



**PLANNING COMMISSION/CITIZEN SIGN CODE COMMITTEE
SIGN CODE REVISIONS JOINT SUBCOMMITTEE**

Monday December 19, 2016, 2:00 P.M.
Pima County Public Works Building
Planning and Development Services - 3rd Floor Conference Room
201 North Stone Avenue
Tucson, Arizona 85701

Legal Action Report and Meeting Minutes

1. Roll Call

Meeting was called to order by Planning and Development Services Department (PDSD), at 2:00 p.m.

Present:

Jude Cook	CSCC, City Manager's Office
George Holguin	CSCC, City Manager's Office
Kathryn McLaughlin	CSCC, Ward 5
Killian Harwell	PC, Mayor
Curt Ench	PC, Ward 3

Not Present:

Shannon McBride-Olson PC, Ward 2

Staff Members Present:

Daniel Bursuck, PDSD, Lead Planner
Jim Mazzocco, City Manager's Office, Zoning Examiner
Piroschka Glinisky, City Attorney's Office, Principal Assistant City Attorney
Stacy Stauffer, City Attorney's Office, Principal Assistant City Attorney
Jan Waukon, Consultant Serving as Facilitator

2. Approval of Minutes/Legal Action Report – December 12, 2016

It was moved by Commissioner McLaughlin, duly seconded by Commissioner Harwell, and carried by a voice vote of 5-0, to approve the December 12, 2016 Minutes.

3. Review of Meeting Process

Jan Waukon, Consultant serving as Facilitator, explained the management of the meeting.

4. Call to the audience

Craig Masters, a Tucson resident, commented on the revision process and stressed the premise of the project is to maintain existing rights and not to diminish those rights. He also spoke to the Master Sign Program and urged the Committee and Staff to create something that is more predictable and simple. He spoke to the need for sign review to be introduced at the front end of development. He also spoke to the potential changes for spacing of freestanding signs and suggested the current language is adequate and the new language penalizes a property that is irregularly shaped and the redevelopment of 2nd and 3rd generation sites.

Ruth Beeker, a representative of Tucson Residents for Responsive Government (TRRG), spoke about four requests of the sign code revisions. First, she spoke to the individual sign option and requested clarification on its purpose. Second, she requested to be cautious related to setting precedent with Master Sign Programs and those using that option. Third, she spoke to a need for a public process and that it lacks notification for the Master Sign Program. When there are no set parameters, the city should let those impacted to have a voice in the process. Lastly, she spoke to the current makeup of the Design Review Board and how it functions and its transparency. She then distributed the annual report of that review board.

Bonnie Poulos, a representative of Tucson Residents for Responsive Government (TRRG), commented on the proposed Master Sign Program. She spoke to the similarity between a Master Sign Program and a Planned Area Development (PAD). She specifically spoke to the similarities related to how it creates its own individual code per project. She voiced concern related to the lack of avenues for meaningful public participation of those impacted by the projects. She suggested that the Master Sign Program follow a similar process to the PAD, including changes to the Master Sign Program. She spoke to the process for determining a major and minor change to a PAD and how it could be utilized when a change is needed in an approved Master Sign Program. Additionally, she spoke to the enforcement of codes and its difficulty. If a Master Sign Program is utilized, she suggested a process that would make those approved plans readily available to everyone and anyone who may want to find them.

Steve Shell, Architect and Chair of the Board of Adjustment, commented on the Sign Code revisions. He spoke about how the Board of Adjustment will highlight what the code may be bad at. Improvements in the code will reduce the amount of cases that come forward. He urged the committee to create regulations that are enforceable and have a clear intent.

5. Introduction of the following sections of preliminary draft sign code revisions for review and discussion by subcommittee.

a. Sign Design Option (Section 7A.7 in Preliminary Draft)

i. Individual Sign Design Option (Section 7A.7.3 in Preliminary Draft)

Jim Mazzocco, City Manager's Office, gave a presentation of updates on the Individual Sign Design Option section of the Sign Code Revisions.

Commissioner Ench made a suggestion for changes that the individual sign program be moved to the Master Sign Program section. A statement that an individual program can be allowed where all other signs meet the sign code. He stated that it could be used to help bring other non-conforming sites up to code. It can be rewritten in the Master Sign Program to function the same way.

Commissioner McLaughlin asked a question related to what "individual" means.

Staff responded that it is intended to replace the existing Integrated Architectural feature, but to expand that feature. It was only meant for one sign. Staff stated this could be added into the Master Sign Program, it would just need to be adjusted.

Commissioner Harwell suggested we may want to change individual to singular, as it may be more clear. She also stated that the diagrams in the Flagstaff images are very clear and modeling our code after that would be very useful.

Staff stated they are planning on adding new graphics to add clarification to the code.

Commissioner Ench stated he would also like to see something added related to integrated architecture into the Master Sign Program and stressed the need to bring non-conforming signs up to code in a Master Sign Program.

Commissioner McLaughlin stated she agreed with Commissioner Ench related to non-conforming signs being required to be brought up to code. She also stated she is interested in notification and requested that there be a way to ensure notification to those impacted by Master Sign Program proposals.

Staff stated they are looking at ways to do this. One way would be the addition of an ad-hoc member to the new Citizen Sign Code Committee.

Commissioner McLaughlin re-stated her concern with one person being the source of appointees to the entire board.

Commissioner Ench also stated his concern with a City Manager appointed board.

Commissioner McLaughlin asked if the representatives from TRRG have any suggestions related to notification of the Master Sign Program.

Staff stated they would need to do so at the next Call to the Audience.

b. Sign Types and General Standards (Section 7A.10 in Preliminary Draft, Sections 3.51 – 3.71 in Current Sign Code)

Jim Mazzocco, City Manager's Office, gave a presentation of the Sign Types and General Standards section of the Sign Code Revisions.

Commissioner McLaughlin asked about the Emergency Site Locator and how they would be regulated

Staff commented that they would be allowed and haven't been a problem in the past.

Commissioner McLaughlin asked if all of the signs on the back of Park Place Mall considered interior signs?

Staff stated that if they are greater than 12 square feet, they will be considered wall signs.

Commissioner McLaughlin asked about Billboards and if they are only allowed in all of the zones on the table.

Staff clarified that in the additional standards that Billboards are only allowed in C-2, C-3, I-1 and I-2 zones.

Commissioner Holguin stated that by using the matrix it is more simple and the formatting helps.

Commissioner Harwell asked if there is any concern related to listing the categories and the zone. The formatting may need to be changed.

Staff stated there may be a way to redo this table to make headers more clear.

Commissioner Ench stated the billboard is a good example of what could be confusing. A couple additional columns or clarification could help.

Staff stated they have used footnotes in the past and they would look into it.

Commissioner Ench asked if a church were in a non-residential zone if they could get a much larger sign.

Staff stated that this is the case.

Commissioner McLaughlin stated she would like to solve the problem of churches in residential areas. She asked if there was a minimum site size or limiting factor that would make it proportional to surrounding area.

Staff responded that they have considered allowing more signage on arterials and collectors and less on local streets in neighborhoods.

Commissioner McLaughlin and Commissioner Ench stated they liked that idea.

Commissioner Cook stated that in many cases even with a variance they have exceeded 50 square feet. With the interior sign regulation, we could be close. He also stated that 20 square feet for neighborhood churches seems like it could be ok. The 50 square feet is limiting for churches on arterials and collectors.

Commissioner Ench stated that those churches that need more than the 50 square feet also have the option to do a Master Sign Program.

Commissioner McLaughlin asked if there is any other place where Historic Landmark Signs might need to be included.

Staff stated they would look into other possible zones.

Commissioner McLaughlin asked if that is the wall that is not attached to the building.

Staff clarified yes, and that it is the one on Oracle. Staff asked if maybe we did a 10x10 space just like we are doing on parapets.

Commissioner McLaughlin stated that this would actually track what the Citizen Sign Code Committee has been talking about.

Commissioner McLaughlin asked if we could add language to deal with the relocation of billboards.

Staff stated that they may be able to do it, but some of the billboards may be subject to the settlement agreement. Staff will report back.

Commissioner McLaughlin asked if staff could explain the comment on page 41 related to deleting a specific section.

Staff responded this was a reminder that the provision related to billboards in the UDC needs to also be addressed.

Commissioner McLaughlin asked about paragraph on page 42 in relation to canopy signs and the inclusion of integrated architectural features.

Commissioner Cook stated that this section is kind of clunky and is difficult to understand, but am not sure if this is the time to redo.

Staff stated that this is currently proposed as remaining the same as we move forward, but is difficult for staff to implement. Our idea is that this could be

addressed and clarified at a later date and to note we could do it at a later date.

Commissioner Harwell asked about home occupation on the original table on the final document.

Staff stated that they would be removing home occupation on the final document and that it was there for clarification.

Commissioner McLaughlin asked about freestanding signs, spacing, and limiting the total number of signs.

Commissioner Cook stated he has received a lot of feedback on the limit and that the new spacing proposal could create unwanted consequences and that it appears the problems brought up earlier related to Tucson Mall have been addressed through the cleanup of the definition of premise.

Commissioner Harwell asked if we may be able to have a cap.

Commissioner Cook stated he understood why we may want a cap, but it ultimately ends up creating problems. He asked if there is actually a problem here or if we are creating an issue.

Commissioner McLaughlin asked if an owner has over 750 linear feet, with the proposal, they would only get 4 signs.

Staff stated that this could be true and we may be trying to fix something that doesn't need fixing. This could adversely affect large projects.

Commissioner McLaughlin asked if this may be a problem with car dealerships.

Commissioner Cook stated he believes it would not cause an issue especially related to redevelopment and new development.

Staff asked if it is ok to leave this alone for the time being and to maybe discuss with the bigger group at a later date.

Commissioner Cook asked if the underlined yellow language in relation to projecting signs is new language.

Staff responded that it is new language and that twenty-four is changing to twenty feet.

Commissioner McLaughlin asked about the Chuze Fitness on Oracle Road and where the opacity is addressed.

Staff stated that this would not be considered under the extended parapet option. That sign would need to be included as an individual sign option, due to it being something outside of the general standards.

Commissioner Cook stated that if it is a part of a building, it is a wall sign. Calling it a roof sign is a problem.

Staff clarified that we are renaming it extended parapet option and removing roof sign.

Commissioner Ench asked if we had defined Roof Sign earlier in the definitions.

Staff responded that we have defined it in the definitions.

Commissioner Ench asked if there is duration an acceptable regulation criteria in relation to Reed.

Staff stated this is somewhat complicated and have been advised to do something similar to what was done by Sparks, Nevada. This would be an annual fee for all portable signs. The fee amount assessed would be the same no matter when it was issued and would be renewed every year.

Commissioner Ench asked if this has worked for Sparks.

Staff stated that this has been successful and that it allows an inspector to immediately know if there is a problem with a site, just by the number of signs.

Commissioner McLaughlin asked if when a business is allowed a free standing signs, only one side is counted. Is there anything in the code that would limit it to one face.

Staff stated that commonly the rule in sign codes is when you calculate a sign area you count one side, but allow both sides. When a sign is at a particular angle, it is counted as two signs.

Commissioner McLaughlin asked about ground and wall mounted general standards can be attached to cord and if they are limited to against a building or if they can be attached perpendicular to poles.

Staff stated this is addressed through a rule that you cannot have a pliable banner and must use a specific material consistency. This will address mixture of materials and help to clean up portable signs.

Commissioner McLaughlin stated she is not in favor of any sign that has movement, even if it is by the wind. She also stated she is not sure she is in favor of feather banners or flags.

Staff stated that in the interpretation of the code, there is nothing currently that prohibits a feather banner. We took that and attempted to allow it in the best design sensitive way.

Commissioner McLaughlin stated that they are inherently moving and we don't allow moving text. She asked how this is allowed considering we don't allow moving text. She also stated that they require a part to be placed in the ground, which can be a safety hazard. She stated she has no problem with banners that are fixed at the top and bottom, such as those at the University of Arizona.

Commissioner Cook stated he believed this was a good way to deal with the large amount of temporary signs that are difficult to enforce.

Commissioner Harwell asked if we could limit just color and symbols

Staff responded that regulating sign copy would be regulating speech and could create a problem.

Commissioner McLaughlin spoke to feather banners and that they are both transparent and readable from only one side. This can be distracting.

Staff stated that we can regulate by material and feather banners can be prohibited under Reed.

Commissioner Harwell suggested language that if using fabric, that it be taut.

Commissioner McLaughlin stated that she likes that idea.

Staff stated that the intent of section "4. Materials" was this, but maybe we could include that language to be clearer.

Commissioner McLaughlin asked about the inflated guy with the arms.

Staff stated that those are in prohibited signs.

Commissioner McLaughlin stated that the only reason that fixed balloons were ever allowed, is because there was a business who made those, even though they were not permitted. This intension was so that we would not put them out of business. She stated she doesn't believe this was a good reason.

No action taken.

6. Call to the Audience

Ruth Beeker, a Tucson resident, spoke to the Master Sign Program and potential models for notification. She stated that she very much cares about public

process and are very aware how other aspects of the UDC address this. She stated they believe that residents and businesses should have a voice when it comes to variability within the code. If the code is very clear, the public has a way of knowing what is going to happen. She stated that when there is variability, there is a need for notification. She continued that there needs to be a conversation from the start to mitigate tension between development and residents. She stated that the process of a Planned Area Development does this.

Mike Addis, of Addisigns, commented on the proposed Master Sign Program and how other cities use a process for improved design through discussion and feedback with staff members. Feedback early in the process helps the entire process. He asked the commission to consider that sign users are a part of the community and want to provide something that improves that community and is designed correctly. He spoke to residential churches and that they can be solved by integrating the terminology related to arterial and collector streets. He also spoke to the need for more than 50 square feet, as that is not enough.

Steve Shell, an architect, commented on the need for a precise code. He also spoke to the need for flexibility. If there is any variability within the design it will be required to go through the individual sign option and will add a process and time to the project. The purpose of this project is to simplify things and make a more friendly process. He suggested staff interview designers as to how to make this friendlier to lump in other types of signs and give a graphic definition.

7. **Adjournment**

Meeting adjourned at 4:55 PM