



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

Monday January 9, 2017 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 (PDS), 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
Shannon McBride-Olson	PC, Ward 2
Curt Ench	PC, Ward 3

Not Present:

Staff Members Present:

Russlyn Wells, PDS, Zoning Administrator
Daniel Bursuck, PDS, Lead Planner
Jim Mazzocco, City Manager's Office, Zoning Examiner
Piroschka Glinsky, 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 – January 9, 2017

It was moved by Commissioner McLaughlin, duly seconded by Ench, and carried by a voice vote of 5-0, to approve the January 9, 2017 Minutes with corrections as noted by Commissioner Ench on page 5.

3. Review of Meeting Process

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

4. Call to the audience

Ruth Beeker, a Tucson resident, spoke about the sign code revision process. She spoke about the general standards for portable signs and what the purpose portable signs serve. She asked what evidence staff has to document the effectiveness of these and what their purpose is. She questioned why four signs is better than two signs and how if all businesses utilized all of their four signs it would have a significant impact on the road. She also spoke to staff's rationale for allowing feather banners related those creating them are an existing business. She stated that she believes this is not a valid rational for allowing that sign type. She stressed a goal of a better and balanced sign code that is simple, understandable, and enforceable.

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 commented on the joint Chamber of Commerce/ MPA letter from January 3rd and he concurs with what was submitted. In particular he stated agreeance with the comment related to permanent sign standards and the need to keep the current language related to spacing. He spoke to the potential changes for spacing of freestanding signs and that the new language penalizes a property that is irregularly shaped and the redevelopment of 2nd and 3rd generation sites.

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

- a. 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, continued his presentation from the last subcommittee meeting of updates on the Sign Types and General Standards section of the Sign Code Revisions.

Commissioner McLaughlin asked a question related to temporary banners and that she would like to rearrange the items so that Maximum Number is located at the top of the list.

Staff responded that they would be amenable to that.

Commissioner Ench asked about the crossed out section on page 54 related to Real Estate signs and the provision related to removal of signs immediately when properties are sold. He asked where that is now and how we could require removal.

Staff stated that this will now be a part of the Portable Sign Program and could have the temporal portion added as a condition. Additionally, this could

be addressed through an annual permit that is renewed every year, like in Sparks, Nevada.

Commissioner McLaughlin asked if this is something that should be added to 7A.10.7.

Staff stated that this could be a statement that it is in compliance with the fee schedule.

Commissioner Ench stated he would also like to see something like the annual permit, especially if it was enough money to force people to take down signs.

Commissioner Cook stated he thinks the idea of an annual fee that would be reapplied for at the beginning of the year could be beneficial.

Commissioner Cook stated he has done many Historic Landmark cases and the only problem that has come up is related to wall signs and that they were not included. He continued that a change in the outdoor lighting code has made this difficult to do for historic wall signs. Ultimately they received a waiver from the Outdoor Lighting Code committee for this.

Commissioner McLaughlin suggested adding language to 7A.10.8.D.1 to allow wall signs.

Staff stated they would be willing to add in wall signs to the Historic Landmark Signs section.

Commissioner Cook suggested removing the language from Section 7A.10.8.F.4, "GPS coordinates for the final location of the proposed HLS", as it serves no purpose for its review and isn't being enforced.

Staff stated they would check with our historic preservation staff on this.

b. Special Districts (Section 7A.11 in Preliminary Draft, Sections 3.81 – 3.83 in Current Sign Code)

Jim Mazzocco, City Manager's Office, gave a presentation of the Special Districts 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 once it is completed will there be a link in the UDC to find the maps.

Staff stated that the historic district maps are already in the UDC. The Pedestrian District signs will remain.

Commissioner Cook stated that the issue he has run into is related to a clearance height and a maximum height of 12 feet for projecting signs. On many of the building storefronts they start at 10 feet which only allows a 2 foot sign. He stated there really shouldn't be a cap on projecting signs as long as there is an 8 foot clearance. We need a little more sign height to make this work without a variance. All this does is inhibit people from adding signage and redeveloping downtown.

Commissioner McLaughlin stated that maybe 8 foot clearance with a maximum of 20 feet or 2 feet below the parapet, whichever is lower.

Commissioner Cook suggested that something like that would work and keep from needing a variance. He stated that 2 feet below the parapet would work.

Staff stated that they are amenable to making those changes.

Commissioner McLaughlin stated that she is concerned just 2 feet below the parapet may not be at the pedestrian scale. This could create problems.

Commissioner McLaughlin asked about the Planned Area Development (PAD) section and why it is all crossed out.

Staff stated that it is just the one statement with an addition of "no billboards allowed" added.

Commissioner McLaughlin stated that the design committee for the PAD needs to be of public record. She has a concern about the people who sit on these design groups. This creates problems related to conflicts of interest and signs list the 100 foot spire at the Bridges through the integrated architectural feature.

Staff stated that the intension is for new PADs to utilize the Master Plan Program. We could look into requiring this if future PADs as well.

Commissioner McLaughlin asked if weather the loophole that existed because of the integrated architectural feature wasn't fully defined will go away because they have other options.

Staff stated that this will be the case as they will now need to go through the Master Sign Program or Individual Sign Program. All of these will be public.

- c. Measurement, Location, and General Requirements (Section 7A.6, Sections 3.31 – 3.44 in current Sign Code)

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

Commissioner McLaughlin stated that the term scrolling is wrong and should be changed. Scrolling is a transition.

Staff stated they would look into this a perhaps use rate of change.

Commissioner McLaughlin spoke of the proposed changes to Electronic Message Centers by the Citizen Sign Code Committee and how those would be addressed if we were to not address them now.

Staff responded that as part of this effort we could make a parking lot of issues that are too involved for this project, but are to be addressed in the interim in the next 18 months. This would be sent to Mayor and Council when the revisions reach them.

Commissioner McLaughlin asked if this would be the duty of the newly formed sign code committee.

Staff responded yes, it would be part of their duties.

Commissioner Cook spoke related to the letter from the Tucson Chamber and MPA and related to the electronic sign copy meeting the State standard. In addition, the Chamber is in support of how the sign height is measured. He stated that it seems fine, as long as we get back to where we were before the scenic corridor interpretation.

Commissioner McLaughlin stated that the State standard is 8 seconds.

Commissioner McLaughlin asked if the height of the sign is measured from what.

Staff clarified that the sign is measured from either base of the sign or from grade of the road, whichever is greater.

Commissioner McLaughlin spoke to Section 7A.6.4.B regarding sign copy that is three inches or less and her concerns about legibility standards. Does this mean that if they had two inch letters they would not be allowed and need a bigger sign.

Staff stated that it only applies to the design option, but needed to find a way to allow flexibility for extra copy while still being legible. This would still be within the maximum area.

Commissioner McLaughlin asked if this may go against the idea of legibility for motorists and tourists.

Staff stated that applicants are still going to get their sixteen items of information; we are just not counting the small stuff that is not legible for motorists.

Commissioner Cook explained about a project with the main copy being over three inches and then some additional copy that was around two inches. He asked how we would deal with that.

Staff stated that the copy larger than three inches would be counted as an item of information, but the smaller text would not.

Commissioner Cook stated his hesitancy related to this, but is willing to give it 18 months.

Staff asked if sixteen items of information or six tenants would work.

Commissioner McLaughlin asked about 7A.6.7 and if we should add language that says "where no curb exists."

Commissioner McLaughlin asked if there is a definition of building frontage or do we need one.

Staff stated they did not believe we needed one and it is self-apparent.

Commissioner McLaughlin asked about signs per street frontage. Is this limited to just permanent signs and portable signs do not count.

Staff stated that this is true.

Commissioner McLaughlin suggested adding the word "concludes" to the end of the first paragraph of 7A.6.10.

Commissioner McLaughlin asked a question about UofA street banners and if there is a limitation related to the number of signs and distance from an event.

There is currently no limitation and staff believes it could create an Reed issue. It is possible for it to be address through a square footage limitation. However, staff needs to review and see if there are any legal issues here.

Commissioner McLaughlin asked about 7A.6.11 and if Premise belongs in definitions.

Staff stated they were attempting to reduce redundancy in the document and if it had regulatory impact it ended up in the document.

d. Non-Conforming Signs (Section 7A.9 in Preliminary Draft, Sections 3.96 – 3.100 in current Sign Code)

Jim Mazzocco, City Manager's Office, gave a presentation of the Non-Conforming Signs section of the Sign Code Revisions.

Commissioner McLaughlin clarified for the committee that the reason for the 20/20 ordinance was to reduce the amount of non-conforming signs in the City.

Commissioner McLaughlin asked about the Change of Use and using the word occupancy. She asked, is there another word we can use.

Staff stated they started out trying to convert the occupancy categories to land uses, but were concerned about the unintended consequences of doing so.

Commissioner Ench asked if there is a definition of occupancy.

Staff stated it is based on building codes and the international building code.

Commissioner McLaughlin asked about ghost signs where a building is demolished and the sign remains. She asked who tracks this type of thing.

Staff stated that these are supposed to come down. Even if this becomes a code enforcement issue, who is the one to take it down. Staff will look into this and how being in the UDC may be added to the demo permit process.

Commissioner McLaughlin asked about the phrase "The updating of electrical components for a non-conforming sign may be considered an approved alteration" and if we should include lighting.

Staff stated they would consider lighting within this definition.

Commissioner Cook asked a question about a project he is working on related to updating of components for an old electronic message center that no longer works. As written would they be able to change the sign with components as close as possible.

Staff stated that this would allow for upgrading to new components, but would be required to meet code related to rate-of-change, outdoor lighting code, etc.

Commissioner McLaughlin asked about signs that may be relocated subject to the following and if there is any opportunity for a non-conforming sign to be relocated.

Staff stated that it would not be allowed outside of individual sign option and historic landmark signs.

No action taken.

6. Call to the Audience

Rob East, member of Citizen Sign Code Committee, commented on the proposed sign code revisions. He spoke to the variability of projects that may need many tenants or few tenants. He warned about limiting the amount of tenants on signs with legibility standards related to three inch text. He stated the code needs to be simple and enforceable and this is not simple. He also spoke to color and that it is the sign users choice and the City should not regulate color. He stated they are already regulated by the Outdoor Lighting Code. He commented on how design is not enforceable and is a matter of taste. He recommended that the group incorporate the regulations related to EMC's that the CSCC has developed. He stated that the one hour time on EMC's is way too long.

Ben Beuler-Garcia, a Tucson resident, spoke to the need for simplification and cautioned that the new regulations do not create a need for new code enforcement or a large amount of new non-conforming signs. He urged that the community keep in mind the older historic signs as we are doing the roadway widening projects.

7. Adjournment

Meeting adjourned at 4:35 PM