ultimately proposed strategies to for Reed compliance and process improvement. The March 1, 2017 Planning Communication, which details these items, is provided in Attachment E, for reference.

Throughout the review of the proposed Sign Code Revisions, several historic related issues have arisen. While not originally part of the scope of this project, Staff has determined there are several relatively minor historic items that create procedural complications in achieving the intent of their goals. Those are related to the following:

- Due to the current interpretation of the Sign Code, Historic Landmark Signs (HLS) are not allowed in historic overlay zones, such as a Historic Preservation Zone (HPZ) or Historic Landmark (HL).
- Allow for a wall sign to be designated as a Historic Landmark Sign.
- Allow for rooftop-mounted signs for a building listed or eligible for listing on the National Register of Historic Places, when the applicant can show that there are no wall or building mounted options that would not damage historic integrity or have an adverse effect. In these cases the signs must be static channelized exposed neon or non-lit metal letters.
- Increase in maximum sign area allotment for Historic Districts when zoned as commercial (currently 8 square feet per street front and per sign).

By addressing these issues now, we can do a great deal to enrich the historic fabric of Tucson and reduce applicant's frustration at the same time.

Present Considerations – As a response to issues that have arisen during review of the Sign Code Revision Project, staff has prepared the following draft amendments:

1. Allow Historic Landmark Signs (HLS) in historic zones.

Summary – Over the years, as new regulations have been written for the Sign Code, and interpretations made, unintended consequences have arisen. One such case is that through interpretation, Historic Landmark Signs are not allowed in historic zones such as Historic Preservation Zones (HPZ) or Historic Landmark Zones (HL). A clarification would be made in the Sign Code, making it clear that Historic Landmark Signs are allowed in these historic zones.

Current Regulation – Historic Landmark Signs are prohibited in historic zones such as the HPZ and HL.

Proposed Revision

H. Permitted signs:

10. Historic landmark signs (HLS), all types. The first HLS on a premise does not count toward the maximum total sign area.

2. Allow for an HLS to be a wall sign.

Summary – In the current Sign code, the only sign types that fall under the Historic Landmarks Signs ordinance are detached, projecting, or roof sign.

Current Regulation – “d. The sign shall be a detached, projecting, or roof sign.”

Proposed Revision – “d. The sign shall be a permanent sign, including but not limited to a detached, projecting, wall, or roof sign.”

3. Roof Signs as a permitted sign type on buildings listed or eligible to be listed on the National Register of Historic Places.

Summary – Currently, on some of the older commercial corridors, preservation efforts towards buildings listed, or eligible to be listed in the National Register of Historic Places are being compromised. Examples of this are the old Table Talk building, which is now the Bisbee Breakfast Club in Broadway Village, and the old Tucson Podiatry building on Broadway Boulevard. Because there were no obvious locations for signs (all glass walls, art walls, and shallow or no parapets), the parapet heights were significantly increased to accommodate new signs. These changes have compromised the historic integrities, designs and National Register eligibilities of the buildings.

Current Regulation – Roof signs are currently prohibited in the Sign Code.

Proposed Revision – Allow for rooftop-mounted signs for a building listed, or eligible for listing, in the National Register of Historic Places, when the applicant can show that there are no wall or projecting sign options that would not damage historic integrity or have an adverse effect on National Register status. In these cases the roof signs must be static channelized exposed neon or non-lit metal letters. The following is proposed language to be added:

TO: Tucson-Pima County Historic Commission – Plans Review Subcommittee

SUBJECT: Sign Code Revision Project – Historic Issues

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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, ~~or a historic landmark sign (HLS), or on a National Register of Historic Places (NRHP) listed or eligible to be listed building where the applicant can demonstrate both, (1) that the only wall or building-mounted options available would damage the building's historic fabric or would have an adverse effect on qualities that make building eligible for listing in the NRHP, and (2) that use of a roof sign would result in minimal damage to historic fabric and avoid adverse effects on qualities that make building eligible for listing in the NRHP.~~ Review and recommendation of roof signs on NRHP listed or eligible to be listed buildings shall be provided by the Tucson-Pima County Historic Commission Plans Review Subcommittee (TPCHC-PRS). **Signs placed upon the face of a parapet or architectural feature are considered a wall sign.**

4. Increase in maximum sign area allotment for a Historic Districts when in a commercial zone.

Summary – The current sign area allotment for all zones in a historic district (HPZ or HL) is 8 square feet per street front and per sign. In order to allow for commercial properties that are either within an HPZ or seeking an HL designation to remain economically viable, we should consider increasing the maximum sign area allotment for buildings in commercial zones.

Current Regulation

C. Maximum area of any sign: Eight (8) square feet.

Proposed Revision

C. Maximum area of any sign: Eight (8) square feet in a residential zone; Forty (40) square feet in a commercial zone. Sign shall be appropriately sized, result in minimal damage to historic fabric, and avoid adverse effects on qualities that make a building eligible for listing in the National Register of Historic Places.

Next Steps:

The Planning Commission (PC) and Citizen Sign Code Committee (CSCC) will hold a joint public hearing to make independent recommendations to the M&C on June 21, 2017. Staff anticipates the draft going to Mayor and Council by fall. It will include a sunset provision to look at it again in 18 months to determine if additional revisions are needed.

Attachments:

A - Preliminary Sign Standards Draft – March 30, 2017

TO: Tucson-Pima County Historic Commission – Plans Review Subcommittee

SUBJECT: Sign Code Revision Project – Historic Issues

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B - Draft Sign Standards Issues Requiring Resolution – Updated on April 19, 2017

C - Sign Table of Changes

D - Updated Matrix of Suggested Edits

E - March 1, 2017 PC Communication for Sign Code Revision Project

F - Background on Reed and the Subcommittee Process

G - Links to website and public - stakeholder comments received to date

H - Outline of proposed timeline to Mayor and Council



2017

Tucson-Pima County Historical Commission

Plans Review Subcommittee

LEGAL ACTION REPORT

Thursday, June 8, 2017

**4th Floor North Conference Room, Joel D. Valdez Main Library,
101 N. Stone, Tucson, AZ 85701**

1. Call to Order / Roll Call

Meeting called to order at 12:06 P.M.

Commissioners Present: Terry Majewski (Chair), Jim Sauer, Helen Erickson, Arthur Stables, Jill Jenkins

Commissioner Absent/Excused: Sharon Chadwick, Michael Becherer,

Staff: Michael Taku, Jonathan Mabry, Daniel Bursuck (PDSD), Elaine Becherer (City Manager's Office), Alison Miller (Ward 6).

2. Approval of *Revised Legal Action Report and Summary of Minutes for the Meeting(s) of: 5-18-17

Motion by Commissioner Stables, duly seconded by Commissioner Jenkins, to approve the revised Legal Action Report and Summary of Minutes from the meeting(s) of 5-18-17.

Motion passed unanimously. Voice Vote 5-0

3. Courtesy Review Cases

Scott Avenue, Pennington-Congress Streetscape Project: Relocation of Historic Light Poles: An Informational Presentation and Update, City Manager's Office, Project Manager, Elaine Becherer

Presentation by Elaine Becherer, Project Manager from City Manager's Office on work being undertaken along the Scott Avenue streetscape. The project scope included improvement and security; maintain a two-way street; removal and salvage of three (3) historic streetlights; extended sidewalks and addition of four (4) new street lights. City Historic Preservation Officer described a TDOT policy being developed that will require that historic street lamps displaced by either City projects or private developments are to be relocated to historically appropriate locations when possible, and the relocation costs to be covered by project budgets. Additionally, a study is being undertaken to map all historic street lights citywide. Questions were posed and clarifications provided. No action taken.

4. **Proposed Revisions to the Sign Code in Historic Zoning Overlay Districts**
Chapter 3 Tucson Sign Code. Review and recommendation limited to Historic items in the revision project

Historic Landmark Signs (HLS) in historic zones; HLS to be a wall sign; Roof Signs permitted on buildings listed or eligible to be listed on the National Register of Historic Places and increase in maximum sign area allotment for a Historic Districts when in a commercial zone.-General Discussion; Feedback and Action [Update from meeting of 5/18/17]

Staff Bursuck and Mabry presented the updated proposed changes. According to staff, the revision project is an outcome of *Reed v City of Gilbert*. The proposed revisions added clarity and use of appropriate historic language conditioning installation of rooftop signs on National Register listed or eligible buildings, or signage exceeding 8 square feet on buildings with "H" zoning overlays, requiring (1) minimal damage to historic fabric and (2) avoidance of adverse effects on qualities that make the buildings eligible for listing in the NRHP. PRS was provided with next steps for the revision project. Action was taken.

It was moved by Commissioner Stables, duly seconded by Commissioner Erickson, to recommend approval of the proposed updated revisions to the City of Tucson Sign Code related to historic issues, noting that staff should include changes to the document as discussed during the meeting.

Motion passed unanimously. Voice Vote 5-0.

5. **Unified Development Code Text Amendment Review Cases**
UDC Section 3.7 for Recommendation from Tucson-Pima County Historical Commission, Plans Review Subcommittee on Proposed Revisions to the West University Historic District Design Guidelines.

HPZ-17-48– Historic Preservation Zone: Historic District Design Guidelines Text Amendment-Window Alternative Materials (West University Historic Preservation Zone)

Staff Taku summarized the mechanism for review and implementation of the approved window text amendment by the Historic Preservation Zone Advisory Boards. At issue is property owners' request for West University Historic Zone Advisory Board (WUHZAB) to start considering, on a case-by-case basis, metal-clad wood windows as an alternative window material. The PRS will review and make recommendation(s) on WUHZAB proposed amendments to their Design Guidelines. If recommended for approval, WUHZAB will amend its Design Guidelines-Section G (Windows), post for public access, and will from henceforth start considering metal-clad wood windows as a potentially acceptable option for window material on a case-by-case basis.

It was moved by Commissioner Erickson, duly seconded by Commissioner Stables, to recommend approval of the proposed amendment to the West University Historic District Design Guidelines, Section G (Windows) as presented and noting the following:

(1) Checking appropriate numbering sequence;

(2) "All glazing material to be glass" is acceptable and should be #10 per item (1) above;

Motion passed unanimously. Voice Vote 5-0.

6. Historic Preservation Zone Review Cases

UDC Section 5.8/TSM 9-02.0.0/Historic District Design Guidelines/Secretary of the Interior's Standards and Guidelines

HPZ-17-40– Trinity Presbyterian Church-Planned Area Development (Historic) - Project Design for Planned Mixed Use Community Development: Housing, Office, Retail, Parking and Landscape-400 E. University Boulevard (West University Historic Preservation Zone)

Staff Taku informed PRS that at the request of the applicant(s), review will be scheduled for 6/29/17. No action taken.

7. Current Issues for Information/Discussion

a. Minor Reviews

At the request of staff, Subcommittee provided feedback on seven (7) cases for on-site review scheduled for 6/9/17.

b. Appeals

None pending

c. Zoning Violations

Staff continues to assist owners on abatement of violations within the City Historic Preservation Zones and Rio Nuevo Area.

d. Review Process Issues

None at this time

8. **Call to the Audience (Information Only)**

No one to speak.

9. **Future Agenda Items for Upcoming Meetings**

Historic Depot re-roofing project; New Construction/Additions (BH).

Due to the State Historic Preservation Conference, the next regular PRS meeting will be scheduled for 6/29/17.

10. **Adjournment**

1:07 PM.

Current Sign Code Sections 9-12-16	Proposed UDC Sections	Changes	Rationales
3-1 Short title 3-2 Purpose-Intent	7A.1.1 Purpose 7A.1.2 Applicability	Short title deleted. Revised purpose. Insert an Applicability section	The proposal is more clearly directed at <i>Reed</i> compliance
3.3 Interpretation	7A.2 Interpretation	Clarify role of zoning administrator and role of UDC	Having Sign Standards in the UDC creates the need for this change
3-4 District Boundaries	7A.2.2 District Boundaries	Revised so UDC zones apply and mentions specific sign districts	Simplifies the overlap created by Chapter 3
3-5, Reference to other codes 3-6 Application of prior Code Sections	Delete 3-5 and keep 3-6	UDC handles conflicts with other codes and restrictiveness issues	The UDC Article 1 addresses issue of other code standards also
3-7 Severance	7A.2.4 Severability and Non-commercial speech Substitution	Remain the same	Still relevant in 7A to comply with <i>Reed</i>
3-11 Definitions	7A.3 Definitions	Deleted terms - Arterial street, collector street, District, local street, lot, Major Streets and Routes Plan, person, public use, scenic route, school, subdivision	Redundant UDC terms removed
3-11 Definitions	7A.3 Definitions	Added electric sign copy, Updated sign, portable sign and created interior sign	New terms are for clarifications and Reed compliance
3-16, 17, 18, 19,20-24 Permits required, etc.	7A.4 Permits, Inspections, Fees 7.A.5 Enforcement,	Replaced with simpler information and only keeps what is needed from Building Codes and the UDC	Removes redundant language and keeps valid language as applied to Building Codes and UDC. May need to move Enforcement to Art. 10
Article IV General Requirements - 3-31 Regulations established 3-32 through 3-44	7A.6 Measurements, Locations, General Requirements	Updated sign area interpretation re: signs with excessive space in	The standard revisions include interpretations and simplifications like premise. Adds the term,

<p>Illumination</p>		<p>measurement area Moved sign copy standards including electronic Add item of information Height and grade Revisions Clarifications on frontages, clearance, setback, premise</p>	<p><i>item of information</i> as part of design legibility proposal. Illumination standards remain the same</p>
<p>Article V 3-51 Generally Permitted Signs</p>	<p>7A.10.1 Generally Permitted</p>	<p>Edited Emergency sign, Add interior signs, relocate political signs to Portable Signs, delete time and temp sign</p>	<p>Changes made to simplify and to address Reed content-neutral standards on message-oriented signs.</p>
<p>Sec 3-52 Exempt Signs</p>	<p>7A.8.1 Exempt Signs</p>	<p>Flags edited to be non-commercial, Memorial sign renamed to sign cut into the face of a building</p>	<p>Changes made to comply with Reed content-neutral standards</p>
<p>Sec.3-53 Prohibited Signs</p>	<p>7A.8.2 Prohibited Signs</p>	<p>Removed electronic message centers (EMC), flags, roof signs</p>	<p>EMCs are renamed electronic sign copy, in Measurements Section, Flags in Exempt Section but commercial flags prohibited. Roof signs permitted but limited by conditions</p>
<p>Sec 3-54 Signs creating traffic hazards, 3-55 Signs in public areas</p>	<p>7A.8.3 Signs creating traffic hazards, 7A.8.4 Signs in Public Areas</p>	<p>Remains the same</p>	<p>No change needed</p>
<p>3-56 <i>Awning</i> signs, 3-57 Banners, 3-58 <i>Billboards</i>, 3-59 <i>Canopy</i>, 3-60 <i>directory</i>, 3-61 <i>Freestanding</i> 3-62 <i>Freeway</i>, 3-63 <i>menu board</i>, 3-64 <i>Parking Signs</i>, 3-65 <u>A-frame signs</u>, 3-</p>	<p>7A.10.2 Permanent Signs per Zone 7A10.4 Permanent Signs –Additional sign type standards</p>	<p>Signs are grouped as permanent see the <i>italics</i> in first column and portable see <u>underlined</u>. First listed as permitted by zone, then what are the additional standards. Menu</p>	<p>Complying with Reed content neutral standards requires reorganizing these sections. Also the reorganization is simpler and easier to follow the progression of a sign from where it is allowed to how big and what additional</p>

66 <u>real estate signs</u>		board, and directory sign are deleted since they are interior signs or a type of another sign. Real estate are deleted because they are message-oriented	standards are
3-67 <u>special event signs</u> , 3-68 <u>temporary signs</u> , 3-69 <u>traffic directional sign</u> , 3-70 <u>wall sign</u>	7A.10.2 Permanent Signs per Zone 7A.10.4 Permanent Signs –Additional sign type standards 7A.10.5 Portable Signs General Standards	Signs are grouped as permanent see the <i>italics</i> in first column and portable see <u>underlined</u> . First listed as permitted by zone, then what are the additional standards.	Complying with Reed content neutral standards requires reorganizing these sections. Also the reorganization is simpler to follow the progression of a sign from where it is allowed to size and what additional standards are
3-71 Historic Landmark Signs	7A.10.8 Historic Landmark Signs	No change	Remains the same as original. Cross-references updated
Article VI 3-72 73, 74, 75, 76, 77, 78, 79, 80, Sign Districts	7A.10.2 Permanent Signs Zone Category Standards 7A.10.3 Permanent Signs Maximum Area and Standards per Zone 7A.10.5 and .6 Portable Signs General Standards 7A.10.7 Portable Signs - Additional Standards	Reorganized Permanent and Portable Signs into separate groups to address Reed more simply. Key Permanent changes to allow 50 and 80 sq feet maximum area for non-residential signs in Residential and Multi-family respectively.	Changes are directed to comply with Reed content neutral standards and address several problem brought up by customers and staff. Churches in residential zone are commonly required to seek variances for sign area. This change attempts to address that issue
		Directional renamed Access Point sign. Roof sign allowed only as a ten foot tall parapet. Aligned Zones with UDC	
		For Portable Signs a maximum sign area allotment is allowed in residential, commercial/industrial zones per the street type. Number of	

		<p>freestanding</p> <p>portables is four per 150 feet. Temporary signs are allowed per current code as wall banners and fixed balloons.</p> <p>Political signs are allowed per ARS 16-1019 and non-commercial portable signs are allowed during Election Cycle. Deleted Park and Medical/business park districts due to non-use, Move Planned Area Development to Special districts</p>	
<p>Sec. 3-81- 83 Special Districts <i>Note Sec. 3-84-90 reserved</i></p>	7A.11 Special Districts	Pedestrian, Scenic and Historic Districts no change.	Remains the same
<p>Article VII Sec. 3-91 Maintenance</p>	7A.4.7 Maintenance	Moved to 7A.4 Permits Inspections, Enforcement, and Fees	Remains the same
<p>Article VIII Nonconforming Signs and Change of Use</p>	7A.9 Nonconforming Signs and Change of Use	Remains largely the same. An interpretation regarding allowing the updating of electrical components as an acceptable alteration is included	Remains the same except for an update of an on-going alteration interpretation. Also the status of the sunsetted provisions need to be finalized in either removing them or keeping them.
	7A.9.2 Change of Use	Remains the same but is updated to refer to the UDC's land use groups and not building code occupancy categories	Revised to be synchronized with the UDC's use categories
<p>Article IX Sec. 3-101 – 115 Violations,</p>	7A.5 Violations, Enforcement,	Remains the same	No substantial changes. May place in UDC Art 10

Enforcement, Penalties	Penalties		
Article X Indemnification	7A.5.2 Indemnification	Remains the same	No change
Article XI Sign Code Advisory and Appeals Board Sec. 121-132	7A.12 Appeals and Variances	Refers to the Board of Adjustment to regulate appeals	Change reflects recent sign code revision sending sign variances to Board of Adjustment with appeal to M/C or Superior Court
Article XII Citizen Sign Code Committee	7A.13.1 Citizen Sign Code Committee	States M/C shall appoint them to make recommendations on sign amendments to the Planning Commission and they shall be the design review committee for Sec. 7A.8 Design Options	This provision keeps the CSCC involved with sign amendments as currently they are but makes accommodation for the sign standards being in the UDC and also makes them the Sign Standards design review committee making recommendations to PDSD Director similar to other design review committees

Chapter 3 SIGN CODE*

* **Editors Note:** Ord. No. 10481, § 1, adopted Nov. 27, 2007, effective Jan. 14, 2008, repealed the former Ch. 3, Arts. I--XV, §§ 3-1--3-10, 3-14, 3-15, 3-19--3-27, 3-31--3-43, 3-47--3-69, 3-73, 3-77--3-80, 3-84--3-86, 3-90, 3-91, 3-95, 3-99--3-105, 3-109, 3-110, 3-114--3-125, 3-130--3-136. Section 2 of said ordinance enacted a new Ch. 3 as set out herein. The former Ch. 3 pertained to advertising and outdoor signs and derived from Ord. No. 6737, § 2, adopted July 6, 1987; Ord. No. 6867, § 1, adopted Feb. 22, 1988; Ord. No. 7277, § 1, adopted Sept. 11, 1989; Ord. No. 7455, §§ 1--8, adopted August 6, 1990; Ord. No. 7768, §§ 1--26, adopted April 6, 1992; Ord. No. 8281, § 1, adopted June 6, 1994; Ord. No. 8634, § 1, adopted Jan. 8, 1996; Ord. No. 8635, § 1, adopted Jan. 8, 1996; Ord. No. 8986, § 1, adopted Nov. 10, 1997; Ord. No. 8983, §§ 1--3, adopted Nov. 10, 1997; Ord. No. 9123, §§ 1, 2, adopted Sept. 14, 1998; Ord. No. 9128, §§ 1--5, adopted Sept. 14, 1998; Ord. No. 9470, §§ 1, 2, adopted Oct. 9, 2000; Ord. No. 9537, §§ 1--12, adopted May 14, 2001; Ord. No. 9782, § 1, adopted Oct. 14, 2002; Ord. No. 9805, § 1, adopted Jan. 13, 2003; Ord. No. 9808, § 1, adopted Jan. 13, 2003; Ord. No. 9859, §§ 1, 2, adopted June 23, 2003; Ord. No. 10173, § 1, adopted June 28, 2005; Ord. No. 10376, § 1, adopted Feb. 21, 2007.

Charter References: Authority to regulate or prohibit signs and billboards, ch. VII, § 1(6).

Cross References: Construction regulations generally, ch. 6; license fee for advertising agencies, § 19-28(2); fee for advertising solicitors, § 19-28(3); fee for distributors of handbills and other advertising, § 19-28(55); privilege tax on advertising, § 19-405; advertising prohibited in parks and recreation areas, § 21-3(6)(3); posting advertising or signs on golf course property prohibited, § 21-19; technical division of administrative hearing office to have exclusive jurisdiction over alleged violations of sign code, § 28-4(1).

Art. I. Introductory Provisions, §§ 3-1--3-10

Art. II. Definitions, §§ 3-11--3-15

Art. III. Permits, Fees and Inspections, §§ 3-16--3-30

Art. IV. General Requirements, §§ 3-31--3-50

Art. V. Sign Types and General Regulations, §§ 3-51--3-71

Art. VI. Signs by District, §§ 3-72--3-90

Div. 1. Residential, §§ 3-73--3-75

Div. 2. Nonresidential, §§ 3-76--3-80

Div. 3. Special Districts, §§ 3-81--3-90

Art. VII. Sign Maintenance, §§ 3-91--3-95

Art. VIII. Nonconforming Signs and Change of Use, §§ 3-96--3-100

Art. IX. Violations; Enforcement; Penalties, §§ 3-101--3-115

Art. X. Indemnification, §§ 3-116--3-120

Art. XI. Appeals & Variances, §§ 3-121 - 3-140

Art. XII. Citizen Sign Code Committee, §§ 3-141--3-148

Article I. Introductory Provisions

Sec. 3-1. Short title.

Sec. 3-2. Declaration of purpose and intent.

- Sec. 3-3. Interpretation and construction with Tucson Code by the sign code administrator.
- Sec. 3-4. Application and interpretation of district boundaries.
- Sec. 3-5. Reference to other codes.
- Sec. 3-6. Application of prior Code sections.
- Sec. 3-7. Severance of the provisions of this sign code.
- Secs. 3-8--3-10. Reserved.

Article II. Definitions

- Sec. 3-11. Definitions.
- Secs. 3-12--3-15. Reserved.

Article III. Permits, Fees and Inspections

- Sec. 3-16. Permits required.
- Sec. 3-17. Permission of property owner.
- Sec. 3-18. Application for permit.
- Sec. 3-19. Issuance.
- Sec. 3-20. Effect of issuance.
- Sec. 3-21. Approval of standard plans.
- Sec. 3-22. Inspections.
- Sec. 3-23. Special inspector required.
- Sec. 3-24. Fees.
- Secs. 3-25--3-30. Reserved.

Article IV. General Requirements

- Sec. 3-31. Regulations established.
- Sec. 3-32. Sign area.
- Sec. 3-33. Grade.
- Sec. 3-34. Premises.
- Sec. 3-35. Maximum sign area.
- Sec. 3-36. Setback.
- Sec. 3-37. Signs near residences.
- Sec. 3-38. Multiple frontage lots.
- Sec. 3-39. Intersection corner sign.
- Sec. 3-40. Signs per street frontage.
- Sec. 3-41. Access regulated.
- Sec. 3-42. Integrated architectural features.
- Sec. 3-43. Signs over public rights-of-way.
- Sec. 3-44. Illumination.
- Secs. 3-45--3-50. Reserved.

Article V. Sign Types and General Regulations

- Sec. 3-51. Generally permitted signs.
- Sec. 3-52. Exempt signs.
- Sec. 3-53. Prohibited signs enumerated.
- Sec. 3-54. Signs creating traffic hazards.
- Sec. 3-55. Signs in public areas.
- Sec. 3-56. Awning signs.
- Sec. 3-57. Banners.
- Sec. 3-58. Billboards.
- Sec. 3-59. Canopy signs.
- Sec. 3-60. Directory signs.
- Sec. 3-61. Freestanding signs.
- Sec. 3-62. Freeway sign.
- Sec. 3-63. Menu boards.
- Sec. 3-64. Parking signs.
- Sec. 3-65. Portable (A-frame) signs.
- Sec. 3-66. Real estate signs.
- Sec. 3-67. Special event signs.
- Sec. 3-68. Temporary signs.
- Sec. 3-69. Traffic directional signs.
- Sec. 3-70. Wall signs.
- Sec. 3-71. Historic landmark signs (HLS).

Article VI. Signs by District

- Sec. 3-72. Sign districts.

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ARTICLE I. INTRODUCTORY PROVISIONS

Sec. 3-1. Short title.

This chapter shall be known and cited as "Tucson Sign Code" or "sign code."

(Ord. No. 10481, § 2, 11-27-07, eff. 1-14-08)

Sec. 3-2. Declaration of purpose and intent.

A. The purpose of this sign code 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. 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.

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

D. The City of Tucson shall follow its own sign code in all cases, except where a deviation from the sign code is necessary to protect or promote public health, welfare or safety.

(Ord. No. 10481, § 2, 11-27-07, eff. 1-14-08)

Sec. 3-3. Interpretation and construction with Tucson Code by the sign code administrator.

The sign code administrator or designee shall interpret and apply this sign code in conformance with section 23A-31 of the Development Compliance Code. Where there is a conflict between provisions of the sign code and other provisions of the 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.

(Ord. No. 10481, § 2, 11-27-07, eff. 1-14-08)

Sec. 3-4. Application and interpretation of district boundaries.

Sign 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 is a specifically mapped district 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. 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 district to the extent the zoning determines the sign district.

Interpretation of the applicable 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.

(Ord. No. 10481, § 2, 11-27-07, eff. 1-14-08)

Sec. 3-5. 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.

(Ord. No. 10481, § 2, 11-27-07, eff. 1-14-08)

Sec. 3-6. Application of prior Code sections.

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.

(Ord. No. 10481, § 2, 11-27-07, eff. 1-14-08)

Sec. 3-7. Severance of the provisions of this sign code.

Any provision of this sign 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 sign code that is found to be an unconstitutional limitation on freedom of speech by any court shall be severed from this sign code in a manner that preserves code and protects freedom of speech.

(Ord. No. 10481, § 2, 11-27-07, eff. 1-14-08)

Secs. 3-8--3-10. Reserved.

ARTICLE II. DEFINITIONS

Sec. 3-11. Definitions.

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

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

B. *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.

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

D. *Area of a sign*. See section 3-32.

E. *Arterial street*. A roadway designated as an arterial street in the Major Streets and Routes Plan.

F. *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.

G. *Attached sign*. Any 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.

H. *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.

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



Awning Sign

J. *Banners, across the street*. See section 3-43.

K. *Banners, building and curbside*. A piece of fabric permanently attached by one or more edges to a pole, rod or cord.

L. *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.

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

N. *Change of copy*. Where 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 message boards, menu boards and approved changeable copy signs are not subject to this definition.

O. *Charitable organization*. A charitable or civic entity not organized for profit but operated solely for the promotion of social welfare, the net earnings of which are devoted exclusively to charitable purposes and do not inure to the benefit of any private shareholder, individual or corporation.

P. *Clearance*. The distance between grade and the bottom edge of a sign.

Q. *Collector street*. A roadway designated as a collector street in the Major Streets and Routes Plan.

R. *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.

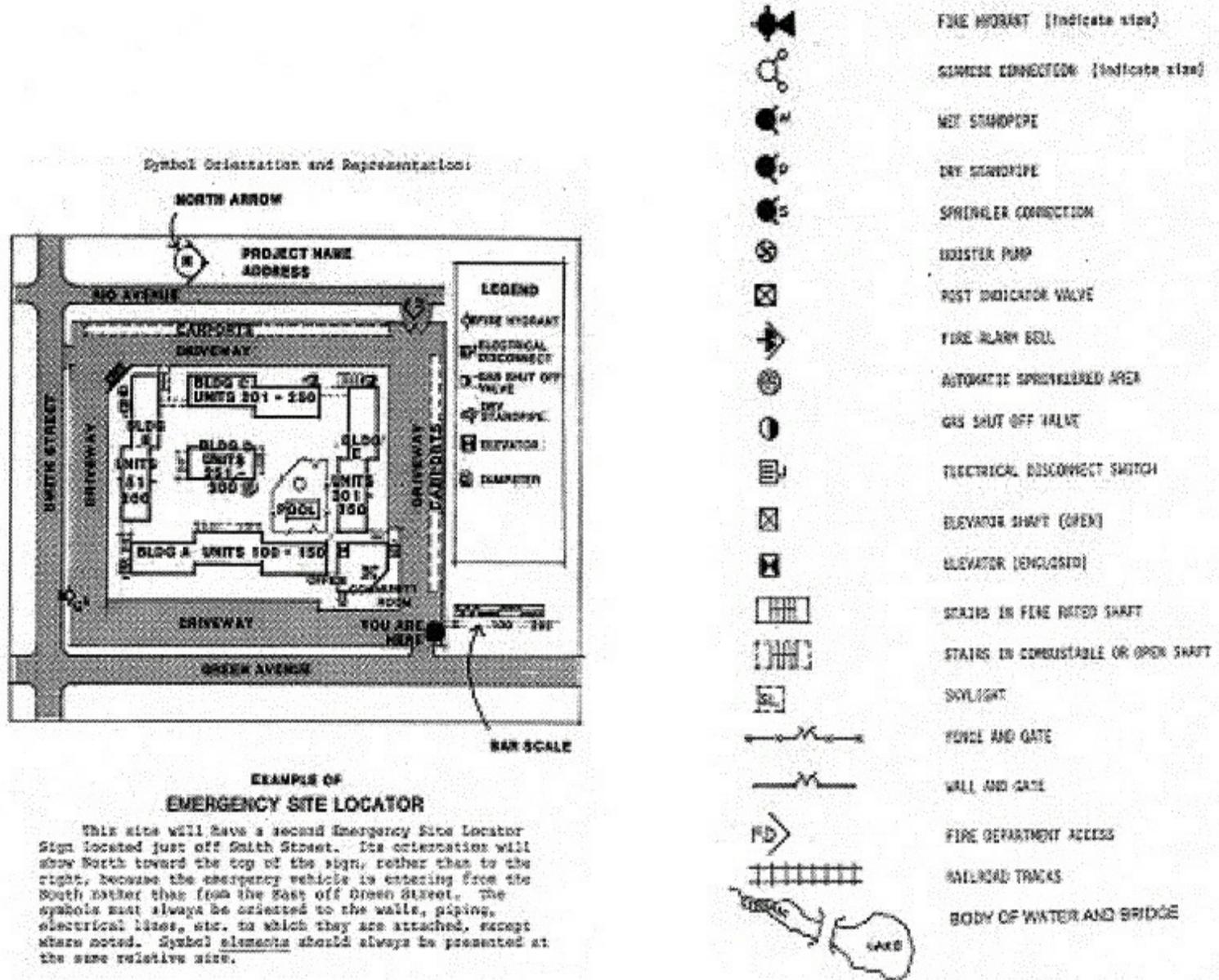
S. *Directory sign*. An on-site sign that lists the tenants and/or occupants and directs the public to the tenants' and/or occupants' locations.

T. *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.

U. *District*. A geographic area exhibiting similar uses and character, as identified in Article VI of this sign code.

V. *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.

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



Emergency Site Locator

X. *Facade*. The side or face of a building.

Y. *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:

1. *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.

2. *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.

3. *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.

Z. *Freeway*. A roadway designated as a freeway in the Major Streets and Routes Plan.

AA. *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.

BB. *Gateway route*. A roadway designated as a gateway route in the Major Streets and Routes Plan.

CC. *Grade*. The point of elevation determined in accordance with section 3-33.

DD. *Height of sign*. The vertical distance measured from the grade to the highest point of the sign.

EE. *Incidental sign*. A small noncommercial sign, emblem or decal informing the public of facilities, services or prohibitions relating to the premises.

FF. *Local street*. A roadway that is not otherwise designated in the Major Streets and Routes Plan.

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

HH. *Lot*. A parcel of land shown on maps maintained by the Pima County Assessor's Office.

II. *Major Streets and Routes Plan*. The current plan and map adopted by mayor and council pursuant to Land Use Code Section 2.8.3.3 to implement the circulation element of the Tucson General Plan. The Major Streets and Routes Plan and map identify the functional classification of City streets, right-of-way widths and development policies for the City's road system.

JJ. *Mall*. A shopping center anchored by two (2) or more department stores with various specialty stores, totaling five hundred thousand (500,000) square feet or more of gross building area.

KK. *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.

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

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

NN. *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.

OO. *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.

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

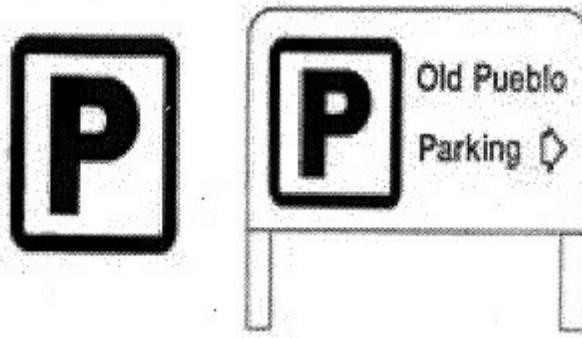
QQ. *Off-site sign*. A sign not located on the premises of the use identified or advertised by the sign.

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

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

TT. *Parcel*. A division of land as shown on the maps maintained by the Pima County Assessor.

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



Parking Sign

VV. *Person*. Any natural person, as well as any firm, partnership, association, corporation, company or organization of any kind.

WW. *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.

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

YY. *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.

ZZ. *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.

AAA. *Premises*. The land area determined in accordance with section 3-34.

BBB. *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.

CCC. *Property*. An area consisting of one or more parcels or portions of parcels that share the same zoning classification or permitted and legally nonconforming land uses.

DDD. *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.

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

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

1. *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.

2. *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.

3. *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.

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

5. *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.

6. *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.

7. *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.

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

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

H.H.H. *Scenic route.* A roadway designated as a scenic route in the Major Streets and Routes Plan.

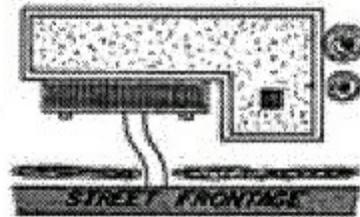
III. *School.* Any public, parochial or private school for teaching accredited courses of instruction as approved by the Arizona Department of Education.

J.J.J. *Sign.* 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 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. Signs within individual mall stores or inside individual business establishments are excluded from this definition.

K.K.K. *Sign code administrator.* The person designated and authorized to enforce and administer the provisions of this sign code, or that person's authorized representative or designee. The sign code administrator is the zoning administrator as described in A.R.S. § 9-462 for the purpose of interpreting this code.

L.L.L. *Site.* The land area consisting of a lot or contiguous lots, not including dedicated public property, designated for development as a single entity through an approved site plan, plat or development plan.

M.M.M. *Street frontage.* The length of a lot or development fronting on a public or private street.



Street Frontage

NNN. *Subdivision.* Improved or unimproved land or lands divided for the purpose of financing, sale or lease, whether immediate or future, into four (4) or more lots, tracts or parcels of land, or, if a new street is involved, any such property that is divided into two (2) or more lots, tracts or parcels of land, or, if any such property, the boundaries of which have been fixed by a recorded plat, that is divided into more than two (2) parts. "Subdivision" also includes any condominium, cooperative, community apartment, townhouse, or similar project containing four (4) or more parcels, in which an undivided interest in the land is coupled with the right of exclusive occupancy of any unit located thereon.

OOO. *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:

1. *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.

2. *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.

PPP. *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.

QQQ. *Time, temperature and weather display.* A sign that displays the current time, temperature or current or

forecast weather conditions.

RRR. *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.

SSS. *Traffic directional sign.* An on-site sign directing the reader to the location or direction of any place or area.

TTT. *Unoccupied.* A premises or structure:

1. That is not occupied, or
2. 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
3. Where the public utilities are not in service.

UUU. *Vacant.* A premises or structure:

1. 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
2. Where the public utilities are not in service.

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

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

XXX. *Wall sign.* Any 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.

YYY. *Window sign.* Any sign affixed to the interior or exterior window surface.

(Ord. No. 10481, § 2, 11-27-07, eff. 1-14-08; Ord. No. 10903, § 2, 6-28-11; Ord. No. 11076, § 2, 5-29-13; Ord. No. 11131, § 1, 12-2-13; Ord. No. 11166, § 1, 5-6-14; Ord. No. 11329, § 1, 12-15-15)

Editor's note - Ord. No. 11166 provides that the provisions of Ord. No. 10903 shall cease to be effective on May 29, 2017, unless extended by the Mayor and Council by a separate ordinance. Ord. No. 11329 provides that the provisions of Ord. No. 10903 shall cease to be effective on December 31, 2018, unless extended by the Mayor and Council by a separate ordinance. If not extended, the sections shall revert to the language as it existed prior to Ord. No. 10903.

Secs. 3-12--3-15. Reserved.

ARTICLE III. PERMITS, FEES AND INSPECTIONS

Sec. 3-16. Permits required.

A. 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 development services department, as required by this sign code.

B. 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.

C. 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.

D. 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.

(Ord. No. 10481, § 2, 11-27-07, eff. 1-14-08)

Sec. 3-17. Permission of property owner.

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.

(Ord. No. 10481, § 2, 11-27-07, eff. 1-14-08)

Sec. 3-18. Application for permit.

A. 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:

1. Street address where the sign is to be installed;
2. 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;
3. Name, address and telephone number of sign and electrical contractor, if any;
4. Correct zoning of property;
5. Identification and description of the work to be covered by the permit for which application is made;
6. Message to be contained on the proposed sign;
7. Valuation of the proposed work;
8. Signature of the permittee or his authorized agent; and
9. Name of business for which sign is being applied.

B. 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:

1. Drawing of sign indicating the sign message or copy;
2. Elevation plan of the building showing the proposed sign on the building;
3. 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;
4. 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;
5. 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
6. 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:

1. 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.
2. 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:
 - a. Non-illuminated individual characters or individual graphics fabricated from lightweight material.
 - b. Any signs painted directly upon the wall of a building.
3. All billboards.

Sec. 3-19. Issuance.

A. *Review and approval.* The application, plans, specifications, computations and other data filed by an applicant for permit shall be reviewed by the 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 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 Development Standard 1-05.7.0 have been paid, a permit shall be issued to the applicant. When the 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 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 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.

1. Every permit issued by the 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.

2. 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 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 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 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 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.

Sec. 3-20. Effect of issuance.

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.

Sec. 3-21. Approval of standard plans.

A fabricator may submit plans for a sign to the sign code 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 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 administrator by the originator(s) of that standard.

(Ord. No. 10481, § 2, 11-27-07, eff. 1-14-08)

Sec. 3-22. Inspections.

A. General.

1. 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.

2. A survey of the lot may be required by the sign code 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.

B. Inspection requests. It shall be the duty of the person doing the work authorized by a permit to notify the development services department that such work is ready for inspection. The sign code 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.

C. 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 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.

D. Required inspections.

1. 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.

2. 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 sign code 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.

3. Footing inspections are required on all detached signs.

4. The 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 sign code.

E. Re-inspections.

1. 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 administrator. This fee must be paid prior to the acceptance of any further re-inspection requests by the development services department and is in addition to any fee due for a subsequent re-inspection.

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

3. To obtain a re-inspection, the applicant must pay the re-inspection fee in accordance with Development Standard 1-05.7.0.

4. 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.

F. *Final inspection.* 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.

(Ord. No. 10481, § 2, 11-27-07, eff. 1-14-08)

Sec. 3-23. Special inspector required.

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

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

2. 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.

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

(Ord. No. 10481, § 2, 11-27-07, eff. 1-14-08)

Sec. 3-24. Fees.

All sign permit fees are set forth in Development 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.

(Ord. No. 10481, § 2, 11-27-07, eff. 1-14-08)

Secs. 3-25--3-30. Reserved.

ARTICLE IV. GENERAL REQUIREMENTS

Sec. 3-31. Regulations established.

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

(Ord. No. 10481, § 2, 11-27-07, eff. 1-14-08)

Sec. 3-32. Sign area.

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

A. *Single face sign:*

1. 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.

2. 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.

B. *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.

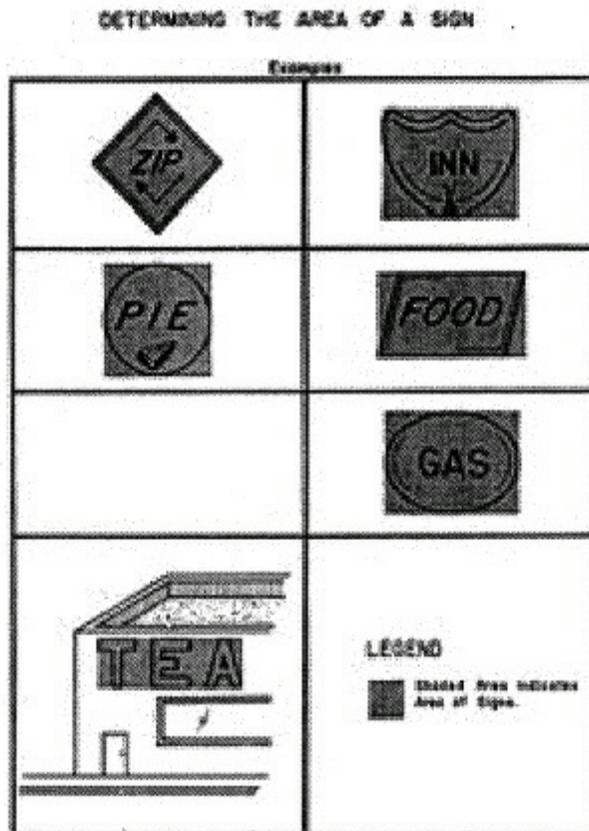


Figure 1: Area of a Sign

(Ord. No. 10481, § 2, 11-27-07, eff. 1-14-08)

Sec. 3-33. Grade.

A. *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.

B. 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.

C. *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.

D. 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.

(Ord. No. 10481, § 2, 11-27-07, eff. 1-14-08; Ord. No. 10864, § 1, 12-14-10; Ord. No. 10951, §§ 1 and 2, 12-20-11, eff. 1-20-12; Ord. No. 11032, § 1, 11-7-12*)

***Editor's note** - Section 3 of Ord. No. 10864, as amended by Section 2 of Ord. No. 10951, Section 1 of Ord. No. 11032 and Section 1 of Ord. No. 11333, provides: "The provisions of this Ordinance amending Sections 3-33 and [3-83] of the Sign Code shall cease to be effective on January 31, 2019, unless extended by the Mayor and Council by a separate ordinance. If not extended, the sections shall revert to the language as it existed prior to this amending Ordinance. The purpose of this sunset clause is to give the City the opportunity to decide whether to continue to implement Sections 3-33 and [3-83], as amended or to revert to those provisions existing prior to this Ordinance."

Sec. 3-34. Premises.

A premises 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 premises. Commercial shopping centers, office complexes, commercial or industrial subdivisions, or similar developments are a premises to the extent such lands are identified as a single site for zoning under an approved development plan.

(Ord. No. 10481, § 2, 11-27-07, eff. 1-14-08)

Sec. 3-35. Maximum sign area.

Maximum sign area is determined in accordance with Article V, 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.

(Ord. No. 10481, § 2, 11-27-07, eff. 1-14-08)

Sec. 3-36. Setback.

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.

(Ord. No. 10481, § 2, 11-27-07, eff. 1-14-08)

Sec. 3-37. 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.

(Ord. No. 10481, § 2, 11-27-07, eff. 1-14-08)

Sec. 3-38. 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.

(Ord. No. 10481, § 2, 11-27-07, eff. 1-14-08)

Sec. 3-39. Intersection corner sign.

A. 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.

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

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

(Ord. No. 10481, § 2, 11-27-07, eff. 1-14-08)

Sec. 3-40. Signs per street frontage.

A. *General rule:* For premises having more than one street frontage, the maximum allowable number and square footage of on-site signs are permitted for each street frontage and are not transferable either in whole or in part from one street frontage to another.

B. *Freestanding sign exception:* The more stringent restrictions of the sign district shall apply to freestanding signs.

(Ord. No. 10481, § 2, 11-27-07, eff. 1-14-08)

Sec. 3-41. 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 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.

(Ord. No. 10481, § 2, 11-27-07, eff. 1-14-08)

Sec. 3-42. 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.

(Ord. No. 10481, § 2, 11-27-07, eff. 1-14-08)

Sec. 3-43. Signs over public rights-of-way.

A. 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. The licensee shall remove the sign within forty-eight (48) hours after the advertised event.

B. 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, subject to the following:

1. 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:

- a. Is open to the public and does not discriminate against patrons in any manner; and
- b. 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
- c. Generates broad community appeal and participation; or
- d. Instills civic pride in the city, state or nation; or
- e. Contributes to tourism; or
- f. Is identified as a unique community event.

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

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

4. 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 V. No sign shall be attached to any utility pole carrying primary circuits or to any wooden pole or public property.

5. 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.

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

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

8. 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 of liability insurance as provided in section 3-117.

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

(Ord. No. 10481, § 2, 11-27-07, eff. 1-14-08)

Sec. 3-44. Illumination.

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

(Ord. No. 10481, § 2, 11-27-07, eff. 1-14-08)

Secs. 3-45--3-50. Reserved.

ARTICLE V. SIGN TYPES AND GENERAL REGULATIONS

This Article V 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 sign district by Article VI, is prohibited in that district. Any specific regulation of a sign type that is listed in Article VI for a specific sign district supersedes the general requirement for the sign type listed in this article for that sign district.

Sec. 3-51. Generally permitted signs.

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

B. Reserved.

C. *Emergency site locator.*

1. No permit is required.

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

3. Emergency site locators shall:

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

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

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

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

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

f. 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).

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

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

i. Identify, if existing on site:

(1) Buildings and other structures by address, numerical, alphabetical or other symbol designation.

(2) Fire hydrants.

(3) Electrical main disconnects.

(4) Gas shutoff valves.

(5) Elevators.

(6) Special hazards, such as chemical generators, fuel storage tanks, etc.

- (7) Stairs.
- (8) Swimming pools.
- (9) Bodies of water with bridges noted.
- (10) Railroad tracks.
- (11) Fences and walls with locations of gates.

4. Maximum area:

- a. Complexes with fewer than fifty (50) units: Twelve (12) square feet.
- b. Complexes with fifty-one (51) to three hundred (300) units: Twenty-four (24) square feet.
- c. Complexes with three hundred one (301) to six hundred (600) units: Thirty-six (36) square feet.
- d. Complexes with more than six hundred (600) units: Forty (40) square feet.

5. Maximum height: Ten (10) feet.

D. Incidental signs.

1. No permit is required.
2. Not included in the calculation of total allowable 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.

E. *Political election signs.*

1. Maximum area:

- a. Single family and multiple family residential districts: Six (6) square feet.
- b. All other districts: Fifty (50) square feet.

2. Maximum height: Ten (10) feet.

3. 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.

4. Placement limitations:

- a. May be placed on private property only.
- b. Shall not be placed without the permission of the property owner, as provided in section 3-17.
- c. Shall not be placed in the public right-of-way or on public property.
- d. Shall not obstruct the view of motor vehicle operators or create a traffic hazard, as provided in section 3-54.
- e. The general setback requirement of section 3-36 does not apply.

5. No sign permit required.

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

7. 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.

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

F. *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.

G. *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.
- H. *Vehicle signs.* Vehicle signs are allowed only where all of the following conditions are met:
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.

I. *Wall signs, multipurpose 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.

J. Window signs are permitted wherever wall signs are permitted.

(Ord. No. 10481, § 2, 11-27-07, eff. 1-14-08; Ord. No. 11076, § 3, 5-29-13)

Sec. 3-52. Exempt signs.

The provisions of 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.

A. *Flags:* Flags, emblems or insignias of any nation or political subdivision.

B. *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.

C. *Murals.*

D. *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.

(Ord. No. 10481, § 2, 11-27-07, eff. 1-14-08)

Sec. 3-53. 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 3-54 and 3-55.

A. *Animated and intensely lighted signs:*

1. 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.

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

B. *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.

C. *Fixed balloon signs:*

1. Except as allowed as a temporary sign, as provided in this Article V.

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

D. *Flags or pennants:*

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

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

E. *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.

F. *Moving signs:*

1. 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.

G. *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.

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

I. *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 in section 3-51.H.

(Ord. No. 10481, § 2, 11-27-07, eff. 1-14-08; Ord. No. 10903, § 3, 6-28-11; Ord. No. 11076, § 3, 5-29-13; Ord. No. 11131, § 1, 12-2-13; Ord. No. 11166, § 1, 5-6-14; Ord. No. 11329, § 1, 12-15-15)

Editor's note - Ord. No. 11166 provides that the provisions of Ord. No. 10903 shall cease to be effective on May 29, 2017, unless extended by the Mayor and Council by a separate ordinance. Ord. No. 11329 provides that the provisions of Ord. No. 10903 shall cease to be effective on December 31, 2018, unless extended by the Mayor and Council by a separate ordinance. If not extended, the sections shall revert to the language as it existed prior to Ord. No. 10903.

Sec. 3-54. 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.

(Ord. No. 10481, § 2, 11-27-07, eff. 1-14-08)

Sec. 3-55. 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 sign code.

(Ord. No. 10481, § 2, 11-27-07, eff. 1-14-08)

Sec. 3-56. Awning signs.

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

(Ord. No. 10481, § 2, 11-27-07, eff. 1-14-08)

Sec. 3-57. Banners.

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.

A. Not allowed for nonresidential or home occupation uses.

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

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

D. Right-of-way: Banners may extend or project over a public right-of-way or public property only as provided in section 3-43B.

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

1. 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.

2. 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.

F. Maximum area: Twenty-five (25) square feet.

G. Minimum area: Six (6) square feet.

H. Maximum number: One (1) for every fifteen (15) feet of building length per street frontage. On buildings having more than one street frontage, the maximum allowable number of banners is not transferable from one street frontage to another.

I. Minimum distance from ground level to bottom of banner: Ten (10) feet.

J. Allowable height: May not extend above the facade or eave of the building or structure and shall not exceed forty (40) feet above grade.

(Ord. No. 10481, § 2, 11-27-07, eff. 1-14-08)

Sec. 3-58. 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 district and the industrial 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:*

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

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

3. Limitations:

a. No more than two (2) faces per sign.

b. Vertical or horizontal stacking is not permitted.

C. *Maximum height:*

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

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

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

E. *Minimum separation*:

1. 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.

2. 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.

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

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

H. *Prohibited locations*:

1. 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.

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

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

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

(Ord. No. 10481, § 2, 11-27-07, eff. 1-14-08; Ord. No. 11076, § 3, 5-29-13)

Sec. 3-59. Canopy signs.

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*.

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

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

C. *Dimensional standards*:

1. *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.

2. *Maximum height*:

a. 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.

b. The wall behind the canopy sign shall be vertical and at least six (6) feet higher than the top of the canopy sign, or

c. 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.

d. 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 above may be considered as integrated architectural features per Sec. 3-42.

3. **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.

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

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

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

D. **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.

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

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

(Ord. No. 11076, § 3, 5-29-13)

Sec. 3-60. Directory signs.

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

B. **Maximum faces:** Two (2) per sign.

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

D. **Maximum height:** Ten (10) feet.

E. **Maximum clearance:** Five (5) feet between grade and bottom of sign.

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

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

(Ord. No. 10481, § 2, 11-27-07, eff. 1-14-08; Ord. No. 11076, § 3, 5-29-13)

Sec. 3-61. Freestanding signs.

A. **Monument type sign, general requirements:**

1. Maximum faces: Four (4) per sign.

2. Maximum area: Fifty (50) square feet per face.

3. Maximum height: Ten (10) feet from grade.

4. Minimum setback: Twenty (20) feet from curb to leading edge of sign.

B. **Low profile type sign, general requirements:**

1. Maximum faces: Two (2) per sign.

2. Maximum area: Sixty (60) square feet per face.

3. Maximum height: Eight (8) feet, or less than eight (8) feet if the setback from the curb is less than sixteen (16) feet (see Table 1).

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

Table 1

Distance from Curb to	Maximum
-----------------------	---------

Leading Edge of Sign	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"

5. Minimum continuous base (clearance from grade to bottom of sign): Two (2) feet.

C. *Freestanding pole sign requirements:*

1. Maximum faces: Two (2) per sign.

2. Maximum area: Seventy-two (72) square feet per face.

3. Maximum height: Twelve (12) feet.

4. Minimum setback: Thirty (30) feet from curb to leading edge of sign.

5. 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 (18) inches by six (6) inches. The pole cover or architectural embellishment shall require a plan check for construction specifications in accordance with applicable technical codes.

6. When allowed: Allowed only when there is a minimum of two hundred twenty-five (225) feet of street frontage, or one hundred twenty-five (125) feet of street frontage and four (4) or more business addresses.

7. Maximum number: Only one (1) freestanding pole sign allowed per street frontage per premises.

8. Allowed only in the general business district; industrial district; medical-business- industrial park district; park district and planned area development district.

(Ord. No. 10481, § 2, 11-27-07, eff. 1-14-08; Ord. No. 11076, § 3, 5-29-13)

Sec. 3-62. Freeway sign.

A. Permitted only in the general business district, the industrial 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.

B. *Permitted locations*: Must be within two hundred fifty (250) feet of a freeway right-of-way.

C. *Maximum area*: Three hundred sixty (360) square feet.

D. *Maximum height*: Forty-eight (48) feet from freeway grade to top of sign.

E. *Minimum clearance*: Fourteen (14) feet from grade to bottom of sign.

F. *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 district and the industrial district, one (1) per premises.

(Ord. No. 10481, § 2, 11-27-07, eff. 1-14-08; Ord. No. 11076, § 3, 5-29-13; Ord. No. 11175, § 1, 6-3-14, eff. 7-4-14)

Sec. 3-63. Menu boards.

A. *Maximum area*: Forty-eight (48) square feet.

B. *Maximum height*: Seven (7) feet.

(Ord. No. 10481, § 2, 11-27-07, eff. 1-14-08; Ord. No. 11076, § 3, 5-29-13)

Sec. 3-64. Parking signs.

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

B. *Permitted locations*: Parking signs are permitted wherever the sign type of which it is a part is permitted.

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

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

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

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

F. The height of any additional lettering shall not exceed fifty (50) percent of the height of the letter "P."

(Ord. No. 10481, § 2, 11-27-07, eff. 1-14-08; Ord. No. 11076, § 3, 5-29-13)

Sec. 3-65. Portable (A-frame) signs.

A. 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.

B. 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.

C. 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.

D. *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.

E. *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.

F. *Districts*: A-frames and portable signs are regulated by district: they are permitted in the 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).

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

H. *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.

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

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

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

1. 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.

2. 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.

L. *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 administrator may require site inspection or additional inspections described in section 3-22 of this sign code to ensure proper placement.

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

N. *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.

O. *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 administrator upon the written terms and conditions as are required by the sign code 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 administrator. The sign code 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.

P. 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 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.

Q. *Removal of sign:* In addition to the penalties described below, the sign code administrator may remove any A-frame or portable sign that is placed in violation of this sign code. The sign code 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 administrator may remove the sign after providing reasonable notice to the responsible party.

R. *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:

1. For a first offense, the sign code 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.

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

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

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

(Ord. No. 10481, § 2, 11-27-07, eff. 1-14-08; Ord. No. 11076, § 3, 5-29-13)

Sec. 3-66. Real estate signs.

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

B. *Real estate announcement sign, general requirements:*

1. 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.

2. Maximum faces: Two (2).

3. Maximum area: Thirty-two (32) square feet per face.

4. Maximum height: Ten (10) feet.

5. Maximum clearance: Five (5) feet.

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

7. Removal: Prior to installation of any permanent signage for this location.

C. *Real estate construction sign, general requirements:*

1. Maximum faces: Two (2).

2. Maximum area: Thirty-two (32) square feet per face.

3. Maximum height: Ten (10) feet.

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

D. *Real estate development sign, general requirements:*

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

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

3. Maximum number and area: Three (3) signs at seventy-two (72) square feet each, or six (6) signs at fifty (50) square feet each.

4. Maximum height: Ten (10) feet.

5. Minimum clearance: Two (2) feet.

6. Interval limitation: None.

7. Removal: Immediately when properties are sold.

8. 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.

E. *Real estate directional sign, general requirements:*

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

2. Maximum area: Four (4) square feet.

3. Maximum height: Three (3) feet.

4. Prohibited on public right-of-way.

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

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

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

2. Maximum area:

a. Residential properties: Four (4) square feet.

b. Nonresidential properties: Thirty-two (32) square feet.

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

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

G. *Real estate project identity entrance sign, general requirements:*

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

2. Maximum allowable sign area: Twenty (20) square feet.

3. Maximum number: Two (2) signs per street entrance.

4. Maximum faces: One (1) per sign.

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

H. *Real estate rental development sign, general requirements:*

1. 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.

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

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

4. Maximum number and area: Three (3) signs at seventy-two (72) square feet each, or six (6) signs at fifty (50) square feet each.

5. Maximum height: Ten (10) feet.

6. Minimum clearance: Two (2) feet.

7. Interval limitation: None.

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

I. *Real estate subdivision sign, general requirements:*

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

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

3. Maximum faces: Four (4).

4. Maximum area: Two hundred (200) square feet per face.

5. Maximum height: Eighteen (18) feet.

6. Maximum clearance: Two (2) feet.

7. Maximum number: One (1) per subdivision.

8. Removal: Immediately when properties are sold.

9. 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.

Sec. 3-67. Special event signs.

- A. *Maximum number*: One (1) per arterial street.
- B. *Maximum area*: Ten (10) feet by ten (10) feet.
- C. *Maximum height*: Seventeen (17) feet.
- D. *Minimum clearance*: Seven (7) feet.
- E. *Erection*: No more than one hundred twenty (120) days prior to the event.
- F. *Removal*: Immediately upon termination of the event.

(Ord. No. 10481, § 2, 11-27-07, eff. 1-14-08; Ord. No. 11076, § 3, 5-29-13)

Sec. 3-68. Temporary signs.

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

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

C. *Grand opening, sales and civic events banner, general requirements*:

1. Banners:

- a. All corners must be attached to the building wall or facade.
- b. Maximum number: One (1) per street frontage.
- c. Maximum area: Ninety (90) square feet.
- d. A permit for the use of a banner will be issued for up to forty-five (45) days.
- e. Removal. A banner must be removed after forty-five (45) consecutive days.

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

3. Balloon sign: One (1) balloon sign is permitted per business establishment. A balloon sign is prohibited from having mechanical or electronic movement or animation of any kind. A balloon will be allowed only for a period of ten (10) days.

D. Banner used as temporary signage, general requirements:

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

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

3. 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.

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

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

(Ord. No. 10481, § 2, 11-27-07, eff. 1-14-08; Ord. No. 11076, § 3, 5-29-13)

Sec. 3-69. Traffic directional signs.

A. Not permitted in the single family residential district, the O-1 district or the historic district.

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

C. *Maximum area*: Six (6) square feet per face.

D. *Maximum height:* Three (3) feet.

(Ord. No. 10481, § 2, 11-27-07, eff. 1-14-08; Ord. No. 11076, § 3, 5-29-13)

Sec. 3-70. Wall signs.

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

B. Twenty-five (25) 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.

(Ord. No. 10481, § 2, 11-27-07, eff. 1-14-08; Ord. No. 11076, § 3, 5-29-13)

Sec. 3-71. 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.

B. Purpose.

1. 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

2. 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

3. 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/repared, 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.

a. 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).

b. 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).

c. 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:

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

b. The sign shall use materials and technology representative of its period of construction.

c. The sign shall be non-rectangular or non-planar.

d. The sign shall be a detached, projecting, or roof sign.

e. The sign is structurally safe or can be made safe without substantially altering its historical appearance.

2. Cultural/historical/design guidelines:

a. The sign shall exemplify the cultural, economic, and historic heritage of Tucson.

b. The sign shall exhibit extraordinary aesthetic quality, creativity, and innovation.

c. 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.

d. 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.

a. Restoration/repair of a classic HLS shall be consistent with a documented appearance that existed prior to 1961.

b. Restoration/repair of a transitional HLS shall be consistent with a documented appearance that existed between 1961 and 1974 inclusive.

c. Restoration/repair of a replica HLS shall be consistent with a documented appearance that existed prior to 1961.

d. Restoration/repair shall not add typographical or other elements which result in an increase in the size of the restored/repared sign.

2. Adaptive reuse (change of copy).

a. Adaptive reuse of a replica HLS is prohibited.

b. Text changes shall not result in changes to character defining text.

c. Text changes shall match or be compatible with existing text in material(s), letter size, font/typography, and color.

3. Relocation.

a. Relocation of a classic or transitional HLS shall be to a location within the original premises, or to a location within

an HLS concentration.

b. Relocation of a replica HLS shall be to a location within an HLS concentration.

c. 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.

d. 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.

e. 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. A replica HLS shall be consistent with a documented appearance that existed prior to 1961.

b. A replica HLS may only be installed on the premises where it originally existed.

c. 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.

d. A replica HLS shall utilize historical materials and technologies, or visually matching contemporary materials and technologies.

e. 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. 3-96 C.1.

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 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.

a. 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.

b. 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.

(Ord. No. 10903, § 3, 6-28-11; Ord. No. 11076, § 3, 5-29-13; Ord. No. 11131, § 1, 12-2-13; Ord. No. 11166, § 1, 5-6-14; Ord. No. 11329, § 1, 12-15-15)

Editor's note - Ord. No. 11166 provides that the provisions of Ord. No. 10903 shall cease to be effective on May 29, 2017, unless extended by the Mayor and Council by a separate ordinance. Ord. No. 11329 provides that the provisions of Ord. No. 10903 shall cease to be effective on December 31, 2018, unless extended by the Mayor and Council by a separate ordinance. If not extended, the sections shall revert to the language as it existed prior to Ord. No. 10903.

ARTICLE VI. SIGNS BY DISTRICT

Sec. 3-72. Sign districts.

The regulations in this Article VI establish the number, size, type, location, and other provisions relating to signs as permitted in the various sign districts of the city. No sign shall be allowed unless expressly permitted within a particular district by this Article VI or otherwise permitted or exempt under this sign code. In case of a conflict between the regulations in this article and the regulations in other articles of this sign code, the more restrictive regulation shall apply. The application and interpretation of sign districts shall be in conformance with section 3-4.

(Ord. No. 10481, § 2, 11-27-07, eff. 1-14-08; Ord. No. 11076, § 4, 5-29-13)

DIVISION 1. RESIDENTIAL DISTRICTS

Sec. 3-73. Single family residential district.

A. *Location:* The single family residential district includes all property in the rural residential zones, the RX-1, RX-2, R-1 and MH-1 zones, Tucson Land Use Code (LUC) Article II, Division 2 and LUC Sec. 2.3.2, 2.3.3, 2.3.4 and 2.3.8. 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.

B. *Maximum total sign area:*

1. Nonresidential uses: Twenty (20) square feet of total sign area per street frontage. On buildings having 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.

2. Home occupation uses: 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, as permitted by the Tucson Land Use Code.

C. *Permitted signs:*

1. Signs generally permitted by section 3-51 and sign types listed in Article V, except as modified by this subsection for this district, and signs exempt under section 3-52.

2. Awning signs: For nonresidential and home occupation uses only.

3. Banners, curbside only. Allowed for residential uses only. Not allowed for nonresidential or home occupation uses.

4. Freestanding signs.

a. Nonresidential and home occupation uses.

b. Monument and low profile only.

c. Freestanding signs that include or consist of a three-dimensional representation of a figure or object are prohibited.

5. Real estate signs. Not permitted for home occupation uses.

6. Temporary signs.

a. Allowed uses: Residential and nonresidential uses only. Not allowed for home occupation uses.

b. Maximum area: Six (6) square feet.

7. Wall signs. Nonresidential and home occupation uses only. Not allowed for residential uses.

(Ord. No. 10481, § 2, 11-27-07, eff. 1-14-08; Ord. No. 11076, § 5, 5-29-13)

Sec. 3-74. Multiple family residential district.

A. *Location:* The multiple family residential district includes all property in the R-2, R-3 and MH-2 residential zones, Tucson Land Use Code Sec. 2.3.5, 2.3.6 and 2.3.8. 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.

B. *Maximum total sign area:*

1. Residential and nonresidential uses: Fifty (50) square feet.
2. Home occupation uses: 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, as permitted by the Tucson Land Use Code.

C. *Permitted signs:*

1. Signs generally permitted by section 3-51 and sign types listed in Article V, except as modified by this subsection for this district, and signs exempt under section 3-52.
2. Awning signs.
3. Banners, curbside only, for nonresidential uses only.
4. Freestanding signs, monument and low profile only.
 - a. Freestanding signs that include or consist of a three-dimensional representation of a figure or object are prohibited.
 - b. Low profile type sign. Maximum area: Fifty (50) square feet.
5. Real estate signs. Not permitted for home occupation uses.
6. Temporary signs.
 - a. Not permitted for home occupation uses.
 - b. Maximum area: Six (6) square feet.
7. Traffic directional signs. Not permitted for home occupation uses.
8. Wall signs.

(Ord. No. 10481, § 2, 11-27-07, eff. 1-14-08; Ord. No. 11076, § 5, 5-29-13)

Sec. 3-75. Park district.

The park district is property containing public parks that are either neighborhood parks, district parks or regional parks.

A. *Permitted signs.*

1. Signs generally permitted by section 3-51 and sign types listed in Article V, except as modified by this subsection for this district, and signs exempt under section 3-52.
2. Awning signs.
3. Banners, building and curbside.
4. Freestanding signs.
 - a. Regional parks, consisting of a public park or parks of at least fifteen (15) acres and serving a region of or the entire city.
 - (1) Two (2) per arterial street.
 - (2) Maximum height: Fourteen (14) feet.
 - (3) Clearance: Zero.
 - b. District parks, consisting of a public park or parks of at least fifteen (15) acres but not more than one hundred (100) acres and serving several neighborhoods.
 - (1) Two (2) per entrance.
 - (2) Maximum height: Ten (10) feet.
 - (3) Clearance: Zero.
 - c. Neighborhood parks, consisting of a public park or parks of less than fifteen (15) acres and serving the nearby

pedestrian population.

- (1) One (1) per entrance.
- (2) Maximum height: Eight (8) feet.
- (3) Clearance: Zero.
5. Special event signs. Allowed only in a regional park.
 - a. One (1) per arterial.
 - b. Maximum area is ten (10) feet by ten (10) feet.
 - c. Maximum height: Seventeen (17) feet.
 - d. Clearance: Seven (7) feet.
 - e. Erection: No more than 120 days prior to the event.
 - f. Removal: Immediately upon termination of the event.
6. Temporary signs.
7. Traffic directional signs.
8. Wall signs.

(Ord. No. 10481, § 2, 11-27-07, eff. 1-14-08; Ord. No. 11076, § 5, 5-29-13)

DIVISION 2. NONRESIDENTIAL DISTRICTS

Sec. 3-76. O-1 zone district.

A. *Location:* The O-1 district is property zoned O-1 office zone under Sec. 2.4.1 of the Land Use Code. 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.

B. *Maximum total sign area:* Twenty (20) square feet per site.

C. *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.

D. *Permitted signs:*

1. Signs generally permitted by section 3-51 and sign types listed in Article V, except as modified by this subsection for this district, and signs exempt under section 3-52.

2. Freestanding signs, low profile type only.

a. Maximum number: One (1) per site.

b. Location: On arterial or collector streets only.

c. Maximum faces: Two (2) per sign, back to back configuration only.

d. Maximum area: Twelve (12) square feet per face.

e. Maximum height: Four (4) feet from grade.

f. Minimum setback: Twelve (12) feet from curb to leading edge of sign.

g. Freestanding signs which include or consist of a three-dimensional representation of a figure or object are

prohibited.

3. Home occupation signs. 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.

4. Real estate signs.

5. Temporary signs. Maximum area six (6) square feet.

6. Wall signs.

(Ord. No. 10481, § 2, 11-27-07, eff. 1-14-08; Ord. No. 11076, § 6, 5-29-13)

Sec. 3-77. General business district.

A. *Location:* The general business district includes property in the O-2, O-3, P, RV, NC, RVC, C-1, C-2, C-3, OCR-1, OCR-2, MU and U zones as designated on the City of Tucson Zoning Maps. The General Business 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, the O-1 district or the planned area development (PAD) district.

B. *Maximum on-site total sign area:*

1. Generally: Three (3) square feet per foot of street frontage.

2. 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.

C. *Permitted signs:*

1. Signs generally permitted by section 3-51 and sign types listed in Article V, except as modified by this subsection for this district, and signs exempt under section 3-52.

2. Awning signs.

3. Banners, building and curbside.

4. Billboards.

5. Freestanding signs, all types.

a. Stand-alone premises:

(1) One (1) freestanding sign for each street frontage.

(2) One (1) 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.

(4) 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.

6. Freeway signs.

7. Menu boards.

8. 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.

9. Real estate signs.

10. Temporary signs.

11. Traffic directional signs.

12. Wall signs.

a. Maximum size:

(1) Generally: No more than thirty (30) percent of the area of each wall may be utilized for wall signs.

(2) A wall sign within two hundred fifty (250) feet of a freeway shall be no more than forty (40) percent of the area of each wall.

13. Historic landmark signs (HLS), all types. The first HLS on a premise does not count toward the maximum total sign area.

14. Canopy signs.

D. *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.

(Ord. No. 10481, § 2, 11-27-07, eff. 1-14-08; Ord. No. 10903, § 4, 6-28-11; Ord. No. 11076, § 6, 5-29-13; Ord. No. 11131, § 1, 12-2-13; Ord. No. 11164, § 1, 5-6-14; Ord. No. 11166, § 1, 5-6-14; Ord. No. 11329, § 1, 12-15-15)

Editor's note - Ord. No. 11166 provides that the provisions of Ord. No. 10903 shall cease to be effective on May 29, 2017, unless extended by the Mayor and Council by a separate ordinance. Ord. No. 11329 provides that the provisions of Ord. No. 10903 shall cease to be effective on December 31, 2018, unless extended by the Mayor and Council by a separate ordinance. If not extended, the sections shall revert to the language as it existed prior to Ord. No. 10903.

Sec. 3-78. Planned area development (PAD) district.

A. *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. 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.

B. *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.

C. *Maximum on-site sign area*: Three (3) square feet per foot of street frontage.

D. *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.

E. *Permitted signs:*

1. Signs generally permitted by section 3-51 and sign types listed in Article V, except as modified by this subsection for this district, and signs exempt under section 3-52.
2. Awning signs.
3. Banners, building and curbside.
4. Directory signs: One (1) per five (5) acres of complex with one additional directory sign per each additional five (5) acres of complex.
5. 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.
6. 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.
7. Real estate signs, all types.
 - a. Real estate project identity entrance sign, general requirements:
 - (1) If integrated with landscaping:
 - (a) Maximum number: Two (2).
 - (b) Maximum faces: One (1) per sign.
 - (c) Maximum size: One hundred (100) square feet per sign.
 - (2) If not integrated with landscaping:
 - (a) Maximum number: One (1).
 - (b) Maximum faces: Two (2) per sign.
 - (c) Maximum size: One hundred (100) square feet per face.
 - (d) Maximum height: Ten (10) feet measured from the average top of curb of adjacent streets.
8. Temporary signs.
9. Traffic directional signs.
10. Wall signs:
 - a. Maximum size: No more than thirty (30) percent of the area of each wall.
 - b. Any portion of wall sign allowance for a building may be transferred from one street frontage to another for wall sign usage on that specific building.
 - c. The allowance for wall signs is not transferable between buildings or lots within the district.
 - d. The total square feet of wall sign area for a building may be allocated by the building owner among the occupants/tenants of a building.
 - e. Sign placement:
 - (1) Tenant identification signage shall be placed only on a sign band as delineated in building elevation drawings approved with the related development plan.
 - (2) 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.
11. Historic landmark signs (HLS), all types. The first HLS on a premise does not count toward the maximum total sign area.
12. Canopy signs.

13. Freeway signs to the extent permitted under section 3-62.

14. Menu boards.

(Ord. No. 10481, § 2, 11-27-07, eff. 1-14-08; Ord. No. 10903, § 4, 6-28-11; Ord. No. 11076, § 6, 5-29-13; Ord. No. 11131, § 1, 12-2-13; Ord. No. 11166, § 1, 5-6-14; Ord. No. 11175, § 2, 6-3-14, eff. 7-4-14; Ord. No. 11329, § 1, 12-15-15)

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Sec. 3-79. Medical-business-industrial park district.

A. *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.

B. *Maximum total sign area:* Two (2) square feet per foot of street frontage.

C. *Permitted signs:*

1. Signs generally permitted by section 3-51 and sign types listed in Article V, except as modified by this subsection for this district, and signs exempt under section 3-52.

2. Awning signs.

3. Banners, building and curbside.

4. Directory signs: One (1) per two (2) acres of development.

5. Freestanding signs, all types.

a. One (1) per street frontage.

b. One freestanding sign per building to be located at the building's parking entrance.

c. The allowance for freestanding signs is not transferable either in whole or in part from one street frontage to another or one building to another.

6. Real estate signs, all types.

7. Temporary signs.

8. Traffic directional signs.

9. Wall signs. Maximum size: Eight (8) square feet.

10. Canopy signs.

(Ord. No. 10481, § 2, 11-27-07, eff. 1-14-08; Ord. No. 11076, § 6, 5-29-13)

Sec. 3-80. Industrial district.

A. *Location:* The industrial district includes property in the industrial zones, Tucson Land Use Code Sec. 2.7.1, 2.7.2 and 2.7.3. The industrial 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.

B. *Maximum total sign area:* Four (4) square feet per foot of street frontage.

C. *Permitted signs:*

1. Signs generally permitted by section 3-51 and sign types listed in Article V, except as modified by this subsection for this district, and signs exempt under section 3-52.

2. Awning signs.
3. Banners, building and curbside.
4. Billboards.
5. 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.
6. Freeway signs.
7. Menu boards.
8. 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.
9. Real estate signs.
10. Temporary signs.
11. Traffic directional signs.
12. Wall signs. Maximum size: no more than forty (40) percent of the area of each wall.
13. Historic landmark signs (HLS), all types. The first HLS on a premise does not count toward the maximum total sign area.
14. Canopy signs.

(Ord. No. 10481, § 2, 11-27-07, eff. 1-14-08; Ord. No. 10903, § 4, 6-28-11; Ord. No. 11076, § 6, 5-29-13; Ord. No. 11131, § 1, 12-2-13; Ord. No. 11166, § 1, 5-6-14; Ord. No. 11329, § 1, 12-15-15)

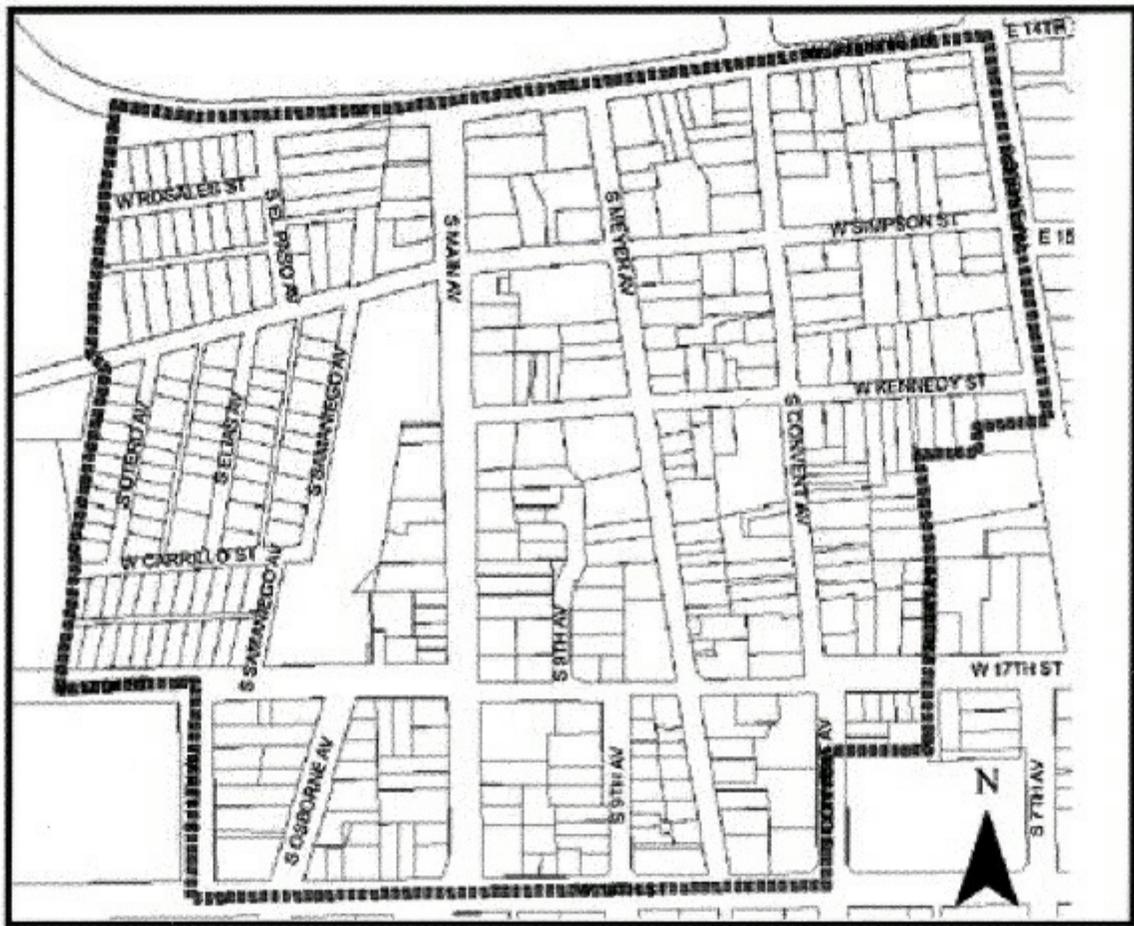
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DIVISION 3. SPECIAL DISTRICTS

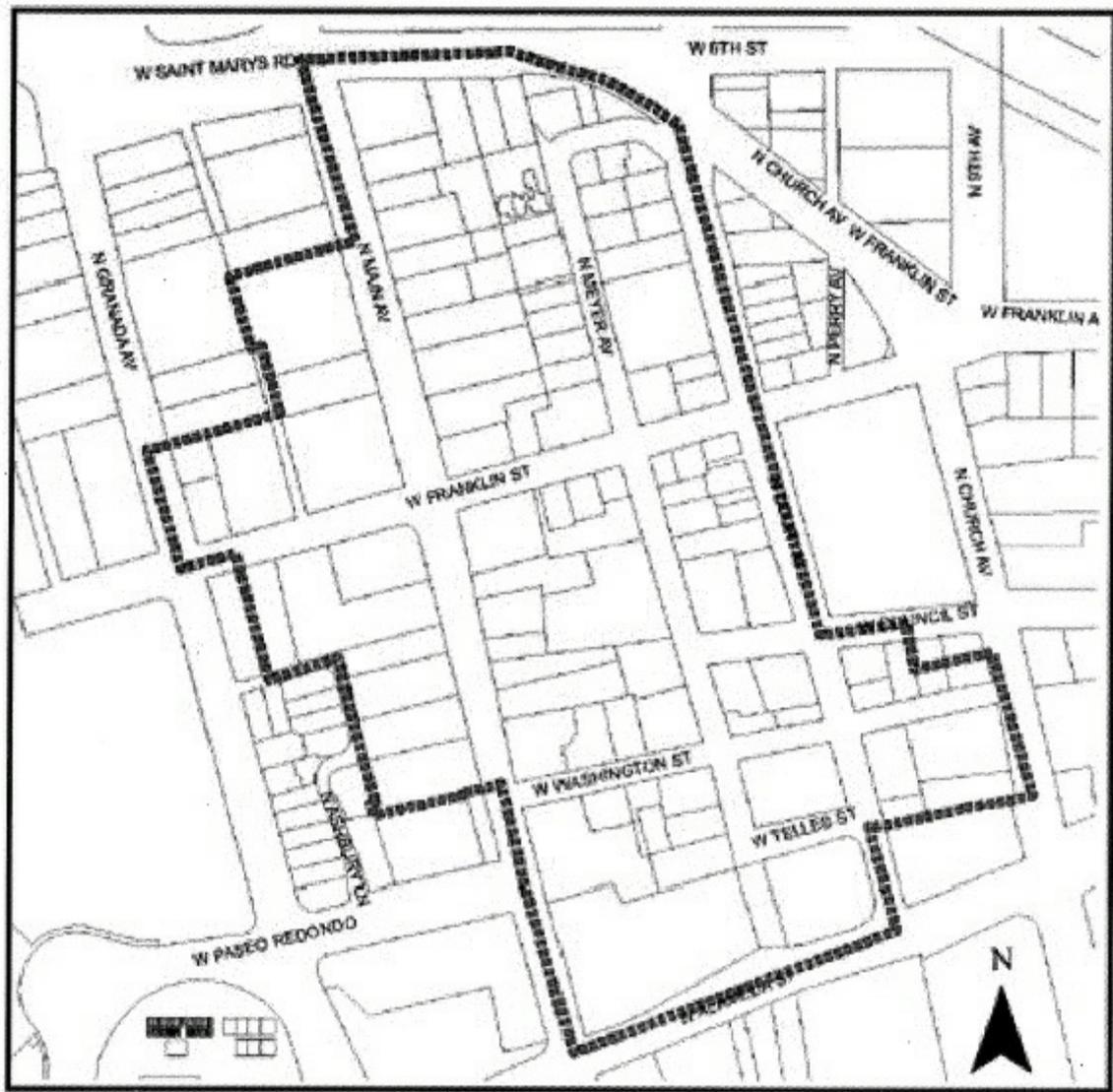
Sec. 3-81. Historic district.

A. *Location:* Historic districts include property established as historic preservation zones pursuant to Sec. 2.8.8 of the Land Use Code 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:

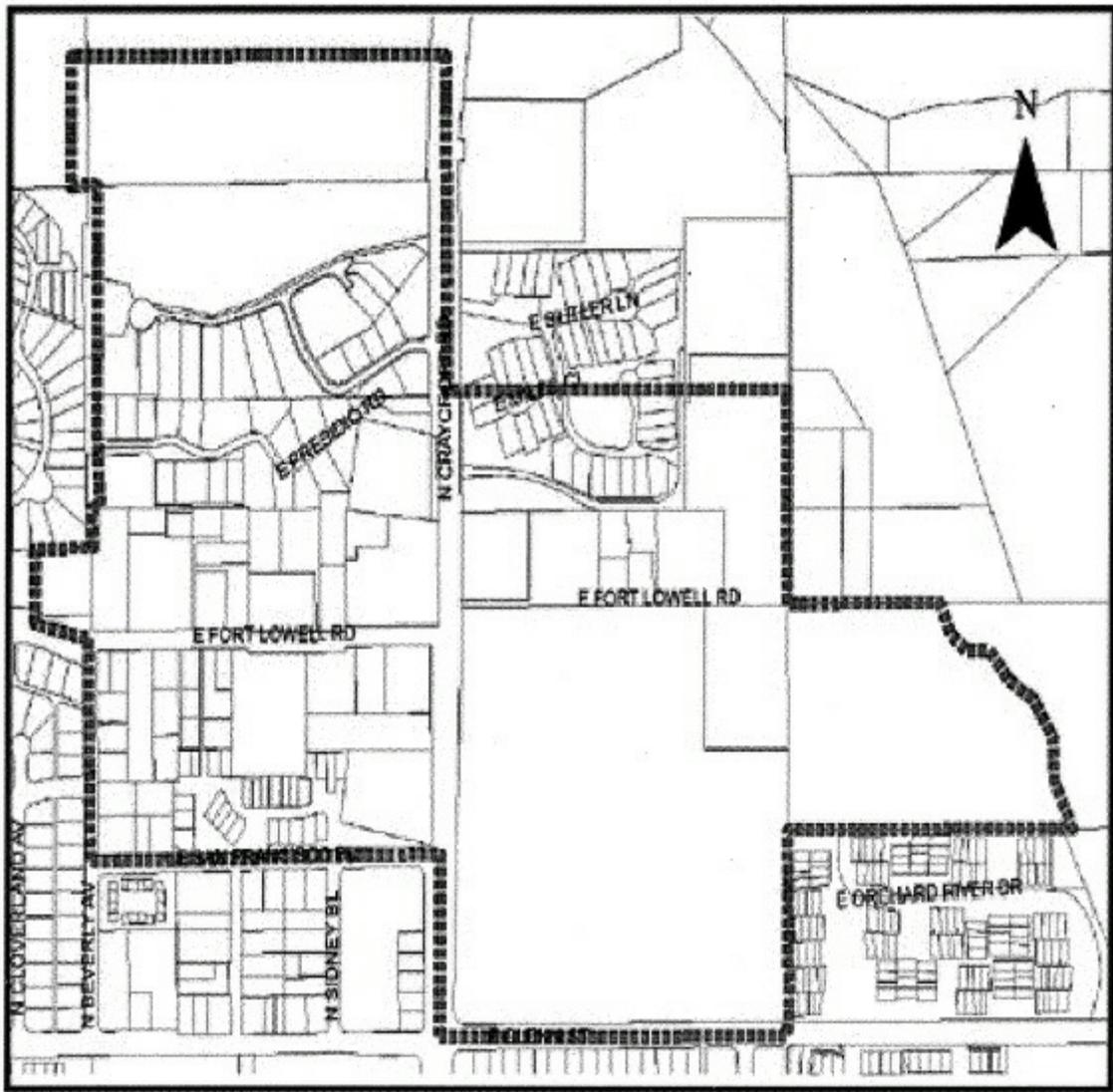
The following District maps are available in PDF, [click here](#)



Barrio Historico Historic District



El Presidio Historic District



Fort Lowell Historic District

1. Signs generally permitted by section 3-51 and sign types listed in Article V, except as modified by this subsection for this district, and signs exempt under section 3-52.
 2. Awning signs.
 3. Banners, building and curbside.
 4. Freestanding signs, monument and low profile only.
 - a. Maximum number: One (1) per premises.
 - b. Freestanding signs that include or consist of a three-dimensional representation of a figure or object are prohibited.
 5. Portable signs.
 - a. May be permitted in this district only after review and approval by the development services director, the applicable historic district advisory board and the Tucson Pima County Historical Commission.
 - b. 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.
 6. Projecting signs.
 - a. Allowed use: Limited to commercial uses only.
 - b. Maximum height: Twelve (12) feet from grade (pedestrian surface) to top of sign.
 - c. Minimum clearance: Eight (8) feet between grade and bottom of sign.
 - d. Maximum projection from building: Five (5) feet.
 7. Real estate signs, all types.
 - a. Real estate for sale or lease sign. Maximum area for residential properties: Four (4) square feet.
 8. Temporary signs.
 9. Wall signs.
 10. Canopy signs, limited to properties zoned HO-2, HO-3, HNC, HC-1, HC-2, HC-3, HOCR-1 and HOCR-2.

(Ord. No. 10481, § 2, 11-27-07, eff. 1-14-08; Ord. No. 11076, § 7, 5-29-13)

Sec. 3-82. 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](#)



Figure 2a: Pedestrian Business District Fourth Avenue

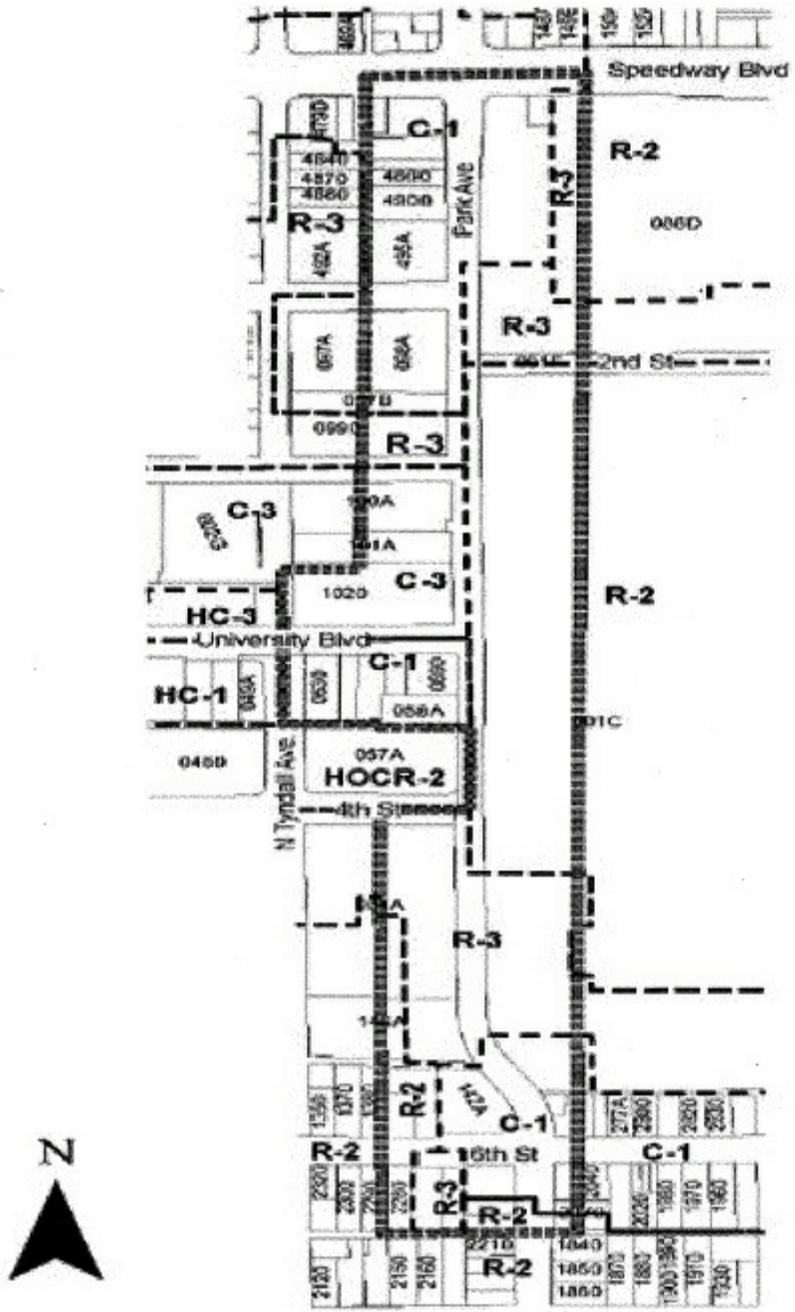


Figure 2b: Pedestrian Business District Park Avenue

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*.

1. Signs generally permitted by section 3-51 and sign types listed in Article V, except as modified by this subsection for this district, and signs exempt under section 3-52.

2. Awning signs.

3. Banners, building and curbside.

4. Freestanding signs, low profile and monument type only.

a. 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.

b. Maximum area: Twenty (20) square feet per sign.

c. Parking lots: Where used to identify a commercial parking facility, each freestanding sign must display the standard Parking I.D. symbol.

d. Maximum height: Twelve (12) feet above grade.

5. Parking signs.

6. 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.
7. Projecting signs.
 - a. Allowed for commercial uses only.
 - b. Maximum area: Twenty (20) square feet.
 - c. Maximum height: Twelve (12) feet from grade (pedestrian surface) to top of sign.
 - d. Minimum clearance: Eight (8) feet between grade and bottom of sign.
 - e. Maximum projection from building: Five (5) feet.
8. Real estate signs, all types.
9. Temporary signs.
10. Traffic directional signs.
11. Wall signs. Maximum size: Thirty (30) percent of the area of each wall.
12. Historic landmark signs (HLS), all types. The first HLS on a premise does not count toward the maximum total sign area.
13. Canopy signs.

(Ord. No. 10481, § 2, 11-27-07, eff. 1-14-08; Ord. No. 10903, § 4, 6-28-11; Ord. No. 11076, § 7, 5-29-13; Ord. No. 11131, § 1, 12-2-13; Ord. No. 11166, § 1, 5-6-14; Ord. No. 11188, § 2, 8-5-14, eff. 9-5-14; Ord. No. 11329, § 1, 12-15-15)

Editor's note - Ord. No. 11166 provides that the provisions of Ord. No. 10903 shall cease to be effective on May 29, 2017, unless extended by the Mayor and Council by a separate ordinance. Ord. No. 11329 provides that the provisions of Ord. No. 10903 shall cease to be effective on December 31, 2018, unless extended by the Mayor and Council by a separate ordinance. If not extended, the sections shall revert to the language as it existed prior to Ord. No. 10903.

Sec. 3-83. Scenic corridor zone (SCZ) district.

- A. *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.
- B. *Maximum total attached sign area*:
 1. 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.
 2. For multifamily complexes: Twenty (20) square feet per street frontage.
- C. *Land Use Code compliance*: All signs in this District shall comply with applicable provisions of the Land Use Code and must be approved through the applicable review process.
- D. *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 Code.
- E. *Permitted signs*:
 1. Signs generally permitted by section 3-51 and sign types listed in Article V, except as modified by this subsection for this district, and signs exempt under section 3-52.
 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.

b. Maximum area:

(1) Multifamily residential uses: Twenty (20) square feet per street frontage.

(2) 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.

c. Maximum height: Ten (10) feet.

d. Location:

(1) 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.

(2) 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.

e. Freestanding signs that include or consist of a three-dimensional representation of a figure or object are prohibited.

f. 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.

g. Within SCZ buffer electronic message signs and exposed neon signs are prohibited.

4. Menu boards.

5. Medical services directional sign.

a. Maximum area: Eight (8) square feet.

b. Maximum height: Four (4) feet to top of sign.

c. Permitted: Only if no frontage on collector or arterial street.

6. Real estate signs, only types listed.

a. Real estate for sale or lease signs.

(1) Maximum area:

(a) Residential properties: Four (4) square feet.

(b) Vacant land: Sixteen (16) square feet.

(c) 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.

b. Real estate project identity entrance sign.

c. Real estate subdivision sign.

(1) Maximum faces: Two (2).

(2) Maximum area: Sixteen (16) square feet.

(3) Maximum height: Ten (10) feet from grade to top of sign.

7. Temporary signs

8. Traffic directional signs:

a. Within the scenic corridor thirty (30) foot landscape buffer the following shall apply:

- (1) Minimum site area: Ten (10) acres.
- (2) Maximum area: Three (3) square feet; tenant identification or logo not to exceed one (1) square foot.
- (3) Maximum number: One (1) per vehicular entrance.
- (4) Location: Within twenty (20) feet of the entrance.

9. Wall signs.

10. Canopy signs.

(Ord. No. 10481, § 2, 11-27-07, eff. 1-14-08; Ord. No. 10864, § 2, 12-14-10; Ord. No. 10951, § 2, 12-20-11, eff. 1-20-12; Ord. No. 11032, § 1, 11-7-12*; Ord. No. 11076, § 7, 5-29-13)

***Editor's note** - Section 3 of Ord. No. 10864, as amended by Section 2 of Ord. No. 10951, Section 1 of Ord. No. 11032 and Section 1 of Ord. No. 11333, provides: "The provisions of this Ordinance amending Sections 3-33 and [3-83] of the Sign Code shall cease to be effective on January 31, 2019, unless extended by the Mayor and Council by a separate ordinance. If not extended, the sections shall revert to the language as it existed prior to this amending Ordinance. The purpose of this sunset clause is to give the City the opportunity to decide whether to continue to implement Sections 3-33 and [3-83], as amended or to revert to those provisions existing prior to this Ordinance."

Secs. 3-84--3-90. Reserved.

**ARTICLE VII.
SIGN MAINTENANCE**

Sec. 3-91. Maintenance.

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 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.

(Ord. No. 10481, § 2, 11-27-07, eff. 1-14-08)

Sec. 3-92. Dangerous or defective signs.

No person shall maintain or permit to be maintained on any premises 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.

(Ord. No. 10481, § 2, 11-27-07, eff. 1-14-08)

Sec. 3-93. Removal of dangerous or defective signs.

The sign code 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.

(Ord. No. 10481, § 2, 11-27-07, eff. 1-14-08)

Secs. 3-94, 3-95. Reserved.

ARTICLE VIII.
NONCONFORMING SIGNS AND CHANGE OF USE

Sec. 3-96. Signs for legal nonconforming uses.

A. Subject to the provisions of this section, signs for a legal nonconforming use, as defined in the 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.

B. 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.

C. 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 this Sign Code.

D. 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:

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

2. 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:

a. Photographs of all existing signs on the property.

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

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

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

4. 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.

5. 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.

6. 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.

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

8. The sign may be relocated, subject to the following:

a. 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.

b. 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.

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

10. 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.

(Ord. No. 10481, § 2, 11-27-07, eff. 1-14-08; Ord. No. 10903, § 5, 6-28-11; Ord. No. 10954, § 1, 1-10-12, eff. 7-10-12; Ord. No. 11131, § 1, 12-2-13; Ord. No. 11166, § 1, 5-6-14; Ord. No. 11329, § 1, 12-15-15)

Editor's note - Section 3 of Ord. No. 10954 provides: "The provisions of the Tucson Code, Chapter 3, Article VIII, Section 3-96(D) shall end and be of no effect on July 10, 2013."

Ord. No. 11166 provides that the provisions of Ord. No. 10903 shall cease to be effective on May 29, 2017, unless

extended by the Mayor and Council by a separate ordinance. Ord. No. 11329 provides that the provisions of Ord. No. 10903 shall cease to be effective on December 31, 2018, unless extended by the Mayor and Council by a separate ordinance. If not extended, the sections shall revert to the language as it existed prior to Ord. No. 10903.

Sec. 3-97. Change of use.

A. 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 chapter.

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

C. Occupancy categories:

1. Assembly uses such as theaters, churches, stadiums, review stands and amusement park structures.
2. Educational uses such as nurseries, child-care and other educational purposes.
3. Institutional uses such as hospitals, sanitariums, nursing homes, mental hospitals and sanitariums, jails, prisons and reformatories.
4. Manufacturing and industrial uses such as storage of materials, dry cleaning plants, paint shops, woodworking, printing plants, ice plants, power plants and creameries.
5. Service facilities such as repair garages, aircraft repair hangers, gasoline and service stations.
6. Wholesale uses.
7. Retail uses.
8. Office uses.
9. Restaurant, drinking and dining uses.
10. Government uses such as police and fire stations.
11. Multi-occupancy dwellings such as hotels, apartment houses, convents, monasteries and lodging houses.
12. Single-family dwellings.
13. Parking facilities such as parking garages.

(Ord. No. 10481, § 2, 11-27-07, eff. 1-14-08)

Secs. 3-98--3-100. Reserved.

ARTICLE IX. VIOLATIONS; ENFORCEMENT; PENALTIES

Sec. 3-101. Violation a public nuisance.

If any person erects, alters, relocates or maintains a sign in violation of the provisions of this sign 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.

(Ord. No. 10481, § 2, 11-27-07, eff. 1-14-08)

Sec. 3-102. Violation declared a civil infraction.

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

(Ord. No. 10481, § 2, 11-27-07, eff. 1-14-08)

Sec. 3-103. Abandoned and discontinued signs; obsolete sign copy.

A. *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.

B. *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.

C. *Determination of discontinuance, recording of determination of discontinued nonconforming sign.* The 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 sign code administrator may consider:

1. Whether the property on which the sign is located is vacant or unoccupied;
2. The length of time the property is vacant or unoccupied;
3. The condition of the property;
4. The status of any business licenses, permits, or certificates of occupancy;
5. Utility records for the property;
6. Any acts taken by any person with respect to the property; and
7. Any other factor the sign code administrator considers relevant to this determination.

D. *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 sign code administrator.

(Ord. No. 10481, § 2, 11-27-07, eff. 1-14-08)

Sec. 3-104. Reserved.

Sec. 3-105. Illegal signs.

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

(Ord. No. 10481, § 2, 11-27-07, eff. 1-14-08)

Sec. 3-106. Removal of abandoned, prohibited and illegal signs by sign code administrator.

The sign code administrator shall enforce the sign code in accordance with one or more of the following procedures:

A. *Administrative enforcement:*

1. For an abandoned or discontinued sign, the 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 the nuisance within thirty (30) days from the date the notice was mailed or delivered.

2. For a prohibited or illegal sign, the 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 the nuisance within five (5) days from the date the notice was mailed or delivered.

3. The sign code 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:

- a. Removal of the sign; or
- b. Obtaining the required permits and bringing the sign into compliance with this sign code.

B. *Summary abatement.* The sign code administrator may immediately remove any dangerous sign or sign that

creates an imminent threat to public safety. The sign code 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.

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

(Ord. No. 10481, § 2, 11-27-07, eff. 1-14-08)

Sec. 3-107. Administrative appeal.

Review of decisions of the sign code administrator may be taken in the following ways:

A. Appeal of decisions of the sign code administrator relating to this sign code and requests for variances shall be made pursuant to Article XI.

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

C. In all other cases and whenever a violation of any of the technical codes or this Code 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 pursuant to the provisions of the applicable code.

(Ord. No. 10481, § 2, 11-27-07, eff. 1-14-08)

Sec. 3-108. Reserved.

Sec. 3-109. Penalty.

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

B. Upon a finding of responsibility, the magistrate shall impose the penalties (fine and abatement) provided under section 8-6.1 of the Tucson Code. 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.

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

(Ord. No. 10481, § 2, 11-27-07, eff. 1-14-08)

Sec. 3-110. Abatement by the city after court order.

A. 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.

B. 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.

C. The payment for costs or expenses shall be in addition to any civil penalty imposed pursuant to Chapter 8 of the Tucson Code.

(Ord. No. 10481, § 2, 11-27-07, eff. 1-14-08)

Secs. 3-111--3-115. Reserved.

ARTICLE X. INDEMNIFICATION

Sec. 3-116. Indemnification of city.

As a condition to the issuance of a sign permit as required by this sign code, 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.

(Ord. No. 10481, § 2, 11-27-07, eff. 1-14-08)

Sec. 3-117. Liability insurance required.

As a condition to the issuance of a sign permit as required by Article III of this sign code, 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.

(Ord. No. 10481, § 2, 11-27-07, eff. 1-14-08)

Secs. 3-118--3-120. Reserved.

**ARTICLE XI.
APPEALS & VARIANCES**

Sec. 3-121. Powers, duties and responsibilities.

The board of adjustment shall have the power to grant variances and to review decisions of the sign code administrator as specified in this section.

(Ord. No. 10481, § 2, 11-27-07, eff. 1-14-08; Ord. No. 11392, § 1, 8-9-16)

Sec. 3-122. Findings required in granting variances.

The board of adjustment may grant a variance only if it finds:

- A. That, because there are special circumstances applicable to the property, strict enforcement of this sign code would deprive the property of privileges enjoyed by other property in the same district;
- B. That the variance will not result in a special privilege to one individual property and the circumstances are such that the variance would be appropriate for any property owner facing similar circumstances;
- C. That the requested variance will not materially and adversely affect the health and safety of persons residing or working in the neighborhood and will not be materially detrimental to the public welfare or injurious to property and improvements in the neighborhood;
- D. That the need for a variance is not the result of special circumstances or conditions that were self-imposed or created by the owner or one in possession of the property;
- E. That the variance, if granted, is the minimum variance that will afford relief and is the least modification possible of the sign code provisions in question; and
- F. That because of physical circumstances or conditions, such as irregular shape, narrowness or shallowness of the lot, or exceptional topographic condition of the specific property, the property cannot reasonably be signed in conformity with the provisions of this sign code.

(Ord. No. 10481, § 2, 11-27-07, eff. 1-14-08; Ord. No. 11392, § 1, 8-9-16)

Sec. 3-123. Powers denied the board.

The board of adjustment may not:

- A. Make any changes in the wording, terms or provisions of this sign code.
- B. Grant a variance if the special circumstances or conditions applicable to the property were self-imposed or created by the owner or one in possession of the property.
- C. Grant a variance to a substantially greater extent or degree than indicated in the public notice of the hearing thereon.
- D. Grant a variance that would constitute a use variance.
- E. Grant a variance for a freeway sign to exceed:
 1. Forty-eight (48) feet above the freeway grade maximum height.
 2. Three hundred sixty (360) square feet maximum area.
 3. Thirteen (13) feet minimum clearance.

(Ord. No. 10481, § 2, 11-27-07, eff. 1-14-08; Ord. No. 11392, § 1, 8-9-16)

Sec. 3-124. Application to the board.

A. *Filing.* An application to the board of adjustment for an appeal from a determination of the sign code administrator pursuant to section 3-107 shall be filed with the sign code administrator, who shall transmit the same, together with all fees, plans, papers, the report of the sign code administrator and all other materials pertaining to the matter to the board of adjustment.

B. *Application for variances.* Applications for a variance shall be written on forms prescribed by the development services department and shall be accompanied by statements, plans and other relevant evidence.

C. *Staff report.* The sign code administrator shall, on each request for a variance, make a recommendation to the board of adjustment. This recommendation may be included as part of the staff's report to the board or it may be transmitted separately.

(Ord. No. 10481, § 2, 11-27-07, eff. 1-14-08; Ord. No. 11392, § 1, 8-9-16)

Sec. 3-125. Appeals stay proceeding.

An appeal stays all proceedings in the matter appealed from, unless the sign code administrator certifies to the board that, in his or her opinion and as supported by facts stated in the certificate, a stay could cause imminent peril to life or property. Upon such certification, proceedings shall not be stayed, except by restraining order granted by the board, or by a court of record on application and notice to the sign code administrator.

(Ord. No. 10481, § 2, 11-27-07, eff. 1-14-08; Ord. No. 11392, § 1, 8-9-16)

Sec. 3-126. Time for hearings; notice.

A. The board of adjustment shall fix a reasonable time for the hearing of an application or of an appeal. Notice of the time and place of the public hearing shall be given at least fifteen (15) and not more than thirty (30) calendar days prior to the hearing by:

1. Publication at least once in a newspaper of general circulation published or circulated in the City of Tucson.
2. By posting notice in conspicuous places close to the property affected.
3. Such other manner as is deemed desirable.

B. A notice of the proposed variance hearing shall be mailed to all property owners of record of property located within one hundred fifty (150) feet of the property on which the variance is requested. Said notices shall be mailed not less than ten (10) days prior to the date of the hearing.

(Ord. No. 10481, § 2, 11-27-07, eff. 1-14-08; Ord. No. 11392, § 1, 8-9-16)

Sec. 3-127. Fees and enforcement.

A. A fee of two hundred dollars (\$200.00) shall be paid upon the filing of each application for a variance from the provisions of this sign code.

B. A fee of one hundred dollars (\$100.00) shall be paid upon the filing of each application for an appeal from a determination of the sign code administrator regarding this sign code.

C. If a person fails to comply with the decision or requirements of the sign code advisory and appeals board or continues to violate the provisions of this sign code after being denied a variance, the sign inspector may disconnect or order utility companies to disconnect utility services to the premises involved until compliance therewith or have the sign removed. No such action by the inspector shall be taken until ten (10) days after receipt by the person or owner of the premises of written notice of intent to take such action.

D. If a written request for a review of the matter is made within ten (10) days after receipt of the notice of intent, the action by the sign inspector shall be stayed until a hearing thereon by the sign code advisory and appeals board. The board may affirm, reverse or modify the inspector's proposed action.

E. This provision does not preclude the use of any other enforcement method provided in the Tucson Code.

(Ord. No. 10481, § 2, 11-27-07, eff. 1-14-08; Ord. No. 11392, § 1, 8-9-16)

Sec. 3-128. Appeal from board.

A. Any person may:

1. File an action under the Arizona Rules of Procedure for Special Action seeking a judicial review of the decision. The filing of the petition shall not stay proceedings upon the decision appealed from, but the court may, on application, on notice to the board, and on due cause shown, grant a restraining order and on final hearing may reverse or affirm, wholly or partly, or may modify the decision reviewed.

2. File, at any time within fifteen (15) days after the board has rendered its decision, an appeal with the clerk of the legislative body. The legislative body shall hear the appeal and may affirm or reverse, in whole or in part, or may modify the board's decision. The authority to file a complaint, as provided in subsection A.1 of this section, may be used in lieu of or in addition to the appeal provided in this subsection. In hearing an appeal from the board, the legislative body is bound by the record presented to the board and may not consider new evidence or reweigh the evidence previously presented to the board.

B. For purposes of this section, the decision of the board is "rendered" when the board orally pronounces its decision during a public meeting, so long as the oral pronouncement is sufficient to provide reasonable notice of the board's final decision.

(Ord. No. 10481, § 2, 11-27-07, eff. 1-14-08; Ord. No. 11392, § 1, 8-9-16)

Sec. 3-129. Appeals.

The board of adjustment hears and decides appeals from interpretations of this sign code made by the sign code administrator in the application or enforcement of this sign code in accordance with the board of adjustment appeal procedure, section 3.10.2 of the Unified Development Code (UDC). Fees for appeals under this sign code shall be the same as appeals of zoning interpretations under the UDC.

(Ord. No. 10481, § 2, 11-27-07, eff. 1-14-08; Ord. No. 11392, § 1, 8-9-16)

Secs. 3-130 - 3-140. Reserved.

ARTICLE XII. CITIZEN SIGN CODE COMMITTEE

Sec. 3-141. Creation.

A citizen sign code committee is hereby created to assist the mayor and council by reviewing and recommending to the mayor and council amendments to this sign code. The citizen sign code committee shall be the planning commission for the review and recommendation regarding sign regulations.

(Ord. No. 10481, § 2, 11-27-07, eff. 1-14-08)

Sec. 3-142. Authority.

A. *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:

1. Proposed additions or amendments to or deletions from this sign code.
2. Sign code enforcement, including but not limited to enforcement procedures and budgetary and personnel requirements.

B. *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.

C. *Notice content.* The committee shall give notice of the time and place of hearings, including as appropriate:

1. An explanation of the subject matter to be considered, including references to specific sections of this sign code as necessary.
2. Information on the availability of any studies or summaries of the subject matter of the hearing.

D. *Notice procedure.* Notice shall be given not less than fifteen (15) nor more than thirty (30) calendar days before the hearing by:

1. 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
2. Such other manner as the committee may deem necessary.

(Ord. No. 10481, § 2, 11-27-07, eff. 1-14-08)

Sec. 3-143. Composition.

A. *Number of members.* The citizen sign code committee shall be composed of eleven (11) members who shall serve without compensation.

B. *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.

(Ord. No. 10481, § 2, 11-27-07, eff. 1-14-08)

Sec. 3-144. Appointment and terms.

A. *Appointment:*

1. 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.
2. The city manager shall appoint four (4) members to the citizen sign code committee.

B. *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.

C. *City employees, elected officials excluded.* No member of the committee may be a city employee or hold a city elective office.

(Ord. No. 10481, § 2, 11-27-07, eff. 1-14-08)

Sec. 3-145. 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.

(Ord. No. 10481, § 2, 11-27-07, eff. 1-14-08)

Sec. 3-146. Meetings.

A. The citizen sign code committee shall meet at least semiannually consistent with the requirements of section 3-142.

B. 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.

C. A majority of the committee members shall be necessary to conduct business and to adopt and forward any recommendations to the mayor and council.

(Ord. No. 10481, § 2, 11-27-07, eff. 1-14-08)

Sec. 3-147. Removal.

Removal of the members shall be in conformance with Article XIII, Chapter 10A of the Tucson Code.

(Ord. No. 10481, § 2, 11-27-07, eff. 1-14-08)

Sec. 3-148. Administrative procedures.

A. *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.

B. *Executive secretary.* The sign code administrator or designee shall serve as executive secretary to the committee.

C. *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.

(Ord. No. 10481, § 2, 11-27-07, eff. 1-14-08)

**7A.7 Design Option Overview
June 21, 2017 Public Hearing
Planning Commission and Citizens Sign Code Committee**

The proposed new article to the Unified Development Code is Article 7A Sign Standards. Section 7A.7 Design Option is a replacement design review provision for the current Chapter Three Sign Code's Integrated Architecture Features.

Below is an overview summary of issues and process related to 7A.7 Design Option.

Additionally, the Planning Commission/Citizens Sign Code Committee requested staff to respond to comments from members of the public who expressed concerns about the proposed Design Option.

OVERVIEW

What is the current design option in the Chapter Three Sign Code?

The Chapter Three Sign Code has the following standard that is the closest thing to a design option.

“Sec.3-42. 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.”

The Integrated Architecture section above requires the sign to be designed as an integrated architecture feature and have a harmonious relationship between sign and building. It is heard by the Board of Adjustment and can be appealed to Mayor and Council at a public hearing. There is little that guides the applicant, staff reviewers, and Board of Adjustment on what is appropriate or inappropriate in a given application. It comes down to how the decision makers feel about the proposal and if they perceive the proposal to be harmonious and integrated with the architecture. One viewpoint is this type of process is too open-ended that can be criticized as being arbitrary.

Why is a Design Option under consideration now?

August 9, 2016 Mayor and Council direction was to develop a process for a master sign program which is the current draft Design Option. The current Integrated Architecture

section is limited in the type of application that can apply. Further, it can be viewed as arbitrary and capricious, since there are no design standards or clear design-oriented findings required in a decision.

Staff recommends the Design Option because it allows a master sign program or singular sign to go through a design review process. Under the Chapter Three Sign Code's current process, a master sign program must be treated as a Board of Adjustment variance. Variances are not an ideal design review forum because the key finding is that there is a unique physical hardship on a property that puts it at a disadvantage in comparison to similar properties. Also the members of the Board may or may not have sign design review background. Further, the current Integrated Architecture section is limited by interpretation as to what is an acceptable application and excludes master sign programs.

At the August 9 Mayor and Council meeting, it was also agreed that the new draft sign standards should attempt, as is practicable, to assure the signage rights for a property owner that are similar to the Chapter Three Sign Code's standards, which were adopted prior to the *Reed vs. Town of Gilbert (Reed)* decision.

The real estate industry is the most affected business sector in the community because their ability to use temporary/portable signs is diminished by a *Reed*-adjusted sign code. The Design Option allows a more flexible approach on the amount and size of signs as long as the outcome meets a set of findings that assures compliance with the purpose statement, complies with the First Amendment, and does not reduce the quality of the visual environment along public streets.

The business community has long supported a master sign program provision because it can provide a comprehensive way to assemble a unified signage program based on the location, site planning and architecture of the site. The value to the community is signage coming from such programs tends to be among the best designed signs in the community.

There is not a consensus view on the proposed Design Option. There are stakeholders expressing concerns because there are no dimensional caps to sign height and area. They state other jurisdictions have caps and this draft should have them too. In addition, the Design Option is such a significant change that it should be reviewed separately from this project. Some stakeholders want a degree of certainty of outcome that a design review process cannot provide. Other stakeholders support this approach for adding some flexibility to City's Chapter Three Sign Code that is mostly prescriptive general standards that allow very little flexibility other than through the Integrated Architecture or variance processes.

Describe the Proposed Design Option

The proposal is modeled on existing City design review processes. A common goal is to be efficient, comprehensive and firmly guided by the purpose statement during the

review. Additionally, the review is verifiable through comparisons with general standards, as well as presentation of supportive graphic and dimensional materials. The nature of the process is to assure that it cannot be considered arbitrary and capricious but implements the purpose statement with documentation and findings.

The Sign Design Review Committee

The Committee, which is an evolution of the Citizens' Sign Code Committee, includes both community stakeholders and members with expertise in design review and signs. They include an Outdoor Lighting Committee member, an architect, a sign industry representative, a local business representative, a planner or similar professional, a real estate broker, an at-large member, an at-large neighborhood representative and a local neighborhood representative from the location of the application. The City's experience with similar design review committees suggests the committee will be conscientious and fair to all applicants and stakeholders.

Their recommendation is forwarded to the Director of PDSO for a decision. Her decision can be appealed to the Board of Adjustment or Mayor and Council. The process and composition are modeled on current design review processes of the City.

Connection to the Purpose Statement

The Purpose Statement conveys the key goals of First Amendment protection and community character such as assuring an acceptable visual environment, promoting public safety, protecting property rights and dark skies. The *Reed* case makes the focus on emphasizing the First Amendment a prudent adjustment. The Purpose is referred to and is the model for the Design Standards and the Findings later in the design review process.

The Format of the Design Option

The Option assumes the following three types of sign permits:

Master Sign Program for Permanent Signs – This program involves the review of all permanent ground-mounted and wall-mounted signs on a unified site or premise.

Master Sign Program for Portable Signs – This program allows, for example, the real estate industry to have an option to define and present a sign program for real estate development like a subdivision or an apartment complex. The August 9 direction from Mayor and Council was not to re-think the restrictiveness of real estate signs but to comply with *Reed* and keep, as is practicable, similar signage rights for property owners. The focus of the program is to allow the minimal amount of portable signs to accomplish effective wayfinding and identification of a project then set a time frame for removal.

Singular Sign Design Option for a Permanent Sign. – This program allows for the adjustment of one sign. There are non-conforming signs that should come down but since

the only option is ten feet of height with fifty square feet of area they are compelled to stay up. This provision allows for various issues a modification of a single sign structure.

Design Standards

The Design Standards address both ground-mounted, wall-mounted signs and integrated architecture signs that have features of both. Among the key areas that must be addressed include dark skies illumination, uniformity in backgrounds and the proportionality of sign copy, legibility, sign height and area that are consistent with the surrounding height profile and are not imposing on scenic vistas, harmonious architectural design, proportional landscaping area, and best practices of wayfinding as appropriate. There are professional design organizations as well as nationally renown technical manuals and sign studies stated in the section that can be used as reference materials. Compliance with a technical standard must be weighed against the other design standards to assure an overall acceptable visual environment is attained as envisioned in the Purpose Statement.

Design Findings The findings guide decision making of the applicant and the committee through major issues that reflect the Purpose Statement and Design Standards. They include the purpose statement compliance in general, design with architectural harmony, proportionality of sign sizes with the setting, legibility improvement, support of safe vehicle movement, use of acceptable wayfinding and identification, protection of scenic views and dark skies, and, overall reduction of disorienting clutter.

Decision

The Sign Design Review Committee makes a recommendation on a sign application using the Design Option. The PDS Director makes the decision. The Director could ask her Design Professional for a second opinion in the case of an especially complicated or controversial recommendation by the Committee. Considering the other design review committees of the City, the Director tends to follow the design review committees' recommendations.

Appeal

A decision can be appealed to the Board of Adjustment and further to the Mayor and Council. This appeal is similar to the one in the integrated architecture section which requires an appeal to the Mayor and Council.

RESPONSE TO STAKEHOLDERS

At the May 5, 2017 Joint Planning Commission and Citizens Sign Code Committee Study Session, Planning Commission Chair Fink requested that staff respond to the comments made by two speakers at Call to the Audience.

Staff listened to the April 12, 2017 Planning Commission Study Session where Ms. Bonnie Poulos spoke and to the May 5, 2017 Joint Planning Commission and Citizens Sign Code Committee Study Session where Ms. Ruth Beeker spoke. In both cases the speakers voiced concerns about Section 7A.7 Design Option.

Staff respects the two speakers right to speak and have their opinions. We were asked to respond and our comments may not be supportive of the positions that they have taken on Section 7A.7.

Below is a summary of the key concerns that staff heard on the audio files from the two study sessions.

Ruth Beeker (P) and Bonnie Poulos (P) Comments

P comment - *The initial draft was composed without community input.*

Staff Response – The City Manager directed staff to prepare draft sign standards. It was understood that the *Reed* case created a complicated set of legal circumstances and that further whatever draft was prepared would be vetted through a public process. It is a common practice to have staff prepare a preliminary draft. The draft was intended to create a starting point that begins to define a legal strategy and address process improvement items in the draft. Most of the items are not controversial other than the master sign program and use of feather banners which are both supported and opposed by stakeholders.

P comment - *Planning Commission and Citizens Sign Code Committee has done an excellent job.*

Staff Response - We agree that the members have been dedicated and have spent long hours over seven months of review.

B-P comment - *7A.7 and 2.12 should be removed from the Sign Code project.*

B comment - *A small group could sit down and produce something less verbose and ambiguous as 7A.7. A few people could write an alternative to 7A and its enforcement that is clear and concise. Much of the content is already there in 7A.7.*

Staff Response – As noted the Design Option is a replacement for the Integrated Architecture section which is limited in scope, has no standards or findings, and requires a decision by the Board of Adjustment versus a committee with sign and design backgrounds.

The Mayor and Council did not want to use the *Reed* adjustment as an opportunity to make overall sign standards more restricted. They were supportive of an approach that attempted to keep standards similar, at least to the degree that was practical, to what a property owner would have had before the *Reed* case. Early on it was understood that a content-neutral portable sign standard would likely remove or reduce the special signs often used by the real estate industry. The master sign program provides an alternative to propose a special sign plan that is reviewed through the design process and have it approved.

The current Design Option has been reviewed in a public setting since October 2016 including numerous meetings with a joint subcommittee of Citizens Sign Code Committee and Planning Commission members who reviewed it page by page. Later both groups in separate study sessions were able to review it again and finally it was reviewed at a joint study session. The Citizens Sign Code Committee recommends approval of the current version of the Design Option. The recommendation also includes an 18-month sunset provision that requires the Mayor and Council to re-approve or modify whatever may be approved by Mayor and Council in 2017.

B comment - *Paragraph on the Design Review meeting (Sec. 2.2.12.G.2) should be read.*

Staff Response – The comment was that this section was a particularly poorly written section.

The section mentioned is Sec. 2.2.12.G.2 regarding the authority of the Sign Design Review Committee called Design Review Meeting.

The section is comprised of four sentences and describes what an applicant can expect at a meeting to happen and also lets the Committee know their options on continuances and decision making. This section has been edited to be read as a numbered list versus a small paragraph. We hope this version is more acceptable. Below is a summary of what the provision was conveying:

Sentence 1 explains that applicants can ask for a pre-application meeting on their own. (This provision was requested and included in the review of the Infill Incentive District design review application so applicants can discuss an incomplete or developing application with the Committee before assembling a formal complete application.)

Sentence 2 explains that the applicant may request a formal meeting, however, the Committee can only continue the meeting one time.

There are two issues related to Committee continuances and the overall time frame, 1) a Timeframe Policy required for all Arizona jurisdictions for development applications and 2) a precaution to avoid prior restraint (a First Amendment issue) which involves delays aimed at discouraging continuing an application or causing the failure of an application by not providing timely review.

Sentence 3 explains that although the Committee may only continue a case one time the applicant may ask for additional continuances since it may result in a more positive recommendation from the Committee.

Sentence 4 explains the Committee has three recommendation options, namely, to approve, approve with conditions, or deny. This clarification on options is here to be clear what decisions the Committee can and cannot make.

Regarding the actual writing style of the provisions in the Design Option, staff re-reviewed the section again after the above comments and made some changes that edited out some phrases, re-organized a section, and added a list of provisions versus having them in a paragraph form. We hope these provisions read better. The content, however, is still the same and reflects what was recommended by the Citizens Sign Code Committee's vote.

B-P comment - *Agrees generally with a flexible option approach and found examples in other jurisdictions ordinances but not to the extent of 7A.7. No City is totally open ended. Need to have incentives balanced against what is given.*

This section is a significant provision and needs a separate review apart from the Sign Code Project. Because it is the first time to have a significant design option.

B comment - *There should be a quid pro quo approach. If one exceeds the general standards then by how much should they be allowed then there should be something returned to the community for the greater flexibility. Staff can check conditions and it can be good to go. Anything beyond the dimensional limit allowed by the design option must go the Board of Adjustment.*

Staff Response - There are different approaches in various cities. Some are open ended without any standards, e.g. the City's Chapter Three Sign Code's current Integrated Architecture Section. Some have dimensional caps on height and sign area. Flagstaff has a design option with several dimensional caps that allow incremental increases in exchange for partial design concessions.

The draft sign standards attempts to implement the purpose statement through a set of design standards and findings. This approach is recommended because it is most likely to withstand a challenge that the process and standards are arbitrary and capricious.

The standards require a focus on the site specific features such as local architecture, class of road, scenic view analysis, illumination analysis, as well as other items. By implementing the Purpose Statement with verifiable standards it cannot easily be challenged as being arbitrary and capricious.

The Design Option also uses a set of third party technical standards that represent national best practices of sign analysis and design. There is not an arbitrary cap number nor is it left to the whim of decision makers to come up with a decision based almost solely on their opinion at that moment. Instead, it provides guidance through issues where each can be verified with graphics and dimensions as well as comparisons to current general standards in the sign standards and national standards provided in the associated technical manuals.

B comment - *New code should be concisely written*

Staff Response - We agree. Also a code should be clear on how an application proceeds and clear on giving direction on what needs to be reviewed. Especially for sign codes, issues like First Amendment rights, prior restraint, State statute compliance, and awareness of arbitrary and capricious challenges need to be addressed.

P comment- *Need to see the variance record on signs.*

Staff Response – A list of recent sign variances will be included in the materials for the June 21, 2017 public hearing.

Total Variance cases heard by the Sign Code Advisory & Appeals Board by year

Year	1999	2000	2001	2002	2003	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014	2015	mid-2016
Cases	34	20	20	24	24	27	38	20	22	22	11	14	7	6	4	8	4	3

Variance cases heard by the Sign Code Advisory & Appeals Board between 2008 and mid-2016

Case No.	Number of Variances	Description	Decision
S-08-01	2	The applicant was requesting a variance to: 1) exceed the allowed height of a "monument type sign" (by 16 ft.), and 2) allow the sign to be placed closer to the curbs of both streets than 20-feet.	The Board granted the partial variance to allow a sign to be placed on the existing steel support with a maximum height of 20-ft. to the top of the sign, with the condition that the sign is off-set on the pole as was shown on the submitted plan. The Board feels that there are special circumstances applicable to the property including its physical circumstances, which prevent compliance with the City Sign Code, and that the variance will not result in a special privilege to the property. Additionally, that the variance is the minimum to afford relief and will not materially affect the health, safety, and welfare of the neighborhood.
S-08-02	3	The applicant was requesting the following variances: 1) exceed the number of freestanding signs allowed on 22nd Street (by 1) and Kolb Road (by 1) (This request would not increase the number of freestanding currently located on the property), 2) allow four existing nonconforming freestanding signs to be relocated on the property without reducing the height or sign area by the required percentage, and 3) allow the relocated nonconforming freestanding signs to be placed closer to the curb of the street than 30-feet.	The Board granted the variances to exceed the number of freestanding signs allowed on 22nd Street (by 1), exceed the number of freestanding signs allowed on Kolb Road (by 1) and allow the four nonconforming freestanding sign to be relocated with the above stated conditions. The Board feels that there are special circumstances applicable to the property including its physical circumstances, which prevent compliance with the City Sign Code, and that the variance will not result in a special privilege to the property. Additionally, that the variance is the minimum to afford relief and will not materially affect the health, safety, and welfare of the neighborhood.
S-08-03	1	The applicant is requesting a variance to exceed the allowed height of a Menu Board to allow grade to be measured at the base grade of the sign.	The Board grants this variance because the differences in the grade are due to the contour of the property. The board felt the requested variance will not result in a special privilege to the property and would be appropriate for any property owner facing similar circumstances. The variance is the minimum to afford relief and will not materially affect the health, safety, and welfare of the neighborhood.
S-08-04	1	The applicant is requesting a variance to allow a freestanding sign to be placed on its separately owned property that does not meet the on-site parking requirements. The applicant's property is required to have twenty-eight on-site parking spaces, but has only provided twenty-six. The other two required parking spaces are shared with the adjacent "Burger King" premises. The applicant is proposing to install one (1) 31.14 square foot freestanding sign on their property.	The Board grants this variance based on the fact that this premise only needs two more parking spaces to qualify for its own freestanding sign – required to have 28 parking spaces they have provided 26 and that the existing tenant directory signs only provided for two tenants. The Board feels that this variance would not result in a special privilege to one property and the circumstances are such that the variance would be appropriate for any property owner facing similar circumstances, and will not materially affect the health, safety, and welfare of the neighborhood.
S-08-05	1	The applicant is requesting a variance to exceed the allowed height of a freeway sign by approximately 23 feet.	The Board grants the requested height variance to allow the sign to be 48-feet measured from the base grade of the sign for the freeway sign due to the special circumstances being applicable to the property, mainly the 23-foot drop in the freeway below 6th Avenue and the height of the matured surrounding trees such that the property could not otherwise be signed in conformity with the code. The Board feels that this variance would not result in a special privilege to one property and the circumstances are such that the variance would be appropriate for any property owner facing similar circumstances, and will not materially affect the health, safety, and welfare of the neighborhood.
S-08-06	1	On property located at 10355 E. 29th Street, SR Zoning, Single Family Residential District, the applicant is requesting a variance to exceed the allowable sign area of 20 square feet per street frontage, to allow one (1) 13.4 square foot "cross" to be placed on the west elevation of the building.	The Board grants this variance based upon the size of the property, the setback of the building and chimney from the street, and special circumstances applicable to the property including its physical circumstances, which prevent compliance with the City Sign Code, and that the variance will not result in a special privilege to the property. Additional, that the variance is the minimum to afford relief and will not materially affect the health, safety, and welfare of the neighborhood.

S-08-07	3	On property located at 9225 E. Tanque Verde Road., R-3 zoning, Scenic Corridor Zone (SCZ) District, the applicant is requesting the following variances: 1) allow one freestanding sign to be placed inside of the required 30-foot landscape, 2) exceed the maximum allowance of 20 square feet of sign area (by 20 sq. ft.), and 3) exceed the height allowed for traffic directional signs (by 1.5 ft.).	The Board grants the requested variances based on the irregular shape of the property, the size of the complex, the setback of the buildings and property line from the street, and that the parking area access line is behind the 30-foot landscape buffer. The Board feels that there are special circumstances applicable to the property including its physical circumstances, which prevent compliance with the City Sign Code, and that the variance will not result in a special privilege to the property and is not the result of a self-imposed condition. Additionally, that the variance is the minimum to afford relief and will not materially affect the health, safety, and welfare of the neighborhood.
S-08-08	2	The applicant is requesting a variance to: 1) to exceed the number of signs allowed per street frontage (by 8), and 2) exceed the allowed sign area of a sign	The Board continued this variance request over to the June 11, 2008 meeting at the request of the applicant.
S-08-09	1	The applicant is requesting a variance to exceed the allowed sign area of a 32 square foot "self-contained premises" sign by (11-sq. ft). The applicant is proposing to move the existing 43 square foot freestanding sign located at their	The Board denied the requested variance. The required number of Board members did not find that there are special circumstances or conditions to the property that prevent it from being signed in compliance with the current sign code.
S-08-10	1	The applicant is requesting a variance allow the existing 96-square foot, 25-foot high nonconforming freestanding occupant directory sign on Golf Links Road to be relocated on the property without reducing the height or sign area by the required percentage.	The Board partially grants this variance because there are special circumstances applicable to the property including its physical circumstances, which prevent compliance with the City Sign Code, and that the variance will not result in a special privilege to the property. Additionally, that the variance is the minimum to afford relief and will not materially affect the health, safety, and welfare of the neighborhood.
S-08-11	1	The applicant is requesting a variance to exceed the allowable sign area of 20 square feet per street frontage, to allow approximately 170 square feet of sign area to be placed on the church campus.	The Board grants this variance based on the size of the property, the number of buildings located on the site, and that most of the signage is located back from the street. The requested sign area would help to facilitate the public's use of the church property. The Board feels that this variance will not result in a special privilege to the property, and will not materially affect the health, safety, and welfare of the neighborhood.
S-08-12	2	The applicant is requesting a new variance to increase the sign area allowed for a single tenant that occupies more than one unit space as follows: to allow tenants on Lot 4 that occupy two (2) unit spaces to have a total sign area of 50-square feet and tenants that occupy three (3) or more unit spaces to have 65-square feet of sign area. (The sign area requested will include wall, freestanding, window, & door signs) and to allow tenants on Lot 3 that occupy two (2) unit spaces to have a total sign area of 40-square feet and tenants that occupy three (3) or more unit spaces to have 70-square feet of sign area. (The sign area requested will include wall, freestanding, window, or door signs).	The Board grants this variance because the requested variance would result in less sign area on lot 3 & 4 than what was granted in case # S-05-32R. Based upon the size of the development, the limited amount of street frontage on lots (3 & 4), the number of tenant spaces, the applicant being specific as the allocation of the sign area per tenant, and the setbacks of the buildings from the streets. The Board feels the requested variance will not result in a special privilege to the property and would be appropriate for any property owner facing similar circumstances. Additionally, that the variance is the minimum to afford relief and will not materially affect the health, safety, and welfare of the neighborhood.
S-08-13	2	The applicant is requesting the following variances; 1) to exceed the number of signs allowed per street frontage, 2) exceed the allow sign area of a (projecting) sign (by 8 sq. ft.), 3) exceed the height of a "projecting sign" (by 6 ft.).	The Board grants this variance because they felt there are special circumstances applicable to the property including its physical circumstances, which prevent compliance with the City Sign Code, and that the variance will not result in a special privilege to the property. Additionally, that the variance is the minimum to afford relief and will not materially affect the health, safety, and welfare of the neighborhood.

S-08-14	9	The applicant is requesting the following variances: 1) allow four (4) freestanding tenant directory signs and three (3) real estate project identity entrance sign to be placed in front of the required 30-foot landscaped buffer along Houghton Road, 2) exceed the number of freestanding signs allowed along Houghton Road (by 3) and Old Vail Road (by 3), 3) exceed the maximum sign area of 0.75 square feet per foot of street frontage for the development, 4) exceed the maximum area of 0.75 square feet per foot of tenant frontage for tenants in the development, 5) allow tenants that have enough frontage to exceed the maximum allowance of 100 square feet of total sign area, 6) exceed the allowed area of one (1) real estate project identity entrance sign (by 98 sq. ft.), 7) allow four (4) real estate project identity entrance signs to be double-faced, 8) exceed the area allowed for traffic directional signs (by 6 sq. ft.), 9) exceed the allowed height of a traffic directional sign (by 2 ft.), and 10) allow traffic directional signs to be placed closer to the curbs than 20-ft.	The Board continued this variance to the September Public Hearing at the request of the applicant.
S-08-15	1	The applicant is requesting a variance to allow a freestanding sign to be placed inside of the required 30-foot landscaped buffer along 1st Avenue.	The Board denied the requested variance. The required number of Board members did not find that there are special circumstances or conditions to the property that prevent it from being signed in compliance with the current sign code.
S-08-16	2	The applicant is requesting a variance to: 1) to exceed the number of signs allowed per street frontage (by 9), and 2) exceed the number of freestanding signs allowed per premises (by 9).	The Board granted the variance as requested. Based upon the size of the property, the number of buildings and structures located on the site, the one-way vehicle parking access lanes, and that most of the signs are located back from the street, the Board would support this variance. The requested signs would help to facilitate the public's use of the property. Staff feels that the variance if granted will not result in a special privilege to the property, and will not materially affect the health, safety, and welfare of the neighborhood
S-08-17	2	The applicant is requesting a variance to: 1) to exceed the number of signs allowed per street frontage (by 2), and 2) exceed the allowed sign area of a sign (for one wall sign - by 10.62 sq. ft.).	The Board voted 3-2 to approve the requested variance but Section 3-124 of the Sign Code states that a concurring vote of four members of the Board shall be necessary to decide and appeal of an interpretation or decide an application for a variance from the provisions of this Sign Code.
S-08-19	1	The applicant proposes to increase the height of the existing free-standing monument sign from ten (10) feet to twelve (12) feet, as measured from grade at the base of the sign to the top of the sign cabinet. The applicant's request is to exceed the allowed maximum limitation of ten (10) feet in height for a free-standing monument sign, per Section 3-60A.3. Should a variance be granted, it would allow the existing monument sign to exceed the maximum height allowed by two (2) feet.	The Board grants this variance so the sign cabinet would be fully visible to west bound traffic on Broadway and yet not function as a pole sign. In addition, the request would not materially affect the health, safety, and welfare of the neighborhood. The special circumstance of the property stems from the site having a grade and screening issue, that when resolved to meet code, adversely affected the full view of the existing sign.
S-08-20	2	The applicant's request is to: A) exceed the maximum allowed number of free-standing signs on a site within the historic district, as described in Section 3-80.H.4.a. Should a variance be granted, it would allow the premises to have two (2) free standing signs. B) reduce the minimum required height of a continuous base for a Low Profile sign by one (1) foot, as described in Section 3-60.B.5. This variance request would be applicable to both proposed signs. Should a variance be granted, it would allow both proposed Low Profile signs to have a one (1) foot tall base.	The Board grants this variance due to the fact that it would not result in a special privilege to the premises, as traffic going in either direction will be able to see only one low profile sign in each direction. The proposed signs are actually under the minimum height requirement, which would result less intrusive sign heights than the code required. This request would not materially affect the health, safety, and welfare of the neighborhood. Further, the special circumstance of the property stems from the site having a large boundary of a full platted city block, bounded by street intersections, making it difficult for only one sign to direct would be visitors from all traffic angles to the site.

S-08-22	10	Chapter 3, Article V, Sign Types & Regulations, 3-65, Real Estate Sign requirements. Applicant requests a variance to exceed the maximum of one (1) sign face per Real Estate Project Identity Entrance Sign, by allowing two (2) faces per sign. Chapter 3, Article V, Sign Types & Regulations, 3-68, Traffic Directional Sign requirements. The applicant requests variances erect Traffic Directional Signs on interior streets at five (5) feet in height, greater than the maximum permitted height of three (3) feet. Another variance is sought to construct these signs at an area of twelve (12) square feet per face, over the six (6) square feet maximum area allowed per face. Chapter 3, Article IV, General Requirements, 3-36, Setback requirements. Variance is requested to allow Traffic Directional Signs on interior streets at a lesser setback than the minimum of twenty (20) feet listed per code. The exact setbacks of these eighteen (18) proposed signs would be indicated during the permitting process, as they would depend upon their immediate surrounding topography, vegetation and adjacent street design.	The Board grants this variance because there are special circumstances applicable to the property including the slopes of the site, the large acreage of the property, and the significant setbacks required for many buildings due to the natural gas line bisecting the site, which prevent compliance with the City Sign Code. The variance will not result in a special privilege to the premises, as their comprehensive sign package will regulate signage in relation with the large size of the site and in scale with tenant building frontages, effectively making the signage visible from a greater distance but not in a greater amount than other shopping centers on the same route. The variances requested would not materially affect the health, safety and welfare of the neighborhood.
S-09-01	3	The owner proposes to: A) Construct a second Freestanding sign for the development along River Road Scenic Corridor frontage. B) Erect the proposed Freestanding sign within the 30' wide Scenic Corridor Buffer along River Road. C) Construct the sign cabinet at an area of twenty-nine (29) square feet.	The Board granted this variance due to the layout of the center, the curve in the road, and the setback of Zona 78 The Board feels that this variance would not result in a special privilege to one property and the circumstances are such that the variance would be appropriate for any property owner facing similar circumstances. Additionally, the variance is the minimum to afford relief and will not materially affect the health, safety, and welfare of the neighborhood.
S-09-02	3	The applicant seeks a variance to construct one (1) more Freestanding sign than the SCZ allows per development along River Road frontage of the site. The applicant seeks to exceed the maximum of 20 square feet sign area for a Free-standing sign advertising five or fewer tenants in a development, for both of the proposed signs. A variance is also requested to place the two proposed freestanding signs in the SCZ buffer along River Road.	The Board approved this variance because of the particular history of this property and that the property was annexed from Pima County. The Board feels this variance with the conditions granted is the minimum to afford relief and will not materially affect the health, safety, and welfare of the neighborhood.
S-09-03	1	The applicant seeks a variance to exceed the maximum sign area of twenty (20) square feet of total sign area per street frontage.	The Board grants this variance with conditions because there are special circumstances applicable to the property including its long frontage on 22nd Street, the setback of the building, and the difficulty seeing the entrance, which prevent compliance with the City Sign Code, and that the variance will not result in a special privilege to the property. Additionally, that the variance is the minimum to afford relief and will not materially affect the health, safety, and welfare of the neighborhood.
S-09-04	1	A variance is requested to place one proposed freestanding sign in the SCZ buffer along River Road.	The Board grants this variance with conditions because there are special circumstances applicable to the property including its long frontage on 22nd Street, the setback of the building, and the difficulty seeing the entrance, which prevent compliance with the City Sign Code, and that the variance will not result in a special privilege to the property. Additionally, that the variance is the minimum to afford relief and will not materially affect the health, safety, and welfare of the neighborhood.
S-09-05	3	The applicant seeks a variance to: construct three wall signs for the development and exceed the allowed sign area by 38 square feet; to obtain a special permit for one of the proposed signs to be part of the building as an integrated architectural feature, and to allow letters of that same stated sign to be lighted in a specific repetitive sequence.	The Board grants this variance because there are special circumstances applicable to the property including its physical circumstances, which prevent compliance with the City Sign Code, and that the variance will not result in a special privilege to the property. Additionally, that the variance is the minimum to afford relief and will not materially affect the health, safety, and welfare of the neighborhood.
S-09-06	2	As proposed, the applicant's request requires the following: A) A variance is required to Chapter 3, Section 3-73, to exceed the maximum allowed sign area of 50 square feet for non-residential uses in the Multifamily District. B) A special permit to allow a sign to be integrated as an architectural feature of a building, per Chapter 3, Section 3-42.	The Board grants this variance with condition because there are special circumstances applicable to the property including its physical circumstances, which prevent compliance with the City Sign Code, and that the variance will not result in a special privilege to the property. Additionally, that the variance is the minimum to afford relief and will not materially affect the health, safety, and welfare of the neighborhood.

S-09-08	1	The applicant is proposing to install a projecting wall sign on the south building wall of the location, along Congress Street. The sign would be illuminated, have 16 square feet in area, and project a maximum of five feet from the building wall, into the right of way over the public sidewalk. The applicant has further designed the sign to be built at a height of 18' off the ground to the top of the sign.	The Board grants this variance because there are special circumstances applicable to the property including its physical circumstances, which prevent compliance with the City Sign Code, and that the variance will not result in a special privilege to the property. Additionally, that the variance is the minimum to afford relief and will not materially affect the health, safety, and welfare of the neighborhood.
S-09-09	2	As proposed, the applicant's request requires the following variances to the Tucson Sign Code: 1) Section 3-82.B.1, to exceed the maximum allowed sign area of 100 square feet per premise, by 37.50 square feet, for an overall sign area of 135.70 square feet on the site. 2) Section 3-82.E.3.b.2, to exceed the maximum size of 20 square feet per freestanding sign per street front, by 17.50 square feet, on both freestanding signs proposed.	The Board denied this case as presented due to the fact that the variance would result in a special privilege to the property.
S-09-10	1	As proposed, the applicant's request requires the following variance: To Section 3-97.A, to utilize the existing nonconforming pole sign on the site, despite change of occupancy class, without having to remove the sign or try to alter it to come into conformance with the Sign Code.	The Board denied this case as presented due to the fact that the variance would result in a special privilege to the property.
S-09-11	1	As proposed, the applicant's request requires the following: 1) A special permit to allow a sign to be integrated as an architectural feature of a building, per Chapter 3, Section 3-42.	The Board grants this variance with conditions because there are special circumstances applicable to the property including its physical circumstances, which prevent compliance with the City Sign Code, and that the variance will not result in a special privilege to the property. Additionally, the variance is the minimum to afford relief and will not materially affect the health, safety, and welfare of the neighborhood.
T10SA00009	1	As proposed, the applicant's request requires a special permit to allow a sign to be integrated as an architectural feature of a building.	The Board granted the requested special permit based on the fact that the canopies and signage are an integrated architectural feature of the building. Additionally, that the variance will not materially affect the health, safety, and welfare of the neighborhood.
T10SA00010	1	As proposed, the applicant's request requires a special permit to allow a sign to be integrated as an architectural feature of a building.	The Board granted the requested special permit based on the fact that the canopies and signage are an integrated architectural feature of the building. Additionally, that the variance will not materially affect the health, safety, and welfare of the neighborhood.
T10SA00053	1	Applicant seeks to exceed maximum allowed sign area ratio of 0.75 square feet per linear foot of street frontage	The Board grants this variance because there are special circumstances applicable to the property including visibility and the setback of the site, which prevent compliance with the City Sign Code. The variance will not result in a special privilege to the premises. The variances requested would not materially affect the health, safety and welfare of the neighborhood.
T10SA00122	1	Applicant seeks to exceed maximum allowed sign area ratio of three square feet per linear foot of street frontage.	The Board grants the variances because there are special circumstances applicable to the property. The variances will not result in a special privilege to the premises. The variances requested would not materially affect the health, safety and welfare of the neighborhood. The variances are not the result of special circumstances or conditions that were self-imposed or created by the owner of the property.
T10SA00186	3	The applicant's proposal requires variances to the following: 1) Sec. 3-82.E.3.b.2 To exceed the 40 square foot maximum area for a freestanding sign for 6 or more leasable spaces by 24 square feet. 2) Sec. 3-82.E.3.c To exceed the ten foot maximum height for a freestanding sign by one foot-eleven inches. 3) Sec. 3-82.D To place a freestanding sign within instead of behind the 30 foot landscaped buffer along the scenic route (Houghton Road).	The Board grants the variances because there are special circumstances applicable to the property. The variances will not result in a special privilege to the premises. The variances requested would not materially affect the health, safety and welfare of the neighborhood. The variances are not the result of special circumstances or conditions that were self-imposed or created by the owner of the property.

The applicant's proposal requires variances to the following: 1) Sec. 3-82.B.1 To exceed the maximum total sign area of 0.75 square feet per foot of street frontage and instead use ratio of 1.4 square feet per foot of street frontage. 2) Sec. 3-82.B.1 To exceed the maximum tenant sign area of 0.75 square feet per foot of building frontage and instead use ratio of 1.25 square feet per foot of building frontage for Anchor Tenants, 1.5 square feet per foot of building frontage for Office Tenants, and 2.0 square feet per foot of building frontage for Pad/Retail Tenants. 3) Sec. 3-82.B.1 To eliminate the maximum total sign area of 100 square feet per tenant and instead use the tenant sign area ratios listed above in variance 2. 4) Sec. 3-82.E.3.a To exceed the maximum of one freestanding sign per development and the maximum of one additional freestanding sign on any arterial street frontage of at least 250 feet, a total of two, by four, for a total of six freestanding signs, two on Houghton Road, a scenic route, and four on Golf Links Road, an arterial street. 5) Sec. 3-82.D To place two freestanding signs in front of instead of behind the 30 foot landscaped buffer along the scenic route (Houghton Road) until such time as Houghton Road is fully improved when the signs will be placed within the 30 foot landscape buffer. 6) Sec. 3-82.E.3.b.2 To exceed the 20 square foot maximum area for a freestanding sign for 5 or fewer leasable spaces by 11 square feet (two signs) and exceed the 40 square foot maximum area for a freestanding sign for 6 or more leasable spaces by 10 square feet (four signs). 7) Sec. 3-68.C To exceed the six square feet per face maximum area of a traffic directional sign by three square feet. 8) Section 3-68.D To exceed the three foot maximum height of a traffic direction sign by two feet.

The Board grants the variances because there are special circumstances applicable to the property. The variances will not result in a special privilege to the premises. The variances requested would not materially affect the health, safety and welfare of the neighborhood. The variances are not the result of special circumstances or conditions that were self-imposed or created by the owner of the property.

T10SA00194	1	The applicant's original proposal required variances to exceed the 20 square foot maximum total sign area per street frontage by 25 square feet on 22nd Street, and 47.13 square feet on Palo Verde Boulevard.	The Board grants the variances because there are special circumstances applicable to the property. The variances will not result in a special privilege to the premises. The variances requested would not materially affect the health, safety and welfare of the neighborhood. The variances are not the result of special circumstances or conditions that were self-imposed or created by the owner of the property.
T10SA00237	1	The applicant's proposal requires a variance to the following: Chapter 3, Article VIII. Nonconforming Signs and Change of Use, Section. 3-97. 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 chapter	The Board denied this variance because the building has been altered, several neighborhood associations being in opposition of the request, staffs recommendation, and the findings were not met. The variance will result in a special privilege to the premises. The variance is self-imposed or created by the owner of the property.
T10SA00270	1	The applicant's proposal requires a variance to the following: Chapter 3 Article IV General Requirements, Section 3-39 Intersection Corner Sign, and Section 3-60 Freestanding Signs.	The Board granted the requested variance based on the fact that the variance will not result in a special privilege to one individual property and the circumstances are such that the variance would be appropriate for any property owner facing similar circumstances. Also, the variance is the minimum that will afford relief and is the least modification possible of the Sign Code provisions in question.

T10SA00312	7	<p>As proposed, the applicant's request requires the following variances to the Tucson Sign Code: 1. Sec. 3-82.E.3.b.2 To exceed the 40 square foot maximum area for a freestanding sign for 6 or more leasable spaces by 19 square feet. Maximum 59 square feet. 2. Sec. 3-60.A.2 To exceed the 50 square foot maximum area for a monument sign by 9 square feet. 3. Sec 3-82.A.3.a To exceed the maximum number of freestanding signs per development by two for a total of three freestanding signs. 4. Sec. 3-82.D To place a freestanding sign in the 30 foot landscaped buffer along the scenic routes. 5. Sec. 3-68.C To exceed the size square foot maximum area for a directional sign by six square feet. 6. Sec. 3-68.D To exceed the three foot maximum height for a directional sign by two feet. 7. Sec. 3-82.B.1 To increase the sign area ratio from 0.75 square feet per foot of frontage to 1.5 square feet per foot of frontage, with a maximum of 200 square feet per tenant instead of 100 square feet.</p>	<p>The Board granted the requested variances with the conditions mentioned above due to the fact that there are special circumstances applicable to the property, strict enforcement of the Sign Code would deprive the property of privileges enjoyed by other property in the same district. The Board also felt that the physical circumstances or conditions, such as irregular shape, narrowness or shallowness of the lot, or exceptional topographic condition of the specific property, the property cannot reasonable be signed in conformity with the provisions of this Sign Code.</p>
T10SA00344	2	<p>As proposed, the applicant's request requires the following variances to the Tucson Sign Code: 1) Section 3-82.B To calculate the area of a proposed 720 square foot wall sign separately from all other signs on the site instead as one sum. 2) Section 3-82.B.1 To exceed the 100 square foot per tenant limit by 620 square feet for a proposed 720 square foot wall sign.</p>	<p>The motion to hear the reconsideration failed by a vote of 2-3. Therefore, the request to reconsider this case was denied.</p>
T10SA00373	1	<p>The applicant's proposal requires approval as part of an integrated architectural feature of the building.</p>	<p>The Board granted the requested special permit based on the fact that the signs are an integrated architectural feature of the building. Additionally, the variance will not materially affect the health, safety, and welfare of the neighborhood.</p>
T10SA00408	2	<p>The applicant's proposal requires variances to the following: 1. Chapter 3, Article V Section 3-68.C to exceed the maximum six square feet per face for one traffic directional sign. 2. Chapter 3, Article V Section 3-68.D to exceed the maximum height of three feet for three traffic directional signs.</p>	<p>The Board granted the requested because there are special circumstances applicable to the property, strict enforcement of the Sign Code would deprive the property of privileges enjoyed by other property in the same district. The variance will not result in a special privilege to one individual property and the circumstances are such that the variance would be appropriate for any property owner facing similar circumstances. The variance will not materially and adversely affect the health and safety of persons residing or working in the neighborhood and will not be materially detrimental to the public welfare or injurious to property and improvements in the neighborhood. The need for a variance is not the result of special circumstances or conditions that were self-imposed or created by the owner or one in possession of the property. The variance is the minimum that will afford relief and is the least modification possible of the Sign Code provisions in question. Because of physical circumstances or conditions, such as irregular shape, narrowness or shallowness of the lot, or exceptional topographic condition of the specific property, the property cannot reasonably be signed in conformity with the provisions of this Sign Code.</p>

T10SA00412	2	The applicant's proposal requires variances to the following: 1. Chapter 3, Article V, Section 3-60.B.5 to allow the base of a low-profile type sign to be less than the two foot minimum required. 2. Chapter 3, Article VI, Section 3-72.B.2 to exceed the one square foot maximum total sign area for a home occupation use.	The Board granted the requested because there are special circumstances applicable to the property, strict enforcement of the Sign Code would deprive the property of privileges enjoyed by other property in the same district. The variance will not result in a special privilege to one individual property and the circumstances are such that the variance would be appropriate for any property owner facing similar circumstances. The variance will not materially and adversely affect the health and safety of persons residing or working in the neighborhood and will not be materially detrimental to the public welfare or injurious to property and improvements in the neighborhood. The need for a variance is not the result of special circumstances or conditions that were self-imposed or created by the owner or one in possession of the property. The variance is the minimum that will afford relief and is the least modification possible of the Sign Code provisions in question. Because of physical circumstances or conditions, such as irregular shape, narrowness or shallowness of the lot, or exceptional topographic condition of the specific property, the property cannot reasonably be signed in conformity with the provisions of this Sign Code.
T11SA00117	2	The applicant's proposal requires variances to the following: 1. Chapter 3, Article V Sign Types & General Regulations, Section 68.d: exceed the maximum of three (3) feet in height for a traffic directional sign by two (2) feet. The applicant's proposal requires a special permit for the following: 2. Chapter 3, Article IV General Requirements, Section 42: Install a sign on top of a building canopy as an integrated architectural feature.	The Board continued this variance so the applicant could meet with the neighbors that were in opposition of the variance. The Board also asked the applicant to prepare a tighter presentation and come back to the June 15, 2011 Public Hearing with a more specific variance request. The Board granted the requested special permit the way it was presented based on the visual proportion of the fascia relative to the sign.
T11SA00118	3	The applicant's proposal requires variances to the following: 1. Chapter 3, Article IV General Requirements, Section 3-33.A. 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 3-33.B and 3-33.C. 2. Chapter 3, Article V Sign Types and General Regulations: Section 3-60A.3. Freestanding Signs/Monument Signs: Maximum height: 10' from grade. 3. Chapter 3, Article VI Signs by District, Section 72.B.1: Nonresidential uses: 20 square feet of total sign area per street frontage.	The Board grants this variance because there are special circumstances applicable to the property, strict enforcement of this Sign Code would deprive the property of privileges enjoyed by other property in the same district. The variance will not result in a special privilege to one individual property and the circumstances are such that the variance would be appropriate for any property owner facing similar circumstances. The requested variance will not materially and adversely affect the health and safety of persons residing or working in the neighborhood and will not be materially detrimental to the public welfare or injurious to property and improvements in the neighborhood. The variance is the minimum variance that will afford relief and is the least modification possible of the Sign Code provisions in question.
T11SA00119	1	The applicant's proposal requires variances to the following: 1. Chapter 3, Article VI Signs by District, Section 72.B.1: Nonresidential uses: 20 square feet of total sign area per street frontage.	The Board continued the requested variance to such time as the applicant has provided sufficient materials to hear the case.
T11SA00229	2	The applicant's proposal requires approval of the following: 1. A variance to Chapter 3, Article VI Signs by District, Section 3-72.B.1: to exceed the maximum of 20 square feet of total sign area per street frontage for non-residential uses. 2. Approval of a special permit per Chapter 3, Article IV General Requirements, Sec. 3-42, for signs as part of integrated architectural features of the building.	The Board granted the requested variance and special permit for the integrated architectural features based on the fact that there are special circumstances applicable to the property, strict enforcement of this Sign Code would deprive the property of privileges enjoyed by other properties in the same district. The variance will not result in a special privilege to one individual property and the circumstances are such that the variance would be appropriate for any property owner facing similar circumstances. The requested variance will not materially and adversely affect the health and safety of persons residing or working in the neighborhood and will not be materially detrimental to the public welfare or injurious to property and improvements in the neighborhood. The need for the variance is not the result of special circumstances or conditions that were self-imposed or created by the owner or one in possession of the property. The variance is the minimum variance that will afford relief and is the least modification possible of the Sign Code provisions in question. The property cannot reasonably be signed in conformity with the provisions of this Sign Code.

T11SA00274	2	<p>The applicant's proposal requires variances to the following: 1. Chapter 3, Article VI, Section 3-81.D.7.b to exceed the 20 square foot maximum by 66.5 square feet. 2. Chapter 3, Article VI, Section 3-81.D.7.c to exceed the 12 foot height limit by 33.2 feet.</p>	<p>The Board grants this variance because there are special circumstances applicable to the property including its physical circumstances, which prevent compliance with the City Sign Code, and that the variance will not result in a special privilege to the property. The variance will not result in a special privilege to one individual property and the circumstances are such that the variance would be appropriate for any property owner facing similar circumstances. The requested variance will not materially and adversely affect the health and safety of the persons residing or working in the neighborhood and will not be materially detrimental to the public welfare or injurious to property and improvements in the neighborhood. The need for the variance is not the result of special circumstances or conditions that were self-imposed or created by the owner or one in possession of the property. The variance is the minimum to afford relief and is the least modification possible of the Sign Code provisions in question.</p>
T11SA00345	1	<p>The applicant's proposal requires a variance to the following: 1. Chapter 3, Article VI Signs by District, Section 3-82.E.3.A. to install a freestanding sign on a local street.</p>	<p>The Board grants this variance with conditions because there are special circumstances applicable to the property including its physical circumstances, which prevent compliance with the City Sign Code, and that the variance will not result in a special privilege to the property. The variance will not result in a special privilege to one individual property and the circumstances are such that the variance would be appropriate for any property owner facing similar circumstances. The requested variance will not materially and adversely affect the health and safety of the persons residing or working in the neighborhood and will not be materially detrimental to the public welfare or injurious to property and improvements in the neighborhood. The need for the variance is not the result of special circumstances or conditions that were self-imposed or created by the owner or one in possession of the property. The variance is the minimum to afford relief and is the least modification possible of the Sign Code provisions in question.</p>
T11SA00445	2	<p>The applicant's proposal requires a variance to the following: 1. Chapter 3, Article VI, Signs By District, Section 3-73.B.1., to exceed the maximum total sign area of 50 square feet for a residential use. The applicant's proposal requires special permits for the following: 1. Chapter 3, Article IV General Requirements, Sec. 3-42., to install one (1) sign as part of integrated architectural feature of the building.</p>	<p>The Board grants this variance because there are special circumstances applicable to the property including its physical circumstances, which prevent compliance with the City Sign Code, and that the variance will not result in a special privilege to the property. The variance will not result in a special privilege to one individual property and the circumstances are such that the variance would be appropriate for any property owner facing similar circumstances. The requested variance will not materially and adversely affect the health and safety of the persons residing or working in the neighborhood and will not be materially detrimental to the public welfare or injurious to property and improvements in the neighborhood. The need for the variance is not the result of special circumstances or conditions that were self-imposed or created by the owner or one in possession of the property. The variance is the minimum to afford relief and is the least modification possible of the Sign Code provisions in question.</p>
T12SA00079	3	<p>The applicant's proposal requires variances to the following: 1. Chapter 3, Article V Sign Types and General Regulations, Section 3-60A: to reduce 20' required minimum setback from street curb to leading edge of a monument sign. 2. Chapter 3, Article VI Signs By District, Section 3-78.C.5. Exceed 1 freestanding sign per street frontage in the Medical Business Industrial District. 3. Chapter 3, Article VI Signs By District, Section 3-78. C.5. Exceed 1 freestanding sign per building in the Medical Business Industrial District.</p>	<p>The Board granted the requested because there are special circumstances applicable to the property, strict enforcement of the Sign Code would deprive the property of privileges enjoyed by other property in the same district. The variance will not result in a special privilege to one individual property and the circumstances are such that the variance would be appropriate for any property owner facing similar circumstances. The variance will not materially and adversely affect the health and safety of persons residing or working in the neighborhood and will not be materially detrimental to the public welfare or injurious to property and improvements in the neighborhood. The need for a variance is not the result of special circumstances or conditions that were self-imposed or created by the owner or one in possession of the property. The variance is the minimum that will afford relief and is the least modification possible of the Sign Code provisions in question. Because of physical circumstances or conditions, such as irregular shape, narrowness or shallowness of the lot, or exceptional topographic condition of the specific property, the property cannot reasonably be signed in conformity with the provisions of this Sign Code.</p>
T12SA00132	1	<p>The applicant's proposal requires approval of a special permit per Chapter 3, Article IV, Sec. 3-42 of the Sign Code.</p>	<p>The Board denied the requested special permit due to the discrepancies on the plans that were submitted.</p>

T12SA00143	1	The applicant's proposal requires a variance to the following: 1. Chapter 3, Article IV Sec. 3-72.B. Exceed 20 square feet of total sign area per street frontage.	The Board granted this request with the above mentioned conditions because there are special circumstances applicable to the property, strict enforcement of the Sign Code would deprive the property of privileges enjoyed by other property in the same district. The variance will not result in a special privilege to one individual property and the circumstances are such that the variance would be appropriate for any property owner facing similar circumstances. The variance will not materially and adversely affect the health and safety of persons residing or working in the neighborhood and will not be materially detrimental to the public welfare or injurious to property and improvements in the neighborhood. The need for a variance is not the result of special circumstances or conditions that were self-imposed or created by the owner or one in possession of the property. The variance is the minimum that will afford relief and is the least modification possible of the Sign Code provisions in question. Because of physical circumstances or conditions, such as irregular shape, narrowness or shallowness of the lot, or exceptional topographic condition of the specific property, the property cannot reasonably be signed in conformity with the provisions of this Sign Code.
T12SA00415	1	The applicant's proposal requires a variance to the following: 1. Chapter 3, Article VI, Section 3-72.B.1. Maximum total sign area for nonresidential uses: 20 square feet of total sign area per street frontage.	The Board granted this request with the above mentioned conditions because there are special circumstances applicable to the property, strict enforcement of the Sign Code would deprive the property of privileges enjoyed by other property in the same district. The variance will not result in a special privilege to one individual property and the circumstances are such that the variance would be appropriate for any property owner facing similar circumstances. The variance will not materially and adversely affect the health and safety of persons residing or working in the neighborhood and will not be materially detrimental to the public welfare or injurious to property and improvements in the neighborhood. The need for a variance is not the result of special circumstances or conditions that were self-imposed or created by the owner or one in possession of the property. The variance is the minimum that will afford relief and is the least modification possible of the Sign Code provisions in question. Because of physical circumstances or conditions, such as irregular shape, narrowness or shallowness of the lot, or exceptional topographic condition of the specific property, the property cannot reasonably be signed in conformity with the provisions of this Sign Code.
T12SA00416	1	As proposed, the applicant's request requires the following: 1) Approval by the Sign Code Advisory and Appeals Board of a special permit 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 the sign code would otherwise prohibit such signs.	The Board granted this request with the above mentioned condition.
T12SA00418	1	As proposed, the applicant's request requires the following: 1) Approval by the Sign Code Advisory and Appeals Board of a special permit 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 the sign code would otherwise prohibit such signs.	The special permit was granted with the following conditions: Maximum sign area of 50 square feet for each face of the sign walls. Sign lighting shall be primarily through the letters, with an unlit or dark background. Removal of the existing sign walls on the Swan Road frontage as identified on attached photographs as Sign A and Sign B. No more than one freestanding sign within 40 feet of the Swan Road frontage. No freestanding signs on Fort Lowell Road. This action shall be contingent upon separate approval of a building setback variance by the Board of Adjustment (or other setback modification), or a sign setback variance by the Sign Code Advisory and Appeals Board if either is necessary depending on the final design. Substantial changes to the proposed design per the "Special Permit" plan set pages 1-5, shall require approval of a new special permit by the Sign Code Advisory and Appeals Board.
T13SA00050	1	The applicant's proposal requires approval of a special permit per Chapter 3, Article IV, Section 3-42 of the Sign Code.	The Board granted this request with the above mentioned condition.

T13SA00121	2	The applicant requests special permits for two illuminated signs; one at 258 square feet on the fourth-story ledge of a five story building, one at 25 square feet on top of a 22' tall building canopy. Both signs would be treated as integrated architectural feature signs and located on property subject to the Planned Area Development District of the Sign Code.	The Board granted this request with the option of allowing alternative LED lighting, such as rope lighting or internal lighting, on the "TMC for Children" canopy sign, should it become necessary under the Outdoor Lighting Code review.
T13SA00192	3	The applicant requests special permits for three illuminated signs; at 13.5, 7.65 and 13.35 square feet, to be mounted on the canopy ledge of a single story building. Such signs would be treated as integrated architectural feature signs and located on property subject to the General Business District of the Sign Code.	The Board granted this request with the condition that the three roof signs be kept together, and allow an adaptive re-use of the cabinet sign portion as recommended by the Tucson-Pima County Historical Commission Plans Review Subcommittee.
T13SA00284	2	The applicant's request requires two variances to Section 3-77 of the Sign Code: to have more than one freestanding sign for a self-contained premise, and to have freestanding signage exceed 32 square feet for a self-contained premise.	The Board denied the requested variance due to the fact there were no special circumstances to the property and would result in a special privilege to the property.
T14SA00007	1	The applicant's request requires a variance to Article VI (Signs By District), Division 3 (Special Districts), Section 3-82.D.7.c of the Sign Code: to exceed 12' maximum height from pedestrian surface to the top of a projecting sign.	The Board granted the requested variance with the condition that all signage is reviewed and approved under the Tucson Pima County Historical Commission's Plans Review Subcommittee. The board felt that because there are special circumstances applicable to the property, strict enforcement of this Sign Code would deprive the property of privileges enjoyed by other property in the same district. The variance will not result in a special privilege to the property owner. The variance will not materially and adversely affect the health and safety of persons residing or working in the neighborhood and will not be materially detrimental to the public welfare or injurious to property and improvements in the neighborhood. The need for the variance is not a result of special circumstances or conditions that were self-imposed. This is the minimum variance that will afford relief and is the least modification possible of the Sign Code provisions in question. Physical circumstances or conditions, such as irregular shape, narrowness or shallowness of the lot, or exceptional topographic condition of the specific property, the property cannot reasonable be signed in conformity with the provisions of this Sign Code.
T14SA00126	1	The applicant's request requires a variance to Article VI (Signs By District), Division 1 (Residential Districts), Section 3-74 B.1. of the Sign Code: to exceed 50 square feet maximum sign area for property within the Multiple Family Residential District.	The Board granted the requested variance with the above noted conditions.
T14SA00170	1	The applicant's proposal requires variances to the following: 1. Chapter 3, Article IV General Requirements, Section 3-33C. 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.	The Board granted the requested variance with the above noted conditions.
T14SA00194	1	On property subject to the Pedestrian Business District Downtown, the applicant proposes to install projecting signs at 17' height above the sidewalk on the northeast building elevation.	The Board granted the requested variance with the above noted conditions. T
T14SA00195	1	On property subject to the Pedestrian Business District Downtown, the applicant proposes to install projecting signs at 17' height above the sidewalk on the northeast building elevation.	The Board granted the requested variance with the above noted conditions.

T14SA00283		On property subject to the Pedestrian Business District, the applicant proposes to install a freestanding sign structure along both Granada and Church Avenues, requesting height of these signs to be taken from grade at the base of the sign. The freestanding sign structures would each contain two signs; electronic message centers and static lettering on one side, with the other side containing static lettering and changeable panels; a total of four freestanding signs with two each along two street fronts. The proposal includes two additional freestanding signs located in courtyards, directional signs along Granada Avenue, Church Avenue, and Cushing Street, wall signage on the east and west building elevations, and a canopy sign on the east building elevation.	The Board granted the requested variance with the above noted condition.
T15SA00006	2	The plans submitted in support of the request for the Sign Code Administrator's determination also require two variances; 1) to allow an increase in allowed sign area for signage attached to the building and canopies, and 2) a variance for mounting a sign in a manner not compatible with SCZ district requirements.	SIGN CODE ADMINISTRATOR'S DETERMINATION (T15SA00002) UPHELD, REQUEST FOR SPECIAL PERMIT GRANTED, VARIANCE #1 WITHDRAWN, VARIANCE #2 DENIED.
T15SA00144	3	As proposed, the applicant's request requires the following variances to the Tucson Sign Code: A) Article V., Sign Types and General Regulations, Section 3-69.C, to exceed six (6) square feet maximum sign area for a traffic directional sign. B) Article V., Sign Types and General Regulations, Section 3-69.D, to exceed three (3) feet maximum sign height for a traffic directional sign. C) Article VI: Signs by District, Division 3: Special Districts, Scenic Corridor Zone District: Section 3-83.B.1.: to increase the minimum total attached sign area for tenant signs from twenty-five (25) square feet, to thirty-five (35) square feet.	The Board granted the requested variance with the above noted conditions.
T15SA00275	1	The applicant is proposing to install both illuminated building signage and detached signage, for a total of 910 square feet of sign area on property subject to the Single Family Residential District.	The Board granted the requested variance with the above noted conditions.
T15SA00386	2	The applicant requests a special permit and variances: 1. Chapter 3 Sign Code, Article V. Sign Types and General Regulations, Section 3-59. Canopy signage requirements (such as, but not limited to: Dimensional Standards and Orientation) 2. Chapter 3, Sign Code, Article IV. General Requirements, Section 3-42. 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.	The Board granted the requested variance with the above noted conditions.
T16SA00001	1	The applicant proposes to install a new freestanding monument sign at 10' setback from street curb to leading edge of sign on property subject to the General Business District District.	The Board granted the requested variance with the above noted conditions.

T16SA00085	3	On property subject to the Planned Area Development District; the applicant proposes to install: A) An internally illuminated spire with vertical signage to extend approximately 58' above the 42'7" tall building parapet; B) Illuminated wall signage exceeding 1520 total square feet on the south and west elevations of the building, based on a 380' linear building street frontage off Interstate 10. C) Illuminated wall signage exceeding 1140 total square feet on the east elevation of the building, based on a 380' linear building street frontage off Tucson Marketplace Boulevard.	The Board granted the requested variance with the above noted conditions.
T16SA00157	3	On property subject to the General Business District, the applicant proposes to install two (2) additional illuminated freestanding signs as occupant directories along Wetmore Road. A total of three (3) such freestanding signs are requested on this street frontage, including one (1) existing sign.	The Board granted the requested variance with the above noted conditions.



TO: City of Tucson

FROM: Tucson Metro Chamber, Metropolitan Pima Alliance, Southern Arizona Homebuilders Association, Commercial and Residential Development

RE: Industry Recommendations to June 2, 2017 DRAFT City of Tucson Sign Code

DATE: June 15, 2017

The Tucson Metro Chamber, Metropolitan Pima Alliance, and the Southern Arizona Homebuilders Association—along with their investors and members of the development community, have been actively participating in the Sign Code Revision Project since October 2016. We have collectively attended every subcommittee meeting, spoken on behalf of the business community, and have provided comments and language suggestions that would benefit all sign users within the City of Tucson.

Two letters were submitted to the City of Tucson on behalf of the business community and residential and commercial property owners, developers, brokers, and related trades. These are attached. Additionally, representatives of the industry attended scheduled meetings and provided input at ‘call to the audience’, as well as engaged in solution-oriented discussions with Tucson leadership and community stakeholders. Unfortunately, the majority of suggestions made by the industry, that designs, constructs and installs and maintains signs, has not been incorporated into this draft. While there have been modifications to the sign code ordinance that are beneficial, several key areas warrant text modifications.

For the purposes of this letter, the comprehensive list of detailed recommendations that have been the subject of correspondence, discussions and meetings between business representatives and the City is repeated below. We respectfully request that the following language, which addresses overarching issues, be added or substituted.

7.A.1.1. PURPOSE **ADD**

G. Ensure that signage functions and contributes to the retention of Tucson’s locally owned, small businesses.

H. Support signage that furthers Plan Tucson’s Focus Areas, Goals and Policies and the City of Tucson’s Economic Initiatives.

I. Recognize the importance of expedited review of signage as an element considered in business expansion and relocation, when consistent with Primary Jobs Initiative and other established City of Tucson economic initiatives.

7.A.6.4.C. SIGN COPY CHANGE

A digital sign is permitted to have a rate of change of sign copy, graphic, or information not more than once **every minute**. The digital sign copy shall not have any transitions or animations.

7.A.6.5.A. SIGN HEIGHT MEASUREMENT ADD

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;....

7.A.6.9. STREET AND BUILDING FRONTAGES ADD

C.1. “, provided however that the zoning administrator may approve a transfer in whole or in part from one street to another when, in his or her judgment, that transfer will not be detrimental, given the profile of buildings, freestanding signs, and structures on the property and surrounding area.”

E.1. “, provided however that the zoning administrator may approve a less restrictive standard of the zone category when, in his or her judgment, a less restrictive zone category will not be detrimental, given the profile of buildings, freestanding signs and structures on the property and surrounding area.”

7.A.6.10 SIGNS IN OR OVER PUBLIC RIGHTS-OF-WAY ADD

7.A.6.10 “/SPECIAL LICENSES”

J. When consistent with the purpose and intent of Tucson Sign Code, the Mayor and Council and/or City Manager may grant special licenses for signage based upon new information, changed circumstance, Tucson voter and City Council approved initiatives.

7.A.6.11. PREMISE ADD

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

7.A.6.12.ILLUMINATION CHANGE

All signs may be illuminated subject to the provisions of Tucson code.

7.A.6.11. PREMISE ADD

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

7.A.6.12.ILLUMINATION CHANGE

All signs may be illuminated subject to the provisions of Tucson code.

7.A.7.1. MASTER SIGN PROGRAM – PERMANENT SIGNS ADD/CHANGE

A. Purpose. The purpose of this section is to respond to special permanent sign needs of a premise as well as provide **flexibility, encourage development in designated growth areas** and promote superior sign design to implement the purpose of this article.

7.A.7.1. E. Design Standards

3. Wall-mounted Signs ADD

d. For all wall-mounted signs, an organized, proportional appearance is required among the 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. **However, publicly recognized business logos which may include in their graphic standard, a logo or graphic element, typeface or font, and branded color may be used.**

7.A.7.1. F. Best Practice Option ADD

1. a. An already approved permanent sign, master sign program with the **City of Tucson Metropolitan Statistical Area or an analogous project from which directly relevant comparisons may be made.**

7.A.7.1. G. Findings **CHANGE and ADD**

1. The decision **should** show **how the** sign program **addressed** the following applicable findings:

g. **Acknowledges** significant scenic views.

h. **Improves** the affected street.

7.A.7.1. MASTER SIGN PROGRAM – PERMANENT SIGNS **DELETION**

E. Design Standards

1. All signs

a. **DELETE**

b. **DELETE**

c. **DELETE**

2. Ground-mounted Signs

b. Sign Height

(4) The Master Sign Program may allow an increase of up to 100% based upon providing adequate visibility, legibility and improved vehicle reaction time when an increase is deemed compatible with the surrounding area.

7.A.7.2. B. APPLICABILITY. **ADD**

Applications under the Master Sign – Portable Sign program that comply with standards in place at the time of new code adoption shall receive automatic approval.

7.A.9.2 CHANGE OF USE **ADD**

14. Medical / Health-related

7.A.10. SIGN TYPES AND GENERAL STANDARDS **ADD**

Standards in special districts, **when not in conflict with Plan Tucson, may supersede the regulations for the underlying zone or general requirements for the sign type. Master Sign Program applications will be considered within the context of the Special District, Plan Tucson, and other applicable City approved policies.**

7.A.10.1. GENERALLY PERMITTED SIGNS DELETION

7A.10.1. GENERALLY PERMITTED SIGNS DELETION

C. Interior Sign Exception “DELETE... 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 types’ maximum sign area. DELETE...”

7A.10.2. PERMANENT SIGNS – ZONE CATEGORY STANDARDS ADD / CHANGE / DELETION

TABLE 1 (*fifth column*) General Business Category ADD

Footnote 7. Businesses allowed within residential zones, such as churches and schools, should be considered as part of the General Business category.

TABLE 2 Maximum Sign Area per Zone Category and Special Zone Standards

Residential

All Permanent Signs

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. Provided however, that the zoning administrator may approve a transfer in whole or in part from one street to another when, in his or her judgment, that transfer will not be detrimental, given the profile of buildings, freestanding signs, and structures on the property and surrounding area.

Non-Residential

All Permanent Signs

1. Illumination and color: Signs on arterial and collector streets DELETE should not be illuminated between the hours of 10:00 p.m. and 7:00 a.m. Signs located on a local street frontage should not be illuminated. Color schemes for all sign components, including copy, DELETE should consider compatibility with surrounding residential areas.

7.A.10.2.C. PERMANENT SIGNS DELETE

C. Additional sign type standards

1. Sign Types A through E

a. 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. This sign type is not permitted DELETE in the historic district.

2. Sign Types F through O DELETE

One freestanding sign for each street frontage.

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.

DELETE

7.A.10.3. PORTABLE SIGNS (PAGES 31-36)

A. Portable Signs – maximum sign area allotment ADD

Premises with street frontage of 150 feet or greater, regardless of zone or street type are allowed an additional 32 square feet of signage per 150 feet - not to exceed 900 square feet of total signage. The combined signage may be used either on the premise or off premise as part of the permit application.

Premises with more than one building permit are allowed an additional 16 square feet of signage per building permit in addition to the base amount of signage as determined by zoning & street type – not to exceed 900 square feet of total signage. The combined signage may be used either on the premise or off premise as part of the permit application.

In no case, should the City of Tucson Sign Code Revision, prompted by the Supreme Court decision requiring sign regulations be content neutral, result in a significant reduction in quantity of temporary and portable signage to the residential and commercial real estate development and commercial brokerage community. The current 6-02-2017 draft significantly reduces the amount of allowed signage.

7.A.11. SPECIAL DISTRICTS ADD

The sign standards in historic, pedestrian and scenic corridor districts take precedence over the sign standards listed above in Sec. 7A.10 (Sign Types and General Standards). **Master Sign Program applications take precedence over special districts when consistent with voter-approved Plan Tucson.**

7.A.11.3. SCENIC CORRIDOR ZONE (SCZ) DISTRICT DELETE / CHANGE

A. Location: The scenic corridor zone (SCZ) district includes any portion of property or parcels within (200) feet, measured in any direction, from the center line of DELETE existing right-of-way DELETE of a scenic route, as designated on the Major Streets and Routes (MS&R) Plan map. DELETE Only the portion of DELETE the development **that** is within the SCZ district, DELETE will be treated for sign purposes, as DELETE within the SCZ district.

E. Permitted signs: CHANGE

3. Freestanding signs, monument and low profile only.

a. Maximum number per premises, consistent with the General Business District:

(1) Scenic Route: One (1) for the first three hundred (300) feet of scenic route street frontage with one (1) additional sign for every one hundred fifty feet (150) of additional scenic route street frontage.

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

(3) Collector street: One (1) for the first three hundred (300) feet of collector street frontage with one (1) additional sign for every one hundred fifty feet (150) of additional collector street frontage.

2.2.12 SIGN DESIGN REVIEW COMMITTEE ADD

C. Composition. The committee shall be composed of the following nine (9) members who shall serve without compensation. Members shall include:

Architect or Planner

Outdoor Lighting Committee Representative or Astronomy or Aerospace Representative

Sign Industry Representative
Local Business Representative or Site Selector or Economic Development Representative
A Planner or a Commercial or Residential Land Owner in a Designated Infill Incentive District or City Designated Growth Area
A Portable Sign Expert (i.e. Commercial Real Estate Broker) or a Residential or Commercial Real Estate Agent or Broker
City Manager At-Large Appointment
General Neighborhood Association
An Ad Hoc Neighborhood Representative appointed by a neighborhood association within 300 feet of the location of the subject property submitting the application

11.4.7. DEFINITIONS – F ADD

Freeway – Designated interstate roadways, including frontage roads adjacent to interstate freeways, ADOT designated State Routes and PAG Regionally Significant Corridors.

11.4.17. DEFINITIONS – P CHANGE

Parapet – An integrated wall component of an exterior building surface thirty (30) degrees or less from vertical, including affixed to interior and the exterior of window and door surfaces.

11.4.24 DEFINITIONS – W ADD

Wall – An exterior building surface thirty (30) degrees or less from vertical, including affixed to interior and the exterior of window and door surfaces, including a parapet.

Thank you for the opportunity to provide comment and make recommendations. We look forward to working further 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.

Attachments: Chamber, MPA, SAHBA Joint letter dated February 23, 2017

SAHBA Letter dated June 15, 2017



Southern Arizona
Home Builders
Association

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TRS Custom Builders

Secretary/Treasurer
Roy "Thrac" Paulette
Cantera Real Estate, LLC

Immediate Past Chair
Amy McReynolds
KB Home

Affiliated With



June 15, 2017

Mr. Michael Ortega
City Manager – City of Tucson
255 W. Alameda 10th Floor
Tucson, AZ 85701

Dear Mr. Ortega:

As you are aware, the Southern Arizona Homebuilders Association has been closely engaged in the proposed updates and changes to the City of Tucson Sign Code.

Despite significant effort by the subcommittee and City staff, the draft likely to be presented for consideration by Mayor and Council still DRASTICALLY reduces the signage rights and options currently available to the home building industry. For example, a home builder that currently has combined options of up to 900 square feet of signage to promote their subdivision could conceivably be reduced to a total of 16 square feet. This represents a reduction of more than 5,000 % from their current rights.

A recent survey of member builders found that the majority are using more signage than the maximum allowable under the new proposed ordinance. One builder indicated that analysis of one of their recent projects showed that 70 percent of new homes sales could be directly attributed to their temporary signage.

While we understand the concern that allowing equal signage rights to all users could have unintended consequences, we fail to see how regulating to the lowest denominator on the backs of our industry fulfills the philosophy of preserving current sign users rights to the extent possible. **For this reason, SAHBA cannot support the draft ordinance in its current form.**

The solution proposed by Development Services staff is that SAHBA apply for a member specific "template" under the Master Portable Sign Program. This template would then be approved for any of our members subsequently seeking signage within the parameters of said template. However, this proposed solution still leaves several concerns; a) The replacement of a predictable and defined category of signage rights for an unpredictable process requiring a new time intensive step and b) given that the core element in the Reed vs. Gilbert decision was that all sign users must be treated equally, we have concerns that a template providing special treatment to a specific industry will not survive legal challenge.

If SAHBA were to apply for a template, it would include all the elements and signage parameters available under the current code.

Therefore we propose the following alternatives that address both the unintended consequence issue and provide for a reasonable maintenance of sign alternatives for our industry.

- a) Add language to the new code specifically stating any applications under the new Master Portable Sign program that meet parameters of the “old” code receive automatic approval.

- b) Add language to the Portable Sign section of the code that states both:

Premises with street frontage of 150 feet or greater, regardless of zone or street type are allowed an additional 32 square feet of signage per 150 feet - not to exceed 900 square feet of total signage. The combined signage may be used either on the premise or off premise as part of the permit application.

-AND-

Premises with more than one building permit are allowed an additional 16 square feet of signage in addition to the base amount of signage as determined by zoning & street type – not to exceed 900 square feet of total signage. The combined signage may be used either on the premise or off premise as part of the permit application.

It is our hope that we can work together toward a reasonable solution now rather than wait for the issues that will inevitably crop up during the 18 month trial period. Given that many of the municipalities in Southern Arizona are waiting to see how the City of Tucson proceeds, getting it right the first time is of great interest to our industry.

Respectfully,



Shawn Cote
Government Affairs Associate



February 23, 2017

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

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

Dear Mr. Ranu:

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

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

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

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

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

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

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

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

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

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

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

Recommendation:

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

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

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

Recommendation:

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

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

3.) Page 12/ 7A.6.11 PREMISE

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

Recommendation:

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

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

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

4.) Page 12 / 7A.6.12 ILLUMINATION

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

Recommendation:

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

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

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

Current Language:

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

Recommendation:

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

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

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

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

Current Language:

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

Recommendation:

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

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

Current Language:

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

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

Recommendation:

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

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

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

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

Current Language:

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

Recommendation:

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

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

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

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

Current Language: (See Table 2 on page 24)

Recommendation for Table 2 -- Residential section:

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

Recommendation for Table 2 -- Non-residential section:

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

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

Current Language:

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

Recommendation:

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

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

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

Recommendation:

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

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

Current Language

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

Recommendation:

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

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

Current Language

E. Permitted signs:

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

Recommendation:

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

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

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

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

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

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

14.) Definitions:

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

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

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



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

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

Sincerely,

Robert Medler
Vice President, Government Affairs
Tucson Metro Chamber

Amber Smith, MPA
Executive Director
Metropolitan Pima Alliance

David Godlewski
President
SAHBA

Attachment: Real Estate Signs vs. Portable Signs Chart

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

Overview and Response to June 21, 2017 Joint Planning Commission – Citizen Sign Code Committee Public Hearing and June 15, 2017 MPA-Chamber-SAHBA Letter

The following is an overview and response to issues heard at the June 21, 2017 Joint Planning Commission and Citizens' Sign Code Committee (CSCC) public hearing on the June 2, 2017 draft of the Article 7A Sign Standards. At that meeting, after the Commissions closed the public hearing, there was discussion about the June 15, 2017 SAHBA/MPA/TMC letter. Some members of both groups said they thought the draft and the public review process were done well and were ready to vote on the June 2 draft and send it forward. At the same time, other members of both groups wanted to continue the meeting so that the letter could be reviewed more closely. In the end, it was agreed that the CSCC would meet on July 11 and review the June 15, 2017 letter more carefully, then they would join the Planning Commission on July 12 and discuss the letter and the entire draft as a joint group.

PDSD Response to June 15, 2017 MPA/Chamber/SAHBA Letter and Items from June 21, 2017 Joint Public Hearing

At the June 21, 2017 joint public hearing of the Planning Commission and the Citizen Sign Code Committee, it was agreed upon for the joint bodies to postpone their votes to recommend the draft Sign Standards until July 12, 2017. To aid in the review of these issues, staff has prepared a summary of each of those issues with a response. These have been categorized into the following three categories: (1) items from the members of the joint Planning Commission / Citizen Sign Code Committee, (2) items from the speakers at the public hearing, and (3) items from the MPA-Chamber-SAHBA letter.

Items from the members of the joint Planning Commission / Citizen Sign Code Committee (response in bullets)

1. **Re-organize Master Sign Program** – Concerns from Commissioners Ench and McLaughlin related to the organization of the master sign program. Commissioner McLaughlin stated she would like to combine all of the sections of the Master Sign Program. Commissioner Ench stated that he did not see why the Singular Design Option was necessary and would like to have it removed.

- The organization of the Master Sign Program into three parts mirrors the permitting process to establish a consistency between the code and the regulatory processes.
- The Singular Sign Program was created as a more robust replacement for the integrated architecture option.
- The Singular Sign Program is a program designed to provide flexibility for one sign on a site.
- The Singular Sign Program is one for unique situations and is not intended for everyone to do; it is a longer process and the general standards already meet the majority of signage needs in the City.

Items from the speakers at the public hearing (response in bullets)

1. **5000% Reduction in Portable Signs for Real Estate Industry** – At the public hearing it was suggested that the amount of portable signage allowed for the Real Estate Industry was being reduced by 5000% in the new draft.

- This is a calculation based on the most extreme situation which assumes the need for the most amount of currently permitted signage (900 sf) to the smallest proposed category, which is residential zone on a

local street (16 sf). Under the current regulation, 900 sf could be used throughout the city, on one single-family lot, on a local street, with less than 300 linear feet of a single street frontage.

- This number also overlooks that the proposed Portable Master Sign Program will allow for up to what was allowed historically (900 sf), if proved to need that much. This process will allow both individuals and/or organizations to apply for the program.

Staff suggested changes to address issue:

- Create a minor review by the design professional for the Portable Sign Design Option.
- Create staff templates for applicants to use that could be used by organizations or individuals.

2. Regulating Signs by Variance – Several members of the public spoke about problems with the current code and how it forces them into requiring variances and that it hurts small business owners.

- Staff has developed the proposed Master Sign Program and Singular Sign Program to address this issue by allowing flexibility from the more restrictive general standards and essentially removing the need for variances.
- Additionally, the following clarifications and modifications in the proposed standards are designed to help to reduce the need for variances:
 - Parapet – Wall Sign clarification
 - More sign allowance for non-residential on arterials and collectors (20sf to 100sf)
 - Premise definition
 - Measurement for grade
 - Clearance, street frontage, and building frontage are clarified for projecting signs in pedestrian districts
 - Simplification of the Canopy Sign regulation
 - Historic Signs - allowing Wall Signs as a type of Historic Landmark Sign - allowing more sign allowance when in a commercial zone in an HPZ

3. Non-conforming Signs – The need to address non-conforming signs (grandfathering) and the current difficulties created by the existing sign code.

- The proposed June 2 draft has added a provision that allows for like for like electrical component swap outs addressing a well-documented problem with the current sign code.
- The proposed draft also has the Singular Sign Option, which can be used to bring non-conforming signs into conformance. It can function as a replacement for the old 20 and 20 regulation, which was allowed to sunset several years ago.

4. Religious Institutions – It was suggested at the public hearing that the existing code has placed an undue burden on religious institutions and forces them to require variances for their signage.

- Staff agrees this is a significant problem with the existing code and has addressed the issue in the following ways:
 - The proposed draft has added a provision to increase to 100sf from 20sf for non-residential (churches and schools) in residential zones on arterials and collectors.
 - The proposed draft has changed how we measure a cross.
 - Interior signs no longer count toward the site’s sign allowance.

5. Signs and Technology – A couple members of the public expressed concerns about how old the current sign code is and the need to have a modern code that addresses signs and technology.

- The proposed draft has a Master Sign Program.
- The proposed draft has increased the rate-of-change for signs from one-hour to five-minutes.
- The proposed draft allows for like to like electrical component swap out without bringing up to code.

6. **Scenic Corridor Issues** – It was suggested at the public hearing that the existing Scenic Corridor regulations are too restrictive and hinder economic development of those areas.

- Staff has developed the proposed Master Sign Program and Singular Sign Program to address this issue by allowing flexibility from the more restrictive Scenic Corridor standards.

7. **Master Sign Program Findings** – It was suggested at the public hearing that the findings are too subjective and may lead to uncertainty in the process

- Staff has reviewed the findings and believes they are an accurate reflection of the regulations in Section 7A.7.1. They provide a framework for an applicant to demonstrate compliance to the Sign Design Review Committee.
- Staff also acknowledges the term clutter may be seen as unclear and suggests a rewording of that finding to allow for a more certain and measurable finding.

8. **Overall Clarity and Simplification of the Sign Code** – It was suggested that the existing sign code is confusing and the proposed draft needs to address its overall clarity and simplify regulations when possible.

- Staff believes the proposed June 2, 2017 draft takes significant measures to improve the overall clarity and simplification of the Sign Code. The following are areas that have been addressed related to this:
 - Parapet – Wall Sign clarification
 - Premise definition
 - Measurement for grade
 - Clearance, street frontage, and building frontage are clarified
 - Clarified status of feather banners and commercial signs
 - Organized Maximum Sign Area by zones and Permanent Signs by zone into tables
 - Historic items
 - Use of Master Sign Program instead of variance(s) through the Board of Adjustment
 - Master Sign Program may be used for a PAD

Items from the MPA-Chamber-SAHBA letter (response in bullets)

1. Section 7.A.1.1. PURPOSE

MPA-Chamber-SAHBA Recommendation - add bolded language below

G. Ensure that signage functions and contributes to the retention of Tucson’s locally owned, small businesses.

H. Support signage that furthers Plan Tucson’s Focus Areas, Goals and Policies and the City of Tucson’s Economic Initiatives.

I. Recognize the importance of expedited review of signage as an element considered in business expansion and relocation, when consistent with Primary Jobs Initiative and other established City of Tucson economic initiatives.

Staff Response

- The current purpose statement was discussed at length, and the current draft was voted on by the Joint Subcommittee.
- The key issues related to the *Reed vs. Town of Gilbert* case involved first amendment rights, property rights, visual environment and public safety.
- Staff has no objection to adding language related to Economic Development, but in general referencing a specific document that is required to be updated every 10 years is generally not a good idea. Staff supports consolidating the three statements into one that states the importance of Economic Development.

2. **Section 7.A.6.4.C. SIGN COPY CHANGE**MPA-Chamber-SAHBA Recommendation - change bolded language below

A digital sign is permitted to have a rate of change of sign copy, graphic, or information not more than once **every minute**. The digital sign copy shall not have any transitions or animations.

Staff Response

- The Joint Subcommittee and the CSCC have debated this issue.
- The final recommendation was for a change from a one-hour change rate to a five-minute change rate, which is reflected in the June 2 draft.
- Staff has no objection to either five-minute or one-minute rate-of-change.

3. **Section 7.A.6.5.A. SIGN HEIGHT MEASUREMENT ADD**MPA-Chamber-SAHBA Recommendation - add bolded language below

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.

Staff Response

- The June 2 draft language is consistent with how PDSD measures average finished grades elsewhere in the Unified Development Code.
- The recommended language from the letter would create two different processes for measuring average finished grade.
- Staff recommends keeping the current proposed language.

4. **Section 7.A.6.9.C.1 & E.1 STREET AND BUILDING FRONTAGES**MPA-Chamber-SAHBA Recommendation - add bolded language below

C.1. “, provided however that the zoning administrator may approve a transfer in whole or in part from one street to another when, in his or her judgment, that transfer will not be detrimental, given the profile of buildings, freestanding signs, and structures on the property and surrounding area.”

E.1. “, provided however that the zoning administrator may approve a less restrictive standard of the zone category when, in his or her judgment, a less restrictive zone category will not be detrimental, given the profile of buildings, freestanding signs and structures on the property and surrounding area.”

Staff Response

- While there may be merit in the proposal, this was not discussed during public review.

- Creating a whole new process such as this requires significant time for input and review.
- This issue could be reviewed by the Sign Design Review Committee (SDRC) as part of its authority to review sign text amendments for the Planning Commission during the 18-month sunset period.

5. **Section 7.A.6.10. SIGNS IN OR OVER PUBLIC RIGHTS-OF-WAY**

MPA-Chamber-SAHBA Recommendation - add bolded language below

“SPECIAL LICENSES”

J. When consistent with the purpose and intent of Tucson Sign Code, the Mayor and Council and/or City Manager may grant special licenses for signage based upon new information, changed circumstance, Tucson voter and City Council approved initiatives.

Staff Response

- This is the current regulation from the existing Chapter 3 Sign Code.
- In reviewing this matter with our legal advisors, staff believes this clarification may not be needed.
- It could be an issue that can be reviewed by the SDRC during the 18-month sunset period.

6. **Section 7.A.6.11. PREMISE**

MPA-Chamber-SAHBA Recommendation - add bolded language below

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

Staff Response

- Premise definition was discussed and voted upon by the Joint Subcommittee and the Citizens Sign Code Committee to keep the current wording.
- There may be some merit to the proposed idea, but we believe more discussion and review are needed.
- This can be monitored during the 18-month sunset period to see if the Premise or the spacing provision needs to be modified.

7. **Section 7.A.6.12. ILLUMINATION**

MPA-Chamber-SAHBA Recommendation – replace with bolded language below

All signs may be illuminated subject to the provisions of Tucson code.

Staff Response

- This is the current regulation from the existing Chapter 3 Sign Code.
- The removal of the text, “unless otherwise prohibited in the sign standards,” could lead to less ability to regulate illumination and light pollution.
- This idea was presented to and discussed by the Joint Subcommittee and was not supported.

8. **Section 7.A.7.1. MASTER SIGN PROGRAM – PERMANENT SIGNS**

MPA-Chamber-SAHBA Recommendation – change and add bolded language below

A. Purpose. The purpose of this section is to respond to special permanent sign needs of a premise as well as provide **flexibility, encourage development in designated growth areas** and promote superior sign design to implement the purpose of this article.

Staff Response

- The term ‘designated growth area’ is not in the Unified Development Code as a regulated area with specific boundaries.
- This has not been discussed up to now, or during the Joint Subcommittee public review process.
- This item needs for time to be reviewed and discussed; it could be something reviewed during the 18-month sunset period.

9. **Section 7.A.7.1.E.3. Wall-mounted Signs**

MPA-Chamber-SAHBA Recommendation - add bolded language below

d. For all wall-mounted signs, an organized, proportional appearance is required among the 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. **However, publicly recognized business logos which may include in their graphic standard, a logo or graphic element, typeface or font, and branded color may be used.**

Staff Response

- Staff has no objection to this language, but does not believe it is necessary.
- The current June 2 draft mentions registered trademarks but is not intended to prohibit logos.
- Staff is willing to add language to recognize business logos either in the draft or as part of the preparation of the PDSD application checklist.

10. **Section 7.A.7.1.F. Best Practice Option**

MPA-Chamber-SAHBA Recommendation - add bolded language below

1.a. An already approved permanent sign, master sign program with the **City of Tucson Metropolitan Statistical Area or an analogous project from which directly relevant comparisons may be made.**

Staff Response

- Staff believes this would likely be unnecessary.
- There is already a process that that allows an applicant to present to the Design Professional a Master Sign Program.
- The Design Professional can verify that the example Master Sign Program is consistent with the purpose statement and design standards of the City’s sign standards.

11. **Section 7.A.7.1.G. Findings**

MPA-Chamber-SAHBA Recommendation – change and add bolded language below

l. The decision should show how the sign program addressed the following applicable findings:

- g. Acknowledges significant scenic views.**
- h. Improves the affected street.**

Staff Response

- Staff does not recommend using the word ‘should’ in a finding.

- In consulting with our legal advisors, our position is a finding needs to be definitive and factual in the case that a finding may be substantive information if an application was appealed or if the case were to go to court.

12. **Section 7.A.7.1.E. MASTER SIGN PROGRAM – PERMANENT SIGNS – Design Standards**

MPA-Chamber-SAHBA Recommendation - remove highlighted sections below and add height cap

E. Design Standards

1. All signs

a. **DELETE**

b. **DELETE**

c. **DELETE**

2. Ground-mounted Signs

b. Sign Height

(4) The Master Sign Program may allow an increase of up to 100% based upon providing adequate visibility, legibility and improved vehicle reaction time when an increase is deemed compatible with the surrounding area.

Staff Response

- The Joint Subcommittee and Citizens Sign Code Committee reviewed and voted on the issue and decided to recommend keeping this language and removing the height cap.
- This provision does not limit a business from using federally registered trademark sign copy or sign copy colors, but provides simple design standards for utilization of the Master Sign Program.
- Staff leaves it up to the discretion of commission if they would like to add the cap back in.

13. **Section 7.A.7.2.B. APPLICABILITY**

MPA-Chamber-SAHBA Recommendation - add bolded language below

Applications under the Master Sign – Portable Sign program that comply with standards in place at the time of new code adoption shall receive automatic approval.

Staff Response

- Staff has discussed this matter with our legal advisors and we have concerns about this provision.
- It appears to create an arbitrary standard without any sign clutter controls and may potentially override both the June 2 draft’s portable sign general standards and the Master Sign – Portable Sign Program, making them irrelevant.
- The June 2 draft has a sound legal strategy and allows flexibility to property owners understanding the need to operate in a content-neutral environment.

14. **Section 7.A.9.2. CHANGE OF USE**

MPA-Chamber-SAHBA Recommendation - add bolded language below

14. Medical / Health-related

Staff Response

- Staff has no objection to this language, but does not believe it is necessary.

- This regulation comes from existing language in the Chapter 3 Sign Code and is based on occupancy categories used in building codes.
- Any change in this section would have to be consistent with the occupancy categories used in those building codes, as it impacts non-conforming signs.

15. **Section 7.A.10. SIGN TYPES AND GENERAL STANDARDS**

MPA-Chamber-SAHBA Recommendation - add bolded language below

Standards in special districts, **when not in conflict with Plan Tucson, may supersede the regulations for the underlying zone or general requirements for the sign type. Master Sign Program applications will be considered within the context of the Special District, Plan Tucson, and other applicable City approved policies.**

Staff Response

- Staff agrees that a clarification would be helpful in clarifying the relationship between a Master Sign Program and a sign special district.
- Adding the language, “unless stated herein” or similar language at the end of the first paragraph would clarify.
- Any additional changes may require more time to review and discuss during the 18-month sunset period.

16. **Section 7A.10.1. GENERALLY PERMITTED SIGNS**

MPA-Chamber-SAHBA Recommendation – remove text where bolded language is below

C. Interior Sign Exception “**DELETE...** 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 types’ maximum sign area. **DELETE...**”

Staff Response

- The existing language was recommended and voted upon by the Joint Subcommittee and the CSCC.
- Staff believes this provision is reasonable way to mitigate noise when adjacent to residential property.
- If it is not needed, it can be reviewed during the 18-month sunset period.

17. **Section 7A.10.2. PERMANENT SIGNS – ZONE CATEGORY STANDARDS**

MPA-Chamber-SAHBA Recommendation - add bolded language below to table

7. Businesses allowed within residential zones, such as churches and schools, should be considered as part of the General Business category.

Staff Response

- This issue was reviewed by the joint subcommittee and has been presented to the Planning Commission and Citizen Sign Code Committee at study sessions.
- The recommendation reflects a compromise of allowing 100 sf of signage for non-residential uses on arterial or collector streets but to require the current 20 sf provision for non-residential uses on local streets.
- If the June 2 language is shown to be still inadequate, that information can be reviewed during the 18-month sunset period.

18. Section 7A.10.2. PERMANENT SIGNS – ZONE CATEGORY STANDARDS

MPA-Chamber-SAHBA Recommendation - add bolded language below

All Permanent Signs

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. **Provided however, that the zoning administrator may approve a transfer in whole or in part from one street to another when, in his or her judgment, that transfer will not be detrimental, given the profile of buildings, freestanding signs, and structures on the property and surrounding area.**

Staff Response

- While there may be merit in the proposal, this was not discussed during public review.
- Creating a whole new process such as this requires significant time for input and review.
- This issue could be reviewed by the Sign Design Review Committee (SDRC) as part of its authority to review sign text amendments for the Planning Commission during the 18-month sunset period.

19. Section 7A.10.2. PERMANENT SIGNS – ZONE CATEGORY STANDARDS

MPA-Chamber-SAHBA Recommendation – remove text and change where bolded language below

All Permanent Signs

1. Illumination and color: Signs on arterial and collector streets **DELETE should** not be illuminated between the hours of 10:00 p.m. and 7:00 a.m. Signs located on a local street frontage **should** not be illuminated. Color schemes for all sign components, including copy, **DELETE should consider** compatibility with surrounding residential areas.

Staff Response

- This is the current regulation from the existing Chapter 3 Sign Code.
- This item was not presented or discussed during the public review process up to now.
- The removal of the text could lead to less ability to regulate illumination and light pollution.

20. Section 7.A.10.2.C. PERMANENT SIGNS

MPA-Chamber-SAHBA Recommendation – remove where bolded language below

1. Sign Types A through E

a. 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. This sign type is not permitted **DELETE** in the historic district.

Staff Response

- This provision is from the existing Chapter Three Sign Code.
- Staff believes there may be merit in allowing access signs in certain situations.
- Staff defers to the joint commissions as to whether they would like to modify this section.

21. Section 7.A.10.2.C. PERMANENT SIGNS

MPA-Chamber-SAHBA Recommendation – remove where bolded language below

2. Sign Types F through O

One freestanding sign for each street frontage.

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.

DELETE

Staff Response

- This is the current regulation from the existing Chapter 3 Sign Code.
- This item was not presented or discussed during the public review process up to now.
- This item can be monitored during the 18-month sunset period.

22. **Section 7.A.10.3. PORTABLE SIGNS**MPA-Chamber-SAHBA Recommendation – add bolded language below

Premises with street frontage of 150 feet or greater, regardless of zone or street type are allowed an additional 32 square feet of signage per 150 feet - not to exceed 900 square feet of total signage. The combined signage may be used either on the premise or off premise as part of the permit application.

Premises with more than one building permit are allowed an additional 16 square feet of signage per building permit in addition to the base amount of signage as determined by zoning & street type – not to exceed 900 square feet of total signage. The combined signage may be used either on the premise or off premise as part of the permit application.

Staff Response

- This item was not presented or discussed during the public review process up to now.
- The Joint Subcommittee and CSCC ultimately voted to support the provisions in the June 2 draft.
- Staff believes the Sign Design Option is a reasonable option to allow for the signage needs of the Real Estate industry and would be willing to work with them to develop templates to be used.

23. **Section 7A.11.1 SPECIAL DISTRICTS**MPA-Chamber-SAHBA Recommendation – add bolded language below

The sign standards in historic, pedestrian and scenic corridor districts take precedence over the sign standards listed above in Sec. 7A.10 (Sign Types and General Standards). **Master Sign Program applications take precedence over special districts when consistent with voter-approved Plan Tucson.**

Staff Response

- Staff agrees that a clarification would be helpful in clarifying the relationship between a Master Sign Program and a sign special district.
- Adding the language, “unless stated herein” or similar language at the end of the first paragraph would clarify.
- Any additional changes may require more time to review and discuss during the 18-month sunset period.

24. **Section 7.A.11.3. SCENIC CORRIDOR ZONE (SCZ) DISTRICT**MPA-Chamber-SAHBA Recommendation – remove and change language where bolded below

A. Location: The scenic corridor zone (SCZ) district includes any portion of property or parcels within (200) feet, measured in any direction, **from the center line of DELETE existing** right-of-way **DELETE** of a scenic route, as designated on the Major Streets and Routes (MS&R) Plan map. **DELETE Only the portion of DELETE the development that is within the SCZ district, DELETE** will be treated for sign purposes, as **DELETE** within the SCZ district.

E. Permitted signs: CHANGE

3. Freestanding signs, monument and low profile only.

a. Maximum number per premises, **consistent with the General Business District:**

(1) Scenic Route: One (1) for the first **three hundred (300)** feet of scenic route street frontage with one (1) additional sign for every **one hundred fifty feet (150)** of additional scenic route street frontage.

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

(3) Collector street: One (1) for the first **three hundred (300)** feet of collector street frontage with one (1) additional sign for every **one hundred fifty feet (150)** of additional collector street frontage.

Staff Response

- This is the current regulation from the existing Chapter 3 Sign Code.
- The Joint Subcommittee and the CSCC voted and recommended not to change the Scenic Corridor regulations.
- The proposed Master Sign Program allows for relief from the current regulations of the Scenic Corridor.

25. **Section 2.2.12 SIGN DESIGN REVIEW COMMITTEE**

MPA-Chamber-SAHBA Recommendation – add bolded language below

C. Composition. The committee shall be composed of the following nine (9) members who shall serve without compensation. Members shall include:

Architect **or Planner**

Outdoor Lighting Committee Representative **or Astronomy or Aerospace Representative**

Sign Industry Representative

Local Business Representative **or Site Selector or Economic Development Representative**

A Planner **or a Commercial or Residential Land Owner in a Designated Infill Incentive District or City Designated Growth Area**

A Portable Sign Expert (i.e. Commercial Real Estate Broker) **or a Residential or Commercial Real Estate Agent or Broker**

City Manager At-Large Appointment General Neighborhood Association

An Ad Hoc Neighborhood Representative appointed by a neighborhood association within 300 feet of the location of the subject property submitting the application

Staff Response

- Staff has no objection to having similar professionals being part of the SDRC.
- We believe the following additional sentence may address this: “The City Manager may appoint a professional or stakeholder with a similar background to the above listed committee members.”

- Staff defers to the joint commissions as to whether they would like to modify this section.

26. **Section 11.4.7. DEFINITIONS – FREEWAY**

MPA-Chamber-SAHBA Recommendation – add bolded language below

Freeway – Designated interstate roadways, including frontage roads adjacent to interstate freeways, ADOT designated State Routes and PAG Regionally Significant Corridors.

Staff Response

- This item was not presented or discussed during the public review process up to now.
- It is our understanding this proposal includes more than interstates and would include roads such as Oracle Road and Houghton Road.
- This issue could be reviewed by the Sign Design Review Committee (SDRC) as part of its authority to review sign text amendments for the Planning Commission during the 18-month sunset period.

27. **Section 11.4.17. DEFINITIONS – PARAPET**

MPA-Chamber-SAHBA Recommendation – change bolded language below

Parapet – An integrated wall component of an exterior building surface thirty (30) degrees or less from vertical.

Staff Response

- This item was the topic of a considerable amount of discussion from the Joint Subcommittee and the Citizen Sign Code Committee.
- The Joint Subcommittee asked Commissioner Cook to review the issue with staff, which is reflected in the June 2 draft.
- Staff believes the status of parapets has been addressed by the re-defining of roof and wall signs.

28. **Section 11.4.24 DEFINITIONS – WALL**

MPA-Chamber-SAHBA Recommendation – add bolded language below

Wall – An exterior building surface thirty (30) degrees or less from vertical, including affixed to interior and the exterior of window and door surfaces, including a parapet.

Staff Response

- This item was the topic of a considerable amount of discussion from the Joint Subcommittee and the Citizen Sign Code Committee.
- The Joint Subcommittee asked Commissioner Cook to review the issue with staff, which is reflected in the June 2 draft.
- Staff believes the status of parapets has been addressed by the re-defining of roof and wall signs.

Planning Commission
Citizens Sign Code Committee
Michael J. Ortega, P.E., City Manager
Albert Elias, AICP, Assistant City Manager

**Attachment S - Matrix Documenting Previous Discussion of Issues Raised in the
June 15 MPA-Chamber-SAHBA letter**

Item	Previously discussed on	Action taken – Other notes
1. Section 7.A.1.1. PURPOSE	<ul style="list-style-type: none"> • New Comment in 6/15/17 letter. • Purpose was discussed at the following meetings: 10/17/16, 10/24/16, 11/7/16, 2/13/17 	<p>New comment addressed in Attachment T.</p> <p>Subject to discussion at July 11th Citizen Sign Code Committee Study Session and July 12th Joint Planning Commission / Citizen Sign Code Committee Public Meeting.</p>
2. Section 7.A.6.4.C. SIGN COPY CHANGE	<ul style="list-style-type: none"> • Rate of Change was discussed at the following subcommittee meetings: 1/9/17, 1/23/17, 2/6/17, 3/6/17 	<p>Discussed at length throughout the process. MPA originally recommended 8 seconds in the January 3rd letter, and then revised in the February 23rd letter to recommend one-minute.</p> <p>Citizen Sign Code Committee – Voted to recommend a five-minute change rate (5-3 approval – three votes for one minute).</p> <p>Joint Subcommittee (JSC) – Voted to recommend a five-minute change rate (4-1 approval – one vote for one minute).</p>
3. Section 7.A.6.5.A. SIGN HEIGHT MEASUREMENT	<ul style="list-style-type: none"> • Sign Height Measurement was discussed at the following subcommittee meetings: 11/14/16, 1/9/17 	<p>Discussed and supported in the January 3rd MPA-Chamber letter. Was revised in the February 23rd MPA-Chamber letter to recommended method of measurement not consistent with current UDC methods.</p>
4. Section 7.A.6.9.C.1 & E.1 STREET AND BUILDING FRONTAGES	<ul style="list-style-type: none"> • New Comment in 6/15/17 letter. 	<p>New comment addressed in Attachment T.</p> <p>Subject to discussion at July 11th Citizen Sign Code Committee Study Session and July 12th Joint Planning Commission / Citizen Sign Code Committee Public Meeting.</p>
5. Section 7.A.6.10. SIGNS IN OR OVER PUBLIC RIGHTS-	<ul style="list-style-type: none"> • New Comment in 6/15/17 letter. 	<p>New comment addressed in Attachment T.</p>

OF-WAY		Subject to discussion at July 11th Citizen Sign Code Committee Study Session and July 12th Joint Planning Commission / Citizen Sign Code Committee Public Meeting.
6. Section 7.A.6.11. PREMISE	<ul style="list-style-type: none"> Premise was discussed at the following subcommittee meetings: 11/14/16, 11/21/16, 12/19/16, 1/9/17, 2/6/17, 3/6/17 	<p>Discussed at length throughout the process.</p> <p>Citizen Sign Code Committee – Voted unanimously to recommend keeping current definition as is.</p> <p>Joint Subcommittee – Voted unanimously to recommend keeping current definition as is.</p>
7. Section 7.A.6.12. ILLUMINATION	<ul style="list-style-type: none"> Illumination was discussed at the following subcommittee meetings: 10/24/16, 11/14/16, 11/21/16, 2/13/17, 3/6/17 	<p>Discussed at length throughout the process. Commission was in general agreement to protect dark skies initiatives and the assumptions upon which the outdoor lighting code was developed.</p>
8. Section 7.A.7.1. MASTER SIGN PROGRAM – PERMANENT SIGNS	<ul style="list-style-type: none"> New Comment in 6/15/17 letter. 	<p>New comment addressed in Attachment T.</p> <p>Subject to discussion at July 11th Citizen Sign Code Committee Study Session and July 12th Joint Planning Commission / Citizen Sign Code Committee Public Meeting.</p>
9. Section 7.A.7.1.E.3. Wall-mounted Signs	<ul style="list-style-type: none"> New Comment in 6/15/17 letter. 	<p>New comment addressed in Attachment T.</p> <p>Subject to discussion at July 11th Citizen Sign Code Committee Study Session and July 12th Joint Planning Commission / Citizen Sign Code Committee Public Meeting.</p>
10. Section 7.A.7.1.F. Best Practice Option	<ul style="list-style-type: none"> New Comment in 6/15/17 letter. 	<p>New comment addressed in Attachment T.</p> <p>Subject to discussion at July 11th</p>

		Citizen Sign Code Committee Study Session and July 12th Joint Planning Commission / Citizen Sign Code Committee Public Meeting.
11. Section 7.A.7.1.G. Findings	<ul style="list-style-type: none"> New Comment in 6/15/17 letter. 	<p>New comment addressed in Attachment T.</p> <p>Subject to discussion at July 11th Citizen Sign Code Committee Study Session and July 12th Joint Planning Commission / Citizen Sign Code Committee Public Meeting.</p>
12. Section 7.A.7.1.E. MASTER SIGN PROGRAM – PERMANENT SIGNS – Design Standards	<ul style="list-style-type: none"> Design standards for the Master Sign Program were discussed at the following subcommittee meetings: 11/21/17, 12/05/16, 1/9/17, 1/23/17, 2/6/17, 2/13/17, 3/6/17 Height and area caps for the Master Sign Program were discussed at the following subcommittee meetings: 11/21/16, 12/05/16, 12/12/16, 12/19/16, 1/23/17 (cta), 2/13/17, 3/6/17 	<p>Both of these items were discussed extensively throughout the process.</p> <p><u>Design Standards vote</u> Citizens Sign Code Committee – Voted to recommend keeping the current draft standard as is (6-2 approval).</p> <p>Joint Subcommittee - Voted to recommend keeping the draft standard as is (4-1 approval).</p> <p><u>Height and Area Caps vote</u></p> <p>Citizens Sign Code Committee – Voted to recommend no caps be applied in reviewing design option applications (6-2 approval).</p> <p>Joint Subcommittee - Voted to recommend the draft standard that required freestanding signs to have caps of 20 feet sign structure height and 100 square feet sign area (3-2 approval).</p>
13. Section 7.A.7.2.B. APPLICABILITY	<ul style="list-style-type: none"> New Comment in 6/15/17 letter. 	<p>New comment addressed in Attachment T.</p> <p>Subject to discussion at July 11th Citizen Sign Code Committee</p>

		Study Session and July 12th Joint Planning Commission / Citizen Sign Code Committee Public Meeting.
14. Section 7.A.9.2. CHANGE OF USE	<ul style="list-style-type: none"> New Comment in 6/15/17 letter. 	<p>New comment addressed in Attachment T.</p> <p>Subject to discussion at July 11th Citizen Sign Code Committee Study Session and July 12th Joint Planning Commission / Citizen Sign Code Committee Public Meeting.</p>
15. Section 7.A.10. SIGN TYPES AND GENERAL STANDARDS	<ul style="list-style-type: none"> New Comment in 6/15/17 letter. 	<p>New comment addressed in Attachment T.</p> <p>Subject to discussion at July 11th Citizen Sign Code Committee Study Session and July 12th Joint Planning Commission / Citizen Sign Code Committee Public Meeting.</p>
16. Section 7A.10.1. GENERALLY PERMITTED SIGNS	<ul style="list-style-type: none"> Language for Interior Sign Exception and menu boards was discussed at the following meetings: 1/23/17 (cta), 2/13/17 (cta), 2/27/17, 3/6/17 	<p>This was discussed at length throughout the process .</p> <p>Citizens Sign Code Committee – Voted unanimously to recommend allowing menu boards with a voice-activated feature to be set back either 30 feet from residential property or have a sound mitigation wall in place.</p> <p>Joint Subcommittee - Voted unanimously to recommend the same as noted above.</p>
17. Section 7A.10.2. PERMANENT SIGNS – ZONE CATEGORY STANDARDS	<ul style="list-style-type: none"> Additional allowances for nonresidential in residential zones was discussed at the following meetings: 12/05/16, 12/19/16, 3/6/17 	<p>This was discussed at length throughout the process.</p> <p>Citizens Sign Code Committee – Voted unanimously to recommend keeping the draft standard.</p> <p>Joint Subcommittee - Voted unanimously to recommend keeping the draft standard.</p>

<p>18. Section 7A.10.2. PERMANENT SIGNS – ZONE CATEGORY STANDARDS</p>	<ul style="list-style-type: none"> • New Comment in 6/15/17 letter. 	<p>New comment addressed in Attachment T.</p> <p>Subject to discussion at July 11th Citizen Sign Code Committee Study Session and July 12th Joint Planning Commission / Citizen Sign Code Committee Public Meeting.</p>
<p>19. Section 7A.10.2. PERMANENT SIGNS – ZONE CATEGORY STANDARDS</p>	<ul style="list-style-type: none"> • Illumination was discussed at the following subcommittee meetings: 10/24/16, 11/14/16, 11/21/16, 2/13/17, 3/6/17 	<p>Discussed at length throughout the process. Commission was in general agreement to protect dark skies initiatives and the assumptions upon which the outdoor lighting code was developed.</p>
<p>20. Section 7.A.10.2.C. PERMANENT SIGNS</p>	<ul style="list-style-type: none"> • New Comment in 6/15/17 letter. 	<p>New comment addressed in Attachment T.</p> <p>Subject to discussion at July 11th Citizen Sign Code Committee Study Session and July 12th Joint Planning Commission / Citizen Sign Code Committee Public Meeting.</p>
<p>21. Section 7.A.10.2.C. PERMANENT SIGNS</p>	<ul style="list-style-type: none"> • Spacing regulations were discussed at the following subcommittee meetings: 11/21/16, 12/05/16 (cta), 12/19/16, 1/9/17 (cta) 	<p>This was discussed at length early on in the process and the subcommittee came to a consensus.</p>
<p>22. Section 7.A.10.3. PORTABLE SIGNS</p>	<ul style="list-style-type: none"> • New Comment in 6/15/17 letter. 	<p>Portable sign area allotment in general has been discussed throughout the process. The following are votes on the proposed language:</p> <p>Citizens Sign Code Committee – Voted to recommend keeping the current draft standards related to the number and sign area allotment (6-1 approval with one abstention). Joint Subcommittee - Voted to recommend keeping the current draft standards (3-2 approval with one vote to increase and one to decrease the SAA).</p>

<p>23. Section 7A.11.1 SPECIAL DISTRICTS</p>	<ul style="list-style-type: none"> • New Comment in 6/15/17 letter. 	<p>New comment addressed in Attachment T.</p> <p>Subject to discussion at July 11th Citizen Sign Code Committee Study Session and July 12th Joint Planning Commission / Citizen Sign Code Committee Public Meeting.</p>
<p>24. Section 7.A.11.3. SCENIC CORRIDOR ZONE (SCZ) DISTRICT</p>	<ul style="list-style-type: none"> • Scenic Corridor Zone District regulations were discussed at the following meetings: 11/14/16, 12/12/16, 1/9/17, 3/6/17 	<p>This was discussed at length throughout the process.</p> <p>Citizens Sign Code Committee – Voted unanimously to recommend keeping the standards as is.</p> <p>Joint Subcommittee - Voted unanimously to recommend keeping the standards as is.</p>
<p>25. Section 2.2.12 SIGN DESIGN REVIEW COMMITTEE</p>	<ul style="list-style-type: none"> • New Comment in 6/15/17 letter. • Composition of Sign Design Review Committee was discussed at the following meetings: 12/12/16, 1/23/17, 2/6/17, 2/13/17, 3/6/17 	<p>This was discussed at length throughout the process.</p> <p>Citizens Sign Code Committee – Voted unanimously to recommend keeping the current composition in the draft.</p> <p>Joint Subcommittee - Voted unanimously to recommend keeping the current composition in the draft.</p>
<p>26. Section 11.4.7. DEFINITIONS – FREEWAY</p>	<ul style="list-style-type: none"> • New Comment in 6/15/17 letter. 	<p>New comment addressed in Attachment T.</p> <p>Subject to discussion at July 11th Citizen Sign Code Committee Study Session and July 12th Joint Planning Commission / Citizen Sign Code Committee Public Meeting.</p>
<p>27. Section 11.4.17. DEFINITIONS – PARAPET</p>	<ul style="list-style-type: none"> • Parapet and wall signs were discussed at the following meetings: 12/5/16, 12/19/16, 2/6/17, 2/13/17, 2/27/17, 3/6/17 	<p>This was discussed at length throughout the process.</p> <p>Citizens Sign Code Committee – Voted unanimously to recommend revising the definitions of roof sign and wall</p>

		<p>sign so that architectural features of the building would not be interpreted to be roof signs.</p> <p>Joint Subcommittee - Voted 4-1 approval on two extended parapet options dealing with the size of the sign and parapet. The JSC ultimately asked Commissioner Cook to recommend an alternative.</p>
<p>28. Section 11.4.24 DEFINITIONS – WALL</p>	<ul style="list-style-type: none"> • Parapet and wall signs were discussed at the following meetings: 12/5/16, 12/19/16, 2/6/17, 2/13/17, 2/27/17, 3/6/17 	<p>This was discussed at length throughout the process.</p> <p>Citizens Sign Code Committee – Voted unanimously to recommend revising the definitions of roof sign and wall sign so that architectural features of the building would not be interpreted to be roof signs.</p> <p>Joint Subcommittee - Voted 4-1 approval on two extended parapet options dealing with the size of the sign and parapet. The JSC ultimately asked Commissioner Cook to recommend an alternative.</p>

**July 11, 2017 CITIZENS' SIGN CODE COMMITTEE REVIEW
OF JUNE 15, 2017 LETTER FROM Metropolitan Pima
Alliance, Southern Arizona Homebuilders Association,
AND Tucson Metro Chamber**

AREAS WITH SUPPORT

2.2.1.2.C COMPOSITION (page 7&8 of MPA/Chamber/SAHBA letter)

ADD - **THE CITY MANAGER MAY APPOINT A PROFESSIONAL OR STAKEHOLDER WITH A SIMILAR BACKGROUND AND EXPERIENCE TO THE ABOVE LISTED COMMITTEE MEMBERS.**

Staff Response

- Staff has no objection with similar professionals being part of the Sign Design Review Committee (SDRC).
- The added sentence above to the composition section addresses this point.
- Prior to the continuance the Planning Commission had accepted the above language for a final vote.

7A.1.1 PURPOSE (page 1&2 of MPA/Chamber/SAHBA letter)

ADD - **G. SUPPORT RETENTION OF LOCAL BUSINESSES AND FURTHER THE ECONOMIC DEVELOPMENT GOALS OF THE CITY.**

Staff Response

- The current purpose statement was discussed at length, and presented to the Planning Commission and Citizens' Sign Code Committee recommended by the Joint Subcommittee.
- The key issues related to the *Reed vs. Town of Gilbert* case involved first amendment rights, property rights, visual environment and public safety.
- At the June 21, 2017 public hearing, the Planning Commission was open to an additional purpose statement supportive of the City's economic development goals. The above additional purpose statement is similar to the one discussed at the public hearing. The above statement merges two goals stated in the June 15 letter on retaining local businesses and furthering economic development. Staff has no objection to adding language related to economic development as noted above, but in general referencing a specifically

named document or policy that may become dated is not recommended.

- Regarding expedited review, Planning and Development Services (PDS) already has a Timeframe Policy. The 7A Sign Standards removes many problem provisions causing delays through variances. The SDRC development review process is devised to move an application along with minimal delays. Expedited review is always available to new projects and companies coming through regional economic development offices, projects coming from the City Manager’s economic development office or projects approved by the PDS Director following departmental policy.

7A.10. SIGN TYPES AND GENERAL STANDARDS (page 4 of MPA/ Chamber/SAHBA letter)

This section describes the basic sign types that are either permitted or prohibited. A sign type that is not permitted in a zone, is prohibited unless otherwise designated by this article. Any specific regulation of a sign type for a specific zone supersedes the general requirement for the sign type. Standards in special districts supersede the regulations for the underlying zone or the general requirements for the sign type. ALL THE ABOVE REFERENCED DISTRICTS, ZONES AND PROVISIONS ARE SUPERSEDED WHEN THE SIGNS AREA REGULATED BY SECTION 7A.7 SIGN DESIGN OPTIONS.

Staff Response

- Staff has no objection to a clarification statement. The added phrase above adds clarity to the existing intention of Section 7A.7.

7A.10.3.B PORTABLE SIGNS GENERAL STANDARDS

- 3. Ground-mounted General Standards: Maximum area per sign 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 standard.**
 - a. Maximum Height: Ten feet**
 - b. Minimum Setback: Ten feet**
 - c. Maximum Number on a Street Frontage: No more than four signs shall be allowed for THE FIRST 300 FEET OF STREET FRONTAGE. AN ADDITIONAL SIGN MAY BE ALLOWED FOR each ADDITIONAL 75 150 feet of a street frontage but not to exceed A TOTAL OF EIGHT SIGNS FOR A STREET FRONTAGE. an additional four signs for premises with street frontages of 300 feet or greater.**

Staff Response

- Staff reviewed the provisions on spacing and number of portable signs. The intent was to allow up to eight signs proportionally for street frontages greater than 300 feet. The above revision more accurately portrays the concept of proportionally adding signs for larger sites that had been presented up to this time.
- It is a general standard and does not increase the sign area allotment for the property. For special signage needs like those used by the real estate industry, the Master Sign Program for Portable Signs may be a better option.

7A.7.1.E DESIGN STANDARDS (page 4 of MPA/Chamber/SAHBA letter)

2. Ground-mounted Signs

a. Sign Copy.

(1) 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 SIX ~~five~~ tenants and the name of the development.

2) 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. THE NAME OF THE DEVELOPMENT AND/ OR ANCHOR TENANT MAY BE LARGER THAN OTHER PANELS OR NAMES.

Response: There were concerns brought up at the June 21, public hearing about legibility limitations. Staff suggests an added provision that addresses a common directory sign practice of allowing an anchor tenant or development name more flexibility in design on a given directory-style sign.

7A.7.1. MASTER SIGN PROGRAM - PERMANENT SIGNS (PAGE 4 OF MPA/CHAMBER/SAHBA LETTER)

G. Findings.

1. The decision shall show the sign program’s compliance with the following applicable findings:

- a. Meets the purpose of the Article 7A, the master sign program's purpose section and the master sign program's design standards;
- b. Creates a clear connection with the shapes, textures, colors and materials used in the appearance of the buildings of the premise;
- c. Creates ~~a~~ proportional sizes of signs placed on or integrated into a building's architecture;
- d. Improves the legibility of signs;
- e. ~~Improves~~ **PROMOTES** vehicle reaction time to the signs;
- f. Creates an organized wayfinding and identification, and messaging program;
- g. Protects significant scenic views; and
- h. **PROMOTES A WELL-ORGANIZED VISUAL ENVIRONMENT THROUGH APPROPRIATE SIZES, SETBACKS AND SPACING. ~~Reduces clutter along the affected street while enhancing the aesthetics of the street.~~**
- i. Represents a best practice of the design of dark sky sign illumination.

Staff Response

- Staff does not recommend using the word 'should' in a finding.
- A finding needs to be definitive and factual in the case that a finding may be substantive information if an application was appealed or if the case were to go to court.
- The above suggested change removes the word 'clutter' that caused concern about being too subjective. The above language is measurable and more clearly stating how to address the concern about the purpose statement goal of a visual environment that is not disorganized and disorienting.
- Staff also recommends the change of language of item e in the purpose statement from "improves" to "promotes. The helps to remove the problem of variability and the ability to measure vehicle reaction time.

7A.7.2. MASTER SIGN PROGRAM – PORTABLE SIGNS (PAGE 4 OF MPA/ CHAMBER/SAHBA LETTER)

C. Design Standards.

1. The number of signs shall be located and spaced or grouped together to reduce a **DISORGANIZED 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. **GROUPING OF SIGNS OF DIFFERENT SIZES MAY BE USED IF THE VISUAL IMPACT IS TO IMPROVE THE OVERALL APPEARANCE OF AN AFFECTED STREET FRONTAGE.**

~~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.~~

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

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

5 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.

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

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; A WELL-ORGANIZED VISUAL ENVIRONMENT IS PROMOTED THROUGH APPROPRIATE SIZES, SETBACKS AND SPACING.~~

2. Legibility is required of all signs;

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

Staff Response

- The above suggested change removes the word ‘clutter’ that caused concern about being too subjective. It further consolidates the spacing standards brought up by the business community. Similar to the Master Sign Program for Permanent Signs, the above language is

measurable and more clearly stating how to address the concern about the purpose statement goal of a visual environment that is not disorganized and disorienting.

7A.10.2.C PERMANENT SIGNS (page 6 of MPA/Chamber/SAHBA letter)

- a. **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. This sign type is PERMITTED IN THE RESIDENTIAL CATEGORY FOR NON-RESIDENTIAL USES, IN A MULTI-FAMILY RESIDENTIAL OR NON-RESIDENTIAL CATEGORY FOR NON-RESIDENTIAL USES AND MULTI-FAMILY USES AND IS not permitted for residential uses in the single family residential district zone category, multi-family residential districts, the O-1 district non-residential zone category or IN the historic district.

Staff Response

- The June 2 Draft provision reflected the current provisions in the existing Chapter Three Sign Code.
- Staff believes there may be merit in allowing access signs in certain situations.
- The recommended language above limits access point signs to land uses that traditionally use them regardless of zones, for example, churches, schools, and apartment complexes. It also uses more accurate language for the 7A Sign Standards' zone categories. It does not recommend these signs for single family residences.

7A.10.3.C PORTABLE SIGNS ADDITIONAL STANDARDS

- 2. **Feather Banners.** IN COMMERCIAL AND INDUSTRIAL ZONES In IN lieu of THE portable sign AREA allotment, AN applicant may use four feather banners, BANNERS OR COMMERCIAL FLAGS using two colors WITH ONE additional portable sign permitted in commercial/industrial zones.

(NOTE: This had a split 4-4 vote from CSCC – the other option would be to prohibit Feather Banners in Section 7A.8.2.)

Staff Response

- Staff presented the above banner/flag concept at the June 21 public hearing. The Planning Commission had accepted the item into its

motion prior to continuing the draft to July 12. Staff recommends this provision as a reasonable accommodation that is supportive of an organized visual environment in lieu of using four portable signs on a subject property.

AREAS TO CONSIDER - MAY NEED MORE STUDY

7A.1.1 PURPOSE (page 1 of MPA/Chamber/SAHBA letter)

G. ENSURE THAT SIGNAGE FUNCTIONS AND CONTRIBUTES TO THE RETENTION OF TUCSON'S LOCALLY OWNED SMALL BUSINESSES.

H. SUPPORT THAT FURTHERS PLAN TUCSON'S FOCUS AREAS, GOALS, AND POLICIES AND THE CITY OF TUCSON'S ECONOMIC INITIATIVES.

I RECOGNIZE THE IMPORTANCE OF EXPEDITED REVIEW OF SIGNAGE AS AN ELEMENT CONSIDERED IN BUSINESS EXPANSION AND RELOCATION, WHEN CONSISTENT WITH PRIMARY JOBS INITIATIVES AND OTHER ESTABLISHED CITY OF TUCSON'S ECONOMIC INITIATIVES.

Staff Response

- The current purpose statement was discussed at length, and then presented to the Planning Commission and Citizens' Sign Code Committee was recommended by the Joint Subcommittee.
- The key issues related to the *Reed vs. Town of Gilbert* case involved first amendment rights, property rights, visual environment and public safety.
- See page 1 for staff recommended consolidation of these purpose statements.

7A.6.4.C SIGN COPY (page 2 of MPA/Chamber/SAHBA letter)

C. A digital sign is permitted to have a rate of change of sign copy, graphic, or information not more than ~~every five minutes~~ ONCE IN A MINUTE. The digital sign copy shall not have any transitions or animations.

Staff Response

- The Joint Subcommittee and the CSCC have debated this issue.

- The June 2 draft recommendation was for a change from a one hour change rate to a five-minute change rate, which is reflected in the June 2 draft.
- Staff has no objection to either five-minute or one-minute rate-of-change.

7A.7.1.E DESIGN STANDARDS (page 4 of MPA/Chamber/SAHBA letter)

2.b(4). Ground – mounted Signs

Sign Height – THE MASTER SIGN PROGRAM MAY ALLOW AN INCREASE OF UP TO 100% BASED UPON PROVIDING ADEQUATE VISIBILITY, LEGIBILITY AND IMPROVED VEHICLE REACTION TIME WHEN AN INCREASE IS DEEMED COMPATIBLE WITH THE SURROUNDING AREA.

Staff Response

- The Joint Subcommittee recommended a similar cap as recommended by the June 15 Letter. The CSCC decided to recommend no caps. The reasoning was that if someone exceeded the cap even by a small amount they would have to go to the Board of Adjustment for a variance. The CSCC believed the SDRC represented the best group to decide on what sign size met all the design standards. The intent was not to allow giant signs but to acknowledge that a given site may have features that would support a larger height or area than a cap and the SDRC was preferable to the Board of Adjustment to evaluate the situation.
- Staff defers to the CSCC and PC if they would like to add the cap as recommended in the June 15 Letter back in.

AREAS NOT RECOMMENDED - NEED MORE STUDY OR ARE NOT CONSISTENT WITH THE PURPOSE STATEMENT

7A.6.5A SIGN HEIGHT MEASUREMENT (page 2 of MPA/Chamber/SAHBA letter)

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 IS MEASURED FROM THE CENTER OF THE SIGN BENEATH THE SIGN WITHIN A FIVE-FOOT RADIUS FROM THE CENTER OF THE SIGN 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.

Staff Response

- The June 2 draft language is consistent with how PDSB measures average finished grades elsewhere in the Unified Development Code.
- The recommended language from the letter would create two completely different processes for measuring average finished grade.
- Staff recommends keeping the current proposed language.

7A.6.9 STREET AND BUILDING FRONTAGE (page 2 of MPA/Chamber/SAHBA letter)

1. 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. **PROVIDED, HOWEVER THAT THE ZONING ADMINISTRATOR MAY APPROVE A TRANSFER IN WHOLE OR IN PART FROM ONE STREET TO ANOTHER WHEN, IN HIS OR HER JUDGMENT, THAT TRANSFER WILL NOT BE DETRIMENTAL, GIVEN THE PROFILE OF BUILDINGS, FREESTANDING SIGNS AND STRUCTURES ON THE PROPERTY AND SURROUNDING AREA.**

Staff Response

- While there may be merit in the proposal, this was not discussed during public review.
- Reducing the need to count interior signs as currently recommended in the June 2 draft may reduce the need for a transfer.
- This change requires a re-thinking of transferring sign area from one street to another. Creating a new process requires more time to study and review consequences and appropriateness of the review.
- This issue could be reviewed by the Sign Design Review Committee (SDRC) as part of its authority to review sign text amendments for the Planning Commission during the 18-month sunset period.

E. Signs per Street Frontage

1. General rule: For a premise having more than one street frontage, the maximum **sign area and** number of **permitted** on-site **permanent** signs are permitted for each street frontage and are not transferable from one street frontage to another. **In the case of a** freestanding sign, the more **restrictive standard of the zone category** shall apply, **PROVIDED, HOWEVER THAT THE ZONING ADMINISTRATOR MAY APPROVE A LESS RESTRICTIVE STANDARD OF THE ZONE CATEGORY WILL NOT BE DETRIMENTAL, GIVEN THE PROFILE OF BUILDINGS, FREESTANDING SIGNS AND STRUCTURES ON THE PROPERTY AND SURROUNDING AREA.**

Staff Response

- While there may be merit in the proposal, this was not discussed during public review. See the response above for Sec. 7A.6.9.C.1.

7A.6.10 SPECIAL LICENSES (page 2 of MPA/Chamber/SAHBA letter)

J. **WHEN CONSISTENT WITH THE PURPOSE AND INTENT OF THE TUCSON SIGN CODE, THE MAYOR AND COUNCIL AND/OR CITY MANAGER MAY GRANT SPECIAL LICENSES FOR SIGNAGE BASED UPON NEW INFORMATION, CHANGED CIRCUMSTANCES, TUCSON VOTER AND CITY COUNCIL APPROVED INITIATIVES.**

Staff Response

- The current language is consistent with the *Reed* decision.
- The current regulation from the existing Chapter 3 Sign Code gives the Mayor and Council and City Manager the right to grant special license signage already in all the circumstances mentioned above.
- In reviewing this matter PDSB believes this clarification may not be needed.
- It could be an issue that can be reviewed by the SDRC during the 18-month sunset period.

7A.6.11 PREMISE (page 3 of MPA/Chamber/SAHBA letter)

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 AND/OR that may contain one or multiple development plans or packages. PARCELS OR OWNERSHIPS

Staff Response:

- This change suggests a single parcel could be a premise separate from a larger surrounding site where it could be sharing some development features.
- This change would likely create a more ad hoc approach related to the spacing of freestanding signs for a shared street frontage of smaller and larger premises that are otherwise connected by development features like parking and access.
- In the June 2 draft, a premise is a unified site and works with the freestanding sign provisions on spacing of freestanding signs along a street frontage for an entire unified site that under the draft is called a premise.
- This single parcel option was reviewed but not recommended by the Joint Subcommittee nor the CSCC in their preliminary vote prior to the June 21, 2017 Joint Public Hearing.

7A.6.12 ILLUMINATION (page 3 of MPA/Chamber/SAHBA letter)

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

Staff Response

- The removal of the text, that is originally from the existing Chapter 3 Sign Code , “unless otherwise prohibited in the sign standards,” could lead to less ability to regulate illumination and light pollution.
- This idea was presented to and discussed by the Joint Subcommittee and was not supported.

7A.7.1. MASTER SIGN PROGRAM - PERMANENT SIGNS (PAGE 3 OF MPA/CHAMBER/SAHBA LETTER)

A. Purpose. The purpose of this section is to respond to special permanent sign needs of a premise as well as provide FLEXIBILITY, ENCOURAGE DEVELOPMENT IN DESIGNATED GROWTH AREAS and promote superior sign design to implement the purpose of this article.

7A.7.1.E Design Standards

3. Wall-mounted Signs

...

d. 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. **HOWEVER, PUBLICLY RECOGNIZED BUSINESS LOGOS WHICH MAY INCLUDE IN THEIR GRAPHIC STANDARD, A LOGO OR GRAPHIC ELEMENT, TYPEFACE OR FONT AND BRANDED COLOR MAY BE USED.**

Staff Response

- Staff has no objection to this language, but does not believe it is necessary.
- The current June 2 draft mentions registered trademarks but is not intended to prohibit logos.
- Staff can add language to recognize business logos as part of the preparation of the PDS application checklist.

7.A.7.1.F Best Practice Option (page 3 of MPA/Chamber/SAHBA letter)

1. a. An already approved permanent sign, master sign program within the City; **OF TUCSON METROPOLITAN STATISTICAL AREA OR AN ANALOGOUS PROJECT FROM WHICH DIRECTLY RELEVANT COMPARISONS MAY BE MADE.**

Staff Response

- Staff believes this standard is not needed.
- There is a process allowing an applicant to present to the Design Professional a Master Sign Program not approved in the City.
- The Design Professional can verify that the example Master Sign Program is consistent with the purpose statement and design standards of the City's sign standards.

7.A.7.1.G FINDINGS (page 4 of MPA/Chamber/SAHBA letter)

1. The decision **SHOULD shall** show **HOW** the sign **PROGRAM ADDRESSED** ~~program's compliance~~ with the following applicable findings:

g. **ACKNOWLEDGES Protects** significant scenic views; and

~~h. IMPROVES Reduces clutter along the affected street while enhancing the aesthetics of the street.~~

Staff Response

- Staff does not recommend using the word ‘should’ in a finding.
- PDSO position is a finding needs to be definitive and factual in the case that a finding may be substantive information if an application was appealed or if the case were to go to court.
- A suggested clarification to the Findings section on the word ‘clutter’ is noted above in the Supported items.

7A.7.1.E DESIGN STANDARDS (page 4 of MPA/Chamber/SAHBA letter)

All Signs

~~a. Illumination shall 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.~~

Staff Response

- The Joint Subcommittee and CSCC reviewed and voted on the issue and decided to recommend keeping the dark skies review for design option signs and requiring uniformity and proportionality in the design of sign copy lists. This provision does not limit a business from using federally registered trademark sign copy or sign copy colors. Staff does not support the removal of these three design standards. The general standards do not require compliance with these standards and would allow a less restrictive design if an applicant does not want to follow the design standards.

7.A.7.2.B APPLICABILITY (page 4 of MPA/Chamber/SAHBA letter)

APPLICATIONS UNDER THE MASTER-PORTABLE SIGN PROGRAM THAT COMPLY WITH STANDARDS IN PLACE AT THE TIME OF NEW CODE ADOPTION SHALL RECEIVE AUTOMATIC APPROVAL.

Staff Response

- Staff has concerns about this provision because it appears to be an arbitrary standard without any sign clutter controls and may potentially override both the June 2 draft's portable sign general standards and the Master Sign – Portable Sign Program, making them irrelevant.
- The June 2 draft has a legal strategy and allows flexibility to property owners understanding the need to operate in a content-neutral environment.

7A.9.2 CHANGE OF USE (page 2 of MPA/Chamber/SAHBA letter)

14. MEDICAL/HEALTH-RELATED.

Staff Response

- Staff believes this may have unintended consequences and needs more vetting.
- Occupancy categories in the Change of Use regulations are existing language in the Chapter 3 Sign Code and are based on Building Codes occupancy categories. A change should be consistent with the Building Codes categories.
- Currently, Medical/Health-related uses are under the occupancy categories Institutional and Office. The current regulations also comply with sign related policies in Plan Tucson, supporting the reduction of non-conforming signs. Any change should be consistent with Plan Tucson.

7A.10.1 GENERALLY PERMITTED SIGNS (page 5 of MPA/Chamber/SAHBA letter)

C. 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 or provide a wall or fence that properly

~~mitigates sound. If applicant chooses mitigation through a wall or fence it is their responsibility to demonstrate their proposal properly mitigates the sound. 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. All signs intended to be readable from the right of way are counted as part of the applicable sign type's maximum sign area.~~

Staff Response

- The existing language was recommended and voted upon by the Joint Subcommittee and the CSCC.
- Staff believes this provision is reasonable way to mitigate noise when adjacent to residential property.
- If it is not needed, it can be reviewed during the 18-month sunset period.

7A.10.2 PERMANENT SIGNS – ZONE CATEGORY STANDARDS (page 5 of MPA/Chamber/SAHBA letter)

TABLE 1

FOOTNOTE 7. BUSINESSES ALLOWED WITHIN RESIDENTIAL ZONES, SUCH AS CHURCHES AND SCHOOLS, SHOULD BE CONSIDERED AS PART OF THE GENERAL BUSINESS CATEGORY.

Staff Response

- This issue was reviewed by the Joint Subcommittee and has been presented to the Planning Commission and Citizen Sign Code Committee at study sessions.
- The recommendation reflects a compromise of allowing 100sf of signage for non-residential uses on arterial or collector streets but to require the current 20sf provision for non-residential uses on local streets.
- If the June 2 language is shown to be still inadequate, that information can be reviewed during the 18-month sunset period.

**TABLE 2 Maximum Sign Area per Zone Category and Special Zone Standards
(page 5 of MPA/Chamber/SAHBA letter)**

Residential

All Permanent Signs

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. **PROVIDED, HOWEVER, THAT THE ZONING ADMINISTRATOR MAY APPROVE A TRANSFER IN WHOLE OR IN PART FROM ONE STREET TO ANOTHER WHEN, IN HIS OR HER JUDGMENT, THAT TRANSFER WILL NOT BE DETRIMENTAL, GIVEN THE PROFILE OF BUILDINGS, FREES NOTTANDING SIGNS, AND STRUCTURES ON THE PROPERTY AND SURROUNDING AREA.**

Staff Response

- While there may be merit in the proposal, this was not discussed during public review.
- Creating a whole new process such as this requires significant time for input and review.
- This issue could be reviewed by the Sign Design Review Committee (SDRC) as part of its authority to review sign text amendments for the Planning Commission during the 18-month sunset period.

NON-RESIDENTIAL - ALL PERMANENT SIGNS (page 5 of MPA/Chamber/SAHBA letter)

1. **Illumination and color:** Signs on arterial and collector streets ~~shall~~ **SHOULD NOT** 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, **SHOULD CONSIDER COMPATIBILITY** ~~shall be compatible~~ with surrounding residential areas.

Staff Response

- This is the current regulation from the existing Chapter 3 Sign Code.
- This item was not presented or discussed during the public review process up to now.

- The removal of the text could lead to less ability to regulate illumination and light pollution.

7A.10.2.C PERMANENT SIGNS (page 6 of MPA/Chamber/SAHBA letter)

- b. **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. This sign type is not permitted for residential uses in the single family residential district zone category, multi-family residential districts, the O-1 district non-residential zone category or IN the historic district.

Staff Response

- This provision is from the existing Chapter Three Sign Code.
- Staff believes there may be merit in allowing access signs in certain situations.
- See the recommendation in the Support items above.

2. Sign Types F through O (page 6 of MPA/Chamber/SAHBA letter) (2) Freestanding signs, all types.

One freestanding sign for each street frontage.

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.~~

Staff Response

- This provision above is the current regulation from the existing Chapter 3 Sign Code.
- This item was not presented or discussed during the public review process up to now.
- This item can be monitored during the 18-month sunset period.

7A.10.3 PORTABLE SIGNS (page 6 of MPA/Chamber/SAHBA letter)

A. Portable Signs – maximum sign area allotment

Premises with street frontage of 150 feet or greater, regardless of zone or street type area allowed an additional 32 square feet of signage per 150 feet – not to exceed 900 square feet of total signage. The combined signage may be used either on the premise or off premise as part of the permit application.

Premises with more than one building permit are allowed an additional 16 square feet of signage per building permit in addition to the base amount of signage as determined by zoning & street type – not to exceed 900 square feet of total signage. The combined signage may be used either on the premise or off premise as part of the permit application.

Staff Response

- This item was not presented or discussed during the public review process up to now.
- The Joint Subcommittee and CSCC ultimately voted to support the provisions in the June 2 draft.
- Staff believes the Sign Design Option is a reasonable option to allow for the signage needs of the Real Estate industry and would be willing to work with them to develop templates to be used.

7.A.11 SPECIAL DISTRICTS (page 7 of MPA/Chamber/SAHBA letter)

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) MASTER SIGN PROGRAM APPLICATIONS TAKE PRECEDENCE OVER SPECIAL DISTRICTS WHEN CONSISTENT WITH VOTER APPROVED PLAN TUCSON.

Staff Response

- Staff agrees that a clarification would be helpful in clarifying the relationship between a Master Sign Program and a sign special district.
- A provision has been added to Section 7A.10 that clarifies the relationship.

7.A.11.3 SCENIC CORRIDOR ZONE (SCZ) DISTRICT (page 7 of MPA/ Chamber/SAHBA letter)

A. Location: The scenic corridor zone (SCZ) district includes any portion of property or parcels within four hundred ~~400~~ **200** feet, measured in any direction, **FROM THE CENTER LINE** of the **EXISTING** ~~future~~-right-of-way **lines** of a scenic route, as designated on the Major Streets and Routes (MS&R) Plan map. If any **ONLY THE** portion of a development **THAT** is within the SCZ district, ~~the entire development~~ will be treated, for sign purposes only, **as though it were entirely** within the SCZ district.

...

E. PERMITTED SIGNS

...

3. Freestanding signs, monument and low profile only.

a. Maximum number per premises CONSISTENT WITH THE GENERAL BUSINESS DISTRICT:

(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.

Staff Response

- The provisions in the June 2 draft are the same as the current regulation from the existing Chapter 3 Sign Code.
- The Joint Subcommittee and the CSCC both recommended not to change the Scenic Corridor regulations.
- The proposed Master Sign Program allows for relief from the current regulations of the Scenic Corridor.

11.4.7 DEFINITIONS (page 8 of MPA/Chamber/SAHBA letter)

FREEWAY – DESIGNATED INTERSTATE ROADWAYS, INCLUDING FRONTAGE ROADS ADJACENT TO INTERSTATE FREEWAYS, ADOT DESIGNATED STATE ROUTES AND PAG REGIONALLY SIGNIFICANT CORRIDORS.

Staff Response

- This item was not presented or discussed during the public review process up to now.
- It is our understanding this proposal includes more than interstates and would include roads such as Oracle Road, Ajo Way and Houghton Road.
- Freeway signs can be as large as 360 sf in sign area and 48 feet from freeway grade to top of the sign.
- If more studied is needed the Sign Design Review Committee (SDRC) as part of its authority to review sign text amendments for the Planning Commission during the 18-month sunset period.

11.4.17 DEFINITIONS (page 8 of MPA/Chamber/SAHBA letter)

PARAPET – **AN INTEGRATED WALL COMPONENT OF AN EXTERIOR BUILDING SURFACE THIRTY (30) DEGREES OR LESS FROM VERTICAL, INCLUDING AFFIXED TO INTERIOR AND THE EXTERIOR OF WINDOW AND DOOR SURFACES.** The portion of a wall that extends above the roofline.

Staff Response

- This item was the topic of a considerable amount of discussion from the Joint Subcommittee and the CSCC.
- The Joint Subcommittee asked Commissioner Cook to review the issue with staff, which is reflected in the June 2 draft.
- Staff believes the status of parapets has been addressed by the re-defining of roof and wall signs.

11.4.24 DEFINITIONS – 2 (page 8 of MPA/Chamber/SAHBA letter)

Wall- an exterior building surface thirty degrees or less from vertical including affixed to interior and the exterior of window and door surfaces. **INCULDING A PARAPET.**

Staff Response

- See the response above for Parapet definition.

July 12, 2017 OVERVIEW OF CITIZENS' SIGN CODE COMMITTEE REVIEW OF JUNE 15, 2017 LETTER FROM Metropolitan Pima Alliance, Southern Arizona Homebuilders Association, AND Tucson Metro Chamber

This item, which is listed as Attachment T in your packets, was originally presented to the Citizen Sign Code Committee for review and recommendation on July 11, 2017. The following document has been updated to include information on each of their votes for each of the items presented. Text changes recommended by the Citizen Sign Code Committee are shown in blue.

AREAS WITH SUPPORT

2.2.1.2.C COMPOSITION (page 7&8 of MPA/Chamber/SAHBA letter)

ADD – THE CITY MANAGER MAY APPOINT A PROFESSIONAL OR STAKEHOLDER WITH A SIMILAR BACKGROUND AND EXPERIENCE TO THE ABOVE LISTED COMMITTEE MEMBERS.

Staff Response

- Staff has no objection with similar professionals being part of the Sign Design Review Committee (SDRC).
- The added sentence above to the composition section addresses this point.
- Prior to the continuance the Planning Commission had accepted the above language for a final vote.

On July 11, 2017, the Citizen Sign Code Committee voted 7-0 to add the proposed language related to Section 2.2.1.2.C to the June 2nd Draft Sign Standards.

7A.1.1 PURPOSE (page 1&2 of MPA/Chamber/SAHBA letter)

ADD - G. SUPPORT RETENTION OF LOCAL BUSINESSES AND FURTHER THE ECONOMIC DEVELOPMENT GOALS OF THE CITY.

Staff Response

- The current purpose statement was discussed at length, and presented to the Planning Commission and Citizens' Sign Code Committee recommended by the Joint Subcommittee.
- The key issues related to the *Reed vs. Town of Gilbert* case involved first amendment rights, property rights, visual environment and public safety.

- At the June 21, 2017 public hearing, the Planning Commission was open to an additional purpose statement supportive of the City's economic development goals. The above additional purpose statement is similar to the one discussed at the public hearing. The above statement merges two goals stated in the June 15 letter on retaining local businesses and furthering economic development. Staff has no objection to adding language related to economic development as noted above, but in general referencing a specifically named document or policy that may become dated is not recommended.
- Regarding expedited review, Planning and Development Services (PDS) already has a Timeframe Policy. The 7A Sign Standards removes many problem provisions causing delays through variances. The SDRC development review process is devised to move an application along with minimal delays. Expedited review is always available to new projects and companies coming through regional economic development offices, projects coming from the City Manager's economic development office or projects approved by the PDS Director following departmental policy.

On July 11, 2017, the Citizen Sign Code Committee voted 7-0 to add the proposed language related to Section 7A.1.1 to the June 2nd Draft Sign Standards.

7A.10. SIGN TYPES AND GENERAL STANDARDS (page 4 of MPA/ Chamber/SAHBA letter)

This **section** describes the basic sign types that are either permitted or prohibited. A sign type that is not permitted in a **zone**, is prohibited **unless otherwise designated by this article**. Any specific regulation of a sign type for a specific **zone** supersedes the general requirement for the sign type. **Standards in special districts supersede the regulations for the underlying zone or the general requirements for the sign type. ALL THE ABOVE REFERENCED DISTRICTS, ZONES AND PROVISIONS ARE SUPERSEDED WHEN THE SIGNS AREA REGULATED BY SECTION 7A.7 SIGN DESIGN OPTIONS.**

Staff Response

- Staff has no objection to a clarification statement. The added phrase above adds clarity to the existing intention of Section 7A.7.

On July 11, 2017, the Citizen Sign Code Committee voted 7-0 to add the proposed language related to Section 7A.10 to the June 2nd Draft Sign Standards.

7A.10.3.B PORTABLE SIGNS GENERAL STANDARDS

- 3. Ground-mounted General Standards: Maximum area per sign 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 standard.**
 - a. Maximum Height: Ten feet**
 - b. Minimum Setback: Ten feet**
 - c. Maximum Number on a Street Frontage: No more than four signs shall be allowed for THE FIRST 300 FEET OF STREET FRONTAGE. AN ADDITIONAL SIGN MAY BE ALLOWED FOR each ADDITIONAL 75 ~~150~~ feet of a street frontage but not to exceed A TOTAL OF EIGHT SIGNS FOR A STREET FRONTAGE. ~~an additional four signs for premises with street frontages of 300 feet or greater.~~**

Staff Response

- Staff reviewed the provisions on spacing and number of portable signs. The intent was to allow up to eight signs proportionally for street frontages greater than 300 feet. The above revision more accurately portrays the concept of proportionally adding signs for larger sites that had been presented up to this time.
- It is a general standard and does not increase the sign area allotment for the property. For special signage needs like those used by the real estate industry, the Master Sign Program for Portable Signs may be a better option.

On July 11, 2017, the Citizen Sign Code Committee voted 6-0 (1 abstained) to add the proposed language related to Section 7A.10.3.B to the June 2nd Draft Sign Standards.

7A.7.1.E DESIGN STANDARDS (page 4 of MPA/Chamber/SAHBA letter)

2. Ground-mounted Signs

a. Sign Copy.

(1) 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 EIGHT ~~SIX~~ five tenants and the name of the development.

2) 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. THE NAME OF THE DEVELOPMENT AND/ OR ANCHOR TENANT UP

TO FIFTY (50) PERCENT OF PANELS MAY BE LARGER THAN OTHER PANELS OR NAMES.

Response: There were concerns brought up at the June 21, public hearing about legibility limitations. Staff suggests an added provision that addresses a common directory sign practice of allowing an anchor tenant or development name more flexibility in design on a given directory-style sign.

On July 11, 2017, the Citizen Sign Code Committee voted 7-0 to change proposed language in Section 7A.7.1.E to allow up to eight panels and as many as half the sign panels to be larger than the other panels.

7A.7.1. MASTER SIGN PROGRAM - PERMANENT SIGNS (PAGE 4 OF MPA/CHAMBER/SAHBA LETTER)

G. Findings.

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

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

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

c. Creates ~~a~~-proportional sizes of signs placed on or integrated into a building's architecture;

d. Improves the legibility of signs;

e. ~~Improves~~ PROMOTES vehicle reaction time to the signs;

f. Creates an organized wayfinding and identification, and messaging program;

g. Protects significant scenic views; and

h. PROMOTES A WELL-ORGANIZED VISUAL ENVIRONMENT THROUGH APPROPRIATE SIZES, NUMBER, SETBACKS AND SPACING. ~~Reduces clutter along the affected street while enhancing the aesthetics of the street.~~

i. Represents a best practice of the design of dark sky sign illumination.

Staff Response

- Staff does not recommend using the word 'should' in a finding.

- A finding needs to be definitive and factual in the case that a finding may be substantive information if an application was appealed or if the case were to go to court.
- The above suggested change removes the word ‘clutter’ that caused concern about being too subjective. The above language is measurable and more clearly stating how to address the concern about the purpose statement goal of a visual environment that is not disorganized and disorienting.
- Staff also recommends the change of language of item e in the purpose statement from “improves” to “promotes. The helps to remove the problem of variability and the ability to measure vehicle reaction time.

On July 11, 2017, the Citizen Sign Code Committee voted 6-1 to add the proposed language related to Section 7A.7.1, with the addition of “number” after sizes to the June 2nd Draft Sign Standards.

7A.7.2. MASTER SIGN PROGRAM – PORTABLE SIGNS (PAGE 4 OF MPA/ CHAMBER/SAHBA LETTER)

C. Design Standards.

1. The number of signs shall be located and spaced or grouped together to reduce a DISORGANIZED 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. GROUPING OF SIGNS OF DIFFERENT SIZES MAY BE USED IF THE VISUAL IMPACT IS TO IMPROVE THE OVERALL APPEARANCE OF AN AFFECTED STREET FRONTAGE.

~~**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.**~~

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

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

5 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.

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

On July 11, 2017, the Citizen Sign Code Committee voted 6-0 (1 abstained) to add proposed language related to Section 7A.7.2 to the June 2nd Draft Sign Standards.

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; A WELL-ORGANIZED VISUAL ENVIRONMENT IS PROMOTED THROUGH APPROPRIATE SIZES, NUMBER, SETBACKS, AND SPACING.~~

2. Legibility is required of all signs;

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

Staff Response

- The above suggested change removes the word ‘clutter’ that caused concern about being too subjective. It further consolidates the spacing standards brought up by the business community. Similar to the Master Sign Program for Permanent Signs, the above language is measurable and more clearly stating how to address the concern about the purpose statement goal of a visual environment that is not disorganized and disorienting.

On July 11, 2017, the Citizen Sign Code Committee voted 7-0 to add the proposed language related to Section 7A.7.2, with the addition of “number” after sizes to the June 2nd Draft Sign Standards.

7A.10.2.C PERMANENT SIGNS (page 6 of MPA/Chamber/SAHBA letter)

- a. 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. This sign type is PERMITTED IN THE RESIDENTIAL CATEGORY FOR NON-RESIDENTIAL USES, IN A MULTI-FAMILY RESIDENTIAL OR NON-RESIDENTIAL CATEGORY FOR NON-RESIDENTIAL USES AND MULTI-FAMILY USES AND IS not permitted ~~for residential uses in the single family residential~~

~~districtzone category, multi-family residential districts, the O-1 district non-residential zone category or IN~~ the historic district.

Staff Response

- The June 2 Draft provision reflected the current provisions in the existing Chapter Three Sign Code.
- Staff believes there may be merit in allowing access signs in certain situations.
- The recommended language above limits access point signs to land uses that traditionally use them regardless of zones, for example, churches, schools, and apartment complexes. It also uses more accurate language for the 7A Sign Standards’ zone categories. It does not recommend these signs for single family residences.

On July 11, 2017, the Citizen Sign Code Committee voted 7-0 to add the proposed language related to Section 7A.7.2, to the June 2nd Draft Sign Standards.

7A.10.3.C PORTABLE SIGNS ADDITIONAL STANDARDS

~~2. Feather Banners.~~ **Banners or Commercial Flags. IN COMMERCIAL AND INDUSTRIAL ZONES** ~~In~~ **IN** lieu of ~~THE~~ portable sign **AREA** allotment, **AN** applicant may use four ~~feather banners,~~ **BANNERS OR COMMERCIAL FLAGS** using two colors **WITH ONE** additional portable sign ~~permitted in commercial/industrial zones.~~

7A.8.2 PROHIBITED SIGNS

H. Feather Banners

Staff Response

- Staff presented the above banner/flag concept at the June 21 public hearing. The Planning Commission had accepted the item into its motion prior to continuing the draft to July 12. Staff recommends this provision as a reasonable accommodation that is supportive of an organized visual environment in lieu of using four portable signs on a subject property.

On July 11, 2017, the Citizen Sign Code Committee voted 6-1 to prohibit feather banners and add the remaining proposed language related to banners and commercial flags in Section 7A.7.2, to the June 2nd Draft Sign Standards.

AREAS TO CONSIDER - MAY NEED MORE STUDY

7A.1.1 PURPOSE (page 1 of MPA/Chamber/SAHBA letter)

G. ENSURE THAT SIGNAGE FUNCTIONS AND CONTRIBUTES TO THE RETENTION OF TUCSON'S LOCALLY OWNED SMALL BUSINESSES.

H. SUPPORT THAT FURTHERS PLAN TUCSON'S FOCUS AREAS, GOALS, AND POLICIES AND THE CITY OF TUCSON'S ECONOMIC INITIATIVES.

I RECOGNIZE THE IMPORTANCE OF EXPEDITED REVIEW OF SIGNAGE AS AN ELEMENT CONSIDERED IN BUSINESS EXPANSION AND RELOCATION, WHEN CONSISTENT WITH PRIMARY JOBS INITIATIVES AND OTHER ESTABLISHED CITY OF TUCSON'S ECONOMIC INITIATIVES.

Staff Response

- The current purpose statement was discussed at length, and then presented to the Planning Commission and Citizens' Sign Code Committee was recommended by the Joint Subcommittee.
- The key issues related to the *Reed vs. Town of Gilbert* case involved first amendment rights, property rights, visual environment and public safety.
- See page 1 for staff recommended consolidation of these purpose statements.

On July 11, 2017, the Citizen Sign Code Committee skipped this item because they voted in favor of the staff proposed changes in language to Section 7A.1.1, located on page 1.

7A.6.4.C SIGN COPY (page 2 of MPA/Chamber/SAHBA letter)

C. A digital sign is permitted to have a rate of change of sign copy, graphic, or information not more than ~~every five minutes~~ ONCE IN A MINUTE. The digital sign copy shall not have any transitions or animations.

Staff Response

- The Joint Subcommittee and the CSCC have debated this issue.
- The June 2 draft recommendation was for a change from a one hour change rate to a five-minute change rate, which is reflected in the June 2 draft.
- Staff has no objection to either five-minute or one-minute rate-of-change.

On July 11, 2017, the Citizen Sign Code Committee voted 4-3 to add the proposed language related to Section 7A.6.4.C to the June 2nd Draft Sign Standards. The Citizen Sign Code Committee voted 5-2 to keep the existing language related to Section 7A.6.4.C in the June 2nd Draft Sign Standards.

7A.7.1.E DESIGN STANDARDS (page 4 of MPA/Chamber/SAHBA letter)

2.b(4). Ground – mounted Signs

Sign Height – THE MASTER SIGN PROGRAM MAY ALLOW AN INCREASE OF UP TO 100% BASED UPON PROVIDING ADEQUATE VISIBILITY, LEGIBILITY AND IMPROVED VEHICLE REACTION TIME WHEN AN INCREASE IS DEEMED COMPATIBLE WITH THE SURROUNDING AREA.

Staff Response

- The Joint Subcommittee recommended a similar cap as recommended by the June 15 Letter. The CSCC decided to recommend no caps. The reasoning was that if someone exceeded the cap even by a small amount they would have to go to the Board of Adjustment for a variance. The CSCC believed the SDRC represented the best group to decide on what sign size met all the design standards. The intent was not to allow giant signs but to acknowledge that a given site may have features that would support a larger height or area than a cap and the SDRC was preferable to the Board of Adjustment to evaluate the situation.
- Staff defers to the CSCC and PC if they would like to add the cap as recommended in the June 15 Letter back in.

The Citizen Sign Code Committee voted 5-1 (1 abstained) to keep the existing language related to sign height caps in Section 7A.7.1.E of the June 2nd Draft Sign Standards.

AREAS NOT RECOMMENDED - NEED MORE STUDY OR ARE NOT CONSISTENT WITH THE PURPOSE STATEMENT

7A.6.5A SIGN HEIGHT MEASUREMENT (page 2 of MPA/Chamber/SAHBA letter)

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 **IS MEASURED FROM THE CENTER OF THE SIGN BENEATH THE SIGN WITHIN A FIVE-FOOT RADIUS FROM THE CENTER OF THE SIGN ~~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.~~

Staff Response

- The June 2 draft language is consistent with how PDSB measures average finished grades elsewhere in the Unified Development Code.
- The recommended language from the letter would create two completely different processes for measuring average finished grade.
- Staff recommends keeping the current proposed language.

The Citizen Sign Code Committee voted 7-0 to keep the existing language related to Section 7A.6.5.A in the June 2nd Draft Sign Standards.

7A.6.9 STREET AND BUILDING FRONTAGE (page 2 of MPA/Chamber/SAHBA letter)

1. 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. **PROVIDED, HOWEVER THAT THE ZONING ADMINISTRATOR MAY APPROVE A TRANSFER IN WHOLE OR IN PART FROM ONE STREET TO ANOTHER WHEN, IN HIS OR HER JUDGMENT, THAT TRANSFER WILL NOT BE DETRIMENTAL, GIVEN THE PROFILE OF BUILDINGS, FREESTANDING SIGNS AND STRUCTURES ON THE PROPERTY AND SURROUNDING AREA.**

Staff Response

- While there may be merit in the proposal, this was not discussed during public review.
- Reducing the need to count interior signs as currently recommended in the June 2 draft may reduce the need for a transfer.
- This change requires a re-thinking of transferring sign area from one street to another. Creating a new process requires more time to study and review consequences and appropriateness of the review.
- This issue could be reviewed by the Sign Design Review Committee (SDRC) as part of its authority to review sign text amendments for the Planning Commission during the 18-month sunset period.

The Citizen Sign Code Committee voted 7-0 to keep the existing language related to Section 7A.6.9 in the June 2nd Draft Sign Standards. It was recommended staff review this proposal in the next 18 months to see if there is a regulation that may address this issue.

E. Signs per Street Frontage

1. General rule: For a premise having more than one street frontage, the maximum **sign area and** number of **permitted** on-site **permanent** signs are permitted for each street frontage and are not transferable from one street frontage to another. **In the case of a** freestanding sign, **the more restrictive standard of the zone category** shall apply, **PROVIDED, HOWEVER THAT THE ZONING ADMINISTRATOR MAY APPROVE A LESS RESTRICTIVE STANDARD OF THE ZONE CATEGORY WILL NOT BE DETRIMENTAL, GIVEN THE PROFILE OF BUILDINGS, FREESTANDING SIGNS AND STRUCTURES ON THE PROPERTY AND SURROUNDING AREA.**

Staff Response

- While there may be merit in the proposal, this was not discussed during public review. See the response above for Sec. 7A.6.9.C.1.

The Citizen Sign Code Committee voted 6-0 (1 abstained) to keep the existing language related to Section 7A.6.9 in the June 2nd Draft Sign Standards. It was recommended staff review this proposal in the next 18 months to see if there is a regulation that may address this issue.

7A.6.10 SPECIAL LICENSES (page 2 of MPA/Chamber/SAHBA letter)

J. **WHEN CONSISTENT WITH THE PURPOSE AND INTENT OF THE TUCSON SIGN CODE, THE MAYOR AND COUNCIL AND/OR CITY MANAGER MAY GRANT SPECIAL LICENSES FOR SIGNAGE BASED UPON NEW INFORMATION, CHANGED CIRCUMSTANCES, TUCSON VOTER AND CITY COUNCIL APPROVED INITIATIVES.**

Staff Response

- The current language is consistent with the *Reed* decision.
- The current regulation from the existing Chapter 3 Sign Code gives the Mayor and Council and City Manager the right to grant special license signage already in all the circumstances mentioned above.
- In reviewing this matter PDSB believes this clarification may not be needed.
- It could be an issue that can be reviewed by the SDRC during the 18-month sunset period.

The Citizen Sign Code Committee voted 7-0 to keep the existing language related to Section 7A.6.9 in the June 2nd Draft Sign Standards.

7A.6.11 PREMISE (page 3 of MPA/Chamber/SAHBA letter)

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 AND/OR that may contain one or multiple development plans or packages. PARCELS OR OWNERSHIPS

Staff Response:

- This change suggests a single parcel could be a premise separate from a larger surrounding site where it could be sharing some development features.
- This change would likely create a more ad hoc approach related to the spacing of freestanding signs for a shared street frontage of smaller and larger premises that are otherwise connected by development features like parking and access.
- In the June 2 draft, a premise is a unified site and works with the freestanding sign provisions on spacing of freestanding signs along a street frontage for an entire unified site that under the draft is called a premise.
- This single parcel option was reviewed but not recommended by the Joint Subcommittee nor the CSCC in their preliminary vote prior to the June 21, 2017 Joint Public Hearing.

The Citizen Sign Code Committee voted 6-0 (1 abstained) to keep the existing language related to Section 7A.6.11 in the June 2nd Draft Sign Standards.

7A.6.12 ILLUMINATION (page 3 of MPA/Chamber/SAHBA letter)

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

Staff Response

- The removal of the text, that is originally from the existing Chapter 3 Sign Code , “unless otherwise prohibited in the sign standards,” could lead to less ability to regulate illumination and light pollution.

- This idea was presented to and discussed by the Joint Subcommittee and was not supported.

The Citizen Sign Code Committee voted 7-0 to keep the existing language related to Section 7A.6.9 in the June 2nd Draft Sign Standards.

7A.7.1. MASTER SIGN PROGRAM - PERMANENT SIGNS (PAGE 3 OF MPA/CHAMBER/SAHBA LETTER)

A. Purpose. The purpose of this section is to respond to special permanent sign needs of a premise as well as provide FLEXIBILITY, ENCOURAGE DEVELOPMENT IN DESIGNATED GROWTH AREAS and promote superior sign design to implement the purpose of this article.

The Citizen Sign Code Committee voted 7-0 to add the language “flexibility, encourage development,” to Section 7A.7.1 in the June 2nd Draft Sign Standards.

**7A.7.1.E Design Standards
3. Wall-mounted Signs**

...

d. 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. HOWEVER, PUBLICLY RECOGNIZED BUSINESS LOGOS WHICH MAY INCLUDE IN THEIR GRAPHIC STANDARD, A LOGO OR GRAPHIC ELEMENT, TYPEFACE OR FONT AND BRANDED COLOR MAY BE USED.

Staff Response

- Staff has no objection to this language, but does not believe it is necessary.
- The current June 2 draft mentions registered trademarks but is not intended to prohibit logos.
- Staff can add language to recognize business logos as part of the preparation of the PDS application checklist.

The Citizen Sign Code Committee voted 7-0 to keep the existing language related to Section 7A.7.1.E in the June 2nd Draft Sign Standards. CSCC recommended adding note to application stating this.

7A.7.1.F Best Practice Option (page 3 of MPA/Chamber/SAHBA letter)

1. a. An already approved permanent sign, master sign program within the City; OF TUCSON METROPOLITAN STATISTICAL AREA OR AN ANALOGOUS PROJECT FROM WHICH DIRECTLY RELEVANT COMPARISONS MAY BE MADE.

Staff Response

- Staff believes this standard is not needed.
- There is a process allowing an applicant to present to the Design Professional a Master Sign Program not approved in the City.
- The Design Professional can verify that the example Master Sign Program is consistent with the purpose statement and design standards of the City's sign standards.

The Citizen Sign Code Committee voted 7-0 to keep the existing language related to Section 7A.7.1.F in the June 2nd Draft Sign Standards.

7.A.7.1.G FINDINGS (page 4 of MPA/Chamber/SAHBA letter)

1. The decision SHOULD shall show HOW the sign PROGRAM ADDRESSED program's compliance with the following applicable findings:

g. ACKNOWLEDGES Protects significant scenic views; and

h. IMPROVES ~~Reduces clutter along the affected street while enhancing the aesthetics of the street.~~

Staff Response

- Staff does not recommend using the word 'should' in a finding.
- PDSO position is a finding needs to be definitive and factual in the case that a finding may be substantive information if an application was appealed or if the case were to go to court.
- A suggested clarification to the Findings section on the word 'clutter' is noted above in the Supported items.

The Citizen Sign Code Committee voted 7-0 to keep the existing language with additions suggested by staff on page 4 related to Section 7A.7.1.G in the June 2nd Draft Sign Standards.

7A.7.1.E DESIGN STANDARDS (page 4 of MPA/Chamber/SAHBA letter)

All Signs

~~a. Illumination shall 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.~~

Staff Response

- The Joint Subcommittee and CSCC reviewed and voted on the issue and decided to recommend keeping the dark skies review for design option signs and requiring uniformity and proportionality in the design of sign copy lists. This provision does not limit a business from using federally registered trademark sign copy or sign copy colors. Staff does not support the removal of these three design standards. The general standards do not require compliance with these standards and would allow a less restrictive design if an applicant does not want to follow the design standards.

The Citizen Sign Code Committee voted 7-0 to keep the existing language related to Section 7A.7.1.E in the June 2nd Draft Sign Standards, with the exception of the removal of “the sign” in 7A.7.1.E.c.

7.A.7.2.B APPLICABILITY (page 4 of MPA/Chamber/SAHBA letter)

APPLICATIONS UNDER THE MASTER-PORTABLE SIGN PROGRAM THAT COMPLY WITH STANDARDS IN PLACE AT THE TIME OF NEW CODE ADOPTION SHALL RECEIVE AUTOMATIC APPROVAL.

Staff Response

- Staff has concerns about this provision because it appears to be an arbitrary standard without any sign clutter controls and may potentially override both the June 2 draft’s portable sign general standards and the Master Sign – Portable Sign Program, making them irrelevant.
- The June 2 draft has a legal strategy and allows flexibility to property owners understanding the need to operate in a content-neutral environment.

The Citizen Sign Code Committee voted 7-0 to keep the existing language related to Section 7A.7.2.B in the June 2nd Draft Sign Standards.

7A.9.2 CHANGE OF USE (page 2 of MPA/Chamber/SAHBA letter)

14. MEDICAL/HEALTH-RELATED.

Staff Response

- Staff believes this may have unintended consequences and needs more vetting.
- Occupancy categories in the Change of Use regulations are existing language in the Chapter 3 Sign Code and are based on Building Codes occupancy categories. A change should be consistent with the Building Codes categories.
- Currently, Medical/Health-related uses are under the occupancy categories Institutional and Office. The current regulations also comply with sign related policies in Plan Tucson, supporting the reduction of non-conforming signs. Any change should be consistent with Plan Tucson.

The Citizen Sign Code Committee voted 7-0 to keep the existing language related to Section 7A.9.2 in the June 2nd Draft Sign Standards.

7A.10.1 GENERALLY PERMITTED SIGNS (page 5 of MPA/Chamber/SAHBA letter)

C. 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 or provide a wall or fence that mitigates sound. If applicant chooses mitigation through a wall or fence it is their responsibility to demonstrate their proposal mitigates the sound.~~ 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. ~~All signs intended to be readable from the right of way are counted as part of the applicable sign type's maximum sign area.~~

Staff Response

- The existing language was recommended and voted upon by the Joint Subcommittee and the CSCC.
- Staff believes this provision is reasonable way to mitigate noise when adjacent to residential property.
- If it is not needed, it can be reviewed during the 18-month sunset period.

The Citizen Sign Code Committee voted 7-0 to remove the first portion related to two-way communication setbacks from Section 7A.10.1 in the June 2nd Draft Sign Standards. The Committee recommended adding a reference to the relevant City of Tucson Noise Ordinance related to the two-way communication devices on the application materials.

7A.10.2 PERMANENT SIGNS – ZONE CATEGORY STANDARDS (page 5 of MPA/Chamber/SAHBA letter)

TABLE 1

FOOTNOTE 7. BUSINESSES ALLOWED WITHIN RESIDENTIAL ZONES, SUCH AS CHURCHES AND SCHOOLS, SHOULD BE CONSIDERED AS PART OF THE GENERAL BUSINESS CATEGORY.

Staff Response

- This issue was reviewed by the Joint Subcommittee and has been presented to the Planning Commission and Citizen Sign Code Committee at study sessions.
- The recommendation reflects a compromise of allowing 100sf of signage for non-residential uses on arterial or collector streets but to require the current 20sf provision for non-residential uses on local streets.
- If the June 2 language is shown to be still inadequate, that information can be reviewed during the 18-month sunset period.

The Citizen Sign Code Committee voted 7-0 to keep the existing language related to non-residential uses Section 7A.10.2 in the June 2nd Draft Sign Standards. It was recommended staff monitor this issue and address in 18 months if current proposed language is inadequate.

TABLE 2 Maximum Sign Area per Zone Category and Special Zone Standards (page 5 of MPA/Chamber/SAHBA letter)

Residential

All Permanent Signs

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. **PROVIDED, HOWEVER, THAT THE ZONING ADMINISTRATOR MAY APPROVE A TRANSFER IN WHOLE OR IN PART FROM ONE STREET TO ANOTHER WHEN, IN HIS OR HER JUDGMENT, THAT TRANSFER WILL NOT BE DETRIMENTAL, GIVEN THE PROFILE OF BUILDINGS, FREES NOTTANDING SIGNS, AND STRUCTURES ON THE PROPERTY AND SURROUNDING AREA.**

Staff Response

- While there may be merit in the proposal, this was not discussed during public review.
- Creating a whole new process such as this requires significant time for input and review.
- This issue could be reviewed by the Sign Design Review Committee (SDRC) as part of its authority to review sign text amendments for the Planning Commission during the 18-month sunset period.

The Citizen Sign Code Committee voted 7-0 to keep the existing language related to Section 7A.9.2 in the June 2nd Draft Sign Standards. It was recommended staff review this proposal in the next 18 months to see if there is a regulation that may address this issue.

NON-RESIDENTIAL - ALL PERMANENT SIGNS (page 5 of MPA/Chamber/SAHBA letter)

1. **1. Illumination and color:** Signs on arterial and collector streets ~~shall~~ **SHOULD NOT** 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, **SHOULD CONSIDER COMPATIBILITY** ~~shall be compatible~~ with surrounding residential areas.

Staff Response

- This is the current regulation from the existing Chapter 3 Sign Code.
- This item was not presented or discussed during the public review process up to now.
- The removal of the text could lead to less ability to regulate illumination and light pollution.

The Citizen Sign Code Committee voted 7-0 to keep the existing language related to non-residential districts located in Section 7A.9.2 of the June 2nd Draft Sign Standards. It was noted this is an item being considered by the Outdoor Light Committee in their revisions to the Outdoor Lighting Code. Coordination with that effort could lead to a change in this regulation.

7A.10.2.C PERMANENT SIGNS (page 6 of MPA/Chamber/SAHBA letter)

- b. **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. **This sign type is not permitted for residential uses in the single family residential district zone category, multi-family residential districts, the O-1 district non-residential zone category or IN the historic district.**

Staff Response

- This provision is from the existing Chapter Three Sign Code.
- Staff believes there may be merit in allowing access signs in certain situations.
- See the recommendation in the Support items above.

On July 11, 2017, the Citizen Sign Code Committee skipped this item because they voted in favor of the staff proposed changes in language to access point signs in Section 7A.10.2.C, located on page 6.

2. Sign Types F through O (page 6 of MPA/Chamber/SAHBA letter)

(2) Freestanding signs, all types.

One freestanding sign for each street frontage.

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.~~

Staff Response

- This provision above is the current regulation from the existing Chapter 3 Sign Code.
- This item was not presented or discussed during the public review process up to now.
- This item can be monitored during the 18-month sunset period.

The Citizen Sign Code Committee voted 7-0 to keep the existing language related to freestanding signs in Section 7A.10.2.C of the June 2nd Draft Sign Standards. It was recommended staff review this proposal in the next 18 months to see if there is a regulation that may address this issue.

7A.10.3 PORTABLE SIGNS (page 6 of MPA/Chamber/SAHBA letter)

A. Portable Signs – maximum sign area allotment

Premises with street frontae of 150 feet or greate, regardless of zone or street type area allowed an additional 32 square feet of signage per 150 feet – not to exceed 900 square feet of toal signage. The combined signage may be used either on the premise or off premise as part of the permit application.

Premises with more than one building permit are allowed an additional 16 square feet of signage per bulding permit in addition to the base amount of signage as determined by zoning & street type – not to exceed 900 square feet of total signage. The combined signage may be used either on the premise or off premise as part of the permit application.

Staff Response

- This item was not presented or discussed during the public review process up to now.
- The Joint Subcommittee and CSCC ultimately voted to support the provisions in the June 2 draft.
- Staff believes the Sign Design Option is a reasonable option to allow for the signage needs of the Real Estate industry and would be willing to work with them to develop templates to be used.

The Citizen Sign Code Committee voted 7-0 to keep the existing language related to freestanding signs in Section 7A.10.3 of the June 2nd Draft Sign Standards. It was recommended that staff work with the Real Estate industry to create a pilot template program for the Portable Sign Design Program. Additionally, staff should review this proposed regulation over the next 18 months to see if there are additional ways to accommodate this segment of sign users.

7.A.11 SPECIAL DISTRICTS (page 7 of MPA/Chamber/SAHBA letter)

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) MASTER SIGN PROGRAM APPLICATIONS TAKE PRECEDENCE OVER SPECIAL DISTRICTS WHEN CONSISTENT WITH VOTER APPROVED PLAN TUCSON.

Staff Response

- Staff agrees that a clarification would be helpful in clarifying the relationship between a Master Sign Program and a sign special district.
- A provision has been added to Section 7A.10 that clarifies the relationship.

The Citizen Sign Code Committee voted 7-0 to add the same language suggested from Section 7A.10 located on page 2 to 7A.11 to help clarify the regulation.

7.A.11.3 SCENIC CORRIDOR ZONE (SCZ) DISTRICT (page 7 of MPA/Chamber/SAHBA letter)

A. Location: The scenic corridor zone (SCZ) district includes any portion of property or parcels within four hundred **200** ~~(400)~~ feet, measured in any direction, **FROM THE CENTER LINE** of the **EXISTING** ~~future~~-right-of-way **lines** of a scenic route, as designated on the Major Streets and Routes (MS&R) Plan map. If any **ONLY THE** portion of a development **THAT** is within the SCZ district, ~~the entire development~~ will be treated, for sign purposes only, ~~as though it were entirely~~ within the SCZ district.

...

E. PERMITTED SIGNS

...

3. Freestanding signs, monument and low profile only.

a. Maximum number per premises **CONSISTENT WITH THE GENERAL BUSINESS DISTRICT:**

(1) Scenic route: One (1) for the first **THREE HUNDRED (300)** ~~four hundred fifty (450)~~ feet of scenic route street frontage with one (1) additional sign for every **ONE HUNDRED FIFTY (150)** ~~four hundred (400)~~ feet of additional scenic route street frontage.

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

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

Staff Response

- The provisions in the June 2 draft are the same as the current regulation from the existing Chapter 3 Sign Code.
- The Joint Subcommittee and the CSCC both recommended not to change the Scenic Corridor regulations.
- The proposed Master Sign Program allows for relief from the current regulations of the Scenic Corridor.

The Citizen Sign Code Committee voted 7-0 to keep the existing language in Section 7A.11.3 of the June 2nd Draft Sign Standards.

11.4.7 DEFINITIONS (page 8 of MPA/Chamber/SAHBA letter)

FREEWAY – DESIGNATED INTERSTATE ROADWAYS, INCLUDING FRONTAGE ROADS ADJACENT TO INTERSTATE FREEWAYS, ADOT DESINGATED STATE ROUTES AND PAG REGIONALLY SIGNIFICANT CORRIDORS.

Staff Response

- This item was not presented or discussed during the public review process up to now.

- It is our understanding this proposal includes more than interstates and would include roads such as Oracle Road, Ajo Way and Houghton Road.
- Freeway signs can be as large as 360 sf in sign area and 48 feet from freeway grade to top of the sign.
- If more studied is needed the Sign Design Review Committee (SDRC) as part of its authority to review sign text amendments for the Planning Commission during the 18-month sunset period.

The Citizen Sign Code Committee voted 7-0 to keep the existing language related to freestanding signs in Section 11.4.7 of the June 2nd Draft Sign Standards. It was also noted that the existing definition of freeway signs was omitted from the June 2nd Draft Sign Standards. This was noted and will be added back in.

11.4.17 DEFINITIONS (page 8 of MPA/Chamber/SAHBA letter)

PARAPET – **AN INTEGRATED WALL COMPONENT OF AN EXTERIOR BUILDING SURFACE THIRTY (30) DEGREES OR LESS FROM VERTICAL, INCLUDING AFFIXED TO INTERIOR AND THE EXTERIOR OF WINDOW AND DOOR SURFACES.** The portion of a wall that extends above the roofline.

Staff Response

- This item was the topic of a considerable amount of discussion from the Joint Subcommittee and the CSCC.
- The Joint Subcommittee asked Commissioner Cook to review the issue with staff, which is reflected in the June 2 draft.
- Staff believes the status of parapets has been addressed by the re-defining of roof and wall signs.

The Citizen Sign Code Committee voted 7-0 to keep the existing language in Section 11.4.17 of the June 2nd Draft Sign Standards.

11.4.24 DEFINITIONS – 2 (page 8 of MPA/Chamber/SAHBA letter)

Wall- an exterior building surface thirty degrees or less from vertical including affixed to interior and the exterior of window and door surfaces. **INCLUDING A PARAPET.**

Staff Response

- See the response above for Parapet definition.

The Citizen Sign Code Committee voted 7-0 to keep the existing language in Section 11.4.24 of the June 2nd Draft Sign Standards.

**Votes from July 11, 2017 Citizen Sign Code Committee Review of June 15, 2017
Letter from Metropolitan Pima Alliance, Southern Arizona Homebuilders
Association, and Tucson Metro Chamber**

Items Reviewed	Page # in Addendum 1	Vote
Areas with Support		
1. Section 2.2.1.2.C COMPOSITION	1	7-0 to add the proposed language related to Section 2.2.1.2.C to the June 2 nd Draft Sign Standards
2. Section 7A.1.1 PURPOSE	1&2	7-0 to add the proposed language related to Section 7A.1.1 to the June 2 nd Draft Sign Standards
3. Section 7A.10. SIGN TYPES AND GENERAL STANDARDS	2	7-0 to add the proposed language related to Section 7A.10 to the June 2 nd Draft Sign Standards
4. Section 7A.10.3.B PORTABLE SIGNS GENERAL STANDARDS	2&3	6-0 (1 abstained) to add the proposed language related to Section 7A.10.3.B to the June 2 nd Draft Sign Standards
5. Section 7A.7.1.E DESIGN STANDARDS	3&4	7-0 to change proposed language in Section 7A.7.1.E to allow up to eight panels and as many as half the sign panels to be larger than the other panels
6. Section 7A.7.1. MASTER SIGN PROGRAM - PERMANENT SIGNS - FINDINGS	4&5	6-1 to add the proposed language related to Section 7A.7.1, with the addition of "number" after sizes to the June 2 nd Draft Sign Standards
7. Section 7A.7.2. MASTER SIGN PROGRAM – PORTABLE SIGNS	5&6	6-0 (1 abstained) to add proposed language related to Section 7A.7.2 to the June 2 nd Draft Sign Standards
8. Section 7A.7.2. MASTER SIGN PROGRAM – PORTABLE SIGNS – additional standards	6	7-0 to add the proposed language related to Section 7A.7.2, with the addition of "number" after sizes to the June 2 nd Draft Sign Standards
9. Section 7A.10.2.C PERMANENT SIGNS	6&7	7-0 to add the proposed language related to Section 7A.7.2, to the June 2 nd Draft Sign Standards
10. Section 7A.10.3.C PORTABLE SIGNS ADDITIONAL STANDARDS & Section 7A.8.2 PROHIBITED SIGNS	7	6-1 to prohibit feather banners and add the remaining proposed language related to banners and commercial flags in Section 7A.7.2, to the June 2 nd Draft Sign Standards.
Areas to Consider – May Need More Study		
11. Section 7A.1.1 PURPOSE	7&8	Skipped – addressed in item 2 above
12. Section 7A.6.4.C SIGN COPY	8	4-3 to change proposed language (one-

		min) and 5-2 to keep existing language (five-minute)
13. Section 7A.7.1.E DESIGN STANDARDS	8&9	5-1 (1 abstained) to keep the existing language related to sign height caps from the June 2 nd Draft
Areas Not Recommended - Need More Study or are Not Consistent with the Purpose Statement		
14. Section 7A.6.5A SIGN HEIGHT MEASUREMENT	9&10	7-0 to keep the existing language from the June 2 nd Draft
15. Section 7A.6.9 STREET AND BUILDING FRONTAGE	10	7-0 to keep the existing language from the June 2 nd Draft
16. Section 7A.6.9.E SIGNS PER STREET FRONTAGE	11	6-0 (1 abstained) to keep the existing language from the June 2 nd Draft
17. Section 7A.6.10 SPECIAL LICENSES	11	7-0 to keep the existing language from the June 2 nd Draft
18. Section 7A.6.11 PREMISE	12	6-0 (1 abstained) to keep the existing language from the June 2 nd Draft
19. Section 7A.6.12 ILLUMINATION	12&13	7-0 to keep the existing language from the June 2 nd Draft
20. Section 7A.7.1. MASTER SIGN PROGRAM - PERMANENT SIGNS	13	7-0 to add the language “flexibility, encourage development,” to the June 2 nd Draft
21. Section 7A.7.1.E DESIGN STANDARDS	13	7-0 to keep the existing language from the June 2nd Draft. Note regarding logos added to application checklist.
22. Section 7.A.7.1.F BEST PRACTICE OPTION	13&14	7-0 to keep the existing language from the June 2nd Draft
23. Section 7.A.7.1.G FINDINGS		7-0 to keep the existing language with changes suggested by staff in item 6 above
24. Section 7A.7.1.E DESIGN STANDARDS	14&15	7-0 to keep the existing language related to Section 7A.7.1.E in the June 2nd Draft Sign Standards, with the exception of the removal of “the sign” in Section c.
25. Section 7.A.7.2.B APPLICABILITY	15&16	7-0 to keep the existing language from the June 2nd Draft
26. Section 7A.10.1 GENERALLY PERMITTED SIGNS	16&17	7-0 to remove the first portion related to two-way communication setbacks from Section 7A.10.1 in the June 2nd Draft Sign Standards. The Committee recommended adding a reference to the relevant City of Tucson Noise Ordinance related to the two-way communication devices on the application materials.
27. Section 7A.10.2 PERMANENT SIGNS – ZONE CATEGORY STANDARDS – Table 1	17	7-0 to keep the existing language from the June 2nd Draft

ADDENDUM 2

28. Section 7A.10.2 PERMANENT SIGNS – ZONE CATEGORY STANDARDS – Table 2	18	7-0 to keep the existing language from the June 2nd Draft
29. Section NON-RESIDENTIAL - ALL PERMANENT SIGNS - Illumination	18&19	7-0 to keep the existing language from the June 2nd Draft
30. Section 7A.10.2.C PERMANENT SIGNS – Access Point Signs	19	Skipped – addressed in item 8 above
31. Section 7A.10.2.C.2 PERMANENT SIGNS – Freestanding Signs	19&20	7-0 to keep the existing language from the June 2nd Draft
32. Section 7A.10.3 PORTABLE SIGNS	20&21	7-0 to keep the existing language from the June 2nd Draft. CSCC recommended staff work with stakeholders to develop pilot template program for the Portable Sign Design Program.
33. Section 7.A.11 SPECIAL DISTRICTS	21	7-0 to add the same language suggested from item 3 to help clarify the regulation
34. Section 7.A.11.3 SCENIC CORRIDOR ZONE (SCZ) DISTRICT	21&22	7-0 to keep the existing language from the June 2nd Draft
35. Section 11.4.7 DEFINITIONS – Freeway Signs	22&23	7-0 to keep the existing language from the June 2nd Draft
36. Section 11.4.17 DEFINITIONS - Parapet	23	7-0 to keep the existing language from the June 2nd Draft
37. Section 11.4.24 DEFINITIONS - Wall	23	7-0 to keep the existing language from the June 2nd Draft