



## **BOARD OF SUPERVISORS AGENDA ITEM REPORT**

Requested Board Meeting Date: November 17, 2020

Title: **P19TA00001 NEW SIGN STANDARDS, UPDATED ADDRESSING STANDARDS, AND A NEW DESIGN REVIEW COMMITTEE ROLE CONCERNING SIGNS**

### **Introduction/Background:**

The existing sign code has not been updated in 35 years. Sign technology has changed and a Supreme Court Ruling occurred in 2015 regarding sign content. This text amendment replaces the existing code although carrying forward some of the existing standards and revising other standards.

### **Discussion:**

The text amendment designates sign types not based on content but rather size, location, and manner; retains the existing billboard sign and nonconforming sign language; reflects revisions based on stakeholder comments; adds an incentive-based option; and addresses issues apparent through approved variances from the existing code. The text amendment would replace the existing sign code entirely, would update and correct other chapters' references to signs and update the addressing standards consistent with state law and development codes.

### **Conclusion:**

The text amendment would make the sign code consistent with a 2015 court ruling, recognize sign trends, and be more user friendly.

### **Recommendation:**

The Planning and Zoning Commission and Staff recommends APPROVAL of the proposed text amendment subject to the revisions on Attachment A (last pages of "P19TA00001 Staff Memo to Commission 1") and the change that Electronic Message Displays remain prohibited in the new code.

### **Fiscal Impact:**

N/A

### **Board of Supervisor District:**

☐ 1      ☐ 2      ☐ 3      ☐ 4      ☐ 5      ☒ All

Department: Development Services Telephone: 724-8800

Contact: Tom Drzazgowski, Chief Zoning Inspector Telephone: 724-6675

Department Director Signature/Date: \_\_\_\_\_

Deputy County Administrator Signature/Date: \_\_\_\_\_

County Administrator Signature/Date: \_\_\_\_\_

*[Signature]*  
*[Signature]* 11/2/2020  
*C. R. D. [Signature]* 11/2/2020



**TO:** Honorable Board of Supervisors

**FROM:** Chris Poirier, Planning Official  
Public Works-Development Services Department-Planning Division

**DATE:** October 29, 2020

**SUBJECT:** P19TA00001 NEW SIGN STANDARDS, UPDATED ADDRESSING STANDARDS, AND A NEW DESIGN REVIEW COMMITTEE ROLE CONCERNING SIGNS

The above referenced Zoning Code Text Amendment is scheduled for the Board of Supervisors' **TUESDAY, November 17, 2020** hearing.

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**REQUEST:** Proposal to amend by Ordinance, the Pima County Zoning Code.

**OWNER:** N/A

**APPLICANT:** Pima County Development Services Department

**DISTRICTS:** All

**STAFF CONTACT:** Tom Drzazgowski, Chief Zoning Inspector

**PUBLIC COMMENT TO DATE:** Since the Commission packet was distributed (10/13/20) staff have received to date: 53 emails of opposition, 1 letter with revisions, 11 letters of opposition, and two letters of support.

**PLANNING AND ZONING COMMISSION RECOMMENDATION:** APPROVAL (5-3; Commissioners Gungle, Matter, and Membrilla voted Nay; Commissioners Bain and Becker were absent) subject to the revisions on Attachment A and maintaining Electronic Message Display signs as a prohibited sign type.

**STAFF RECOMMENDATION:** APPROVAL subject to the revisions on Attachment A and maintaining Electronic Message Display signs as a prohibited sign type.



## **BOARD OF SUPERVISORS MEMORANDUM**

**Subject: P19TA00001**

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### **FOR NOVEMBER 17, 2020 MEETING OF THE BOARD OF SUPERVISORS**

**TO:** HONORABLE BOARD OF SUPERVISORS

**FROM:** Chris Poirier, Planning Official  
Public Works-Development Services Department-Planning Division

**DATE:** October 29, 2020

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### **ADVERTISED ITEM FOR PUBLIC HEARING**

#### **ZONING CODE TEXT AMENDMENT**

**P19TA00001**

#### **NEW SIGN STANDARDS, UPDATED ADDRESSING STANDARDS, AND A NEW DESIGN REVIEW COMMITTEE ROLE CONCERNING SIGNS**

A Proposal to repeal and replace, by Ordinance, the existing Chapter 18.79 (Sign Standards) of the Pima County Zoning Code, with the exceptions of the billboard standards and the nonconforming sign standards (Section 18.79.060). The Section 18.79.060 nonconforming sign standards are not changed. The billboard standards retain the existing language but are reformatted and renumbered. Except for the nonconforming sign standards (Section 18.79.060) and billboard standards, the proposal replaces the repealed sign standards with new sign standards intended to update and clarify sign standards, reflect current sign technology and trends, encourage good sign design, and protect Dark Skies and scenic values. The new standards affect the size, height, illumination, location, and other features of the time, location and manner of signs. The proposal also 1) amends, by Ordinance, Pima County Zoning Code Chapter 18.83 (Address Standards), Section 18.83.050 (Address display) to update addressing standards consistent with state regulations; 2) amends Chapter 18.99, (Review Committees), Section 18.99.030 (Design Review Committee) to authorize the Design Review Committee to review and decide requests for the Master Sign Program; 3) amends sign-related cross references in Chapter 18.09 (General Residential and Rural Zoning Provisions), Section 18.09.030 (Home Occupations) to refer home occupation sign requirements to Chapter 18.79 (Sign Standards); 4) amends Chapter 18.40 (MR Major Resort Zone), Section 18.40.030 (Development Standards) to repeal an incorrect and unnecessary cross-reference to Chapter 18.79 (Sign Standards); 5) amends Chapter 18.45

(CB-2 General Business Zone), Section 18.45.030 (Permitted Uses) to repeal the listing of signs as a permitted use in the CB-2 zone (while signs are permitted in the CB-2 zone other zones that also allow signs do not individually list signs as a use); and 6) amends Chapter 18.77 (Roadway Frontage Standards), Section 18.77.030 (Setback Lines for Streets) to update a sign-related cross-reference. On motion, the Planning and Zoning Commission voted to recommend **APPROVAL subject to the revisions on Attachment A and retaining Electronic Message Display signs as a prohibited sign type** (5-3; Commissioners Gungle, Matter, and Membrilla voted Nay; Commissioners Bain and Becker were absent). Staff recommends **APPROVAL subject to the revisions on Attachment A and retaining Electronic Message Display signs as a prohibited sign type.**

(All Districts)

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### **Planning and Zoning Commission Public Hearing Summary (October 28, 2020)**

(Due to the COVID-19 pandemic, the Planning and Zoning Commission hearing was conducted telephonically. Chairman Johns and staff were in attendance in-person, the remainder of the commissioners participated by phone, excluding Commissioner Becker, who was absent.) Staff noted first that everyone on the call will have a chance to speak and asked the Commission Chair if staff could respond to each speaker rather than wait until all speakers are done. The Commission Chair agreed.

Staff provided a presentation that outlined the history of the code and described the sign content court case and that the existing code could be in violation. Additional items presented by staff included that the sign code has not been updated for 35 years, incorporating new technologies, process of developing the drafts, the outreach to stakeholders, the input received, the major changes proposed to the existing code, the challenge of Electronic Message Display (EMD) signs, and that the proposed sign code takes a balanced approach. Staff discussed how the EMD issues throughout the drafting of the code and that there are many stakeholders with both positive and negative thoughts about these unique signs.

A commissioner commented on the significant undertaking and asked if all of the stakeholders on the list in the commission packet were contacted from the beginning of the process. Staff responded that most were, there were some stakeholders added on later, but stakeholders such as the Sierra Club and homeowner's associations were on the original list. Staff described the outreach to and response from the Sierra Club. Staff outlined that they had attempted to meet virtually and discuss the Sierra Club memo four different times. The commissioner asked whether in the past there had not been participation by one or two commissioners in significant text amendment processes. Staff responded that it has occurred but is not standard practice. The commissioner commented that the commission would have benefited from direct participation.

A motion was passed to open the public hearing.

Speaker 1: The speaker said his main concern is with lighting, noting that Tucson has a worldwide, positive reputation of preserved dark sky that is prized by astronomers despite it being a well-developed city. He said we would hate to see the dark sky go away and you cannot go back once it is lost, particularly if the lighting is caused by LEDs. He added that unlike other lighting they emit light that cannot be filtered – it is broad banded and cannot be removed. The speaker said he moved here to be near the dark sky. He stated that EMD signs cannot be allowed in a controlled way and still protect dark skies. He commented that the limitations proposed are a positive step but we have to be careful with the form of lighting that is allowed.

Staff responded that sign lighting is regulated through the Outdoor Lighting Code (OLC), that the EMD is the only type of sign being added that has to do with lighting. Staff encourages reduction in lighting impacts and explained the EMD sign restrictions including both the OLC and the zoning code. He said staff recognizes the relationship between the two codes and that in a separate process the OLC will be updated.

A commissioner commented that there may be confusion between a back lit sign and an EMD sign as far as limiting a sign to daylight hours. Staff responded that the daylight limitation applies to EMD signs. The OLC provides cut off times per geographic area, based on proximity to the observatories, but that 9 pm was incorporated into the Dark Sky option. The zoning code is not geographically based.

Speaker 2: The speaker stated she is an amateur astronomer who moved here for the dark skies and for the telescopes that are here, and knows many other people who have done the same. She commented that until today there has not been the opportunity for public involvement in this text amendment process. She stated that enforcement will not limit EMD light which radiates outward and enforcement has not been occurring. The speaker noted her concern about the option to allow increases in size and height and suggested that it be removed, it could be disastrous. The revisions should be sent back to staff and consider eliminating EMD signs because enforcement of time restrictions cannot be counted on.

Staff responded that they generally agree that after spending a significant amount of time with the astronomers it is clear that the lighting is different with EMD signs. Staff discussed that there are competing interests and they are attempting to take a balanced approach. Staff added that enforcement could be proactive, they do have a robust enforcement division, and staff could add conditions to the permit to alert the applicant of the requirements. He added that the staff report listed other options available for limiting EMD signs.

Speaker 3: The speaker stated he is a retired electrical engineer and a resident of the Madera Reserve subdivision, and called attention to the letter sent by the homeowners' association president. He read some excerpts from the letter. He said that light that escapes upward is a detriment and that sky glow from elsewhere affects even the most protected OLC area. Any time there are additional, unshielded light sources there is impact as the light does not go by boundaries. This risk is a continuing concern to an industry of great value to Arizona. The speaker commented that enforcement has been spotty so do not mitigate through enforcement.

Staff noted that the enforcement system is complaint based and reiterated about being more proactive with the enforcement. A commissioner asked how would you make it more proactive. Staff replied that for a set period of time, proactive enforcement could be used to get good compliance and make sure the signs are extinguished. Enforcement staff would know where the signs are and check them. Conditions could be added to the permit to alert the applicant. Staff added that some EMD signs have been approved through variances and provided an example of a problem EMD sign that was properly addressed. He added that they are so visible making it easier to enforce standards. The commissioner responded that he thinks on a busy road, people will assume the signs meet the standards and not file a complaint. He suggested requiring the EMD signs to be turned off prior to sunset so that they are clearly visible when in violation.

Speaker 4: The speaker described his experience with sign codes, stating he represents the Billboard Review Committee (BRC). He said the BRC is close to an agreement with staff on the text amendment wording regarding moving signs but not fully in agreement. He said that listening to the astronomers it is clear there is not agreement there. He commented that the balanced approach means there is a tradeoff is between selling more hamburgers versus negatively

impacting a multi-million dollar business in Southern Arizona. He stated that personally he thinks EMDs should not be allowed particularly now that brightness and technologies are changing, causing a worse impact. The speaker commented that the text amendment needs to be postponed because we are probably six months away from approval or from where people can agree. He urged the commission to table this text amendment and provide more time.

A commissioner asked what kind of organization the Billboard Review Committee is – whether it is county or city based. The speaker responded that it is based on the billboard court settlement case and that another speaker could provide the committee's history.

Speaker 5: The speaker stated she is representing Gates Pass Area Neighborhood Association. The association wants to retain the scenic quality of the area and is requesting a no vote. They do not want more signs. She said her understanding is the EMD sign could be full color and be in a residential area, that the text amendment would increase sign height, reduce the setback, and allow department staff to make more exceptions. The speaker described a past variance request for an EMD sign for the International Wildlife Museum in their area. It would have created major traffic distractions in the area and they want to retain the area's natural resources.

The Commission Chair discussed the availability of information regarding this text amendment on the Development Services Department website.

Staff clarified some of the text amendment changes such as the reduction in setbacks to zero, noting that signs will still be 20 – 40 feet from pavement, the revision to revert the maximum sign area for nonresidential uses in residential zones back to the existing code standard of 32 square feet and that maximum height would be 10 feet while the existing code allows up to 14 feet and 18 feet. The text amendment tries to provide visibility while still protecting views.

Speaker 6: The speaker stated they represent the organization Scenic Arizona and they are opposed to the text amendment. He stated it represents a massive deregulation and that many new sign types would be allowed, with significant increases in signage. He recommends denial and that a community-based committee of organizations that are not self-interested be created. He commented that there has been a tremendous amount of misrepresentation over last couple years that the text amendment just simplifies and updates the existing code; there has been little alerting of the public, the board, commissioners that this is a major change to the existing code. The speaker commented that the process is almost exclusively limited to sign users until recently, adding that the original Board memo mentioned nothing about engaging environmental groups or scenic organizations like his. He stated he has only received one communication in early September, that the Sierra Club was first contacted in late August, and the Billboard Review Committee was never proactively contacted. He commented that the billboard section was not supposed to be changed, but he found revisions. He said that neighborhood and homeowners associations had only been brought into participation in the last six weeks. He commented that staff's responses to the Sierra Club items do not affect their core issues. The speaker proposed that the text amendment should be tabled or recommended denial and the Board set up a different process.

Staff clarified that the only new sign type allowed is an EMD signs and regarding working with billboard industry, staff has had no interaction with them. Staff directed attention to the memos to the commission, the stakeholders list, his previous description of how the process occurred, that neighborhood groups were notified and that staff was looking for a balanced approach.

Speaker 7: The speaker represents the Whipple observatory. She said she discovered that a number of stakeholders with significant interests were not included such as the Green Valley

Council, multiple large homeowner's associations and smaller astronomy organizations. She said a thorough review of other jurisdictions in the state found that many have outright bans, nit limits, and require devices that make sure the sign turns off and these are not in this text amendment. She would like more thought going into the text amendment before it moves forward. She stated that Scottsdale, as an example, has significant restrictions on EMD signs. The speaker said it is important to take all of that into account and make sure tourism is protected. She would like everyone to vote no and send the text amendment back for revision.

Staff responded that they have worked with the speaker and her team and have reached out to stakeholders throughout the process.

A commissioner asked what the motivation for allowing EMD signs is; what do we gain as a community by allowing them. Staff responded they are looking at the balanced approach to conservation and business development, the perceived benefit to businesses with a newer technology. He added that EMD signs are included in the rewrites of sign codes in this area and the intention is to find a solution acceptable to all. Whenever a text amendment is being done, staff looks at what variances the public is requesting and the variances approved and there have been EMD signs approved. Staff added that the sign industry would argue there is more messaging with these signs so you could have fewer signs. The commissioner commented that to him this seems more like an arms race in that if we keep playing at a level surface, then a business is not given an advantage. We don't need to allow EMD signs. All the community gains with EMD signs or more signage in general is visual blight and increased traffic safety issues. The commissioner stated the community is not gaining anything but is losing a lot.

Speaker 8: The speaker represents the Metropolitan Pima Alliance (MPA) and stated that they have been engaged in this sign code amendment effort and other efforts by surrounding jurisdictions. She said she understands the concerns about outreach, the timeline, and the EMD signs. She described how staff has presented several times to the organization and added that she engages in the text amendment processes because she frequently checks the website to see what is happening. The speaker said they appreciated the collaboration on this text amendment and believe that certain points of contention should not hold up the entire code, adding that she cannot think of a single example where everyone was happy with all of a new sign code. She commented that time will not get us there, that two years is sufficient and the existing code is in violation of a court ruling. The proposed code is in line with other surrounding jurisdictions, there is some consistency and it should be moved forward.

Speaker 9: The speaker stated he is an astronomer, the assistant director of Steward Observatory, and a member of the Arizona Astronomy Consortium (AzAC). He acknowledged staff's efforts to reach out to astronomers and appreciates the stated intention to protect dark skies but said a compromise will ultimately do harm to the observatory. The reason is the EMD signs, the LED light boards which project a substantial portion of their light above the horizon. The EMD is the most damaging to astronomer's ability to observe the dark sky. He commented that he recognized a couple of provisions were put into the text amendment for protection but beyond that staff and astronomers part company. He said they do not think enforcement will mitigate impacts. He added that the statement in the text amendment that says the lighting cannot be visible from above puts the entire burden on permitting. It is a provision that is a violation on its face, meaning it propagates the kind of light that the OLC prohibits. The speaker said he appreciates the application of the "Dark Sky" restrictions to obtain a larger sign but there is still the potential for more light. He said they want to be going in the other direction. He also stated that this proposal does not have a sunset clause so sign owners could claim vested rights, that even if the OLC is changed, they are still allowed to operate. It is not good practice without a sunset clause. The speaker stated that he is speaking on behalf of four major observatory sites

and their investors are looking at what jurisdictions are doing and whether their investment is protected so this text amendment is a serious concern for them.

Staff responded that they met several times with these stakeholders, understand their perspectives, and are aware of the EMD sign issue but are seeking a balanced solution.

Speaker 10: The speaker stated she has been involved in sign issues since 1985 in the form of a citizens sign committee. She said this text amendment should be tabled until there is more input particularly from astronomers. The speaker questioned why the commissioners would risk any negative impact to the astronomy industry. The speaker asked how you can agree to a sign type that relies on some type of enforcement. She commented that staff did not really have an enforcement methodology identified, that EMD signs break all the rules in the City of Tucson, and the County should not allow the EMD sign type. The speaker said she is interested in the Sierra Club's analysis and questioned why you would increase wall signage, adding that if you increase the amount of signage as much as 3900 percent then you are going to impact the astronomers. She commented that one of the commissioners mentioned visual blight, scenic views, and traffic safety issues and she also appreciated the previous speaker's comments about having a sunset clause and protected rights.

Speaker 11: The speaker said he represents the Tucson Amateur Astronomy Association which does a lot of education on astronomy and has at least 240 events for schools and the public. He said this level of activity is supported because of the OLC restrictions. The speaker stated that EMD signs will significantly impact astronomy, there is also the traffic safety impact, and they will also cause a great deal of glare. He says there should be no EMD signs and that he agrees with the astronomers' recommendations. This text amendment should be deferred and further studied. He added that some EMD signs are very bright and better enforcement is already needed.

Speaker 12: The speaker stated he is in favor of code change and appreciates staff's work. He said it is a move in the right direction and will help businesses in Pima County.

Speaker 13: The speaker said he represents the Tucson Mountains Association. He thanked staff for meeting with him and answering questions. He said he did not realize that residential sign requirements would be increased. He commented that from what he hears there needs to be more protection of the astronomy industry. He said he supports the Gates Pass Area Association and recognizes that there is probably more impact to them than the Tucson Mountains Association because the TMA area does not have much commercial development. He added that TMA supports the astronomy organizations who this might impact more. The speaker asked there could be fines for violating the sign code.

Staff explained the violation and fine process and why enforcement is a complaint-based system.

A commissioner asked why the tribal nations were not on the stakeholder list. Staff responded that they fall under their own jurisdiction, they are not subject to these requirements. He added that staff did not directly reach out to them, but this is a public process and a public hearing which is legally advertised. Staff pointed out that interest grows towards the date of the hearing and the hearing is an opportunity for input. Staff also pointed out that the commission has the ability to carve up the text amendment, to recommend approval of some parts and not others. That it is important to 'not lose the baby with the bathwater'. The existing code is not content neutral. The commission can break out the problem area and advance the rest of it. The problem area can be returned to at a later date. He added that if that occurs, staff would like the sign industry to be front and center as they know the technical abilities of these signs and they need to be at the table too.

A commissioner said if we move forward with this code the way it is now with EMD signs and some of the other lighting elements in the text amendment, then we may be seeing the beginning of the end of the astronomy and optics industry in southern Arizona and that is a huge concern. This is a significant portion of our economy; it is clean, high-tech, and brings good jobs. It is also our night skies. The commissioner said he remembered when some astronomers made a presentation to the commissioner in the past and they were really excited that the community had gone to bat for them. He continued that everything he had heard today says that this could be a giant step backwards. The commissioner said if the EMD sign issue can be peeled away to discuss later, along the same lines anything to do with lighting should be peeled away because he does not know yet the ramifications of the entire rewrite of the code. He said he does not know the impact of these changes; EMD signs are a huge part but, not all of problem. He said that increases in signage increases illumination – the trade off of all of that is not clear to him. He stated that if we are going to peel off parts to look at more closely then he proposes that any kind of lighting be taken off the table, adding that would lead to looking at a lot of the code so maybe it is better to do the whole thing.

Staff said the only introduction of new lighting is the EMD sign and the text amendment offers incentives to get more signage with greater dark sky restrictions. It reinforces the importance of dark skies and incentivizes doing better than the OLC. Staff evaluated site specific scenarios comparing the existing standards to the proposed standards and found no big impact. This information was provided to the commission. He added that the zoning code is not a lighting code, the OLC is the restrictive lighting code and we should work with the OLC committee on these issues.

The commission voted to close the public hearing and hearing was closed.

The chair commented that the staff has put a lot of work in the text amendment that does not have to do with lighting.

A commissioner asked if with proper enforcement if the astronomers would still be concerned about EMD signs. Staff responded that they don't want to speak for them but based on discussions with them, the astronomers would still be concerned that allowing EMD's in any fashion could open the door to further loosening of requirements over time. The commissioner stated there is a role for variable message signage in directing traffic.

In response to the commissioner's point about more signage could mean more illumination, a discussion occurred about whether illuminated signs count toward the overall allowed lumens for a site. It was clarified that internally illuminated signs are exempt from the lumen limits. Staff maintains that the proposed sign code is not expanding sign area enough to impact lighting. Staff brought up examples of site specific comparisons between existing and proposed signage and discussed the reduction in sign setbacks.

A commissioner commented there is a lot of confusion here and we apparently have a lot of questions. Staff responded that they think the commission is in a good enough position to make a recommendation if EMD signs are removed from the text amendment.

A commissioner noted that the staff report quotes how important the astronomy industry is to this state. He said his biggest goal on the commission is to promote smart growth and smart planning and key concepts are looking at direct and indirect multipliers. He cited the value of astronomy compared to selling additional hamburgers. He said we have a chance to maintain our reputation with some smart decisions, the community does not need EMD signs, and there are no arguments for EMDs to increase traffic safety. There are interactive technologies that don't require these

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signs. He suggests postponing any consideration of EMD signs to do a good economic analysis and look at the big picture. He commented that the MPA does not consider the big picture. He added that the dark sky is an economic asset to our region. We've got to be smarter.

A commissioner suggested that for significant text amendments in the future that have a lot of information and potential questions, that a month before the agenda item's hearing, do an introduction and explain the terms so we are prepared. Staff responded it could be a study session and that at the initiation of a significant text amendment, a game plan could be addressed.

Commissioner Hook made a motion to recommend **APPROVAL** of the Zoning Code Text Amendment P19TA00001 subject to the revisions of Attachment A and designating the EMD sign type as prohibited; Commissioner Cook gave a second. Upon a roll call vote, the motion to recommend **APPROVAL** subject to the revisions of Attachment A and designating the EMD sign type as prohibited passed (5-3; Commissioners Gungle, Matter, and Membrila voted Nay, Commissioners Bain and Becker were absent).

TD/JE/ds  
Attachments

cc: Tom Drzazgowski, Chief Zoning Inspector  
P19TA00001 File

ATTACHMENT A  
(to the 10/23/20 staff memo to the Commission)

Staff requests the Planning and Zoning Commission make the following modifications to Draft 3:

1. Require for freestanding signs a maximum sign area of 32 square feet and 6 feet in height for nonresidential uses in the ML, SR, SR-2, SH, CR-1, CR-2, CR-3, CR-4, CR-5, CMH-1, CMH-2 zones.

This is a compromise to Sierra Club's items #4 & 8.

2. Require a maximum of one freestanding sign per site for freestanding signs with street frontages of less than 300 feet.

This is a compromise to Sierra Club's item #5.

3. Require a minimum side yard setback of 10 feet for freestanding signs.

This is same as Sierra Club's item #6.

4. Require a minimum 10-foot front setback for freestanding signs greater than 10 feet in height.

This is a compromise to Sierra Club's item #7.

5. Delete the standards for "limited access, high volume arterial roadways".

This is same as Sierra Club's item #9.

6. Require that interstate style freestanding sign faces be perpendicular to or substantially oriented to the through travel lanes of the interstate.

This is same as Sierra Club's item #10.

7. Require a maximum 15-foot height limit for freestanding signs for hospital uses.

This is a compromise to Sierra Club's item #11.

8. Require drive-through lane sign faces be oriented only to the drive-through lanes and located a maximum of 6 feet from the edge of the lanes.

This is same as Sierra Club's item #12.

9. Require a maximum height limit for drive-through lane signs of 7 feet.

This is same as Sierra Club's item #13.

10. Add "Building Entry Sign" with a definition of "An on-site sign at the entry or access point of a multi-tenant, non-residential building or development." and the associated standards of a maximum sign area of 40 square feet, a maximum height of 8 feet, a minimum setback

of 40 feet, and the sign face shall not be oriented to the street.

This is same as Sierra Club's item #14.

11. Add "Minor Sign" with a definition of "Small, on-site and close to the ground." and the associated standards of a maximum sign area of 6 square feet, a maximum height of 4 feet, and a minimum setback of 25 feet.

This is same as Sierra Club's item #15.

12. Add "Subdivision entryway sign" with a maximum area of 40 square feet, maximum height of 8 feet, and limited to 1 per entryway with a maximum of 2 per subdivision.

This is same as Sierra Club's item #16.

13. Require a maximum sign area of 30 square feet for a wall sign for nonresidential uses in the ML, SR, SR-2, SH, CR-1, CR-2, CR-3, CR-4, CR-5, CMH-1, CMH-2 zones.

This is a compromise to Sierra Club's item #17.

14. Require a maximum number of 5 signs on a tenant or building wall.

This is a compromise to Sierra Club's item #19.

15. Require a maximum sign area for a window sign to be 30% of the window area and a maximum number of illuminated window signs of 1 per frontage and 2 total per site.

This is same as Sierra Club's item #22.

16. Revise the definition of "concealed sign" to read "A permanent or temporary on-site sign that is within the boundaries of a premises, obscured from and not legible from adjacent public right-of-way. Examples: indoor signs and signs located within an outdoor courtyard. Does not include a billboard."

This is a compromise to Sierra Club's item #29.

17. Remove inflatable or air-activated signs as a permitted sign type.

This is same as Sierra Club's item #31.

18. Require a maximum sign area of 6 square feet and height of 3.5 feet for portable signs.

This is same as Sierra Club's items #32 & 33.

19. Require portable signs be removed during the time between the close of business to the next opening of business.

This is same as Sierra Club's item #34.

20. Require a minimum 4-foot horizontal clearance on sidewalks for portable signs.

This is same as Sierra Club's item #35.

21. Require "Portable signs are not to be permitted in parking areas, including islands and spurs, and shall have a minimal clearance of 3 feet from the perimeter of parking areas."
- This is same as Sierra Club's item #36.
22. Require "Banners shall be rigidly affixed to building walls at all four corners."
- This is same as Sierra Club's item #37.
23. Require "The maximum cumulative display time for a banner sign is 90 days per calendar year with the 90 days to be divided into no more than two time periods."
- This is same as Sierra Club's item #39.
24. Require "Window signs are not allowed on the exterior side of windows."
- This is same as Sierra Club's item #40.
25. Require a maximum sign area for a temporary window sign to be 25% of the window.
- This is same as Sierra Club's item #41.
26. Require moving signs (under prohibited signs) to state "Moving signs, except on-site electronic message display sign components expressly allowed under Sections 18.79.080(C)(10) and (E)(8))" and define moving sign as "A sign that flashes, blinks or reflects light, changes physical position, or conveys the illusion of movement by mechanical means, illumination, or air movement."
- This is same as Billboard Review Committee's item #3.
27. Require sign area measurement be defined as:
- Sign area measurement:
- a. Background panel: A sign placed on a background panel is measured as the area contained within the outside dimensions of the background panel;
  - b. Individual letters or symbols: A sign with individual letters or symbols placed separately on a building wall, awning or other structure without a background panel, is measured as the sum of the smallest rectangular shape needed to enclose each letter or symbol;
  - c. Illuminated panel: A sign in an illuminated panel is measured as the entire illuminated surface area;
  - d. Multiple components: A sign displayed in more than one component, e.g., a service station identification and price sign, is measured as the area enclosed by the smallest rectangle encompassing all the components.
28. Add this definition of canopy sign "A sign mounted on a canopy which is a permanent fixture, often made of metal or glass, that is attached to a structure."

**PIMA COUNTY DEVELOPMENT SERVICES DEPARTMENT  
PLANNING DIVISION  
STAFF REPORT TO THE PLANNING AND ZONING COMMISSION**

**PUBLIC HEARING  
OCTOBER 28, 2020**

**P19TA00001**

**SIGN STANDARDS UPDATE**

**STATUS / AGENDA ITEMS**

**Planning and Zoning Commission Public Hearing  
Zoning Code Text Amendment**

**REQUEST**

**P19TA00001 NEW SIGN STANDARDS, UPDATED  
ADDRESSING STANDARDS, AND A NEW DESIGN REVIEW  
COMMITTEE ROLE CONCERNING SIGNS**

A Proposal to repeal and replace, by Ordinance, the existing Chapter 18.79 (Sign Standards) of the Pima County Zoning Code, with the exceptions of the billboard standards and the nonconforming sign standards (Section 18.79.060). The Section 18.79.060 nonconforming sign standards are not changed. The billboard standards retain the existing language but are reformatted and renumbered. Except for the nonconforming sign standards (Section 18.79.060) and billboard standards, the proposal replaces the repealed sign standards with new sign standards intended to update and clarify sign standards, reflect current sign technology and trends, encourage good sign design, and protect Dark Skies and scenic values. The new standards affect the size, height, illumination, location, and other features of the time, location and manner of signs. The proposal also 1) amends, by Ordinance, Pima County Zoning Code Chapter 18.83 (Address Standards), Section 18.83.050 (Address display) to update addressing standards consistent with state regulations; 2) amends Chapter 18.99, (Review Committees), Section 18.99.030 (Design Review Committee) to authorize the Design Review Committee to review and decide requests for the Master Sign Program; 3) amends sign-related cross references in Chapter 18.09 (General Residential and Rural Zoning Provisions), Section 18.09.030 (Home Occupations) to refer home occupation sign requirements to Chapter 18.79 (Sign Standards); 4) amends Chapter 18.40 (MR Major Resort Zone), Section 18.40.030 (Development Standards) to repeal an incorrect and unnecessary cross-reference to Chapter 18.79 (Sign Standards); 5) amends Chapter 18.45 (CB-2 General Business Zone), Section 18.45.030 (Permitted Uses) to repeal the listing of signs as a permitted use in the CB-2 zone (while signs are permitted in the CB-2 zone other zones that also allow signs do not individually list signs as a use); and 6) amends Chapter 18.77 (Roadway Frontage Standards), Section 18.77.030 (Setback Lines for Streets) to update a sign-related cross-reference. (All Districts)

## STAFF REPORT

***Why change the sign code?***

This text amendment is intended to update the sign regulations consistent with a 2015 Supreme Court Ruling, to align regulations with current sign technology and trends, and to provide a clearer format for the sign regulations which promotes visibility of signs for safe traffic flow to and from sites.

2015 Supreme Court Ruling

The Supreme Court Ruling on the 2015 case *Reed v. the Town of Gilbert* has caused jurisdictions across the country to reevaluate their sign codes. With the case, the U.S. Supreme Court considered the issue of how freedom of speech impacts the municipal regulation of signs. In this case, the town of Gilbert (Arizona) had adopted an ordinance involving the display of outdoor signs. Each type of sign was regulated differently under the ordinance, including different restrictions on size and areas where they could be placed. The First Amendment to the United States Constitution prohibits states from enacting laws that abridge the freedom of speech. Municipal governments may not "restrict expression because of its message, its ideas, its subject matter, or its content." Laws that regulate speech based on the expressive content of the speech are presumptively unconstitutional; such restrictions are only permissible when they are narrowly tailored to serve a compelling state interest. The case arose from the Good News Community Church (Clyde Reed is the pastor and plaintiff) which did not have its own building so it held services in elementary schools and other buildings and advertised through temporary signs in various locations around Gilbert. The Town of Gilbert cited the church for violating the sign code. The church filed suit claiming the town abridged their freedom of speech on the basis that different types of signs, depending on their message, had their own applicable regulations.

The Supreme Court held that the sign ordinance's restrictions were content-based regulations of speech that did not survive strict scrutiny, the most difficult level of review the courts utilize on constitutional issues. It found that the sign was treated differently by the town based solely on the purpose of the sign and not on the size, shape, location or other "content neutral" restrictions. In order to survive strict scrutiny, the town had to demonstrate that the regulations furthered a compelling governmental interest and are narrowly tailored to that end. The town cited aesthetics and safety as the reasons. Regarding aesthetics, the Court found that temporary directional signs were no greater of an eyesore than political signs, yet they were treated differently under the code. Similarly, the Court found no greater traffic safety concerns between the categories of signs. Thus, the ordinance was struck down as unconstitutional. Ultimately, the test is: if someone has to read a sign in order to determine whether a regulation applies, the regulation is not content-neutral and can be subject to legal challenge. Examples of content-neutral sign regulations are sign size, location, whether the sign is illuminated or not, the number of signs, and whether a sign is freestanding or attached to a building.

Therefore, some signs in the current Pima County Zoning Code such as "construction," "time and temperature," or "real estate property" signs may not be considered content neutral. This text amendment collapses the existing code's approximately 25 sign types into these basic 8 types:

freestanding, wall, suspended, window, and several temporary sign types. Construction and real estate sign types, for example, are absorbed into the freestanding sign type in the proposed text amendment.

#### Align regulations with current sign technology and trends

The last significant update of Pima County's sign standards was almost 35 years ago. A lot has changed in the field of signage, particularly the advent of Electronic Messaging Display (EMD) signs (a.k.a. electronic message centers) and digital signs with Light Emitting Diodes (LEDs). These signs potentially allow all kinds of movement, colors, and effects so they can have a significant impact.

The number of variance requests (requests for exceptions from the zoning code) for a specific zoning code standard may signal the need to review that standard, especially if the variances are regularly approved. Staff looked at the sign variances that have been approved by the Boards of Adjustment over the last 3½ years and found the trends listed below. Out of 23 sign variance requests from the existing sign code regulations:

- 15 were to increase the height of freestanding signs
- 11 to increase size of freestanding signs
- 8 to reduce the setback of the sign from the property line to zero feet
- 4 to allow electronic message display signs
- 4 allow an extra freestanding sign on the site
- 2 to increase the number of wall signs allowed
- 2 to increase the number of sign panels
- 2 to allow signs in bufferyards

Almost all of the variance requests were approved (and those that weren't were withdrawn). Decreasing the setback, increasing size of and the height of freestanding signs are the most common requests and can suggest a review of those regulations. Most requests resulted in limited neighbor opposition and appeared to not adversely affect neighboring property owners.

#### Provide a clearer format for the sign regulations

The proposed text amendment's reduction in sign types in response to the court case has simplified the sign standards (collapsing approximately twenty-five sign types into eight). Other standards of the existing code removed by this text amendment are the number of panels on a sign and the number of sign faces. Leaving these design decisions to sign companies is based on the assumption that it is to the company's benefit to make sure a sign is legible, otherwise it defeats the purpose. Instead of regulating signs by individual zoning district, the proposed text amendment distinguishes between what is allowed in residential areas versus non-residential areas. To accommodate conditional uses (commercial type uses) in rural and residential areas, the definition of non-residential includes rural and residential properties with an approved development plan or conditional use permit. Also, by definition, a residential subdivision site in its entirety is considered "non-residential" to allow for an entryway sign identifying the subdivision.

Another goal was to make the code user-friendly by consolidating all of the restrictions for a particular sign type in one location of the chapter and having a consistent format.

## Major changes to the existing sign code reflected in this text amendment

Some of the major changes to the code are:

- Allowing EMD signs which the existing sign code prohibits.
- Establishing the proposed Master Sign Program to allow small (non-billboard), off-site signs, potentially in the right-of-way and requiring approval by the Pima County Department of Transportation or designee. The Master Sign Program would allow flexibility from the sign code (e.g., signs in the right-of-way are not otherwise allowed) subject to certain criteria such as a cohesive, consistent design that meets the illumination measures of the Dark Sky Protection Option and other requirements. The program requires an application and the review and approval by either the Planning Official for Tier 1 for less impactful requests or the Design Review Committee (at a public hearing) for Tier 2 which includes more significant requests which may impact neighboring property owners. This kind of program has worked in other local jurisdictions. The tiered approach was created in response to stakeholder comments that the program allowed too much staff discretion.
- Allowing certain temporary signs such as A-frame and T-frame signs, and limited inflatable signs.
- Increasing the number of freestanding signs from one sign per frontage to one sign per permitted access point per site.
- Reducing the minimum setback to zero feet from the property line (unless it interferes with traffic visibility).
- Increasing freestanding, canopy, and wall maximum sign area.
- Providing an incentive-based option to increase sign area and height if the signage adheres to the proposed Dark Sky Protection Option.

Other changes are a new method of measuring sign area, defining “concealed signs” in terms of legibility rather than visibility, no longer restricting sign faces or the number of panels, and adding a new section disallowing restrictions based on sign content.

## Existing sign standards carried forward by the proposed text amendment

In collaboration with the Billboard Review Committee, planning staff determined that it would be best if the billboard section (Section 18.79.080(A) of proposed ordinance) remain unchanged by this text amendment. One of the reasons is due to a 2006 court case settlement (*Pima County v. Clear Channel*). The settlement agreement expires in August 2023. The only revisions are reformatting and renumbering of the existing billboard language. Also with input from stakeholders, the section on non-conforming uses (18.79.060) remains the same as the existing sign code.

The purpose statement which helps to solve interpretation challenges remains focused on traffic safety, allowing for freedom of speech, identification, and advertising balanced with the other community and business interests of traffic safety, minimizing light pollution, and protecting scenic resources and aesthetics. The purpose statement was reordered in the proposed text amendment (compared to an earlier draft) in response to stakeholder comments.

Signs such as abandoned signs, roof signs, searchlights, and signs with sound (except drive-through lane signs) remain prohibited.

The proposed text amendment continues to require that signs along designated scenic routes be “monument style.” Monument style is defined in Chapter 18.77 (Roadway Frontage Standards), Section 18.77.040(B)(2) (Scenic routes) as the base of the sign being 50% of the width of the sign. Most of the major roadways in Pima County are designated scenic routes therefore requiring freestanding signs to be monument style. [\[Pima County Scenic Routes Plan\]](#)

### **Determining what sign standards to carry forward and what to change**

Changes to the sign standards reflected in this text amendment are based on stakeholder input, staff experience with what businesses and sign companies request, variance requests, the County’s emphasis on promoting economic development, and other jurisdictions’ standards (the City of Tucson, and Towns of Marana and Sahuarita have also recently updated their sign codes subsequent to the Supreme Court ruling).

Attachment 1 is a sample comparison of several sign standards between the existing Pima County standards, the proposed standards, similar City of Tucson standards and similar Town of Marana standards. The codes are not completely comparable (for example, the Town of Marana has sign types that the proposed text amendment does not have such as directory signs and subdivision entryway signs).

The changes reflected in the proposed text amendment underwent review to try to balance the interests of advertising and identification with the interests of traffic safety, minimizing light pollution, protecting Dark Sky, maximizing energy efficiency, and protecting our scenic resources and aesthetics.

The most challenging type of sign to address throughout this process is EMD signs. There is strong demand for these signs as reflected in the comments from sign companies and business community stakeholders. Striking the right balance between competing interests is difficult. For example, at the request of stakeholders one feature of EMD signs is the message change time or duration; it was increased (from a previous draft) from 7.5 seconds to 60 seconds.

The importance of protecting Dark Sky and astronomy cannot be overemphasized. There is significant economic value of astronomy to the local economy and encouraging and requiring a Dark Sky promotes these critical jobs and associated economic benefits. The Arizona Commerce Authority website says, “Arizona’s most recent advancements in astronomy, planetary, and space sciences research has generated an estimated \$252 billion and 3,300 jobs for Arizona.” Astronomy is also considered a “clean industry” with high quality jobs, and an important astronomy offshoot is Arizona’s optics industry. The loss of Dark Sky resources has multiple effects such as degrading ecosystems by disrupting circadian rhythms of wildlife and humans, wasting energy (unnecessary lighting is wasteful economically and environmentally), brighter does not mean safer (in fact signs that are too bright are traffic hazards), the community’s ability to appreciate the nighttime sky, and degrading human health (exposure to blue light in particular which is a component of EMD signs). And, there are already other negative impacts on astronomy that are difficult to regulate, such as from mining and satellites.

Many jurisdictions restrict EMD signs through the color range allowed, how fast the movement is, how bright they are, and other features. EMD signs are also regulated by the Outdoor Lighting Code (OLC) and state statutes restricting electronic billboards. The 2012 billboard legislation made electronic billboards illegal in much of the state, the exceptions being the western portion of the state and the Phoenix metropolitan area. The bill was intended to keep electronic billboards out of sensitive dark sky areas and limit them in others.

Staff considered a range of possible options to address EMD signs:

- Prohibit entirely (they are prohibited by the existing code)
- Daytime use only to avoid conflict during nighttime observatory viewing time
- Require a Conditional Use Permit (CUP) to allow an EMD sign
- Consider the signs as unshielded lighting therefore subject to the OLC (for example LED and LCD signs are limited to 200 nits)
- Allow but subject to more restrictive standards such as limiting the color range – for example to amber only
- Prohibit EMDs in OLC's "E1 areas" or state statute-prohibited areas for electronic billboards
- Limiting the signs through the types of motion allowed
- Follow the Maricopa County model in geographically restricting EMDs based on the type and level of impact
- Limit development sites (large shopping centers and other commercial sites) to one EMD freestanding sign

Given the concerns and comments raised by supporters and opponents of EMD signs, staff attempted to find common ground where EMD signs can be permitted to promote business development while also protecting the critical astronomy observations that occur in the overnight hours. The proposed text amendment limits EMD signs to "Operational only during daylight hours. Daylight hours is defined as one hour prior to sunrise and one hour after sunset." The representatives of astronomy and Dark Sky interests have been active and collaborative participants in this process to revise the sign code. While these stakeholders do not support staff's proposal, we have discussed the potential options with them and we believe the solution secures the critical nighttime observation time frame without light pollution from these signs. Staff is open to other changes that can assist the astronomy community while still promoting economic development opportunities.

Subdivision directory signs are another challenge. These are small, temporary, and off-site (and potentially in the right-of-way) signs that direct potential home buyers to new subdivisions, often in undeveloped areas. The allowance of these signs is a big stakeholder concern. Also, special event signs (e.g., church services or fundraising sales) are challenging because they fulfill very specific purposes under the purview of court-related content issues and are used on a temporary basis, often in the right-of-way. The proposed text amendment addresses these signs through the Master Sign Program described previously (see page 4).

### **Consistency with Comprehensive Plan**

This text amendment reflects the Pima County Comprehensive Plan's goals of balancing the interests of economic development and protecting natural resources such as Dark Sky for the

long term viability of the region. The comprehensive plan references the importance of Dark Sky, of the astronomy and optics industries, of the unique natural resources of this area, and fostering economic opportunities.

### **Stakeholder and Public Outreach**

Upon initiation of this text amendment, staff informed the Planning and Zoning Commission that they would work with interested parties such as major sign companies, neighborhood groups, developers and developer groups, observatories, and others to create a balanced text amendment to present to the commission. The following describes the participation process undertaken for this text amendment.

Starting with the Development Services Department's standard list of stakeholders who review all of our proposed text amendments, the distribution list was expanded to add astronomers from area observatories, to add parties who participated in the processes to revise the City of Tucson (for example, Sierra Club) and the Town of Marana's sign code (various business groups), owners/representatives of major sign companies, persons recommended by the Board of Supervisors, parties involved with the billboard court case, homeowner associations, and participants in some of the County's recent sign variance cases. Staff continued to add to the distribution list as more people showed interest in the process or were recommended to staff (see Attachment 2).

Instead of the typical practice of developing a draft text amendment for stakeholders to review, staff began this effort by reaching out to stakeholders and asking them what they wanted to see in a new set of sign standards. Since the sign code had not been substantially updated since 1985, it was likely staff would replace the existing regulations. Our first request for ideas was sent out in January 2019. Staff asked for written comments or to meet and discuss participants' ideas. The first group to respond to our request were astronomy representatives.

Throughout the process, staff met with the following:

- Representatives of the Arizona Astronomers Consortium (AzAC) and a representative of the International Dark-Sky Association - three meetings
- Owner of a major, local sign company - multiple meetings
- Metropolitan Pima Alliance (MPA) - staff presented at two meetings
- Board of Adjustment District #1 member (that district has been a recipient of many of the sign variance requests) – one meeting
- Tucson Metropolitan Chamber of Commerce – one meeting with a representative
- Southern Arizona Homebuilders Association (SAHBA) - presented to and met with members multiple times through their technical committee and individually
- Members of the Billboard Review Committee – one meeting (and have requested another meeting as of this writing)
- Pima County Small Business Commission – the project was presented by County economic development staff and DSD staff met with a member of the Commission
- Member of the Southeast Regional Council – one meeting
- Neighborhood activists involved in recent sign variance cases – one meeting
- Davis Monthan Air Force Base - staff received a “no comments” response
- Green Valley Council – one meeting

Staff received extensive written comments from the International Sign Association, associated with the Arizona Sign Association, the owner of a second major, local sign company, SAHBA members, the astronomy consortium, the Sierra Club, and the Billboard Review Committee. Staff benefited from discussing sign code update processes with planning staff from the City of Tucson and the Town of Marana plus the other help they provided. In typical planning tradition, many ideas (for example, Master Sign Program, “Exceptional Design” program) were “borrowed” from other jurisdictions’ sign codes.

As of the writing of this staff report, staff has offered to schedule a meeting with the Sierra Club, another meeting with the Billboard Review Committee, and a meeting with the Tucson Mountains Homeowners Association but have not heard back.

Staff distributed Draft 1 of the proposed text amendment on January 28, 2020 asking reviewers to meet with us or submit written comments. Attachment 3 reflects the written comments received on Draft 1 and how they were expressed in Draft 2, with a recent update. Staff distributed Draft 2 on August 18, 2020 requesting comments. Attachment 4 lists the written comments received on Draft 2 and how they are reflected in the formal ordinance (Draft 3).

Additionally, throughout the process the project was featured on the DSD website requesting participation.

### **Other revisions to the Pima County Zoning Code by this text amendment:**

#### Updating Addressing Standards (Section 6 of the proposed text amendment)

The proposed addressing revisions apply to the display of address numbers, primarily the height of address numbers. This is a change to reflect state statutes and to align with the 2012 International Fire Code (IFC) section 505 and the 2018 International Residential Code (IRC) section 319.

#### Revisions to Sign-related Cross-references

For a text amendment process, this is commonly considered to be “housekeeping” – cleaning up inaccurate or no longer correct cross-references from other chapters of the zoning code to the sign code chapter. The revisions are:

Section 1 of the proposed text amendment: The proposed text amendment treats home occupation signs as single-family, residential signs that are allowed a maximum sign area of six square feet and a maximum height of six feet. The existing limit of two square feet is no longer consistent with state statutes.

Section 2: The proposed text amendment deletes this unnecessary cross-reference. No matter the zone, the key source for sign standards is Chapter 18.79. There are also two, corrected cross-references.

Section 3: The proposed text amendment deletes this unnecessary cross-reference because while signs are permitted in the CB-2 zone, other zones that also allow signs do not individually list signs as a use.

Section 4: The proposed text amendment deletes this unnecessary cross-reference. No matter the zone, the key source for sign standards is Chapter 18.79.

Revisions to the Design Review Committee's (DRC) Role Regarding Signs (Section 7)

In response to stakeholder comments, it was determined that the DRC should hear and decide the more significant Master Sign Program (see page 4 for description) requests. Staff amended the Master Sign Code Section to add that role to the DRC's function according to Chapter 18.99 (Review Committees), Section 18.99.030 (Design review committee).

**STAFF RECOMMENDATION**

Staff recommends **APPROVAL** of the proposed zoning code text amendment to update Chapter 18.79 Sign Standards.

The text amendment reflects a balancing of community interests based on stakeholder comments throughout the process, often-approved variance requests, staff experience with customer requests, best planning practices and technical standards, and other jurisdictions' sign codes. It may undergo further shaping and fine-tuning through the public hearing process but the foundation, tools, and information have been provided through the ordinance, the staff report, and the staff report attachments to serve the Commission and Board of Supervisors.

Respectfully Submitted,

Janet Emel and Tom Drzazgowski

Attachments

ORDINANCE 2020-\_\_\_\_\_

AN ORDINANCE OF THE BOARD OF SUPERVISORS OF PIMA COUNTY, ARIZONA, RELATING TO ZONING; AMENDING: CHAPTER 18.09 (GENERAL RESIDENTIAL AND RURAL ZONING PROVISIONS), SECTION 18.09.030 (HOME OCCUPATIONS) TO REFER HOME OCCUPATION SIGN REQUIREMENTS TO CHAPTER 18.79 (SIGN STANDARDS); CHAPTER 18.40 (MR MAJOR RESORT ZONE), SECTION 18.40.030 (DEVELOPMENT STANDARDS) TO DELETE AN INCORRECT AND UNNECESSARY CROSS-REFERENCE TO CHAPTER 18.79 (SIGN STANDARDS); CHAPTER 18.45 (CB-2 GENERAL BUSINESS ZONE), SECTION 18.45.030 (PERMITTED USES) TO REPEAL THE LISTING OF SIGNS AS A PERMITTED USE IN THE CB-2 ZONE; CHAPTER 18.77 (ROADWAY FRONTAGE STANDARDS), SECTION 18.77.030 (SETBACK LINES FOR STREETS) TO UPDATE A SIGN-RELATED CROSS-REFERENCE; REPEALING AND REPLACING THE EXISTING PIMA COUNTY ZONING CODE CHAPTER 18.79 (SIGN STANDARDS), WITH THE EXCEPTIONS OF THE BILLBOARD REGULATIONS AND THE NONCONFORMING SIGNS REQUIREMENTS WHICH ARE LIMITED TO REFORMATTING AND RENUMBERING, THE NEW SIGN STANDARDS ARE INTENDED TO: 1) IMPROVE THE CLARITY OF THE STANDARDS; 2) REFLECT CURRENT SIGN TECHNOLOGY AND TRENDS; 3) ENCOURAGE GOOD SIGN DESIGN; AND 4) PROTECT DARK SKIES AND SCENIC VALUES; AMENDING THE PIMA COUNTY ZONING CODE CHAPTER 18.83 (ADDRESS STANDARDS), SECTION 18.83.050 (ADDRESS DISPLAY) TO UPDATE ADDRESSING STANDARDS CONSISTENT WITH STATE REGULATIONS; AND AMENDING CHAPTER 18.99 (REVIEW COMMITTEES) SECTION 18.99.030 (DESIGN REVIEW COMMITTEE) TO AUTHORIZE THE DESIGN REVIEW COMMITTEE TO REVIEW AND DECIDE REQUESTS FOR THE MASTER SIGN PROGRAM.

THE BOARD OF SUPERVISORS OF PIMA COUNTY, ARIZONA FINDS THAT:

1. The Planning and Zoning Commission, at its November 28, 2018 hearing, initiated and authorized staff to amend the Pima County Code to update the sign code Chapter 18.79 (Sign Standards) consistent with a 2015 Supreme Court Ruling, to align regulations with current sign technology and practices, and to provide a clearer format for the sign regulations.
2. This ordinance replaces the existing sign code with standards that are updated, content-neutral, and simplified, with the exceptions of the regulation of billboards (Section 18.79.080(A)) and nonconforming signs (Section 18.79.060). This ordinance is not intended to change the regulation of billboards; the regulation of billboards has only been reformatted and renumbered. This ordinance is not intended to change the regulation of nonconforming signs (Section 18.79.060). The new regulations in the ordinance reflect technological changes in

signage and the importance of maintaining Dark Skies, while allowing for advertising and identification. The ordinance corrects sign-related cross references in other chapters of the zoning code and updates the Addressing Standards consistent with recent state legislation.

3. This ordinance does not create new restrictions on the use of property, and this ordinance is not intended to, nor should it be construed to reduce any existing rights to use, divide, sell or possess private real property.

BE IT ORDAINED BY THE BOARD OF SUPERVISORS OF PIMA COUNTY, ARIZONA:

Section 1. Pima County Code Chapter 18.09 is amended as follows:

Chapter 18.09

GENERAL RESIDENTIAL AND RURAL ZONING PROVISIONS

...

18.09.030 Home occupations.

- A. General Standards. Home occupations are permitted so long as they meet the following standards:

...

13. In accordance with Section 18.79.070(A). ~~The maximum sign area permitted shall not exceed two square feet. The maximum height of any ground sign shall be four feet.~~

Section 2. Pima County Code Chapter 18.40 is amended as follows:

Chapter 18.40

MR MAJOR RESORT ZONE

...

18.40.030 Development standards.

...

H. Exterior Lighting. In accordance with the ~~County Light Pollution~~ Outdoor Lighting Code (Title 15).

~~I. Signs. Refer to Section 18.79.050 O (Signs).~~

Section 3. Pima County Code Chapter 18.45 is amended to repeal the reference to signs as a permitted use because, while signs are permitted in the CB-2 Zone other zones that also allow signs do not individually list signs as a use. Chapter 18.45 is amended as follows and subsequent subsections are renumbered accordingly:

#### Chapter 18.45

#### CB-2 GENERAL BUSINESS ZONE

...

#### 18.45.030 Permitted uses.

A. Any uses as permitted in Section 18.31.010 (TR Transitional Zone) and in Section 18.43.030 (CB-1 Local Business Zone).

B. Additional uses:

~~1. Advertising sign or structure: In accordance with Chapter 18.79 (Sign Standards);~~

~~2. Ambulance service;~~

~~3. Amusement or recreational enterprise (within a completely enclosed structure), including:~~

...

~~4. Amusement or recreational enterprise (outdoor), including: . . .~~

Section 4. Pima County Code Chapter 18.77 is amended as follows:

## Chapter 18.77

### ROADWAY FRONTAGE STANDARDS

...

18.77.030 Setback lines for streets.

...

#### B. Setback Lines in General.

...

#### 3. Setback Exception for ~~Signs~~, Walls, Fences and Private Swimming Pools.

a. ~~Setback requirements for signs shall be as specified in Section 18.79.030 Sign Standards;~~

b. Walls and fences shall be permitted within required yards and setback areas as specified in Section 18.07.050(B), Exception for Walls and Fences, and Chapter 18.73, Landscaping, Screening and Buffering Standards;

eb. Private swimming pools are permitted within required setback areas as specified in Section 18.07.030(D)(1) (Land Use Regulations — Swimming Pools — Private).

...

Section 5. Pima County Code Chapter 18.79 (Sign Standards) is repealed and a new Chapter 18.79 (Sign Standards) is adopted, except that this ordinance is not intended to change the regulation of billboards. The regulation of billboards is only reformatted and renumbered. And except that this ordinance is not intended to change the regulation of nonconforming signs (Section 18.79.060). Chapter 18.79 is adopted as follows:

### Chapter 18.79 - SIGN STANDARDS

18.79.010 – Purpose.

- A. It is the purpose of this chapter to authorize the use of signs that:
1. Promote traffic and pedestrian safety and minimize risk of personal injury and property damage from unregulated and improper sign placement and construction;
  2. Encourage legibility of sign information along street frontages, reduce visual clutter, and encourage the clearest possible visual perception of existing uses and existing signs;
  3. Provide equitable opportunities for free speech, identification and essential communication, enable wayfinding, retain businesses and promote economic development;
  4. Protect astronomical observation by protecting dark skies and minimizing light intrusion onto adjacent property; and,
  5. Encourage an aesthetic appearance compatible with the surrounding human and natural environment along street frontages, improving the quality of the visual appearance of the community, and the clear visibility of the natural environment.
  6. Promote signs that are appropriate to the type of activity to which they pertain, are well-designed, are of appropriate scale, and are appropriately integrated into the built and natural environment;
- B. Whenever a conflict arises in the enforcement of this chapter or more than one interpretation is possible, the purposes stated in Section 18.79.010(A) shall serve as guidelines in resolving the conflict or interpretation.

18.79.020 - General.

- A. A sign shall comply with the Pima County building codes (Title 15).

- B. A permit is required for all signs unless otherwise stated.
- C. No sign shall be installed, placed, or maintained within unincorporated Pima County except in conformance with this chapter or as allowed by a state or federal law preemption of this chapter.
- D. If provisions of this chapter are in conflict with any other provision of the code, the more restrictive requirement shall apply.
- E. No sign shall cause a safety hazard for pedestrians or vehicles.
- F. No content restrictions.
  - 1. Any sign allowed under this chapter may contain, in lieu of any other copy, any otherwise lawful message that complies with applicable dimension, lighting, design, spacing, and approval requirements of this chapter.
  - 2. This chapter is intended to regulate signs in a manner that does not favor commercial speech over non-commercial speech and does not regulate non-commercial speech by message content.
  - 3. Any regulation that distinguishes between on-site and off-site signs applies only to commercial messages, and allows any non-commercial message.

18.79.030 - Definitions and sign types.

- A. Definitions "A".
  - 1. Abandoned sign: A sign which advertises, identifies or gives notice of a use which is no longer in operation or an activity which has already occurred. A permanent, on-site sign which applies to a temporarily-suspended use shall not be deemed to be abandoned unless the suspension exceeds one year.
  - 2. A-frame sign: A portable sign typically constructed of wood or plastic that folds out to form the shape of an "A".
- B. Definitions "B".

1. Banner: A temporary sign constructed of a flexible material hung or attached to a building, wall or fence on which copy or graphics may be displayed.
2. Billboard: An off-site sign displaying advertising sign copy that is pasted, painted or fastened in a manner to permit its periodic replacement and that does not pertain to the sign location.
3. Building frontage: 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 of the front of the measured wall.

C. Definitions "C".

1. Change of sign copy: A replacement or modification of the message or design of an existing sign face without modifying the size, shape, framework or structure of the sign. It allows the changing of messages by means of non-electronic sign copy.
2. Concealed sign: A permanent or temporary on-site sign that is within the boundaries of a premises, not legible from adjacent public right-of-way. Examples: indoor signs and signs located within an outdoor courtyard. Does not include a billboard.
3. Correlated color temperature (CCT): A measurement of how yellow or white/blue emitted light is, as measured in kelvins. A low CCT is the amber end of the light spectrum. High CCT outdoor lighting causes light scattering, diminishing dark skies.

D. Definitions "D".

1. Danger sign. A sign that is necessary to warn of danger.

2. Development complex: A site, having common vehicular access points, which is subject to the development plan requirements of Development Plan Standards (Chapter 18.71), including waiver.
  3. Drive-through lane sign: An on-site sign of a drive-through or drive-in use.
- E. Definitions “E”. Reserved.
- F. Definitions “F”.
1. Flag: A piece of cloth or similar material on a pole or rope used as a marker, symbol or emblem of a country or institution or as a decoration during an event.
  2. Freestanding sign: An on-site sign erected or mounted on a self-supporting, permanent base detached from supporting elements of a building. Does not include a billboard sign.
  3. Freestanding interstate style sign: A sign not supported by another structure and located along an interstate such as Interstate 10 (I-10) and Interstate 19 (I-19).
- G. Definitions “G”.
1. Governmental sign: A sign constructed, placed, or maintained by a government agency or a sign that a government agency requires to be constructed, placed, or maintained.
- H. Definitions “H”. Reserved.
- I. Definitions “I”.
1. Illuminated sign: A sign that uses any artificial light either projecting through its surface or reflecting off its surface.
    - a. Conventional internally illuminated sign: A sign made visible in darkness by a source of light, concealed or contained within the sign that shines through a translucent surface.

b. Electronic message display sign: An on-site sign, display, or device with a sign face that is comprised of matrices of light or light-emitting devices that are static or capable of changing messages electronically by remote or automatic means. Does not include a billboard.

c. Externally illuminated sign: A sign with illumination derived entirely from an external, artificial source.

d. Indirectly illuminated sign: A sign with a light source that is not seen directly.

2. Inflatable or air activated signs: Structures which are inflated or activated by air and used for advertising purposes.

J. Definitions "J". Reserved.

K. Definitions "K". Reserved.

L. Definitions "L".

1. Landscape area: The square footage of a ground cover surrounding a sign creating an aesthetic effect by the use of plant material and inorganic material including but not limited to grass, trees, shrubs, planters, brick, stone, natural forms, water forms, aggregate and other landscape features, but not including the use of concrete, asphalt or outdoor carpeting.

2. Landscaping ratio: The relationship between the landscape area surrounding a sign and the sign area.

M. Definitions "M".

1. Maximum luminous intensity: The maximum allowed of the measure of the amount of light that a point source radiates in a given direction. It is measured in candles or nits with one nit equivalent to one candela per square meter.

N. Definitions "N".

1. Neon sign: An electric sign lighted by long luminous gas-discharge tubes that contain rarefied neon or other gases, and that are bent to form letters, shapes, and other sign adornment.

2. Nonconforming sign: A sign, constructed with a valid permit, existing on April 1, 1986, which does not comply with this chapter.

3. Non-residential area: Areas with business and industrial zoning, and areas with residential or rural zoning with an approved development plan or conditional use permit. An approved subdivision plat in its entirety as a site, not as individual lots, may be considered non-residential.

O. Definitions "O".

1. Off-site sign: A sign that is not an on-site sign.

2. On-site sign: A sign directing attention to a use, activity, facility, product or service existing at the property on which the sign is placed.

P. Definitions "P".

1. Political sign: A temporary sign relating to a political candidate, political party or issue in a public election, as allowed by Arizona Revised Statutes.

2. Portable sign: A freestanding, moveable sign not permanently affixed to any building, structure, or embedded into ground. Examples include A-frame signs and T-frame signs.

Q. Definitions "Q". Reserved.

R. Definitions "R".

1. Residential area: Areas with residential or rural zoning with no approved development plan or conditional use permit.

2. Roofline: The top edge of the roof or the top of the parapet, whichever forms the top line of the building silhouette.

3. Roof sign: A sign that projects above the roofline of a building to which it is attached.

S. Definitions “S”.

1. Sign: A name, identification, description, display or illustration affixed to or painted or represented directly or indirectly on a building or other outdoor surface that directs attention to or is designed or intended to direct attention to the sign face or to an object, product, place, activity, person, institution, organization, or use.
2. Sign area allotment: The allowed amount of sign copy area.
3. Sign copy: Any word, letter, logo, number, design, figure or other symbolic representation incorporated into a sign.
4. Street frontage: Measured as the length of a lot or development fronting on a public or private street.
5. Suspended sign: A sign hanging from an awning, from a canopy, a covered walkway, porch, roof overhang, or a sign projecting from a building.

T. Definitions “T”.

1. Temporary sign: A portable sign, a sign not permanently embedded in the ground, or a sign not permanently affixed to a building or permanent sign structure.
2. Tenant space: The area or portion of a building leased by an individual or entity; may include the property owner.
3. T-frame sign: A portable sign that stands creating the shape of two, joined “T”s.

U. Definitions “U”. Reserved.

V. Definitions “V”. Reserved.

W. Definitions “W”.

1. Wall sign: A permanent sign fastened, attached, or connected to, or supported in whole or in part by a building or structure.
2. Window sign: A sign affixed to the interior or exterior of a window, or placed immediately behind a window, and visible from outside of the building.

18.79.040 - Prohibited signs. No person shall erect, alter, maintain, or relocate any sign specified in this section unless regulated elsewhere:

A. Prohibited sign types.

1. Abandoned signs.
2. Cloth or paper signs attached to the exterior surface of a window or a building except a private, temporary sign in a residential area or as allowed as a banner.
3. Electronic message display components of a billboard.
4. Flashing, blinking, reflective, inflatable or animated signs, including signs with an intermittent or varying color or intensity of artificial illumination, whether deliberate or as a consequence of a defect in the sign or illumination source, except as expressly allowed by the provisions of signs with electronic message display components (Sections 18.79.080(C)(10), (E)(8)) or inflatable or air activated signs (Section 18.79.090(D)).
5. Mechanical movement signs, including revolving signs.
6. Off-site signs, except those expressly allowed by Section 18.79.100(B).
7. Ribbons, streamers, balloons, or pin flags, except as expressly allowed by the provisions of inflatable or air activated signs (Section 18.79.090(D)).
8. Roof signs projecting above the top of the wall parapet, or roofline, or mounted on a roof.
9. Searchlights.

10. Sound: Signs emitting sound, except as expressly allowed by drive-through lane signs.

11. Statues used for advertising.

B. Signs that obstruct the free and clear vision of motor vehicle operators or signs placed in any location where by reason of position, shape, or color may interfere with, or be confused with, any authorized traffic sign, signal, or device. A sign that because of its intensity of light constitutes a nuisance or hazard to vehicular traffic, pedestrians, or adjacent properties.

18.79.050 – Exempt signs. The following signs are exempt from the application, permit and fee regulations of this chapter, although the applicable development standards apply and an electrical or building permit may be required:

A. Concealed signs.

B. Danger signs: No greater height or size than is required to give the public adequate warning.

C. Flags: Ten or fewer flags with poles no greater than twenty feet in height.

D. Governmental signs.

E. House numbers, nameplates and addresses as required by Address Standards (Chapter 18.83).

F. Memorial signs, tablets or cornerstones, grave markers, headstones, statues, and historical markers or cornerstones, not exceeding eight square feet in area.

G. Political signs as allowed by Arizona Revised Statutes.

H. Portable “A” and “T”- frame signs.

I. Signs on a single-family, residential property of a cumulative sign area of six square feet, not exceeding six feet in height unless attached to a wall or structure, and not illuminated.

J. Signs attached to a service station pump or signs integrated into the design of an automated bank teller machine.

K. Vehicle signs that are incidental to vehicle use. Exception: A vehicle that is regularly located for the primary purpose of displaying the sign.

L. Window signs that comply with the requirements of Sections 18.79.080(F) or 18.79.090(G).

18.79.060 – Nonconforming signs.

A. This chapter shall not apply to a sign, constructed with a valid permit, existing on April 1, 1986, which does not comply with this chapter, except as provided below.

B. Change of Use: A nonconforming sign shall comply with this chapter before the issuance of a certificate of occupancy which creates a change of use.

C. Damaged or Destroyed Sign: A nonconforming sign damaged to the extent of requiring a new building permit shall be replaced with a conforming sign.

D. Relocation: A nonconforming sign shall not be relocated without compliance with this chapter.

E. Alteration: A nonconforming sign shall not be altered to the extent of requiring a new building permit without being brought into compliance with all the regulations of this chapter.

1. Exception: A freestanding sign remaining in the same location may be altered, subject to the following conditions:

a. Maximum sign area may be the greatest of:

1) That permitted in the zone;

2) Sixty-four square feet in commercial or industrial zones only;

or

3) Fifty percent of the area of the nonconforming sign;

- b. Maximum sign height may be the greatest of:
  - 1) That permitted in the zone;
  - 2) The height of the roof line of the tallest main building on the site;
- c. Setback. Ten feet from the front property line;
- d. All structural components and braces (such as pipes, angle iron, cables, internal or back framing) shall be concealed with a pole cover or architectural embellishment.

F. Landmark Sign. A sign erected prior to the effective date of the ordinance codified in this chapter shall be given the status of a landmark sign and shall be exempt from the regulations of this chapter if the design review committee finds it has significant cultural or historical character as a landmark.

G. Two-for-one Replacement of Billboard Support Structure. A billboard with a wooden support structure may be replaced with a metal support structure for a billboard of the same sign area provided it meets the following requirements:

- 1. Illumination: None;
- 2. Maximum height: 24 feet; and
- 3. A second existing billboard with a wooden support structure is removed within 30 days of the issuance of a permit for the replacement support structure.

#### 18.79.070 – General regulations.

A. Each single-family, residential property is allowed an on-site, cumulative sign area of six square feet, not exceeding six feet in height unless attached to a wall or structure, with no limit on the number of signs. Illumination of signage is prohibited.

B. Measurement:

1. Sign area allotment is measured as the total area covered by the sign copy including a letter, logo, number, design, figure or other symbolic representation incorporated into a sign.



Example: The “sign area” is measured as the total area within the red outline.

2. Sign height is measured as the vertical distance from the average finished grade beneath the sign to the topmost feature 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 crown of the road nearest the property if no curb exists) to the topmost feature of the sign.
- C. Multiple components: A sign which is subject to more than one classification shall meet the requirements for the classification to which each portion is subject.
- D. Illumination.
1. Signs may be illuminated, except where expressly prohibited in this chapter.
  2. A sign shall comply with the standards of the Outdoor Lighting Code (Chapter 15.12).
  3. A light source of a sign shall not be visible from:
    - a. Above except as allowed in the Outdoor Lighting Code (Chapter 15.12), and,
    - b. An adjacent property or street.
- E. Permitting.

1. The sign-property owner or the sign-property owner's representative may apply for a sign permit. A sign-property owner's representative shall provide an authorization letter from the owner of the property on which the sign is to be installed.
2. Except as expressly allowed in subparagraph 3 below, a sign permit is required prior to constructing, installing, placing, altering, or relocating any sign.
3. A sign permit is not required for any of the following:
  - a. Change of sign copy;
  - b. An exempt sign as defined in this chapter;
  - c. A sign allowed by a state or federal law preemption of this chapter;or,
  - d. Sign maintenance that does not change the design of the sign.
4. Permit fees. In accordance with the fee schedule adopted by the Board of Supervisors.
5. Application.
  - a. The sign portion of a permit application shall be submitted for all signs requiring a permit.
  - b. The sign portion of a permit application must be accompanied by all items required by the application checklist.
6. Permit suspension or revocation. In addition to enforcement pursuant to Chapter 18.95 (COMPLIANCE AND ENFORCEMENT), the zoning inspector may suspend or revoke a sign permit issued as a result of the applicant's material omission or misstatement of fact. The planning official shall give notice of any suspension or revocation to the applicant and to the sign-property owner.

- F. Address identification. A sign shall conform to the requirements of Chapter 18.83 (ADDRESSING STANDARDS) and the Official Address Guide for Pima County, Arizona.

18.79.080 – Regulations by permanent sign type.

- A. Billboard. A billboard is allowed in the CB-2, CI-1, CI-2, and CI-3 zones subject to:

1. General:

- a. Minimum clearance: Ten feet.
- b. Maximum faces per sign: Two.
- c. No illumination.
- d. Maximum number: None.
- e. Landscaping ratio: None.
- f. No on-site business identification sign shall be a part of or attached to a billboard.
- g. No sign face area or object shall extend beyond the surface or rectangular perimeter of the billboard face.
- h. All visible portions of the supporting structure shall be an earthtone shade of brown or green.

2. CB-2 and CI-1:

- a. Maximum area: 75 square feet;
- b. Maximum height: 16 feet;
- c. Setbacks: 20 feet from any property line.
- d. Location: Not within 660 feet of another billboard.

3. CI-2 and CI-3:

- a. Maximum area: 300 square feet;
- b. Maximum height: 24 feet;
- c. Maximum faces: Two;

d. Setbacks: 20 feet from any property line, except a 30-foot front setback is required for a billboard with an area of more than 75-square feet; and

e. Location: A billboard with an area of 75 square feet or less shall not be within 660 feet of another billboard and a billboard with an area more than 75 square feet shall not be within 1,320 feet of another billboard.

4. A billboard shall not be located:

a. Within 200 feet of a residential zone or 100 feet of a building erected prior to the issuance of the billboard permit.

b. On a designated scenic route, excepting:

i. Interstate 10.

ii. Interstate 19.

iii. Those portions of State Highway 85 and 86 between the Tohono O'dham Reservation, the Pinal County line and the boundary of the Organ Pipe National Monument.

c. On a lot or parcel with a building or structure. A billboard constructed after November 19, 1985, shall be removed prior to the issuance of a certificate of occupancy for a building on the same lot or parcel.

d. A billboard within 300 feet of a county road constructed after January 1, 1984, or within a CB-2 zone shall require a sign use permit issued by the board of supervisors. The permit shall be: issued after a public hearing for which all owners of property within 600 feet of the proposed billboard have been notified by mail, subject to the requirements of Section 18.79.080(A)(1)(f) through (A)(1)(h), (A)(2), (A)(3), (A)(4)(a)-(c); and, in

conformance with the purpose statement Section 18.79.080(A)(4)(d)(i) of this chapter.

i. It is the purpose of this subsection to establish a framework of comprehensive sign standards for Pima County that reflect the community decision to preserve and enhance the natural, scenic desert environment of Pima County and to promote the health, safety and welfare of the community. It is the intent of this subsection to authorize the use of signs that:

- a) Encourage an aesthetic appearance compatible with the surrounding human and natural environment along street frontages;
- b) Encourage the clear visibility of the mountain and desert environment and improve the quality of the visual appearance of the community;
- c) Promote signs that are appropriate to the type of activity to which they pertain;
- d) Encourage legibility of sign information along street frontages;
- e) Protect astronomical observation and minimize light intrusion onto adjacent property; and
- f) Reduce visual clutter and glare in order to promote traffic and pedestrian safety and encourage the clearest possible visual perception of existing adjacent businesses and existing signs.

ii. The application fee for a public hearing before the board of supervisors concerning a CB-2 zone billboard sign use permit shall be in accordance with the development services fee schedule.

B. Canopy. A canopy sign is allowed subject to a maximum sign area of 60 square feet for the entire canopy.

C. Freestanding. A freestanding sign is allowed subject to:

1. Location: On-site; non-residential areas only.

Interstate style: a. Within 250 feet from the edge of the interstate right-of-way and within 1,000 feet parallel to the interstate (this area is measured toward the exit or entrance ramp from a point where the centerline of a ramp meets with the edge of the right-of-way of a contiguous road which is part of the interstate interchange); b. Not within 300 feet of another freestanding sign.

2. Maximum number of signs per site: One sign per permitted access point. Limited access, high volume arterial roadways or roads with speed limits greater than 50 mph, with the exception of interstates: Up to two of the signs may be located on another frontage within the same site.

Interstate style: One per site including any style of freestanding sign.

3. Maximum area per sign:

a. One sign per site: 81 square feet; or

b. Two or more signs per site: 64 square feet each;

c. Hospital: 100 square feet each.

d. Limited access, high volume arterial roadways or roads with speed limits greater than 50 mph, with the exception of interstates: 100 square feet each per access point.

- e. Interstate style: 150 square feet.
- 4. Maximum height per sign:
  - a. 10 feet;
  - b. Hospital: 20 feet.
  - c. Limited access, high volume arterial roadways or roads with speed limits greater than 50 mph, with the exception of interstates: 15 feet.
  - d. Interstate style: 25 feet above the interstate grade.
- 5. A 25 percent increase in the area and height of an internally or externally illuminated sign is allowed if the illumination measures of the Dark Sky Protection Option in Section 18.79.100(A)(4) are met. Does not apply to electronic message display components of signs.
- 6. Landscaping ratio per sign: 4:1.
- 7. Minimum setback: Zero feet from property line.
- 8. May include a changeable copy component.
- 9. May include additional drive-through lane signs subject to:
  - a. Maximum number of signs: Two; one additional for more than one drive-through lane;
  - b. Maximum area per sign: 36 square feet;
  - c. Maximum height per sign: 8 feet;
  - d. Sound emitted shall not be audible from any nearby residential property.
- 10. May include an electronic message display component subject to:
  - a. Operational only during daylight hours. Daylight hours is defined as one hour prior to sunrise and one hour after sunset.
  - b. Limited to 50 percent of the allowable area of a sign face;

c. Full color is allowed and shall consist only of static or slow fade messages that change not more frequently than once every 60 seconds. Scrolling, travelling, flashing, full-motion video, use of sound with the exception of drive-thru lane signs, and similar operational effects are prohibited;

d. Light text on dark backgrounds only, where “dark” does not include white, off-white, light gray, cream or yellow colors;

e. If the sign is visible from an existing residential use and not separated by a street or alley, the sign must be installed a minimum of 100 feet from the property line of the residential use.

11. Freestanding signs located along scenic routes shall be monument style as defined in Section 18.77.040(B)(2).

D. Suspended. A suspended sign is allowed subject to:

1. Location: On-site; non-residential areas only; near the tenant space.

2. Maximum number of signs: One per tenant space.

3. Maximum area: Calculated as part of the wall sign area allotment (reference 18.79.080(E)).

4. Maximum height: Building height.

5. Minimum clearance: Eight feet.

6. If a projecting sign, maximum projection allowed: Five feet.

E. Wall. A wall sign is allowed subject to:

1. Location: On-site; non-residential areas only; located on tenant space with the multi-tenant building maximum sign area exception of Section 18.79.080(E)(3)(b).

2. Maximum number of signs per site: None.

3. Maximum sign area per building:
  - a. Single tenant building:
    - i. 30 square feet or 1.5 square feet of area for every lineal foot of each building frontage for two building frontages plus .5 square feet for every lineal foot of building frontage for a third building frontage, whichever is greater, but no more than 200 square feet for building frontages less than or equal to 500 feet;
    - ii. For building frontages greater than 500 feet: no more than 300 square feet, on two building frontages. 150 square feet is permitted on a third building frontage.
  - b. Multi-tenant building: Thirty square feet or 1.5 square feet for each linear foot of building frontage up to 200 square feet per tenant for a maximum of two building frontages.

Exception: If sign is not located on tenant space, maximum sign area is 30 square feet each.

4. Maximum height: First and top stories of a multi-story building; no projection above the roofline. Allowed on parapet walls that are structurally integrated into the original building design; not extensions added to an existing building.
5. A 25 percent increase in the area and height of a sign is allowed, except with an electronic message display component, if the illumination measures of the Dark Sky Protection Option in Section 18.79.100(A) are met.
6. May include a change of sign copy component.
7. May include drive-through lane signs subject to:
  - a. Maximum area: 36 square feet;

- b. Sound emitted must not be audible from any residential property.
- 8. May include an electronic message display component subject to:
  - a. Operational only during daylight hours. Daylight hours is defined as one hour prior to sunrise and one hour after sunset.
  - b. Limited to 50 percent of the allowable area of a sign face;
  - c. Full color is allowed and shall consist only of static or slow fade messages that change not more frequently than once every 60 seconds. Scrolling, travelling, flashing, full-motion video, use of sound with the exception of drive-thru lane signs, and similar operational effects are prohibited;
  - d. Light text on dark backgrounds only, where “dark” does not include white, off-white, light gray, cream or yellow colors;
  - e. If the sign is visible from an existing residential use and not separated by a street or alley, the sign must be installed a minimum of 100 feet from the property line of the residential use.

F. Window. A window sign is allowed subject to:

- 1. Location: On-site; non-residential areas only;
- 2. Maximum area per sign: No more than forty percent (40%) of the window on which the sign is displayed. Sign copy on a permanent window sign with letters or symbols no more than three inches high shall not be counted as part of the sign area allotment;
- 3. Maximum height: First and second floor building windows only;
- 4. If illuminated, window signs shall only be internally illuminated.

18.79.090 – Regulations by temporary sign type.

A. General requirements. Temporary sign types shall not:

1. Interfere with the free movement of pedestrians and vehicles.
  2. Be placed upon any other sign assembly, utility pole, authorized traffic control device, utility box, boulder, tree, planter, or similar structure.
  3. Be placed in a manner that allows displacement during adverse weather conditions and results in a safety hazard to the public.
  4. Include amplified sound, animation, motion or attachments such as balloons, flags, streamers, pinwheels, or ribbons, except as expressly allowed by inflatable or air activated signs (Section 18.79.090(D)).
  5. Be illuminated other than by ambient light present on the property or by existing illumination intended for other uses.
  6. Be off-site, except as expressly allowed by this chapter.
  7. Advertise off-site commercial activities, except as expressly allowed by this chapter.
- B. Temporary signs must be clearly labeled with the name and telephone number of the sign owner.
- C. Banner sign. A temporary banner sign is allowed subject to:
1. Location: On-site;
  2. Maximum number per site: One per street frontage within site;
  3. Maximum area: 60 square feet;
  4. Maximum height: Below the roofline for building-mounted banners;
  5. The maximum, cumulative display time for a banner sign attached to an existing building is 6 months per year; all others are 120 days per year.
- D. Inflatable or air activated signs. A temporary inflatable or air activated sign is allowed in conjunction with a special event or activity subject to:
1. Location: On-site; non-residential areas only;

2. Maximum number per site: No more than two inflatable or air activated signs may be displayed concurrently;
  3. Maximum area: None;
  4. Maximum height: 24 feet. Shall not be placed on the roof of any building or structure. Maintain 18 feet of clearance from overhead utility lines;
  5. Minimum setback: A distance equal to or greater than the height of the sign from all property lines;
  6. Placed and operated in accordance with applicable building and fire codes including proper anchoring to the ground;
  7. May be displayed for a period of up to three consecutive days and no more than two display periods per calendar year.
- E. Political signs: Reference Arizona Revised Statutes.
- F. Portable “A” and “T” – frame signs:
1. Location: On-site; non-residential areas only; within 30 feet of the building entrance;
  2. Maximum number per site: One sign per tenant;
  3. Maximum area: 12 square feet;
  4. Displayed typically on a daily basis but may not exceed 72 hours.
- G. Window sign. A temporary window sign is allowed subject to:
1. Location: On-site; first and second floor windows;
  2. Maximum area: 40 percent of window.

18.79.100 – Dark sky protection option and master sign program.

- A. Dark sky protection option.
1. Purpose: To allow increased sign area and height and promote the use of illumination measures to protect dark skies.

2. Application: Applies to conventional internally-illuminated signs and externally-illuminated signs. Does not apply to billboard signs or to electronic message display signs.

3. Incentives: A 25 percent increase in the area and height of a sign is allowed subject to meeting the requirements of this section. Submittals are reviewed by and subject to approval, approval with conditions, or denial by the planning official.

4. Illumination measures. In addition to meeting the Outdoor Lighting Code, a sign shall meet the following:

- a. An illuminated sign shall be turned off by 9 PM;
- b. Only the sign copy shall be illuminated;
- c. A maximum correlated color temperature (CCT) of 30 percent less than allowed by the Outdoor Lighting Code (Ch. 15.12) for the illumination source;
- d. A maximum luminous intensity of 30 percent less than allowed by the Outdoor Lighting Code (Ch. 15.12).
- e. Externally illuminated signs:
  - i. Full shielding of luminaires;
  - ii. Top-down illumination only;
  - iii. Light trespass onto any other property prohibited;
  - iv. Sign surface contains all of the light;
- f. Conventional internally illuminated signs: Light text on dark backgrounds only, where “dark” does not include white, off-white, light gray, cream or yellow colors;

B. Master sign program.

1. Purpose:

- a. To allow flexibility in the standard provisions of this chapter to respond to a special need, event, or activity in exchange for better design while still meeting the general intent of the chapter;
  - b. To promote:
    - i. A unifying, consistent and aesthetic design theme in the form of architectural style, shapes, textures, colors and materials used on a scale from an individual lot to a development complex;
    - ii. A well-organized visual environment with signs located and spaced or grouped together to reduce a disorganized appearance and improve the appearance of affected street frontage;
    - iii. Proportionality in sign area and height to integrate with the buildings, architecture, and landscape of the site;
    - iv. The use of high quality materials.
  - c. To protect Dark Skies through the use of illumination measures (Section 18.79.100(A)(4));
  - d. To maintain sign legibility and promote traffic and pedestrian safety;
  - e. To avoid obstructing significant scenic views from the right-of-way.
2. Application. The Master Sign Program may apply to:
- a. On-site signs;
  - b. Off-site signs equal or less than 32 square feet in sign area including any signs in the right-of-way.

The program does not apply to billboards, off-site signs that exceed 32 square feet in sign area, electronic messaging displays signs except as expressly allowed by Sections 18.79.080(C)(10) and (E)(8), or sign types not otherwise allowed by the

chapter. The program applies to Tier 1 and Tier 2 requests according to Section 18.79.100(B)(3) below. One application per site or project shall be submitted.

3. Review.

a. The Planning Official may review and decide, according to the purpose statements of Sections 18.79.010 and 18.79.100(B), Tier 1 requests which include:

- i. Allowing off-site signs equal or less than 32 square feet in sign area;
- ii. Increasing the number of signs on a site by 10% or less;
- iii. Increasing the maximum sign area per site by 10% or less;
- iv. Allowing a variation of 10% or less in the location of signs on a site; or,
- v. Allowing a variation of 10% in the time period that signs may be displayed on a site.

The planning official may approve, approve with conditions, or deny the request based on this section. The applicant may appeal the decision by the planning official to the Board of Supervisors.

b. The Design Review Committee may review and decide, according to the purpose statements of Sections 18.79.010 and 18.79.100 (B), Tier 2 requests which include:

- i. Increasing the number of signs on a site by a maximum of 25%;
- ii. Increasing the sign area per site by a maximum of 25%;
- iii. Allowing a variation in the location of signs by a maximum of 25%;

iv. Allowing a variation in the time period signs may be displayed on a site to a maximum of 25%, and,

v. Increasing the maximum height of a sign per site by a maximum of 25%.

The Design Review Committee may approve, approve with conditions, or deny the request based on this section. The applicant may appeal the decision by the Design Review Committee to the Board of Supervisors.

4. The applicant shall submit a complete master sign program request according to departmental requirements and fees.

5. If a sign is proposed for location within the right-of-way, review and approval by the Pima County Department of Transportation shall be required.

6. Written permission by the property owner for any sign on private property shall be required.

7. Each sign must be clearly labeled with the permit number and the name and contact information of the sign permit applicant.

Section 6. Pima County Code Chapter 18.83 is amended as follows:

#### Chapter 18.83

#### ADDRESS STANDARDS

...

18.83.050 Address display.

A. General requirements:

...

5. The ~~complete~~ address number shall be displayed on all corner buildings at a street intersection, for each side of building facing any street.

...

B. Residential: The address numbers assigned shall be conspicuously placed immediately at the appropriate location on each building, structure entrance or at the property access point.

...

3. Minimum number height shall be ~~three~~ four inches.

C. Apartments: The address numbers assigned shall be conspicuously placed immediately at the property access points, appropriate locations on each building, and structure entrances.

...

3. Individual apartment numbers shall be a minimum of ~~three~~ four inches in height for exterior entrances and a minimum of one inch in height for interior (hallway) entrances.

...

D. Commercial: The address number assigned shall be conspicuously placed immediately at each property access point, and the appropriate locations on each building, and each structure entrance.

...

3. Individual addresses shall be placed near the primary entrance, a minimum of ~~three~~ four inches in height.

...

E. RV and mobile home park: The address numbers assigned shall be conspicuously placed immediately at each property access point, and at the appropriate locations for each building, structure, and property rental space.

1. Number height:

- a. Space, directional signage and internal street signage numbers shall be a minimum of ~~three~~ four inches; and...

Section 7. Pima County Code Chapter 18.99 is amended as follows:

#### Chapter 18.99

#### REVIEW COMMITTEES

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18.99.030 Design review committee.

- A. Purpose. The review provided by this committee is intended to:

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4. Accomplish other goals for specific types of development, as described in Sections 18.09.040 (General Residential and Rural Zoning Provisions), 18.49.010 (CPI Campus Park Industrial Zone), 18.79.010 (Sign Standards), and 18.63.010 (Historic Zone).

...

- E. Powers and Duties. The committee shall serve as:

...

5. A final voting body on requests for the Master Sign Program Section 18.79.100(B) with the power to approve, approve with conditions, or deny requests.

...

- G. Review Procedures, Submittals and Criteria:

...

6. Master Sign program review: Refer to Section 18.79.100(B);

~~67.~~ Commercial and other design review: Reserved.

H. Appeal of Design Review Committee Decision.

...

4. Master Sign Program Section 18.79.100(B). The decision of the committee may be appealed to the board of supervisors within thirty days of the committee's decision by the applicant or any property owner within three hundred feet.

**SECTION 8.** This ordinance is effective 30 days after its adoption.

**PASSED AND ADOPTED by the Board of Supervisors of Pima County, Arizona,**  
this \_\_\_\_\_ day of \_\_\_\_\_, 2020.

\_\_\_\_\_  
Chairman, Pima County Board of  
Supervisors

ATTEST:

\_\_\_\_\_  
Clerk, Board of Supervisors

APPROVED AS TO FORM

A handwritten signature in black ink, appearing to read 'L. Lukach', is written over a horizontal line.

Deputy County Attorney  
Lesley M. Lukach

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Executive Secretary, Pima County  
Planning and Zoning Commission