



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

Monday February 6, 2017 2:00 P.M.  
Pima County Public Works Building  
Planning and Development Services - 3<sup>rd</sup> 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:

George Holguin	CSCC, City Manager's Office
Kathleen McLaughlin	CSCC, Ward 5
Jude Cook	CSCC, City Manager's Office
Shannon McBride-Olson	PC, Ward 2
Killian Harwell	PC, Mayor

Not Present:

Staff Members Present:

Russlyn Wells, PDSD, Zoning Administrator  
Daniel Bursuck, PDSD, 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 23, 2017**

It was moved by Commissioner McLaughlin, duly seconded by McBride-Olson, and carried by a voice vote of 5-0, to approve the January 23, 2017 Minutes with corrections as noted by Commissioner McLaughlin on page 4 related to the spelling of the word "whether".

**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 submitted suggested alternative for the purpose statement of the Sign Code Revisions. In particular, she spoke to the writing of the standards and the lack of clarity. She reviewed the purpose and realized that they originated with the previous sign code document, which was in paragraph form. The prose style of that original purpose statement does not work well when you plug it into a list. She stated that she has attempted to figure out the major concepts and rework the purpose statement to focus and narrow the concept so it is clear. She then compared the two documents and described the changes. She stated that ultimately the changes are to cut down on the verbage to allow someone to read a document and immediately see this is why this written and what it is all about.

Craig Masters, a member of the development community, spoke to the definition of premise and the Master Sign Program. He stated that the definition of premise may want to revise the last sentence to state “multiple development plans, parcels, lots, or ownerships.” He also stated that the Master Sign Program is a move in the right direction for the development community.

## **5. Review and Discussion by Subcommittee of Suggested Edits Matrix**

- a. Measurement, Location, and General Requirements (Section 7A.6 in Preliminary Draft, Sections 3.31 – 3.44 in Current Sign Code)

*Staff presented edit #17 from the Suggested Edits Matrix.*

Commissioner Cook stated that he has had a decent amount of push back related to the rate of change. He stated that he believed they had generally settled with the Citizen Sign Code Committee on five minutes. The MPA and Chamber are pushing the eight seconds, but he stated he would like to propose the five minute change and he thinks it is reasonable. It is also an issue of enforcement as one hour is very difficult to enforce.

Commissioner McLaughlin stated that she believes that the majority of the citizens of Tucson went along with the billboard referendum in 1985 and if we were to put it to the vote of the citizens for eight seconds, there would be a lot of push back. She stated that something more reasonable than an hour makes sense.

Commissioner Holguin stated that he agrees with the others and that he thought they had agreed with five minutes at the last meeting.

Commissioner McBride-Olson stated that she felt a few minutes, like five minutes would be fine.

Commissioner Harwell stated that maybe less would be better, but she is unsure of the industry standard as to why eight seconds is necessary.

Commissioner Cook explained there is a difference between it displaying information and it being a distraction. He stated that he believes five minutes is a reasonable rate, but he doesn't like eight seconds as ADOT suggests.

Commissioner McLaughlin-Olson stated that in an age of distracted drivers, we should not be adding to the distractions of drivers.

Commissioner McLaughlin stated that using the industry standard of ADOT is not correct. They may have a longer message that would require eight seconds. This does not apply to normal businesses.

Commissioner Cook stated that it needs to explicitly state there is no scrolling and has instantaneous change.

Commissioner McLaughlin stated that regarding animation, they used to call it a transition.

Commissioner Harwell stated that she is in favor of the five minute rate of change.

*Staff suggested we could add something related to animation and change it to five minutes.*

*Staff presented edit #18 from the Suggested Edits Matrix.*

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

*Staff presented edit #22 from the Suggested Edits Matrix.*

The Subcommittee generally agreed to the suggested redline edits for edit #22.

*Staff presented edit #26 from the Suggested Edits Matrix.*

Commissioner McLaughlin asked if status meant conforming or non-conforming.

*Staff stated that that is the case.*

Commissioner McBride-Olson asked if you could just state conforming or non-conforming status.

Commissioner McLaughlin asked if we should include a list of off-site signs in the submittal package.

*Staff stated that this is already required during the application process.*

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

*Staff presented edit #34 from the Suggested Edits Matrix.*

Commissioner McLaughlin asked where the dimensional regulations for the height and distance from back wall are listed for this.

*Staff stated that this is just defaulting to the wall sign standards.*

Commissioner McLaughlin stated that she doesn't believe that the people on the sign code committee who created these canopy signs regulations, would support this change. She stated she believes it should have a height restriction and be a distance from the wall.

Commissioner Cook stated that they have had six or seven variances. He requested that he do some homework on this item and report back to the Committee.

*Staff stated that canopy signs are only allowed in commercial and industrial zones, but not in residential zones.*

Commissioner McLaughlin asked about 7A.10.4.d and if it has been removed.

*Staff stated that all standards except for ".a" and ".b" have been removed.*

Commissioner McLaughlin stated that she believes the sign code committee will want to see more than just ".a" and ".b".

*Staff presented edit #36 from the Suggested Edits Matrix.*

Commissioner Cook stated that he thinks he understands, but he thinks it is wrong. He stated he believes it should be no "less" than 10 feet wide.

*Staff also presented a second option for edit #36.*

Commissioner McLaughlin stated that she believed that they talked about it needing to be at least 10 feet wide.

Commissioner Cook stated that when he read it, he read something different. Now that he read it again, he really doesn't like it. He asked if this second option is related to a physical sign. When we apply it to a sign like the Dicks Sporting Goods sign, it wouldn't even work. He also stated that it really annoys him that we even have to have a definition on this particular thing because if we can build it, you should be able to put a sign on it. While this fixes something, there shouldn't be a limitation. He stated that now we are controlling the sign on a parapet. Commissioner Cook stated that he thought this applies to a parapet,

and not a sign. The width issue is also a problem. The MPAs suggestion is for this to just be a wall sign with a definition of a parapet.

Commissioner McLaughlin stated that when they were talking about allowing wall signage on a flag wall, we were talking about limiting the size of the sign.

Commissioner Cook stated that there were some stunning signs done as part of the mid-century modern architecture and he would hate to see us preclude that with a hasty decision.

Commissioner McLaughlin stated that we did have a discussion a few weeks ago that if we had the area of a parapet or that sticks out, they would want it to return with some dimension.

Commissioner Holguin stated that they had also discussed adding in a restriction to the bracing of the signs and making sure it isn't visible. This needs to be concealed somehow.

*Staff clarified that the reason this is being addressed is because if a long standing interpretation of the code that allowed this. This added extended parapet option is codifying that interpretation. Staff suggested that we limit 10 feet in height and 100 square feet in area.*

Commissioner Cook stated that it helps to understand where this is coming from. In regards to Mr. Car Wash at River and Oracle, he stated that from our code, there is no reason he sees that they should not be able to put a sign on that "parapet." They do however have scenic corridor issues. He stated that he believes this limits what is a wall sign and limits creativity in signage. The street frontage will limit the amount of wall sign allowed and that should be sufficient. He stated he thinks we need a definition of parapet and that is all.

Commissioner McLaughlin stated this is something we need to get right so we are clear.

6. Review and Discussion by Subcommittee of Revised Preliminary Draft of Sign Code Revisions
  - a. Section 7A.1 Purpose, Intent, and Applicability

Jim Mazzocco, City Manager's Office, gave a presentation of the Purpose, Intent, and Applicability section of the Revised Preliminary Draft of Sign Code Revisions.

Commissioner McBride-Olson suggested the group come back to this section at the next meeting, once they have the changes to review the suggested purpose statement from Ruth Beeker.

*Staff agreed that we should return to this next week once everyone has a chance to review.*

b. Section 7A.2 Interpretation, Severability, and Non-Conforming Speech Substitution

Jim Mazzocco, City Manager's Office, gave a presentation of the Interpretation, Severability, and Non-Conforming Speech Substitution section of the Revised Preliminary Draft of Sign Code Revisions.

There were no comments on 7A.2 from the subcommittee.

c. Section 7A.3 Definitions

Jim Mazzocco, City Manager's Office, gave a presentation of the Definitions section of the Revised Preliminary Draft of Sign Code Revisions.

Commissioner Harwell asked if there is a reason we have a definition of acre.

*Staff clarified that this is a part of the UDC and does not apply to the sign code.*

Commissioner McLaughlin asked how we will know that the owner has manifested an intention to permanently cease the use of the sign structure.

Commissioner McLaughlin stated that she is concerned with how staff knows that this has happened. She suggested that perhaps this needs a time limit.

*Staff stated that this language directly from the current sign code and an enforcement issue that is taken care of through that section.*

Commissioner McLaughlin stated that as long as the attorneys are fine with it, she is.

Commissioner McBride-Olson asked if there should be a definition of balloon.

*Staff responded that the one balloon that is regulated is a fixed balloon. Primarily, if it is something that is generally understood, it should be fine.*

Commissioner McLaughlin stated that she is concerned with the use of the word façade and limiting it to the side or face of a building. She asked if this includes the rear of the building.

Staff stated that if it were on a street, it would be a face, if it were not, it would be a rear wall. Staff stated that this is an existing definition and has not been a problem in the past.

Commissioner McLaughlin asked about the definition of freestanding sign including three-dimensional representation and if that would be something like the wine bottle at Boondocks.

*Staff stated that this would be a good example of this.*

Commissioner Harwell suggested that we indent the subheadings for freestanding signs.

*Staff stated they would do so.*

Commissioner Cook stated that he has experienced problems with the interpretation of a freestanding low profile signs and the requirement for the base to be at least 2 feet in height. This created problems with how to fit the sign copy on the sign. He stated that the base doesn't need the limiter of two feet.

Commissioner McLaughlin stated that she also doesn't believe that the base needs to be solid.

*Staff clarified that these signs are allowed in O-1 and residential zones then stated that they would look into this problem.*

*Staff commented on the use of "original existing condition" and that it doesn't make sense.*

Commissioner Cook stated that he is ok with that.

Commissioner McLaughlin stated that she has an issue with the definition of temporary sign and the word rigidly and permanently installed. She believes we should strike the word "permanently" from the definition.

*Staff stated that they would make those edits.*

Commissioner McLaughlin asked about vehicle signs and if it is further in the code where it states the sign project into a portion of the vehicle.

*Staff stated that this is located in the general permitted signs section.*

d. Section 7A.4 Permits, Inspections, and Fees

Jim Mazzocco, City Manager's Office, gave a presentation of the Permits, Inspections, and Fees section of the Revised Preliminary Draft of Sign Code Revisions.

e. Section 7A.5 Violations, Enforcement, Penalties

Jim Mazzocco, City Manager's Office, gave a presentation of the Violations, Enforcement, Penalties section of the Revised Preliminary Draft of Sign Code Revisions.

f. Section 7A.6 Measurements, Location, and General Requirements

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

Commissioner McLaughlin asked about what the difference between development plan and development package.

*Staff clarified that a development plan is what used to be called a site plan. A development package is more than that, as it includes a development plan, but could also include grading SWPP, and building.*

Commissioner McLaughlin asked if there could be other types of environmental things included depending on where you are.

*Staff stated that yes, this could be the case. It could be an option in the future for the signs to be included in that package.*

Commissioner Holguin asked about all that is included in development package.

*Staff clarified that if it is reviewed concurrently, it could be more expansive. If it is just for a single sign, it may be less than that.*

Commissioner Holguin asked if you are applying for a sign, if you would be required to add things like all the parking lanes and dimension those.

Commissioner Cook stated that he thinks it would be an option to be included in the development package, but not for all projects.

*Staff stated that this would be the case.*

Commissioner Holguin asked if there is no approved development plan, could they submit a simplified site plan.

*Staff stated that this would be the case.*

Commissioner McBride-Olson asked if the sign copy rate of change will be changing on this portion.

*Staff stated that with the next version, the rate of change will be five minutes.*

Commissioner McLaughlin stated that under sign copy, we need to add something related to dynamics or transitions.

Commissioner McBride-Olson stated so no transitions or animations.

*Staff stated that they would add no transitions or animations.*

Commissioner Cook stated that the last three lines of the sign height measurement may need to be clarified.

*Staff stated that this is how we measure average finished grade and we are currently creating graphics for the document and this will be added.*

Commissioner Harwell asked if maybe clearance should be in definitions.

*Staff stated that we could do what we did with premise and add a reference.*

Commissioner McLaughlin stated that she had a comment when we were first going through related to noncommercial events in Signs In and Over the Rights-of-Way.

Staff stated that under Reed these need to be dealt with equally.

Commissioner McLaughlin asked about limiting the number of signs over the right of way or the distance from the event.

*Staff stated this would create problems for City-wide events and could create Reed issue related to content.*

#### g. Section 7A.7 Sign Design Options

Jim Mazzocco, City Manager's Office, gave a presentation of the Sign Design Options section of the Revised Preliminary Draft of Sign Code Revisions.

This section will be continued at the next meeting.

Commissioner Cook asked if we are putting in language to encourage dark skies friendly design.

*Staff stated that this is the idea. We are also proposing that a representative of the Outdoor Lighting Committee on the Sign Design Review Committee.*

Commissioner Cook stated that he is not adverse to this, but that we are going to get push back because we already have an outdoor lighting code that we are not doing a good job enforcing and utilizing. He stated that we need more enforcement and education of businesses that are not turning off their lights at

night. Much of it comes down to the color of the light. We could do a lot more if we just follow the Outdoor Lighting Code.

Commissioner McLaughlin stated that Rob explained to her that the reason signs are included in the lumen cap is because after parking lot lights, there isn't much left and the compromise is related to the color of the light.

## **7. Call to the Audience**

Ruth Beeker, a Tucson resident, spoke about the Sign Design Review Committee. In particular, she spoke to the makeup of eight members and thinks it is inclusive. She stated that setting the quorum so low, as it was originally proposed sets the bar very low for expected participation. It potentially allows for a very small group to make decisions. With a quorum of four it could potentially result in a two-two tie. She stated that a quorum number of five should be the required amount for the group. She suggested that when requesting people to serve make sure they are expected to attend. If they do not, you can simply remove them or ask them to resign. She also suggested that there could be alternates that would serve if the normal member could not attend the meeting. She stated that when a City sets its quorum levels so low, it becomes a self-fulfilling prophecy, that we do not expect you to attend. She also stated that TRRG is sponsoring open meeting law training on March 1, 2017 at 4PM at the Ward 6 Community Meeting Room, and everyone is invited. She stated that she would strongly support the Design Review Committee not have to follow open meeting law as it will allow people to have the opportunity to discuss freely.

Mike Addis, of Addisigns, spoke to edit number 26 related to list of signs on-site. In the past the sign department would visit the site and document the inventory on the site. He stated that this was due to the lack of information available to the sign industry. He stated that unless this has changed, do not duplicate the process and put the burden on the sign companies. In relation to parapets, he stated that he believes what Commissioner Cook is saying that this is coming into conflict with creative designs from outside of the state. Because of this it has forced variances in the past. He asked if the goal is to design the building or is the goal to make the restriction of the building something that is put into the sign code. He suggested the group speak to Steve Shell related to current definitions in the code. He spoke to lighting and that there are many nuances related to the temperature of a light. He stated that what is offensive in the Outdoor Lighting Company is not always aligned with what is offensive to the sign industry and creates a very complicated situation. He suggested we look at research done by the International Sign Association.

## **8. Adjournment**

Meeting adjourned at 4:40 PM