

# Sign Code Revision Project – Mayor and Council Direction, Staff roll, and process

**Joint subcommittee of the Planning Commission  
and Citizen Sign Code Committee**  
October 12, 2016

06/23/2017

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# Review of Meeting Process

- Open Meeting Law
- Role of Subcommittee and Outline of Approach to Documenting Subcommittee Discussion, Public Comments, and to Modifications of Preliminary Draft Sign Code
- Clarification of Timeline
- Management of Meeting

## 7A.1.1 Purpose (review of edits from October 17, 2016 meeting)

**Subcommittee Suggestions:** "promote equity between businesses and other sign users " in the revised version, 1st line.  
**Comment:** Don't think this belongs in the purpose statement.

**Redline Edit:** Accommodate the rights of individuals to freedom of speech, promote equity ~~between businesses and other~~ typical among all sign users and, enable the fair and consistent enforcement of these sign standards;



## 7A.1.1 Purpose (review of edits from October 17, 2016 meeting)

**Subcommittee Suggestions:** In the 3rd line suggest removing the word "prominent" from "protect prominent scenic views..."  
Strike hazard from - fear legibility.

**Redline Edit:** 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;



## 7A.1.1 Purpose (review of edits from October 17, 2016 meeting)

**Subcommittee Suggestions:** Add something about protecting dark skies and something more about tourism.

**Redline Edit:** No proposed edits at this time

**City Staff Comments:** This is something neither covered in the purpose statement of the current sign code nor is it a *Reed* issue. Dark skies are currently addressed and covered in the Outdoor Lighting Code. All permitted signs must comply with this. If anything related to the Outdoor Lighting Code is included, it should only be a reference to that governing Code.



## 7A.1.1 Purpose (review of edits from October 17, 2016 meeting)

**Subcommittee Suggestions:** Feel original wording about beauty and protecting our desert environment, etc. should be in the language. The language about makes Tucson special.

**Redline Edit:** “Foster a good visual environment for Tucson, enhancing the fragile desert and creating an aesthetic and enjoyable appearance for visitors and residents.”

## 7A.1.1 Purpose (review of edits from October 17, 2016 meeting)

**Subcommittee Suggestions:** Third item in the list -- delete "businesses" and just leave "individual". The safety concerns should be for the general community vs. individual.

**Redline Edit:** Balance the rights of ~~businesses and~~ individuals to convey messages through signs, against the aesthetics and safety hazards that come from the proliferation of confusing and objectionable sign clutter;

## Section 7A.1.2 Applicability (sections 3.2.C-D in current Sign Code)

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# Section 7A.2 Interpretations and Substitution Clause (sections 3.3 -3.7 in current Sign Code)

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## Section 7A.3 Definitions (section 3.11 in current Sign Code)

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# Section 7A.4 Permits, Inspections, Fees (Article 3 in current Sign Code)

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# Discussion of sign code revisions

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## Section 7A.1.2 Applicability (sections 3.2.C-D in current Sign Code)



## Section 7A.1.2 Applicability (section 3.2.C-D in current Sign Code)

### **Current Sign Code language section 3.2.C-D:**

3.2.C. Any sign authorized by this sign code is permitted to contain noncommercial copy in lieu of any other copy.

3.2.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.

## Section 7A.1.2 Applicability (section 3.2.C-D in current Sign Code)

### **Preliminary proposed Sign Code language section 7A.1.2:**

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, except where a deviation from the standards are is necessary to protect or promote public health, welfare or safety.

## Section 7A.2 Interpretations and Substitution Clause (sections 3.3 -3.7 in current Sign Code)



## Section 7A.2 Interpretations and Substitution Clause (section 3.3 in current Sign Code)

### **Current Sign Code language section 3.3:**

3.3. 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.

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## Section 7A.2 Interpretations and Substitution Clause (section 3.4 in current Sign Code)

### Current Sign Code language section 3.4:

3.4. 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. (continued on next slide)

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## Section 7A.2 Interpretations and Substitution Clause (section 3.4 in current Sign Code)

### **Current Sign Code language section 3.4 (continued):**

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. (continued on next slide)

## Section 7A.2 Interpretations and Substitution Clause (section 3.4 in current Sign Code)

### **Current Sign Code language section 3.4 (continued):**

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. (continued on next page)

## Section 7A.2 Interpretations and Substitution Clause (section 3.4 in current Sign Code)

### **Current Sign Code language section 3.4 (continued):**

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.

# Section 7A.2 Interpretations and Substitution Clause (section 3.5 in current Sign Code)

## Current Sign Code language sections 3.5:

3.5 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.



# Section 7A.2 Interpretations and Substitution Clause (section 3.6 in current Sign Code)

## Current Sign Code language sections 3.6:

3.6 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.

# Section 7A.2 Interpretations and Substitution Clause (section 3.7 in current Sign Code)

## Current Sign Code language sections 3.7:

3.7 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.

# Section 7A.2 Interpretations and Substitution Clause proposed preliminary draft language

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

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

# Section 7A.2 Interpretations and Substitution Clause proposed preliminary draft language

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

2. Interpretation of District Boundaries. 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 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 **of the Major Streets and Routes Plan.** (continued on next slide)

# Section 7A.2 Interpretations and Substitution Clause proposed preliminary draft language

## 7A.2 Interpretation, Severability and Non-Commercial Speech Substitution (continued):

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

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

# Section 7A.2 Interpretations and Substitution Clause proposed preliminary draft language

## 7A.2 Interpretation, Severability and Non-Commercial Speech Substitution (continued):

3. **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.

# Section 7A.2 Interpretations and Substitution Clause proposed preliminary draft language

## 7A.2 Interpretation, Severability and Non-Commercial Speech Substitution (continued):

4. **Severability and Non-commercial Speech Substitution. 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.



# Section 7A.3 Definitions (section 3.11 in current Sign Code)



# Section 7A.3 Definitions (section 3.11 in current Sign Code)

## Current Sign Code language section 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.

# Section 7A.3 Definitions (section 3.11 in current Sign Code)

## Current Sign Code language section 3.11 Definitions:

**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.

# Section 7A.3 Definitions (section 3.11 in current Sign Code)

## Current Sign Code language section 3.11 Definitions:

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

**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.

## Section 7A.3 Definitions (section 3.11 in current Sign Code)

### Current Sign Code language section 3.11 Definitions:

**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.

## Section 7A.3 Definitions (section 3.11 in current Sign Code)

### Current Sign Code language section 3.11 Definitions:

**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.



## Section 7A.3 Definitions (section 3.11 in current Sign Code)

### Current Sign Code language section 3.11 Definitions:

**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.

# Section 7A.3 Definitions (section 3.11 in current Sign Code)

## Current Sign Code language section 3.11 Definitions:

**W. *Emergency site locator.*** Consists of signs and markers required for direction of emergency vehicles in multiple tenant and multiple building complexes.

**X. *Facade.*** The side or face of a building.



# Section 7A.3 Definitions (section 3.11 in current Sign Code)

## Current Sign Code language section 3.11 Definitions:

**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. (continued on next page)



# Section 7A.3 Definitions (section 3.11 in current Sign Code)

## Current Sign Code language section 3.11 Definitions:

**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.



## Section 7A.3 Definitions (section 3.11 in current Sign Code)

### Current Sign Code language section 3.11 Definitions:

**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.



# Section 7A.3 Definitions (section 3.11 in current Sign Code)

## Current Sign Code language section 3.11 Definitions:

**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.

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## Section 7A.3 Definitions (section 3.11 in current Sign Code)

### Current Sign Code language section 3.11 Definitions:

**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.



## Section 7A.3 Definitions (section 3.11 in current Sign Code)

### Current Sign Code language section 3.11 Definitions:

**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.

# Section 7A.3 Definitions (section 3.11 in current Sign Code)

## Proposed preliminary Sign Code language section 7A.3 Definitions:

The terms used in **the** sign **standards** shall have the following meanings, unless the context otherwise requires:

### **7A.3.1 Definitions A**

**A-frame sign.** A type of portable sign.

**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.

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

**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.