Written Comments Received
Prior to October 13,2020

From: Jude Cook
To: Janet Emel; Thomas Drzazgowski; Elva Pedrego
Subject: Sign code revision
Date: Monday, March 11, 2019 2:25:10 PM
Attachments: jude.vcf

****
This message and sender come from outside Pima County. If you did not expect this message, proceed with caution. Verify the sender's identity before performing any action, such as clicking on a link or opening an attachment.
****

Hi

Thanks for requesting input on the code revision.

My immediate thought would be to align the code with City of Tucson.

I set on the board during the revision of their code and so far the results have been very good.

I'm not aware of any issues as of this time.

The discussion that has been repeated many times is, the two codes should be the same and I agree.

At the minimum use it as a starting point and save yourself a lot of time.

So....Specifics that need fixing are:

Monument signs should not be limited to a header and 3 spaces. Let the sign owner decide how the face is divided

The 10' set back from property line needs to be eliminated and just be on private property and out of the site visibility triangle.

Allow signs to be placed on the building where ever the user wants and the landlord approves and not limited to the walls on space they occupy.

Consider a sign design option that Tucson has adopted to allow some flexibility.

If the code has maximum sign square footage allowance this should be eliminated and allow the sq ft allowance to dictate sign size.

Allow EMC's and A Frames.

Please contact me with questions.

Jude Cook

Cook & Co Signmakers

520-622-2868

Jude Cook

3/31/20

I added my comments in blue.

Jude

On 3/24/2020 8:24 AM, Janet Emel wrote:
Jude,
Thank you so much for your review and comments. Please let me know if the following answers in RED don't adequately address your questions. The pace of the process to update the sign code has slowed so the draft is still under review and we're evaluating comments.
Janet

From: Jude Cook <jude@cooksigns.com>
Sent: Tuesday, March 3, 2020 10:50 AM
To: Janet Emel <Janet.Emel@pima.gov>
Subject: Re: sign code

That would be a vast improvement in itself.

Jude

On 3/3/2020 7:26 AM, Janet Emel wrote:
Hi,
I can quickly answer your setback question – we are proposing no setback requirement for freestanding signs. I will get back to you on other questions.
Thanks,
Janet

From: Jude Cook <jude@cooksigns.com>
Sent: Tuesday, March 3, 2020 8:15 AM
To: Janet Emel <Janet.Emel@pima.gov>
Cc: Thomas Drzazgowski <Thomas.Drzazgowski@pima.gov>
Subject: RE: sign code
Hi Janet
Thanks
I have more questions.
What is the proposed set back on freestanding signs. The 10' from property line is always problematic and is the limit on number of tenant panels on a freestanding sign been changed? As noted above Draft 1 proposes no setback. Draft 1 does not specify number of tenant panels, only overall sign size.
The header plus 3 is also been problematic and not enforceable.
Jude

-------- Original message --------
From: Janet Emel <Janet.Emel@pima.gov>
Date: 3/3/20 7:52 AM (GMT-07:00)
To: Jude Cook <jude@cooksigns.com>
Cc: Thomas Drzazgowski <Thomas.Drzazgowski@pima.gov>

Subject: RE: sign code
Thank you so much for your comments - I will get back to you on your questions.

-----Original Message-----
From: Jude Cook <jude@cooksigns.com>
Sent: Wednesday, February 12, 2020 12:00 PM
To: Janet Emel <Janet.Emel@pima.gov>
Subject: sign code

Hi Janet

Thanks to everyone involved in the rewrite of the code. Its a chore, I was involved with the rework of Tucson's sign code.

I see a lot of improvements. Great.
I do have some comments / questions.

Page 17 #4: I'm not clear on what it is describing. " Not extensions added to a building. It means where the sign attaches, it has to be actually part of the building, not an addition to the roof basically intended to attach a sign higher on the building.

Page 18 #8. I generally find that when incorporating a letter board the ratio is about 75% of the sign. 50% will make for an awkward design. I want to make sure I am clear on this comment – you are saying that limiting the electronic message center portion of the sign to 50% of the allowable sign area is too restrictive? (It makes for a very poor layout proportions. up to 75-80% for the emc is better.)

Page 19 Item B #3, 60 sq ft is to small and hard to enforce anyway. This is the amount that the current sign code allows. Are you are saying that 60 sf is too restrictive for a temporary banner sign? What do you propose? (I would allow at least 100 sq ft)

Page 21 Item 4a: The 9pm curfew is too early. (I understand that this is part of a master program and more restrictions are involved.) Comment noted. (9pm is still too early or most businesses)

Page 21 item 4 c iii & vi: I need an explanation of what these two restrictions mean. "A maximum correlated color temperature (CCT) of 30 percent less than allowed by the Outdoor Lighting Code (Ch. 15.12) for the illumination source". One definition is: A measure in degrees Kelvin (°K) of light's warmness or coolness. Lamps with a CCT of less than 3,200 °K are pinkish and considered warm. Lamps with a CCT greater than 4,000 °K are bluish–white and considered cool. (4400 K is warm enough, some colors when lighted this warm or more look wrong)
Generally it's a measure of the whiteness of a light which at high amounts is detrimental to maintaining Dark Skies. Currently the Pima County/COT Outdoor Lighting Code allows 4400K. Astronomers and other dark sky are asking for a reduction which we would be applying only to the newly allowed EMC signs and to the 25% incentive dark skies option. For example, 30% less than 4400K would be approx. 3000K. (The outdoor lighting code already limitis emcs to 200 Nits. The problem I see here is that the code is not enforced as it is and adding more restrictions wuith out truly enforcing the current code is the wrong approach. A combination of education and enforcement would serve the dark skies much more then more restrictions)

Page 21 Item 4 c iv: I need an explanation of what this means. "Sign surface contains all of the light." This means that there isn't a lot of scatter of light – to protect the dark skies for observatories and others. **Stray light** is emitted light that falls away from the area where it is needed or wanted. Light trespass. (I am still not clear what is being proposed)

Page 21 Item 4 d i: I need an explanation here also. "Light text on dark backgrounds only, where "dark" does not include white, off-white, light gray, cream or yellow colors." Minimizing the amount of white light which is detrimental to preserving dark skies for observatories and others. (Opaque backgrounds with light only coming out the from the logos and lettering?)
Here's 2 basic projects I might have:

If I had a client in a strip center that had a 20' frontage how much square footage is allowed? For a freestanding sign it depends on the number of access points for the site of the strip center. For example, 64 sf per sign for 2 or more signs. For a wall sign on a multi-tenant building, it would be 30 sf plus 1.5 sf for each linear foot of building frontage up to 200 sf per tenant unless the sign is not located on the tenant space, then the maximum is 30 sf each. Then there are also the Dark Skies and the Master Sign Program options for some more flexibility.(I'd like to see it applied to an actual project)

For a freestanding sign on a single tenant property with a 60' frontage what size and height is he allowed? Depends on the number of access points for the property – if there's one access point approved, then 81 sf, if it's two then 64 sf per sign. It's different if it's a limited access, high volume arterial roadway or speeds greater than 50 mph – then 100 sf OR if on an interstate then 150 sf. And then there are the Dark Skies and Master Sign Program options for more. (This sounds like it will work)

If they have a freestanding and a wall sign, what is the total square footage allowed for the 2 signs? Would add the allowed 200 sf of wall signage (for frontage less than or equal to 500') or 300 sf (frontage greater than 500') to what's allowed for the freestanding sign. They are cumulative.

Can you point me the sections in the draft where I could determine what is allowed? Generally 18.79.080B (freestanding) and 18.79.080D (wall) plus there's also suspended (18.79.080E) and temporary signs (18.79.090).

One suggestion, Incorporate graphics to help questions. Comment noted. We agree and a subsequent draft will have graphics.

Thanks Jude Cook, Cook & Co Sign makers

(Thanks for the responses)

Hi

Overall this is great improvement

I do have some comments that are largely for clarification.

Page 8 Prohibited Signs - Number 3, "Digital Bill boards" I assume that is different then Electronic Message Boards.

It seems like they are allowed somewhere else in the draft. If so, what defines the difference.

Page 17 Number 7, Minimum Set back should state from "property line."

Same page, 9c seems to conflict with Page 18 Number 10b says use of sound prohibited.

Same conflict Page 19 number 7c.

Page 20 E -3 I do not understand what is being addressed?

Page 22 C3, I think I commented on this before. 60 sq ft is too small. I get requests for considerably larger banners, so they will be installed with out permits.

Page 23 G 1, I do not seed the point in controlling that.

Page 23 A. 4.b. I would add "and logos" after letters.

Page 24 A.4.c.iii., Are we putting on more restrictions on lighting, on top of the Outdoor lighting code restrictions?

If so I need an explanation of what this is and how I apply it to the signs we build.

I do not want more restrictions on lighting then we already have. We need education and enforcement of the the existing code.

Same point. Same page: d.iii.

I can't find the section right now. I disagreed with limiting EMC's to
50 percent of the sign area. If it is still a consideration I would prefer 75% of the sign area. 50-50 split is a very week layout option.
As the technology improves 100 % sign area will be common request.

Please contact me with questions

Thanks Jude

Pima County Sign Code Revision (2019): AzAC Recommendations

Introduction

Wherever there is conflict between our recommendations for the Pima County Sign Code and other applicable regulations (e.g., City of Tucson/Pima County Outdoor Lighting Code), the stricter code prevails.

Because of significant advances in LED technology since 2012, we are recommending lower correlated color temperatures than are provided in the current City of Tucson/Pima County OLC.

Recommendation 1: Definitions of Sign Types

Alterations

- **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.

ADDITION TO END OF DEFINITION: Not including digital or electronic billboards. These signs may also be referred to as Out of Home (OOH).

- **Electronic message sign**: A sign that permits the movement or frequent changing of messages by means of electronically controlled sign copy.

ADDITION TO END OF DEFINITION: Often also referred to at LED Electronic Message Centers or Electronic Message Boards, these signs may be capable of displaying words, images, and word art.

- **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.

ADDITION TO END OF DEFINITION: Examples: fast food restaurant signs (which often combine both internally illuminated signs with marquee, changeable copy, or electronic messaging signs) mounted on poles on-site; cabinet signage mounted onto a storefront wall; architectural canopy signs; and, free-standing monument signs. This list is not all-inclusive.

New Definitions

- **Combination sign**: A sign which is subject to more than one classification shall meet the requirements for the classification to which each portion is subject.

- **Digital and/or electronic billboard**: A digital/electronic billboard is a billboard (see related definition) which displays digital images that may or may not change every few seconds. These signs may also be referred to as Digital Out of Home (DOOH).

- **Digital sign**: A digital sign is any sign (including those on-site) in which video, multimedia or dynamically changing content is displayed for informational or advertising purposes. These signs may be on various types of digital screens or digital displays including TVs, monitors, tablets, or projectors (this list is not all-inclusive). These signs may be referred to as dynamic signage or electronic signage.

- **Emission sign**: A sign that emits audible sounds, odor, or visible matter.

- **Illuminated flashing sign**: Any illuminated sign, whether stationary, revolving or rotating, that exhibits changing light or color effects.

    - Examples: Signs that include flashing, mechanical or strobe lights

- **Illuminated sign**: A sign designed to give forth any artificial light or reflect such light from an artificial source.

- **Indirectly illuminated sign**: A sign that:

    - A non-flashing sign whose illumination is derived entirely from an external artificial source and is so arranged that no direct rays of light are projected from such artificial source into residences or streets.

    - Reflects light from a source intentionally directed upon it; or

    - Has non-illuminated sign copy mounted in front of a background of reflective light that has the effect of silhouetting the letters or symbols.

- **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.

- **Non-illuminated sign**: A sign that emits no artificial light either directly or indirectly.

- **Pole sign**: A freestanding sign that is erected or affixed to one or more poles or posts.

Recommendation 2: Consistent Curfews

There should be one curfew of 9 PM or close of business, irrespective of lighting zone. Illuminated signs in zone E1a continue to be prohibited.

Recommendation 3: Regulations by Sign Type

All illumination and light emission by signs be prohibited except conditions set for the following types of signs stated below. In case other regulations are applicable, the more restrictive ones shall apply.

Externally Illuminated Signs

- Full shielding of luminaires
- Top-down illumination only
- Illumination source must have a correlated color temperature (CCT) of less than 3000K. (lower than OLC §402.1 of 3500K)
- Sign surface must contain all of the light (OLC §501.4.)
- Trespass onto any other property prohibited
- Curfew (9 PM or close of business, whichever is later; this is the most restrictive curfew hour in OLC §501.6)
- Complete prohibition in E1a (OLC §501.3.3)
- Lighting for externally illuminated signs is allowed up to a maximum of 200 fixture lumens per square foot of illuminated sign face.

Conventional Internally Illuminated Signs

- Light text on dark backgrounds only, where “dark” does not include white, off-white, light gray, cream or yellow colors.
- Illumination source must have a correlated color temperature (CCT) of less than 3000K. (OLC §501.3.2 currently allows for up to 4400K)
- Curfew (9 PM or close of business, whichever is later; this is the most restrictive curfew hour in OLC §501.6)
- Complete prohibition in E1a (OLC §501.3.3)

Electronic/LED Signs

- Light text on dark backgrounds only, where “dark” does not include white, off-white, light gray, cream or yellow colors.
- 100 nit luminance limit (under conditions of a full-white display; same as OLC §501.5) Curfew (9 PM or close of business, whichever is later; this is the most restrictive curfew hour in OLC §501.6)
- Complete prohibition in E1a (OLC §501.3.3)

February 11, 2020

Ms. Janet Emel
Pima County Development Services
201 N Stone Ave, 1st floor
Tucson, AZ 85701-1207

Subject: Pima County Zoning Code Chapter 18.79 (SIGN STANDARDS) revision

info@azastronomy.org

Dear Ms. Emel:

Thank you for extending to us the opportunity to comment on Draft 1 of the pending revisions to the Pima County sign code. We have carefully reviewed the draft, and have several recommendations for changes. We would also like to address here the specific items referenced in your January 28 letter.

Although we support many of the provisions in the proposed code update, we have a number of remaining concerns. Also, in the time since our last regular communications, certain technology and policy best practices relating to illuminated signs have changed. Specifically, in May 2019 the International Dark-Sky Association (IDA) and the Illuminating Engineering Society (IES) jointly released guidelines for the operation of illuminated signs that preserve both the right of sign owners to have their messages legibly seen and the integrity of the night sky by appropriately limiting the luminance of signs.[1,2]

Both documents also contain a number of 'best management practices' from which our recommendations here in part derive. The significance of these documents is that both the lighting industry and dark-sky community increasingly recognize certain best-practice approaches to operating and regulating illuminated signs. We think these approaches can be successfully integrated into the draft update to the county sign code in a way that respects the interests of all stakeholders.

Our recommendations for this round of revisions to the draft are as follows:

1. **Prohibit the installation of new illuminated signs in all E1 zones (E1a, E1b, and E1c) throughout the county**. These are low-density zones near major astronomical observatories. We feel that this request is fair in light of the other provisions of the proposed code update. We note that the designations a-c were for enumeration when the OLC was developed, and were not intended to imply a priority.

[1] IDA, "Guidance for Electronic Message Centers (EMCs)" (PDF)
[2] IES, "Recommended Practice: Off-Roadway Sign Luminance" (ANSI/IES RP-39-19)

1. Instead of tying the allowed sign luminance limits to the Tucson/Pima County Outdoor Lighting Code,[3,4] **prescribe sign luminance limits that follow the IDA and IES guidance**. These allowances scale with the "lighting zones" (LZs) defined in the IDA/IES Model Lighting Ordinance:[5]

   - LZ0: No ambient lighting
   - LZ1: Low ambient lighting
   - LZ2: Moderate ambient lighting
   - LZ3: Moderately high ambient lighting
   - LZ4: High ambient lighting

   The IDA and IES recommended luminance limits for these zones are:

Lighting Zone	Nighttime Maximum Luminance (nits)
LZ0	0 (prohibited)
LZ1	20
LZ2	40
LZ3	80
LZ4	160

   There are no regions in unincorporated Pima County meeting the definitions of either LZ3 or LZ4. We argue that all E1 zones in Pima County are equivalent to LZ0.[6] We further maintain that the county E2 and E3a zones are equivalent to LZ1,[7] and the E3 zones are equivalent to LZ2.[8] **We therefore propose sign luminance limits of 20 nits in the county E2 and E3a zones and 40 nits in the E3 zone**.

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[3] A 200-nit limit is imposed in OLC §501.5 for "LED, LCD, Plasma Screen and Similar Signs".

[4] Draft 1, §18.79.080(B)(10)(d); §18.79.080(D)(8)(d); §18.79.100(A)(4)(c)(vi).

[5] PDF available on https://darksky.org/mlo.

[6] "*Areas where the natural environment will be seriously and adversely affected by lighting*."

[7] "*Areas where lighting might adversely affect flora and fauna or disturb the character of the area. The vision of human residents and users is adapted to low light levels*."

[8] "*Areas of human activity where the vision of human residents and users is adapted to moderate light levels. Lighting may typically be used for safety and convenience but it is not necessarily uniform or continuous*."

3. **We would like this code to meet or exceed the standards of the OLC, and to tie language appropriately to the OLC so as to clearly follow it through updates without needing to revisit the sign code frequently**.

4. **We would like some clarity around the definition of the term 'electronic message display sign**.'[9] This term does not appear to be industry-standard, and its definition ("A sign with an electronically activated changeable message") appears to encompass *both* digital billboards and electronic message centers. These devices are not the same, nor interchangeable for the purpose of regulation in the code; furthermore, the existing Pima County sign code expressly prohibits digital billboards,[10] which it terms "electronic message signs."

5. **The definition in Draft 1, §18.79.030(O)(2), should expressly state that 'electronic message display signs' are allowed *only* on-premise**. If the county is unwilling to make this distinction and continue to prohibit outright what are commonly known as 'digital billboards', then such signs should be curfewed (fully extinguished) at 9 PM.

6. We also note some disturbing language in Draft 1, §18.79.060(C), which allows legal, non-conforming signs to be "rebuilt, repaired or replaced only in conformance with the provisions of this chapter" if structurally changed, significantly damaged, moved or destroyed. This is fundamentally at odds with the existing code, which does not allow legal, non-conforming signs to be rebuilt (or re-lit).[11] The language of this section seems to reverse more than 30 years of rule and practice. **We oppose this change**.

7. As a minor stylistic point, the phrase 'luminance intensity' is not strictly correct. The phrase used previously, 'luminous intensity' is a better technical usage.

You raised two points in your letter. The first had to do with using architectural elements to "hood" or "cap" sign light sources in order to reduce light scatter. This is impractical for both conventional, internally illuminated ('cabinet') signs and externally illuminated signs because their surfaces either emit or reflect light in virtually the same amounts in all directions. Shields that would meaningfully block light emitted at significant upward angles would yield impractical added structural weight and wind loading. It would be far more practical and effective to simply lower the allowed luminances for sign surfaces as described at 2 above, and impose reasonable curfew times.

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[9] Draft 1, §18.79.030(O)(2).
[10] Pima County Zoning Code, §18.79.040(3).
[11] Pima County Zoning Code, §18.79.060 et seq.

The other point had to do with the incentive-based provisions of §18.79.080(B)(10), §18.79.080(D)(8), and §18.79.100(B). We are generally supportive of the incentive basis for further light emissions reductions in exchange for larger sign sizes, subject to the additional recommendations above. However, allowing true digital billboards would create a much bigger problem in terms of light emissions, so we urge the County to simply leave the existing prohibition in place. For on-premise electronic message display signs, we again point to the suggested IDA and IES luminance limits based on the lighting zones as proposed to correspond to specific county environmental zones. This is the most effective way to limit the impact of these signs while ensuring they remain adequately legible.

We would like to meet with you at your earliest convenience to discuss the details of this proposal.

Sincerely,

Richard F. Green
Assistant Director for Government Relations,
Steward Observatory, University of Arizona

on behalf of the Arizona Astronomy Consortium members:

Kitt Peak National Observatory
Planetary Science Institute
Lowell Observatory
Steward Observatory
Mount Graham International Observatory
Large Binocular Telescope Observatory
Lunar & Planetary Laboratory
Catalina Sky Survey
Vatican Observatory
MMT Observatory
Fred Lawrence Whipple Observatory

From Amy Oliver 10/7/20 email

Hi Janet,

Thank you for your earlier request re: sign codes in Arizona. This turned out to be a much larger request to fill than we had previously anticipated. What I can provide is a snapshot of what we have learned and I have pulled some meaningful notes from each, although this does not represent everything contained in each code. We have not been able to look at every county.

To summarize what we have learned:

Many jurisdictions BAN electronic messaging displays outright.
For those that allow them, there are significant restrictions which almost always include:
- NIT limit, and in many cases, proof onus on the sign owner, or a candela limit
- Majority directly require adherence to OLC, and in many cases OLC and/or sign code or both define EMDs as outdoor lighting; some OLCs ban EMDs
- Nearly all require on/off
- You might be particularly interested in what's happening in Maricopa County, where heavy restrictions are being set on EMDs for all sorts of reasons, like safety and lighting issues.

Mohave County requires all illuminated signs to adhere to the Outdoor Lighting Code (this is direct language) and multiple cities have HEAVY RESTRICTIONS in addition including **Kingman** (sunrise/sunset with automatic backup and maximum intensity 0.6 candela over ambient and directly references OLC), **Lake Havasu City** (shielding requirement for all lighting over 375 lumens + additional OLC restrictions, **Bullhead City** (required automatic adjusters and backups)

Coconino County BANS EMDs by exclusion, with **Williams** (prohibits specifically by language in the sign code), **Sedona** (prohibits specifically by language in the sign code) and **Flagstaff** (prohibits specifically by language in the sign code). All cities and county in Coconino reference OLC directly in the sign code.

Navajo County indicates signs cannot be moving (animated) in any manner and directly references OLC, with **Snowflake** (prohibits specifically by language in the sign code and directly references OLC), **Showlow** (allows--weirdly given the county level restriction, but has extreme restriction on nits and requirement for owner to prove compliance, and also requires adherence to the OLC).

Apache County bans all signs that animate in any way except for time and temperature signs and there is further language in the OLC, with **St. Johns** (banned specifically for the same content) and **Eagar** (specifically prohibits EMDs as animated signs and further describes lighting directly in the sign code.

Yavapai County bans EMDs by exclusion and requires adherence to OLC, with **Prescott** (significant restrictions on on/off and allowable brightness maxed at 0.3 candela above ambient

and references OLC), **Camp Verde** (30 seconds or more to change, must adhere to outdoor lighting code, which provides nit limits), and **Cottonwood** (300 nit max limit in evening hours, change 60 seconds, must be illuminated with amber or red LED only, must adhere to OLC).

Gila County potentially bans EMCs as illuminated animated signs and requires adherence to OLC, with **Payson** (automatic dimming feature, 0.3 candela above ambient, all animation prohibited, message hold minimum 8 seconds), **Globe** (EMCs banned for ALL except churches, schools, civic orgs)

Graham County sign code not available online, with **Safford** (300 nit limit with requirement to prove, on/off requirement, no moving images or optical illusion).

Greenlee County banned by exclusion from the sign code (sign code directly states this)

Maricopa County, with **Scottsdale** (significant nit limits with requirement to prove), **Scottsdale** (significant nit limit with requirement to prove)

Pinal County bans all EMDs and the like directly in sign code language.

Cochise County requires all illuminated signs to be turned off from sunset to sunrise, and must adhere to OLC, with **Benson** (must adhere to OLC, which defines EMDs as light, and thus bans them), **Sierra Vista** (maximum nits are 100)

International Dark-Sky Association
3223 North First Avenue, Tucson, AZ 85719, USA
tel +1.520.293.3198
www.darksky.org

February 14, 2020

Ms. Janet Emel
Pima County Development Services
201 N Stone Ave, 1st floor
Tucson, AZ 85701-1207

Subject: Draft 1, Pima County Zoning Code Chapter 18.79 (SIGN STANDARDS) revision

Dear Ms. Emel:

Thank you for soliciting comments on Draft 1 of the pending revisions to the Pima County sign code from the International Dark-Sky Association (IDA). Based in Tucson since its founding in 1988, IDA advocates for the protection of the nighttime environment and our heritage of dark skies through environmentally responsible outdoor lighting.

Astronomy and space science are a significant contributor to the economy of Pima County, and the protection of that enterprise should be a strong influence in establishing and maintaining public policies around outdoor lighting. However, IDA's mission encompasses more than consideration of professional astronomy interests. We represent the interests of amateur astronomers and casual stargazers, ecologists and conservationists, and all those who appreciate and revere the night. IDA stands for improving nighttime conditions across Pima County for the benefit of its residents in ways that respect commercial interests and private property rights, protect nocturnal wildlife, and ensure public safety.

We have carefully reviewed Draft 1 in consultation with the Arizona Astronomy Consortium (AzAC), and are aware of its feedback already shared with you. IDA supports the AzAC recommendations:

1. Prohibit the installation of new illuminated signs in all E1 zones (E1a, E1b, and E1c) throughout the county.
2. Prescribe zone-based sign luminance limits that follow IDA[1] and Illuminating Engineering Society (IES)[2] guidance for lighted, on-premise signs; namely, 20 nits in the E2 and E3a zones and 40 nits in the E3 zone.
3. Clarify the definition of 'electronic message display sign'[3] and/or add other code language to continue the express prohibition of digital billboards ("electronic message signs") in the existing code,[4] and that the draft further states that 'electronic message display signs' are allowed *only* on-premise. Otherwise, these types of signs should be curfewed (fully extinguished) at 9 PM.
4. Strike draft language in §18.79.060(C), which allows legal, non-conforming signs to be "rebuilt, repaired or replaced only in conformance with the provisions of this chapter" if

Executive Director: Ruskin Hartley
Emeritus Director: David L. Crawford, Ph.D.
Board of Directors: Ken Kattner, President, USA • Kellie Pendoley, Vice President, Australia • Kim Patten, Treasurer, USA • Jessica Dwyer, Secretary, USA • Laurel Alyn-Forest, USA • Krissa Glasgow, USA • Diane Knutson, USA • Alejandro Sanchez Miguel, Spain • Diana Umpierre, USA

structurally changed, significantly damaged, moved or destroyed. The proposed change in Draft 1 reverses more than 30 years of rule and practice in Pima County.

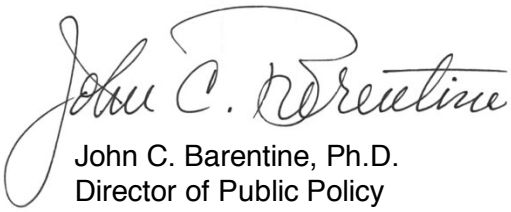
Lastly, we argue that the county sign code should meet or exceed the standards of the Tucson/Pima County Outdoor Lighting Code (OLC), and that the best approach to ensuring this is to tie sign code language appropriately to the OLC so as to automatically follow it through updates.

Your letter highlighted two specific issues for stakeholder comment. First, you asked for suggestions around the notion of using architectural elements to "hood" or "cap" sign light sources in order to reduce light scatter. It is technically impractical to implement this for conventional, internally illuminated signs and externally illuminated signs because their surfaces either emit or reflect light in virtually the same amounts in all directions. Shields that would meaningfully block light emitted at significant upward angles would yield impractical added structural weight and wind loading. It would be considerably more practical and effective to lower the allowed luminances for sign surfaces as described in item 2, above, and impose reasonable curfew times.

The other issue involves the incentive-based provisions of §18.79.080(B)(10), §18.79.080(D)(8), and §18.79.100(B). This is a reasonable approach for conventional illuminated signs, whether internally or externally illuminated, subject to the additional recommendations discussed here. However, the nighttime impact of electronic message display signs and digital billboards is very different. This is why we urge the County to leave the existing prohibition of digital billboards in place, and to enact the zone-based IDA- and IES-recommended luminance limits for on-premise electronic message display signs. For permitted electronic signs, this approach simultaneously serves the interests of sign owners and stakeholder groups by ensuring sign message legibility while minimizing harm to the nighttime environment.

I will join AzAC representatives in meeting with you on Monday, February 24, at which time I would be happy to discuss any of these items with you in further detail.

Sincerely,



John C. Barentine, Ph.D.
Director of Public Policy

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[1] IDA, "Guidance for Electronic Message Centers (EMCs)" (PDF)
[2] IES, "Recommended Practice: Off-Roadway Sign Luminance" (ANSI/IES RP-39-19)
[3] Draft 1, §18.79.030(O)(2).
[4] Pima County Zoning Code, §18.79.040(3).

9/2020 Barentine email

Hi Tom,

Thanks again for meeting with us today. In follow up to the idea about tying the standard in the county sign code to state law, here are the relevant provisions of the state statute. There is a definition in §28-7901(3) that is useful: "'*Electronic outdoor advertising' means signs, displays and devices with sign faces that are comprised of matrices of light or light-emitting devices that are static or capable of changing messages electronically by remote or automatic means*."

Regards,

John

A.R.S. §28-7903. Outdoor advertising prohibited

http://www.azleg.gov/viewdocument/?docName=http://www.azleg.gov/ars/28/07903.htm

A. Outdoor advertising shall not be placed or maintained adjacent to the interstate, secondary or primary systems at the following locations or positions, under any of the following conditions or if the outdoor advertising is of the following nature:

1. If it is within view of, directed at and intended to be read from the main traveled way of the interstate, primary or secondary systems, except outdoor advertising authorized under section 28-7902.

2. If it is visible from the main traveled way and simulates or imitates a directional, warning, danger or information sign permitted under this article, if it is likely to be mistaken for any such permitted sign or if it is intended or likely to be construed as giving warning to traffic, such as by the use of the words "stop" or "slow down".

3. If it is within any stream or drainage channel or below the flood water level of any stream or drainage channel where the outdoor advertising might be deluged by floodwaters and swept under any highway structure crossing the stream or drainage channel or against the supports of the highway structure.

4. If it is visible from the main traveled way and displays a red, flashing, blinking, intermittent or moving light, except as provided in section 28-7902, subsection E, or lights likely to be mistaken for a warning or danger signal, except that part necessary to give public service information such as time, date, weather, temperature or similar information.

5. If an illumination on the outdoor advertising is of such brilliance and in such a position as to blind or dazzle the vision of travelers on the main traveled way.

6. If it exists under a permit as required by this article and is not maintained in safe condition.

7. If it is obviously abandoned.

8. If it is placed in a manner that either:

(a) Obstructs or otherwise physically interferes with an official traffic sign, signal or device.

(b) Obstructs or physically interferes with the vision of drivers in approaching, merging or intersecting traffic.

9. If it is placed on trees or painted or drawn on rocks or other natural features, except signs permitted by section 28-7902, subsection A, paragraph 2.

B. At interchanges on freeways or interstate highways outside municipal limits, an outdoor advertising sign, display or device shall not be erected in the area between the crossroad and a point five hundred feet beyond the beginning or ending of pavement widening at the exit from or entrance to the main traveled way.

A.R.S. §28-7902. Restrictions on Electronic Signs

http://www.azleg.gov/viewdocument/?docName=http://www.azleg.gov/ars/28/07902.htm

(NOTE: Section E forward was added by the Legislature in 2012. http://www.azleg.gov/FormatDocument.asp?inDoc=/legtext/50leg/2r/laws/0316.htm&Session_ID=107)

A. The following outdoor advertising may be placed or maintained along an interstate, secondary or primary system within six hundred sixty feet of the edge of the right-of-way:

1. Directional or other official signs or notices that are required or authorized by law, including signs pertaining to natural wonders and scenic and historic attractions.

2. Signs, displays and devices that are located on the premises of the activity that they advertise. This paragraph applies to any sign that is located on the premises of a comprehensive development that the sign advertises if the placement of the sign does not cause a reduction of federal aid highway monies pursuant to 23 United States Code section 131. For the purposes of this paragraph, "activity" means the active use or collective uses of the premises.

3. Signs, displays and devices advertising the sale or lease of the property on which they are located.

4. Signs, displays and devices lawfully placed after April 1, 1970 in business areas.

5. Signs, displays and devices lawfully placed after either:

(a) July 1, 1974 in zoned or unzoned commercial or industrial areas inside municipal limits.

(b) April 1, 1972 in unzoned commercial or industrial areas outside municipal limits.

6. Signs, displays and devices that are lawfully existing on April 1, 1970 and that are located in business areas and in zoned commercial or industrial areas outside municipal limits.

7. Signs, displays and devices lawfully existing on either:

(a) July 1, 1974 that are located in zoned or unzoned commercial or industrial areas inside municipal limits.

(b) April 1, 1972 in unzoned commercial or industrial areas outside municipal limits.

8. Nonconforming tourist related advertising displays that are lawfully erected and in existence on May 5, 1976, that are located in defined hardship areas, that provide specific directional information to the traveling public and that are approved by the United States secretary of transportation pursuant to 23 United States Code section 131(o).

9. A sign located in a charter city adjacent to an interstate highway with a changing message for identification of businesses that are located on separate contiguous parcels and that are part of a single development approved by a city council as part of a development agreement entered into before April 22, 1990. The changing message may not contain words or phrases that continuously travel or scroll in a manner that presents a message longer than may be displayed on the sign at one instant in time. The director may adopt rules governing the interval within which a message may be displayed or changed. This paragraph does not alter, change or affect any other statute, rule, regulation, policy or interpretation concerning the use of signs with changing messages or the ownership of property on which the signs are located.

B. Outdoor advertising authorized under subsection A, paragraphs 1, 4 and 5 shall conform with standards contained and shall bear permits required in rules adopted by the director under this article, except that the authorized outdoor advertising along highways in the secondary system that are not state highways need only bear permits required by the responsible county or municipal authority.

C. Outdoor advertising authorized under subsection A, paragraphs 6 and 7 need not conform to standards contained but shall bear permits required in rules adopted by the director under this article, except that the authorized outdoor advertising along highways in the secondary system that are not state highways need only bear permits required by the responsible county or municipal authority.

D. If preservation would be consistent with this article, signs may be preserved or maintained if they were lawfully in existence on October 22, 1965 and if the director determines, subject to the approval of the United States secretary of transportation as provided for by 23 United States Code section 131(c), that they are landmark signs, including signs on farm structures or natural surfaces, of historic or artistic significance.

E. Outdoor advertising that conforms to standards and bears a permit pursuant to subsection B or C of this section may include electronic outdoor advertising only if the electronic outdoor advertising meets the following requirements:

1. The electronic outdoor advertising does not contain any form of animation and remains static for at least eight seconds with a transition time of no greater than two seconds.

2. Except as provided in subsection H or I of this section, the electronic outdoor advertising is located within the area with the following coordinates:
Beginning at latitude 33.9 north, longitude 114.5 west, hence due east to latitude 33.9 north, longitude 112.25 west, hence following the circumference of a circle with a radius

of seventy-five miles from the coordinates of the discovery channel telescope to latitude 33.66 north, longitude 111.23 west, hence due south to latitude 33.46 north, longitude 111.23 west, hence following the circumference of a circle with a radius of seventy-five miles from the coordinates of the Mount Lemmon observatory to latitude 33.02 north, longitude 111.91 west, hence following the circumference of a circle with a radius of seventy-five miles from the coordinates of Kitt Peak observatory to latitude 32.6 north, longitude 112.65 west, hence due west to latitude 32.6 north, longitude 114.802 west, and hence north along the Colorado river to the point of beginning.

3. From sunset until 11:00 P.M., the dimmer for electronic outdoor advertising signs, displays and devices shall not be set to exceed three hundred forty-two NITS in full white mode for signs that are smaller than six hundred seventy-two square feet in area and three hundred NITS in full white mode for signs that are equal to or larger than six hundred seventy-two square feet in area.

4. From 11:00 P.M. until sunrise, illumination shall be extinguished and electronic outdoor advertising signs, displays and devices shall be equipped with an automatic device to ensure compliance with this paragraph, except for amber alerts and other governmental emergencies. The automatic device shall have the ability to dim the display through a photoelectric sensor that detects ambient light levels and adjusts the display intensity automatically to ensure the maximum NIT levels are enforced.

5. The electronic outdoor advertising shall comply with the size and spacing limitations prescribed in section 28-7905.

F. The director shall prepare a pictorial representation of the coordinates described in subsection E, paragraph 2 of this section. The director shall post the pictorial representation on the department's website.

G. The owner of any outdoor advertising that is within the area described in subsection E, paragraph 2 of this section, that bears a permit pursuant to subsection B or C of this section and that is converted to electronic outdoor advertising shall notify the department of the face-type status change. The notice shall include a certification that the sign remains in compliance with this section. The department shall maintain the face-type status change documents in its records. After the effective date of this amendment to this section, the conversion of outdoor advertising to electronic outdoor advertising is only allowed in the area described in subsection E, paragraph 2 of this section.

H. Electronic outdoor advertising is deemed to have legal nonconforming status for the purposes of state law, including for the purposes of any permits and approvals issued by the department, if both of the following apply:

1. The electronic outdoor advertising is both operational and bears a permit pursuant to subsection B or C of this section before the effective date of this amendment to this section.

2. The electronic outdoor advertising is not located within the area described in subsection E, paragraph 2 of this section.

I. Electronic outdoor advertising in existence and operational as of the effective date of this amendment to this section is deemed to have legal conforming status for the purposes of state law, including for the purposes of any permits and approvals issued by the department if both of the following apply:

1. The electronic outdoor advertising bears a permit pursuant to subsection B or C of this section.

2. The electronic outdoor advertising is located within the area described in subsection E, paragraph 2 of this section.

J. the electronic outdoor advertising that is described in subsection H or I of this section is subject to the requirements prescribed by subsection E, paragraphs 1, 3, 4 and 5.

K. A city, town or county shall not issue a permit for conversion of an existing outdoor advertising use to an electronic outdoor advertising use after the effective date of this amendment to this section if the existing outdoor advertising is not located in the area described in subsection E, paragraph 2 of this section.

L. This section does not prevent a city, town or county from enforcing or enacting an ordinance regulating outdoor advertising that is authorized by subsection E of this section, including the lighting of the outdoor advertising. The city, town or county may enact an ordinance that is more restrictive than this section but not less restrictive than this section.

The "Authorized Area" for electronic billboards as of 2017 is in the attached PDF map.

Janet

Davis-Monthan AFB Civil Engineer Squadron personnel have reviewed the draft Pima County Sign Code you sent to us for review. We have reviewed the Sign Code we don't have any comments on the draft. Thank you for sending to us to review and to ensure any new code doesn't have a negative impact to our mission.

Thanks

Kacey

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355th Civil Engineer Squadron/CENPP
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From:	James Carpentier
To:	Janet Emel
Cc:	Patricia King; David Hickey
Subject:	Comments on the draft sign code
Date:	Friday, February 14, 2020 2:22:09 PM
Attachments:	ASA ISA Recommendations 2.13.20 - Pima County Sign Draft 11.28.20.pdf ASA ISA Summary of Comments on Sign Code Draft Pima CO 2.14.20.pdf OnPremiseSignRegulations.pdf Zoning-Practice - Creative Signs - James Carpentier 2018-07.pdf

****
This message and sender come from outside Pima County. If you did not expect this message, proceed with caution. Verify the sender's identity before performing any action, such as clicking on a link or opening an attachment.
****

Hello Janet,

I am submitting the attached comments on behalf of the Arizona Sign Association and the International Sign Association. Both associations work with officials to assist in the creation of beneficial and enforceable sign regulations. I attached the ASA ISA recommendations along with a summary of the recommendations. I would like to offer additional comments that are not in the attached recommendations:

- We suggest the use of a summary table that includes the requirements “at a glance” so applicants and staff can readily see the code requirements.
- The use of images can be very beneficial when describing sign types etc.
- The method of measuring sign area is not indicated. We suggest to measure using multiple standard geometric shapes (or something similar) to allow for encourage creative and irregular signs and shapes. See the attached model code page 29 for additional information and some model language and article on Creative Signs.

We believe a lot of the code has some good approaches, the Master Sign Program and Dark Sky Option. We believe that to have the Dark Sky Option as an incentive is an excellent approach.

We appreciate the opportunity to provide comments on the draft code.

Let me know if you have any questions or need any information.

Thanks

James B Carpentier AICP
Director State & Local Government Affairs

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INTERNATIONAL SIGN ASSOCIATION

3. Temporarily or permanently moved or removed by any means including an act of God, except as provided in subparagraphs 18.79.060(B)(2) above and 18.79.060(D) below.

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

1. Maximum sign area may be the greatest of:

a. That allowed in the residential or non-residential area;

b. Fifty percent of the area of the nonconforming sign.

2. Maximum sign height may be the greatest of:

a. That allowed in the residential or non-residential area; or

b. Seventy-five percent of the height of the existing sign.

3. All structural components and braces (such as pipes, angle iron, cables, internal or back framing) are concealed with a pole cover or architectural embellishment.

DRAFT 1

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.

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,

Summary of Comments on Sign Code Draft (00724931.DOCX;5)

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Number: 1 Author: jcarpentier Subject: Sticky Note Date: 2/13/2020 6:53:16 PM

The applicability and administration of this section is not clear.

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. A sign permit application shall be submitted for all signs requiring a permit.

b. A sign permit application must be accompanied by all items required by the sign permit 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.

DRAFT 1

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

1. General:

a. Minimum clearance: Ten feet.

b. Maximum faces per sign: Two.

c. No illumination.

d. Maximum number of signs per site: None.

e. Landscaping ratio: None.

f. No on-site use sign shall be a part of or attached to a billboard.

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Number: 1 Author: jcarpentier Subject: Sticky Note Date: 2/13/2020 3:24:34 PM

Carify that this section is offsite

support structure for a billboard of the same sign area provided it meets the following requirements:

i. Illumination: None;

ii. Maximum height: 24 feet;

iii. 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.

2. CB-2 and CI-1: [1]

a. Maximum area per sign: 75 square feet;

b. Maximum height: 16 feet;

c. Minimum setback: 20 feet from any property line.

d. Not located within 660 feet of another billboard.

3. CI-2 and CI-3: [2]

DRAFT 1

a. Maximum area per sign: 300 square feet;

b. Maximum height: 24 feet;

c. Minimum setbacks:

i. Billboard with an area of 75 square feet or less: 20 feet from any property line and shall not be within 660 feet of another billboard.

ii. Billboard with an area of more than 75 square feet: 30-foot front setback and shall not be within 1,320 feet of another billboard.

B. Freestanding. A freestanding sign is allowed subject to: [3] [4]

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

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Number: 1 Author: jcarpentier Subject: Sticky Note Date: 2/13/2020 3:25:13 PM

Author: jcarpentier Subject: Sticky Note Date: 2/13/2020 3:25:34 PM
Clarify that this section is for billboards and offsite

Number: 2 Author: jcarpentier Subject: Sticky Note Date: 2/13/2020 3:20:36 PM

Author: jcarpentier Subject: Sticky Note Date: 2/13/2020 3:25:49 PM
Clarify that this section is for billboards and off-site

Number: 3 Author: jcarpentier Subject: Sticky Note Date: 2/13/2020 4:53:15 PM
Clarify that this section is for on-premise by indicating on-premise. We recommend giving the on-premise portion of the code a different section number to assist in that clarification. and administration and ease of understanding for applicants.

Number: 4 Author: jcarpentier Subject: Sticky Note Date: 2/13/2020 6:23:35 PM
Recommend the inclusion of a smaller ground sign with same type allowances for numbers such as one per entrance around 4' in height and 6 sq ft. to be able to accommodate directional type signs. These signs could be referred to as minor signs.

8. May include a changeable copy component.

9. May include additional drive-through 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. Sound emitted shall not be audible from any nearby residential property.

10. May include an electronic message display component subject to:

a. Limited to 50 percent of the allowable area of a sign face;

b. Full color is allowed and shall consist only of static or slow fade messages that change not more frequently than once every 7.5 seconds. Scrolling, travelling, flashing, full-motion video, use of sound, and similar operational effects are prohibited;

DRAFT 1

c. Light text on dark backgrounds only, where "dark" does not include white, off-white, light gray, cream or yellow colors; 1

d. A maximum luminance intensity of 30 percent less than allowed by the Outdoor Lighting Code (Ch. 15.12); 2

e. If the sign is visible from an existing residential use and not separated by a street or alley, the sign is installed a minimum of 100 feet from the property line of the residential use. 3

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

C. 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.

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Number: 1 Author: jcarpentier Subject: Sticky Note Date: 2/13/2020 4:06:22 PM

This may be difficult to enforce since "light text" may be subject to varied interpretation and undue discretion. With the type of illumination levels proposed an EMC will not be any brighter than a typical static sign.

Number: 2 Author: jcarpentier Subject: Sticky Note Date: 2/13/2020 5:58:42 PM

Recommend that the nits be stated (140) in addition to reference to that section.

Number: 3 Author: jcarpentier Subject: Sticky Note Date: 2/13/2020 5:59:02 PM

This should just require a 100' offset when adjacent to a residential use and not separated by a row. Determining visibility may allow for varied interpretation.

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 a drive-through component 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. Limited to 50 percent of the allowable area of a sign face;

b. Full color is allowed and shall consist only of static or slow fade messages that change not more frequently than once every 7.5 seconds. Scrolling, travelling, flashing, full-motion video, use of sound, and similar operational effects are prohibited;

DRAFT 1

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

d. A maximum luminance intensity of 30 percent less than allowed by the Outdoor Lighting Code (Ch. 15.12);

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

E. 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; calculated as part of the wall sign allotment. 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;

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Number: 1 Author: jcarpentier Subject: Sticky Note Date: 2/13/2020 3:53:36 PM

We are fully supportive of performance type approach that givse a bonus when meeting the dark sky protection option.

Number: 2 Author: jcarpentier Subject: Sticky Note Date: 2/13/2020 4:11:00 PM

maximum height should be stated at 8'.

Number: 3 Author: jcarpentier Subject: Sticky Note Date: 2/13/2020 6:26:44 PM

We do not recommend that the allowed window sign area be included as the wall sign allotment. Enforcement may be a challenge due to different marketing campaigns, etc and window signs are exempt. 18.79.050(L) exempts window signs (agree with that) while this section requires the window area be calculated as a part of the wall sign allotment (that section should be eliminated).

18.79.100 – Flexible option and master 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 illuminated signs with the exception of electronic message display signs. Does not include billboard 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. If sign is allowed to be illuminated, in addition to meeting the Outdoor Lighting Code, the sign shall meet the following:

a. An illuminated sign shall be turned off by 9 PM;

b. Only the sign copy letters shall be illuminated;

DRAFT 1

c. Externally illuminated signs:

i. Full shielding of luminaires;

ii. Top-down illumination only;

iii. A maximum correlated color temperature (CCT) of 30 percent less than allowed by the Outdoor Lighting Code (Ch. 15.12) for the illumination source;

iv. Sign surface contains all of the light;

v. Light trespass onto any other property prohibited;

vi. A maximum luminance intensity of 30 percent less than allowed by the Outdoor Lighting Code (Ch. 15.12).

d. Conventional internally illuminated signs:

i. Light text on dark backgrounds only, where “dark” does not include white, off-white, light gray, cream or yellow colors; 1

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Number: 1 Author: jcarpentier Subject: Sticky Note Date: 2/13/2020 4:24:19 PM

this section may be a challenge to administer as noted previously. consider requiring that sign copy and logos be routed out then the background will not be illuminated and the colors will not be an issue.

ii. A maximum correlated color temperature (CCT) of 30 percent less than allowed by the Outdoor Lighting Code (Ch. 15.12) for the illumination source.

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;

DRAFT 1

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: May apply to on-site and off-site signs, and all signs in the right-of-way. The request may include the number of signs, the location of signs, the time period of the signs, the maximum height, and the maximum sign area.

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Number: 1 Author: jcarpentier Subject: Sticky Note Date: 2/13/2020 4:26:52 PM

We fully support flexibly of this nature since the code can not be designed to meet every type of scenario and project.

ATTACHMENT 2

[The Draft 2 revisions to Draft 1 are shown in red.]

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. Provide opportunities for equitable free speech and identification and essential communication, enabling wayfinding, retaining businesses and promoting economic development;

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. Promote signs that are appropriate to the type of activity to which they pertain, well-designed, of appropriate scale, and appropriately integrated into the built and natural environment;

DRAFT 2

4. Promote traffic and pedestrian safety: minimize risk of personal injury and property damage from unregulated and improper sign placement and construction;

5. Protect astronomical observation by protecting dark skies and minimize light intrusion onto adjacent property; and,

6. 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.

B. Whenever a conflict arises in the enforcement of this chapter or more than one interpretation is possible, the purpose shall serve as a guideline in reaching a decision.

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.

Summary of Comments on Sign Code Draft (00724931.DOCX;5)

Page: 1

Author: jcarpentier Subject: Sticky Note Date: 9/6/2020 6:34:17 PM
Suggested grammatical edits:
"Provide opportunities for equitable free speech, identification and essential communication; enable wayfinding; retain businesses and promote economic development."

Author: jcarpentier Subject: Sticky Note Date: 9/6/2020 6:35:11 PM
Suggested grammatical edits:
"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."

Author: jcarpentier Subject: Sticky Note Date: 9/6/2020 6:37:28 PM
Suggested grammatical edits:
"Promote traffic and pedestrian safety and minimize risk of personal injury and property damage from unregulated and improper sign placement and construction."

Author: jcarpentier Subject: Sticky Note Date: 9/6/2020 6:39:31 PM
Suggested grammatical edits:
"Protect astronomical observation by protecting dark skies and minimizing light intrusion onto adjacent property; and"

Author: jcarpentier Subject: Sticky Note Date: 9/6/2020 6:40:09 PM
Suggested grammatical edits
"B. Whenever a conflict arises in the enforcement of this chapter or more than one interpretation is possible, the purposes stated in 18.79.010(A) shall serve as guidelines in resolving the conflict or interpretation."

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.

DRAFT 2

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".

~~C. Balloon sign: An airtight bag filled with helium, hot air, or other gas, that is anchored to a building or structure with rope, cable or similar material.~~

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Author: jcarpentier Subject: Sticky Note Date: 9/6/2020 6:43:58 PM

A reasonable time frame needs to be established for an abandoned sign, such as 6 months.

1~~D~~. 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~~E~~. 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~~F~~. 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~~G~~. 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.

DRAFT 2

2~~H~~. Concealed sign: A permanent or temporary sign that is within the boundaries of a premises, not legible from adjacent public right-of-way. Examples: indoor sign and a sign located within an outdoor courtyard.

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~~I~~. Danger sign. A sign that is necessary to warn of danger.

2~~J~~. 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~~K~~. Drive-through sign: An on-site sign of a drive-through or drive-in use.

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Author: jcarpentier Subject: Sticky Note Date: 9/6/2020 6:45:40 PM
Suggested grammatical edits:
"Examples: indoor signs and signs located wtihin an indoor courtyard."

Author: jcarpentier Subject: Sticky Note Date: 9/6/2020 6:47:50 PM
This should specify drive through lane sign.

face or to an object, product, place, activity, person, institution, organization, or use.

2~~DD~~. Sign area allotment: The allowed amount of identification sign area.

3~~EE~~. Sign copy: Any word, letter, logo, number, design, figure or other symbolic representation incorporated into a sign.

4~~FF~~. Street frontage: Measured as the length of a lot or development fronting on a public or private street.

5~~GG~~. Suspended sign: Signs hanging from an awning, from a canopy, a covered walkway, porch, roof overhang, or a sign projecting from a building.

T. Definitions "T".

1~~HH~~. 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~~II~~. Tenant space: The area or portion of a building leased by an individual or entity; may include the property owner.

DRAFT 2

3~~JJ~~. 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~~KK~~. Wall sign: A permanent sign fastened, attached, or connected to, or supported in whole or in part by, a building or structure.

2~~LL~~. 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, or relocate any sign specified in this section, unless regulated elsewhere:

A. Sign types.

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Author: jcarpentier Subject: Sticky Note Date: 9/7/2020 2:35:55 PM
What is an "identification" sign area? This could be considered sign content. Sign area allotment definition needs to further clarified.

Author: jcarpentier Subject: Sticky Note Date: 9/6/2020 6:52:49 PM
Suggested grammatical edits:
"Suspended sign: A sign hanging from an awning, from a canopy, etc . . . "

Author: jcarpentier Subject: Sticky Note Date: 9/6/2020 6:54:42 PM
Suggested grammatical edits:
"Wall sign: A permanent sign fastened, attached, connected to, or supported in whole or in part by a building or structure."

Author: jcarpentier Subject: Sticky Note Date: 9/6/2020 6:56:02 PM
Suggested grammatical edits:
"18.79.040 - Prohibited signs. No person shall erect, alter, or relocate any sign specified in this section unless regulated elsewhere.

A. Sign types that are prohibited:"

or "A. Prohibited sign types:"

1. Abandoned sign.

~~2. Balloon sign.~~

2~~3~~. Cloth or paper sign 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. Digital 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(B)(10), (D)(8)) or inflatable or air activated signs (Section 18.79.090(D)).

5. Off-site sign, except those specifically allowed.

DRAFT 2

6. Ribbons, streamers, balloons, or pin flags, except as expressly allowed by the provisions of inflatable or air activated signs (Section 18.79.090(D)).

7. Roof sign or signs projecting above the top of the wall parapet, or roofline, or mounted on a roof.

8. Searchlight.

9. Sound: A sign emitting sound (except a drive-through sign).

10. Statue 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.

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Author: jcarpentier Subject: Sticky Note Date: 9/7/2020 2:36:50 PM
This does not correlate with the statement on Prohibited signs "shall not erect, alter, or relocate any sign . . . "
The word "maintain" should be added to the Prohibited signs statement. As in "No person shall erect, alter, maintain or relocate any sign specified in this section, unless regulated elsewhere." We recommend to allow to relocate and/or alter an abandoned sign that complies with the time, place and manner restrictions of the code.

Author: jcarpentier Subject: Sticky Note Date: 9/6/2020 7:00:13 PM
All of these "sign types" should agree on plural or singular when referencing sign(s)

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 sign.

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

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

D. Governmental sign.

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 sign as allowed by Arizona Revised Statutes.

DRAFT 2

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(E) or 18.79.090(G).

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Author: jcarpentier Subject: Sticky Note Date: 9/6/2020 7:00:47 PM
All references to signs in this section should be plural to agree with the "Exempt signs" opening paragraph.

ATTACHMENT 2

18.79.060 – Legal nonconforming signs.

A. Legal, nonconforming signs are allowed, subject to the requirements of this section.

B. Any legal, nonconforming sign shall be permitted to remain, so long as it:

1. Is not increased in area or height and remains structurally unchanged, except for reasonable repairs or alterations; or

2. Is not relocated, unless at the request or requirement of Pima County so as to comply with applicable safety requirements.

C. A legal, nonconforming sign shall be rebuilt, repaired, or replaced ~~only~~ in conformance with the provisions of this chapter if it is:

1. Structurally changed, except for reasonable repairs or alterations;

2. Damaged by half or more of the cost to replace the sign as a result of fire, lack of maintenance, or other causes; or

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3. Temporarily or permanently moved or removed by any means including an act of God, except as provided in subparagraphs 18.79.060(B)(2) above and 18.79.060(D) below.

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

1. Maximum sign area may be the greatest of:

a. That allowed in the residential or non-residential area;

b. Fifty percent of the area of the nonconforming sign.

2. Maximum sign height may be the greatest of:

a. That allowed in the residential or non-residential area; or

b. Seventy-five percent of the height of the existing sign.

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Author: jcarpentier Subject: Sticky Note Date: 9/6/2020 7:20:08 PM
This should specifically allow for LED retrofit so as to be more energy efficient.

Author: jcarpentier Subject: Sticky Note Date: 9/6/2020 7:26:08 PM
The term reasonable allows for too much discretion. We recommend that a specific % be stated such as to not exceed 50% of the value of the sign.

Author: jcarpentier Subject: Sticky Note Date: 9/6/2020 7:42:53 PM
Suggested grammatical edits:
"That allowed in the residential or non-residential area; or"

3. All structural components and braces (such as pipes, angle iron, cables, internal or back framing) are concealed with a pole cover or architectural embellishment.

4. This exception does not apply to electronic message display signs.

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.

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Author: jcarpentier Subject: Sticky Note Date: 9/6/2020 7:53:09 PM

We recommend to include a specific circumference around the signs to eliminate discretion when determining the "average finished grade."

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. Sign illumination shall be turned off at close of the use associated with the sign until at least sunrise.

4. 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.

DRAFT 2

2. Except as provided 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.

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Author: jcarpentier Subject: Sticky Note Date: 9/7/2020 2:40:42 PM
We recommend that signs comply with sign curfews listed the Outdoor lighting code Chapter 15.12, as stated in Section 2. The requirement is section 3. conflicts with the requirements in the Outdoor lighting Code.

Author: jcarpentier Subject: Sticky Note Date: 9/6/2020 8:00:37 PM
...including an LED retrofit which will require an electrical permit

a. ~~A~~ The sign permit portion of an application shall be submitted for all signs requiring a permit.

b. ~~A~~ The sign permit portion of an application must be accompanied by all items required by the sign permit portion of an 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:

DRAFT 2

1. General:

a. Minimum clearance: Ten feet.

b. Maximum faces per sign: Two.

c. No illumination.

d. Maximum number of signs per site: None.

e. Landscaping ratio: None.

f. No on-site use 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.

i. A billboard shall not be located:

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Author: jcarpentier Subject: Sticky Note Date: 9/6/2020 8:09:25 PM
We suggest some remedial options and/or time frames for rectifying the omission or misstatement particularly where honest mistakes are made.

Author: jcarpentier Subject: Sticky Note Date: 9/6/2020 8:17:29 PM
This should be the start of part 2. Location:

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

ii. On a designated scenic route, excepting:

a) Interstate 10.

b) Interstate 19.

c) 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.

iii. 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, subject to the requirements of ARS §11-812.

j. Two-for-one (2 for 1) 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:

DRAFT 2

i. Illumination: None;

ii. Maximum height: 24 feet;

iii. 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.

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

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Author: jcarpentier Subject: Sticky Note Date: 9/6/2020 8:18:17 PM
This should be section 3 since it does not pertain to location.

Author: jcarpentier Subject: Sticky Note Date: 9/6/2020 8:19:17 PM
Should be Section 4

Does this require owners of existing billboards within 300 feet of a county road constructed after January 1, 1984 (or CB-2 zones) to go back in and procure use permits for their signs?

c. Minimum setback: 20 feet from any property line.

d. Not located within 660 feet of another billboard.

4. CI-2 and CI-3:

a. Maximum area per sign: 300 square feet;

b. Maximum height: 24 feet;

c. Minimum setbacks:

i. Billboard with an area of 75 square feet or less: 20 feet from any property line and shall not be within 660 feet of another billboard.

ii. Billboard with an area of more than 75 square feet: 30-foot front setback and shall not be within 1,320 feet of another billboard.

B. 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.

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2. Maximum number of signs per site: One sign per approved 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: 81 square feet; or

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

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Author: jcarpentier Subject: Sticky Note Date: 9/6/2020 8:20:43 PM
General note: this entire section on freestanding signs would be much clearer if Interstate (we suggest these be referred to as freeway signs) style signs and hospital signs were separated out into their own section with their specific regulations contained underneath the designation.

Author: jcarpentier Subject: Sticky Note Date: 9/6/2020 8:24:00 PM
We suggest the the sign standards be summarized in a clear table format.

Author: jcarpentier Subject: Sticky Note Date: 9/6/2020 8:21:55 PM
This paragraph needs to be broken down in to its component parts - Interstate style freestanding signs should have a separate paragraph and subparagraphs. I can't tell if the "not within 300 feet of another freestanding sign" pertains to all freestanding signs, or just interstate-style signs.

Author: jcarpentier Subject: Sticky Note Date: 9/6/2020 8:22:40 PM
This paragraph needs broken down into component parts. Also, the second sentence should read "High volume arterial roadways with limited access or roads with speeds greater than 50 mph . . . " if that is what they mean. The existing sentence structure confusing.

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 illuminated sign is allowed, except a sign with an electronic message display component, if the illumination measures of the Dark Sky Protection Option in Section 18.79.100(A)(4) are met.

DRAFT 2

6. Landscaping ratio per sign: 4:1.

7. Minimum setback: Zero feet.

8. May include a changeable copy component.

9. May include additional drive-through 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. Sound emitted shall not be audible from any nearby residential property.

10. May include an electronic message display component subject to:

a. Limited to 50 percent of the allowable area of a sign face;

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Author: jcarpentier Subject: Sticky Note Date: 9/7/2020 2:43:41 PM
Suggest that "from property line" be added after setback.

Author: jcarpentier Subject: Sticky Note Date: 9/6/2020 8:28:17 PM
Menu lane signs should be completely separated from freestanding signs as their own sign type, and allowances given for menu lane signs only. This is a very confusing section. We recomend the code accomdate the many drive throughs that have three structures in each drive-thru lane: pre-menu, menu and order point.

Author: jcarpentier Subject: Sticky Note Date: 9/7/2020 2:50:42 PM
We recommend to allow 75% sign area for EMCs, to allow for additional flexibility and messaging for end users.

b. Full color is allowed and shall consist only of static or slow fade messages that change not more frequently than once every 7.5 seconds. Scrolling, travelling, flashing, full-motion video, use of sound, and similar operational effects are prohibited;

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

d. A maximum ~~luminance~~ luminous intensity of 30 percent less than allowed by the Outdoor Lighting Code (Ch. 15.12);

e. If the sign is visible from an existing residential use and not separated by a street or alley, the sign is 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).

DRAFT 2

C. 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(D)).

4. Maximum height: Building height.

5. Minimum clearance: Eight feet.

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

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

1. Location: On-site; non-residential areas only, with the exception of Section 18.79.070(A); located on tenant space with the multi-tenant building maximum sign area exception of Section 18.79.080(D)(3)(b).

2. Maximum number of signs per site: None.

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Author: jcarpentier Subject: Sticky Note Date: 9/7/2020 2:51:21 PM
The fade in and out transition should be stated as a maximum of 1 second or less.

Author: jcarpentier Subject: Sticky Note Date: 9/7/2020 2:51:50 PM
Exception should be noted for drive through lane signs in regards to sound.

Author: jcarpentier Subject: Sticky Note Date: 9/6/2020 8:45:42 PM
We recommend that electronic message centers comply with the outdoor lighting code and not exceed 200 nits. This section conflicts with Section 2. "A sign shall comply with the standards of the Outdoor Lighting Code (Chapter 15.12)."

Author: jcarpentier Subject: Sticky Note Date: 9/7/2020 2:52:50 PM
Near the tenant space needs to be clarified since the applicant will not know what this means since this is vague and therefore allows for too much discretion.

3. Maximum sign area per building:

   a. Single tenant building:

      i. 200 square feet per elevation for building frontages less than or equal to 500 feet;

      ii. 300 square feet per elevation for building frontages greater than 500 feet.

   b. Multi-tenant building: Thirty square feet plus 1.5 square feet for each linear foot of building frontage up to 200 square feet per tenant. 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.

DRAFT 2

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 a drive-through component subject to:

   a. Maximum area: 36 square feet;

   b. Maximum height: 8 feet;

   ~~b~~c. Sound emitted must not be audible from any residential property.

8. May include an electronic message display component subject to:

   a. Limited to 50 percent of the allowable area of a sign face;

   b. Full color is allowed and shall consist only of static or slow fade messages that change not more frequently than once every 7.5 seconds.

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Author: jcarpentier Subject: Sticky Note Date: 9/6/2020 8:48:21 PM

This needs to be cleaned up so the "subject to" agrees with the descending subparagraph sentences.

Scrolling, travelling, flashing, full-motion video, use of sound, and similar operational effects are prohibited;

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

d. A maximum ~~luminance~~ luminous intensity of 30 percent less than allowed by the Outdoor Lighting Code (Ch. 15.12);

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

E. 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~~; calculated as part of the wall sign allotment~~. 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.

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Author: jcarpentier Subject: Sticky Note Date: 9/6/2020 8:49:25 PM
the sign "must be" installed a minimum of 100 feet . . .

Author: jcarpentier Subject: Sticky Note Date: 9/7/2020 2:54:36 PM
We do not recommend a distinction be made with a permanent and temporary widow signs. Determination will not be easy on what constitutes a permanent and temporary window signs and enforcement on letter size is not practical.

Author: jcarpentier Subject: Sticky Note Date: 9/6/2020 8:59:34 PM
This should inlcude...Window Signs shall be located on the first.....

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 ~~is~~ 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:

DRAFT 2

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.

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Author: jcarpentier Subject: Sticky Note Date: 9/6/2020 9:00:59 PM

Since we routinely get requests for larger banners we recommend that the maximum area be increased to 100 sq. ft.

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 – ~~Flexible option~~ 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.

DRAFT 2

2. Application: Applies to illuminated signs with the exception of electronic message display signs. Does not include billboard 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. I~~f sign is allowed to be illuminated, i~~n addition to meeting the Outdoor Lighting Code, ~~the~~ a sign shall meet the following:

a. An illuminated sign shall be turned off by 9 PM;

b. Only the sign copy letters shall be illuminated;

c. Externally illuminated signs:

i. Full shielding of luminaires;

ii. Top-down illumination only;

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Author: jcarpentier Subject: Sticky Note Date: 9/6/2020 9:01:55 PM
These requirements are already state in the code.

Author: jcarpentier Subject: Sticky Note Date: 9/7/2020 2:57:49 PM
We are in support of performance standards of this nature with bonuses in sign area and height as an incentive. Also we strongly recommend that this code only refer to the Outdoor Lighting Code for illumination requirements rather than alter these standards. More education and understanding of the existing outdoor code is needed.

Author: jcarpentier Subject: Sticky Note Date: 9/6/2020 9:07:56 PM
We recommend to add and logos after letters.

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: May apply to on-site and off-site signs, and all signs in the right-of-way. The request may include the number of signs, the location of signs, the time period of the signs, the maximum height, and the maximum sign area. Does not include billboard signs. Does not allow sign types not otherwise allowed by the chapter.

3. The planning official shall review the submittal and may approve, approve with conditions, or deny the request based on this section. The applicant may appeal the planning official's decision to the applicable board of adjustment.

DRAFT 2

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 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.

Page: 25

Author: jcarpentier Subject: Sticky Note Date: 9/6/2020 8:58:07 PM
This should be clarified and state Pima County department of Transportation.

P. Storm

Streets
Regional Corridors
Highways

– Use 3-Tier System of roads for signage not 2-Tier

Note: This is review Draft 1 to revise Pima County code Ch. 18.79 (Sign Standards).

It is intended to replace the existing sign code in its entirety.

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. Provide opportunities for equitable free speech and identification and essential communication, enabling wayfinding, retaining businesses and promoting economic development; Good

Do not use pejorative term, unnecessary

2. Encourage legibility of sign information along street frontages, ~~reduce~~ efficient placement ~~visual~~ clutter, and encourage the clearest possible visual perception of existing uses and existing signs;

3. Promote signs that are appropriate to the type of activity to which they pertain, well-designed, of appropriate scale, and appropriately integrated into the built and natural environment;

Not all unregulated signs pose a public safety risk.

4. Promote traffic and pedestrian safety: minimize risk of personal injury and property damage from ~~unregulated and~~ improper sign placement and construction;

(incorporate economy #5)

5. Protect astronomical observation by protecting dark skies and minimize light intrusion onto adjacent property; and,

6. 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~~ the visibility of the natural environment.

B. Whenever a conflict arises in the enforcement of this chapter or more than one interpretation is possible, the purpose shall serve as a guideline in reaching a decision.

Good ✓

C. Balloon sign: An airtight bag filled with helium, hot air, or other gas, that is anchored to a building or structure with rope, cable or similar material.

D. 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.

E. 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.

F. 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.

G. 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.

H. Concealed sign: A permanent or temporary sign that is within the boundaries of a premises, not legible from adjacent public right-of-way. Examples: indoor sign and a sign located within an outdoor courtyard.

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

J. 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.

K. Drive-through sign: An on-site sign of a drive-through or drive-in use.

→ Insert Flag

L. 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.

M. Freestanding interstate style sign: A sign not supported by another structure and located along an interstate such as I-10 and I-19.

T. 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.

U. 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.

V. Off-site sign: A sign that is not on the site of the subject use.

W. 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.

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

Y. 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.

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

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

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

CC. 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.

DD. Sign area allotment: The allowed amount of identification sign area.

as expressly allowed by the provisions of signs with electronic message display components (Sections 18.79.080(B)(10), (D)(8)) or inflatable or air activated signs (Section 18.79.090(D)).

5. Off-site sign, except those specifically allowed.

6. Ribbons, streamers, balloons, or pin flags, except as expressly allowed by the provisions of inflatable or air activated signs (Section 18.79.090(D)).

7. Roof sign or signs projecting above the top of the wall parapet, or roofline, or mounted on a roof.

8. Searchlight.

9. Sound: A sign emitting sound (except a drive-through sign).

10. Statue 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 sign.

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

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

D. Governmental sign.

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

3. Temporarily or permanently moved or removed by any means including an act of God, except as provided in subparagraphs 18.79.060(B)(2) above and 18.79.060(D) below.

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

1. Maximum sign area may be the greatest of:

   a. That allowed in the residential or non-residential area;

   b. Fifty percent of the area of the nonconforming sign.

2. Maximum sign height may be the greatest of:

   a. That allowed in the residential or non-residential area; or

   b. Seventy-five percent of the height of the existing sign.

? What about cool, iconic signs being altered, but keeping the vibe.

3. All structural components and braces (such as pipes, angle iron, cables, internal or back framing) are concealed with a pole cover or architectural embellishment.

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.

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,

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. A sign permit application shall be submitted for all signs requiring a permit.

b. A sign permit application must be accompanied by all items required by the sign permit 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.

CPI

CB-1, TR, MU, MR, RVC

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

What about other categories?

1. General:

a. Minimum clearance: Ten feet.

b. Maximum faces per sign: Two.

c. No illumination.

d. Maximum number of signs per site: None.

e. Landscaping ratio: None.

f. No on-site use sign shall be a part of or attached to a billboard.

d) Encourage legibility of sign information along street frontages;

e) Protect astronomical observation and minimize light intrusion onto adjacent property; and

Do not use pegorative terms that are inherently negative.

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.

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.

j. A billboard shall not be located:

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

ii. On a designated scenic route, excepting:

Et/ Old Nogales Highway
Wilmot
Hughes Access
Sonoran Aerospace Corridor
Houghton

a) Interstate 10.

b) Interstate 19.

Add or allow for consideration Some Sections of Regional Roadways

c) 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.

iii. 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, subject to the requirements of ARS §11-812.

k. Two-for-one (2 for 1) Replacement of Billboard Support Structure. A billboard with a wooden support structure may be replaced with a metal

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 approved 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: 81 square feet; or

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

   c. Hospital: 100 square feet each. Does this meet content neutrality test

   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 a sign is allowed, except~~ a sign with an electronic message display component, if the illumination measures of the Dark Sky Protection Option in Section 18.79.100(A)(4) are met. Good

6. Landscaping ratio per sign: 4:1.

7. Minimum setback: Zero feet.

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

4. Maximum height: Building height.

5. Minimum clearance: Eight feet.

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

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

1. Location: On-site; non-residential areas only, with the exception of Section 18.79.070(A); located on tenant space with the multi-tenant building maximum sign area exception of Section 18.79.080(D)(3)(b).

2. Maximum number of signs per site: None.

3. Maximum sign area per building:

a. Single tenant building:

i. 200 square feet per elevation for building frontages less than or equal to 500 feet;

ii. 300 square feet per elevation for building frontages greater than 500 feet.

b. Multi-tenant building: Thirty square feet plus 1.5 square feet for each linear foot of building frontage up to 200 square feet per tenant. 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.

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 authorized 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 is 120 days per year.

18.79.100 – Flexible option and master 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. Mention economy here

2. Application: Applies to illuminated signs with the exception of electronic message display signs. Does not include billboard 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. If sign is allowed to be illuminated, in addition to meeting the Outdoor Lighting Code, the sign shall meet the following:

a. An illuminated sign shall be turned off by 9 PM;

b. Only the sign copy letters shall be illuminated;

c. Externally illuminated signs:

i. Full shielding of luminaires;

ii. Top-down illumination only;

iii. A maximum correlated color temperature (CCT) of 30 percent less than allowed by the Outdoor Lighting Code (Ch. 15.12) for the illumination source;

What are the implications of this?

iv. Sign surface contains all of the light;

v. Light trespass onto any other property prohibited;

vi. A maximum luminance intensity of 30 percent less than allowed by the Outdoor Lighting Code (Ch. 15.12).

d. Conventional internally illuminated signs:

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

Does not include billboard signs. Does not allow sign types not otherwise allowed by the chapter.

3. The planning official shall review the submittal and may approve, approve with conditions, or deny the request based on this section. The applicant may appeal the planning official's decision to the applicable board of adjustment.

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 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.

? Linear ft. of ~~street frontage Not a factor~~?

? Sign standards when separated by miles of State Land - public land. - Directional signage distances when interrupted by State Land?

Murals, Tile Mosaics, (Incentives)

? Increased sign allowance for public art or Locally crafted artisan signs?

City of Austin Concepts in Sign Code -

- Future Corridors
- Multi-Tenant Center Sign
- Planning Official Authority / Discretion
- Expressway Corridors

Denver 3 concepts
- Large Facilities Signs Plan
- Vital Signs, Supplemental Buildings

PIMA COUNTY
SMALL BUSINESS COMMISSION

Pima County Development Services
201 N. Stone Avenue
Tucson, Arizona 85701

Regarding: Pima County Small Business Commission stakeholder comment for the Draft 1 revision of the Pima County Sign Code (PC Zoning Code Chapter 18.79: Sign Standards)

On February 20, 2020, the Pima County Small Business Commission voted unanimously to instruct its Pima County support staff to provide the following comment to Pima County Development Services:

"The members of the Pima County Small Business Commission have met with development services staff and reviewed the Draft 1 revision to the Pima County Sign Standards. The Commission is in support of the Draft 1 revision as written. The Commission believes the revision is a significant improvement over the previous standards and supports the greater flexibility in design incorporated in to the draft. While outside of the scope of the draft, the Pima County Small Business Commission would also encourage Pima County to simplify the actual application process making it easier for business owners to obtain a sign permit, refrain from increasing sign-related fees and provide for consistent interpretation of the final sign standards."

Submitted on behalf of the Pima County Small Business Commission,

Patrick Cavanaugh
Deputy Director
Pima County Economic Development Office
130 W. Congress, 10th Floor
Tucson, Arizona 85701
Phone: (520) 724-3296
patrick.cavanaugh1@pima.gov

PIMA COUNTY SIGN CODE – SAHBA COMMENTS

	Pg 5	Para. U	Interesting that approved subdivision plat in its entirety as a site may be considered non-residential
	Pg 7	18.79.050	"A" & "T" frame signs exempt? Signs on res. Property w/ cumulative area of less than 6', less than 6' high and non illuminated exempt?
	Pg 8	18.79.060	Legal non-conforming signs. Grandfathering of existing signage unless deemed safety hazard good.
	Pg 9	18.79.070	General Regulations. Code is specific to single residential lot but silent on subdivision cumulative sign area?
	Pg 11	18.79.080	Regulations by permanent sign type. A1 – Clarify "Minimum clearance 10 feet"
	Pg. 11	18.79.080	Regulations by permanent sign type. D – Why is max. number of signs "none"? Does this means there is no maximum allowable number of signs?
	Pg 12	18.79.080	Regulations by permanent sign type. H – Why is this a requirement?
	Pg. 12	18.79.080	Regulations by permanent sign type. I – Not acceptable. Eliminate public hearing requirement
	Pg. 13	18.79.080	Regulations by permanent sign type. Billboard sizes/allowances for CR1-CR5 zoning?
			Clarification on when permits are required? Says "all signs" unless otherwise stated
			Banner signage – does this include trap fences on developer property?
			Why consider approved subdivision plat as non-residential? This is where we typically place our signage.
			Balloon signage used for location purposes. If not allowed decreases ability of customers to find sales office.
			Offsite signage. How will weekend directional signage be addressed? These signs are placed late Friday/early Saturday and removed Sunday evening.
			Portable A & T frame signs. We use Burma shave signs for marketing path to sales office/model on our property. How will this be affected?
			Cumulative sign area of 6 sq ft per each residential property is insufficient for sales office. Prevents communication of high level benefits with key marketing messages and also directional signage.
			Estimated processing time for permits? Fees? Copy of application and checklist?
	Pg. 12	18.79.080	Are there color guidelines for the earthtone shade of brown or green?
			Water Tanks? 6 sq ft limit prevents from using tanks as signage?
			A frame signs displayed daily but not exceed 72 hrs? How is this monitored? If signs collected each night

			does this reset 72 hr clock?
			Need more details on Master Sign Program
	Pg. 7	18.79.050	Exempt Signs. Typically have up to 12 attention flags and one US Flag at our communities
	Pg. 19	18.79.090	B. Clarify size of name/number requirement?
	Pg. 20	18.79.090	F. 1 sign insufficient. 30 ft limitation; sometimes sales office is more than 30' distant from main road.
			Will there be an expanded kiosk program?
			Use 3 tier system of roads for signage, not 2
			Eliminate use of pejorative language that is inherently negative such as "reduce visual clutter"
			Should amount of linear street frontage be a factor?
			Consideration of directional signage distances when separated by state land?
			Consider incentives for increased sign allowance when adding public art
	Pg. 1	18.79.010	2. Replace "reduce visual clutter" with "efficient sign placement"
	Pg. 1	18.79.010	4. Not all unregulated signs pose a public safety risk
	Pg. 1	18.79.010	6. Delete word "clear"
	Pg. 3		Insert Flag language
	Pg. 9	18.79.050	Exempt Signs. What about alteration of iconic signs that keep the same "vibe"?
	Pg. 11	18.79.080	Billboards. Allowable in CB-1, TR, CPI, MU, MR, RVC – other categories?
	Pg. 13	18.79.080	Billboards. J. Add or allow consideration for some sections of regional roadways such as Old Nogales Hwy, Wilmot, Hughes Access, Sonoran Aerospace Corridor, Houghton Rd.
	Pg. 15		Use of Hospital reference does not meet content neutral test
	Pg. 21	18.79.100	Mention economy in purpose language
	Pg. 21	18.79.100	C-iii & vi. Are these current standards. Have they changed and if so, what are ramifications?
			Fee schedule
	Pg. 12	18.79.080	Billboards. I – clarification; road constructed after 1984 or billboard constructed after 1984?
	Pg. 12	18.79.080	Language beginning with "It is the purpose of this subsection.." should be moved to beginning of section?
	Pg. 19	18.79.090	Temporary Signs. C2 – One within site per street frontage or one per street frontage within site?
	Pg. 19	18.79.090	Banner Sign – Rationale for limiting to 120 days per year? Better as long as sales office still open?
	Pg. 20	18.79.090	F – "A" & "T" frame signs listed on Page 8 as exempt sign

	Pg. 22		Master Sign program; Wide open as far as sizes, placement, materials, etc? Would some basic sizes/rules help avoid developer going back for multiple appeals? Right of way application form?

Carla,

Hope you are well. As you know, Pima County staff has indicated that billboards were not to be affected by the re-write of the Pima County Sign Regulations. I have been tasked by the Billboard Review Committee to offer its comments to Pima County regarding the re-write of the Pima County Sign Regulations specifically as it relates to billboards. The Committee offers the following comments:

Proposed Code Changes in Pima County Draft 2 That Would Weaken Billboard Regulation+
Prepared by the Billboard Review Committee, September 7, 2020

The ongoing draft revision of Pima County sign regulations has repeatedly and consistently been represented by Pima County staff as not affecting the regulation of billboards. This is not the case, however, as a thorough review of the entire Draft 2 revisions by the Billboard Review Committee show that there are at least seven instances where the draft regulations, as applied to billboards, would be weakened. Six of these seven instances relate to code sections outside the one specifically governing billboards as a sign type (Sec. 18.79.080.A in Draft 2), suggesting that Pima County staff has never performed a vetting of the entire draft in this regard.

One overarching area of concern, as detailed more in the discussion on Item #7 below, is the repeated weakening of the regulation of off-site signs generally (whether including billboards or not). Given the gray area of what constitutes a billboard as an off-site sign, any changes to general off-site regulation should be taken with great care and be very limited. Generally, most local jurisdictions either equate off-site signs with billboards or strictly limit the area of such other types to well under 50 square feet. The draft code needs to be clear in its entirety that any allowances are strictly limited to these area parameters (consistent with the existing code).

Text discussion on six of the seven provisions in Draft 2 that would weaken billboard regulation is set forth below, followed by the necessary revisions to Draft 2 to reverse such weakening (with alternatives provided in some cases).

The seventh issue was belatedly discovered, precluding the treatment the other six receive below. In abbreviated form, the allowance to rebuild damaged or destroyed nonconforming billboards (existing Sec. 18.79.060.C) is greatly expanded in Draft 2 (Sec. 18.79.060.C). The existing standard needs to be reinserted.

1. Draft 2 changes the existing definition of “off-site sign” from “a sign that is not an on-site sign” (existing Sec. 18.79.020.B.26) to “a sign that is not on the site of the subject use“ (Draft 2-Sec. 18.79.030.O.1). The new proposed language is vague and unclear as to what exactly it means. More importantly, given that the definition of a billboard refers to it as a type of off-site sign; given that definitions are often at issue in litigation; and given that Pima County prevailed in litigation with appellate opinions being entered with the existing definition in place, it would be unwise to change the substance of the existing language. The language provided below is the verbatim inverse of the on-site definition and substantively identical to the existing

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2. Draft 2 eliminates the prohibition of moving signs (existing Sec. 18.79.040.A.19). It appears that aspects of the deleted motion prohibition that relate to sign illumination are reinstated in Draft 2, but not to all forms of motion. As such, billboards exhibiting motion would be allowed for the first time, including tri-vision where advertising copy is changed mechanically by means of rotating slats and including added elements that are intended to flutter in the wind. The language provided below reinstates the deleted motion language, as well as adding the more detailed verbatim language from the Settlement Agreement. This change also eliminates the term “digital billboard”, which is not defined in Draft 2, and avoids the need to create an additional billboard definition, which is not a good idea per #1 above.

3. Draft 2 exempts off-sites signs from sign regulations if they are not "legible from the adjacent public right-of-way" ("concealed sign"; see Draft 2 Sec. 18.79.030.C.1/Sec. 18.79.050.A). This would include billboards located along private roadways in large developments (that would otherwise have all the appearance of being public streets) and in large shopping centers, affecting both nearby property owners and shoppers. Simply put, this exemption in the existing code does <u>not</u> extend to off-site signs (Sec. 18.79.20.B.6-the definition of concealed signs does not include off-site signs) and the limitation to on-site signs in the definition of concealed signs needs to be reinstated. The easy fix is provided below.

4. Draft 2 would provide for the relocation of nonconforming billboards for the first time under the disarming and dubious rationale of "safety". The BRC has historic familiarity with virtually all of the 107 county and municipal zoning codes in Arizona, and does not ever recall seeing such a provision (other than its recent addition in Marana). Virtually all codes prohibit such relocations, and the few exceptions are forthright with respect to the terms of relocation. Further, this change would undermine the Settlement Agreement, as there is a provision that would allow the relocation of billboards removed for roadway projects, but <u>only</u> if the Pima County Code is revised to allow such relocation. This provision in the Settlement Agreement predates the BRC taking over settlement negotiations in 2005 and was in the prior Pima County-Clear Channel settlement draft. The BRC was then, and is now, operating under the assumption that the code would not be changed in this regard unless there was somehow a dramatic overall shift in public policy on billboards. Once again, the existing code does not allow for the relocation of nonconforming off-site signs under any circumstances, and the simple fix is to reinstate that prohibition as provided below. More generally, given that the Draft 2 exception neither indicates what constitutes a valid "safety" reason, nor provides any guidance as to where such signs might actually be relocated to, consideration should be given to deleting this Draft 2 language in its entirety.

5. Draft 2 would weaken billboard regulations by reducing the side and rear setbacks for medium-sized billboards in the CI-2 and CI-3 zones from 20 feet to no setback at all (Draft 2. The existing language (Sec. 18.79.E.2.f.2.d) increases the 20-foot front yard setback in the existing code for a smaller billboard to 30 feet for the larger billboard. The "except" in that language, however, is somehow construed to negate the 20-foot setback from other property lines that applies to both the small and the medium-sized billboards. This flies in the face of the rules of construction for zoning ordinance language (with the exception swallowing the whole). It also has no rational basis, as the operative effect would be that a relatively unobtrusive 75 square foot billboard would be required to be set back 20 feet from those other property lines, while a much more impactful 300 square foot billboard could have zero setback be placed right at the property line. Draft 2 also comingles setback and separation requirements, where they are in different subsections in the existing code (where separation is referred to as "location"). While these types of regulations superficially appear to be similar, as they both relate to horizontal distance measurements, the zoning bases for each type of regulation are quite different, and they should remain in separate subsections as in the existing code. The language provided below reestablishes separate subsections and fixes the error on the setback distances for the medium-sized billboards.

6. Draft 2, under the proposed master sign program, could potentially allow what anyone would normally consider a billboard. Although billboards are expressly disallowed as part of such programs, the relatively narrow definition of billboard could open the door for billboards masquerading as "non-billboard off-site signs". For example, one of the key features of the existing and unchanged

definition of a billboard is that a billboard be designed to permit periodic replacement of advertising copy. That could mean almost any physical structure that vinyl advertising copy can be stretched over, but it would seem more likely that periodic replacement in practice would be the determining factor. The issue arises here where an advertiser, particularly a major national advertiser, would desire to erect a sign with one permanent advertisement, and because there is no periodic copy replacement, it could be classified as a "non-billboard off-site sign", eligible for a master sign program. An example would be that a major beer company or motel chain contracts with an outdoor advertising company on a long-term basis to build a billboard type structure, except that the display would be an internally illuminated cabinet (with the same dimensions as a standard 13x48 billboard). It could be readily argued that this is a "non-billboard off-site sign", given there is no periodic replacement of copy. This scenario is not speculative, as there is a history of advertisers contracting specific billboards for long periods of time (e.g., Marlboro in the past and motels and the lottery in both the present and past). It should be noted that this is not an issue with the existing code because there are no permanent off-site signs authorized other than a billboard (and the only temporary off-site sign is a subdivision directional sign) and there is no path like a master sign program to make such a sign possible.

In addition to the issue described immediately above, there is the problem that in the same master sign program subsection that authorizes off-site signs, apparently conflicting language states that only signs otherwise authorized under the draft code can be part of a master sign program. That would seem to indicate that no off-site signs could be authorized for a master sign program in the first place, because the already excluded billboards are the only permanent off-site signs allowed in the draft code (the four others all being expressly on-site: freestanding, suspended, wall, and window) and there does not appear to be any off-site temporary signs provided for either. It is not clear what types of "non-billboard off-site signs" are envisioned to be allowed under a master sign program, but to resolve this issue an additional exclusion of other types of off-site signs that exceed 32 square feet has been added in the language provided below (32 square feet is maximum area allowed for off-site subdivision directional signs under the current code and for political signs under the Arizona Revised Statutes; it is also eight square feet larger than allowed by the Town of Marana's for such signs).

Revisions to Pima County Draft 2 Language to Assure That Billboard Regulations Are Not Affected

Red type indicates added language. Strikeovers highlighted in Yellow indicate deleted language.

Item #1

18.79.030.O.1 Off-site sign: A sign ~~that is not on the site of the subject use~~ directing attention to a use, activity, facility, product or service that is not existing at the property on which the sign is placed.

Item #2

18.79.040.A.3 ~~Digital Billboard~~ Off-site sign that flashes or blinks light, changes physical position or conveys the illusion of movement by mechanical means, illumination or air movement. Includes signs with advertising copy that can be changed by any type of electronic process or by the use of vertical or horizontal rotating panels having two or more sides whereby advertising copy is changed by the rotation of one or more panels.

Item #3

18.79.030.C.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 sign and a sign located within an outdoor courtyard.

Item # 4

18.79.060.B. Any legal, nonconforming sign shall be permitted to remain, so long as it:
* * *
2. Is not relocated, unless at the request or requirement of Pima County for an on-site sign, so as to comply with applicable safety requirements.

Item #5

18.79.080.A.4.
* * *
C. Minimum separation:
i. Billboard with an area of 75 square feet: not within 660 feet of another billboard
ii. Billboard with an area of more than 75 square feet: not within 1,320 feet of another billboard.
~~C~~D. Minimum setbacks:
i. Billboard with an area of 75 square feet or less: 20 feet from any property line ~~and shall not be within 660 feet of another billboard~~.
ii. Billboard with an area of more than 75 square feet: 30~~ foot~~ feet from the front property line and 20 feet from any other property line ~~setback and shall not be within 1,320 feet of another billboard~~.

Item # 6

18.79.100B.2. Application: May apply to on-site and off-site-signs, and all signs in the right-of-way. The request may include the number of signs, the location of signs, the time period of the signs, the maximum height, and the maximum sign area. Does not include billboards and does not include off-site signs that exceed 32 square feet in sign area. Does not allow sign types not otherwise allowed by the chapter.

FIN.

ii. Billboard with an area of more than 75 square feet: not within 1,320 feet of another billboard.

~~C~~D. Minimum setbacks:

i. Billboard with an area of 75 square feet or less: 20 feet from any property line ~~and shall not be within 660 feet of another billboard~~.

ii. Billboard with an area of more than 75 square feet: 30~~ foot~~ feet from the front property line and 20 feet from any other property line ~~setback and shall not be within 1,320 feet of another billboard~~.

<u>Item # 6</u>

18.79.100B.2. Application: May apply to on-site and off-site-signs, and all signs in the right-of-way. The request may include the number of signs, the location of signs, the time period of the signs, the maximum height, and the maximum sign area. Does not include billboards and does not include off-site signs that exceed 32 square feet in sign area. Does not allow sign types not otherwise allowed by the chapter.

It is the opinion of the Billboard Review Committee that these changes would eliminate or very greatly reduce the possibility that billboard regulation would be weakened in the new code. If you have any questions, please feel free to contact either me (as indicated below) or Mark Mayer (mmayer1@mindspring.com), who contributed to the technical issues cited above. For the record, I have shared this email with the members of the Billboard Review Committee, including those that contributed to its content.

Brent L. Davis
President

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brent.davis@gmi-tucson.com

PIMA COUNTY
DEVELOPMENT SERVICES

MEMORANDUM

DATE: September 24, 2020

TO: Brent Davis, Mark Mayer, Kathleen McLaughlin
Members of the Billboard Review Committee

FROM: Tom Drzazgowski, Chief Zoning Inspector, Janet Emel, Senior Planner

SUBJECT: Response to Comments on Draft 2 Sign Code Update Text Amendment

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Staff appreciates the opportunity to meet with the Billboard Review Committee. On Wednesday, September 16, 2020 (4:00 pm) Brent Davis, Mark Mayer, Kathleen McLaughlin, Tom Drzazgowski and Janet Emel met via a virtual meeting regarding the Billboard Review Committee's comments on Draft 2 of the Sign Code Update text amendment (from a 9/7/20 email to Carla Blackwell). We discussed each of the Committee's comment items and how to address them in "Draft 3" of the text amendment. *[BRC summarized comment – black / Staff response – red]*

Item #1 The definition of "off-site sign" is too vague and unclear. Section 18.79.030(O) of Draft 3 will revert back to the current sign code definition of "off-site" which is "A sign that is not an on-site sign." (An "On-site sign" is defined as "A sign directing attention to a use, activity, facility, product or service existing at the property on which the sign is placed.")

Item #2 A "moving sign" is no longer on the prohibited sign list. The concern is that billboards for the first time would be allowed motion. Staff said they will follow up on developing language to continue to prohibit moving billboard signs (but still allowing movement on Electronic Message Display signs). Staff suggests the following item be listed under "Prohibited sign types" – "Mechanical movement signs, including revolving signs." for Draft 3. Also under Prohibited sign types, the term "digital billboard" will be replaced with "Electronic message display components of a billboard."

Item #3 Draft 2 exempts concealed signs; this could include billboard signs along private roadways in large developments and in large shopping centers. The exemption in the existing code does not extend to off-site signs. Section 18.79.030(C) (Definitions and sign types) of Draft 3 will define "Concealed sign" as: "A permanent or temporary <u>on-site</u> 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."

Item #4 Draft 2 would allow relocation of nonconforming billboards for the first time under rationale of "safety". Not found in other jurisdictions (except Marana). For Draft 3, the entire section on nonconforming signs (18.79.060) will revert to the existing sign code's nonconforming language.

Item #5 Draft 2 reduces setbacks for billboards. Draft 2 also comingles setback and separation requirements, where they are in different subsections in the existing code. Section 18.79.080(A)(3) of Draft 3 will have exactly the same language for billboards as the existing sign code which is:

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.

Item #6 Master sign program could allow a billboard. The committee recommended adding the language "32 square feet" as a maximum sign area. Section 18.79.100(B)(2) of Draft 3 will state:

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.

Item #7 Regarding the wording of the nonconforming sign section. See response to Item #4 above. Nonconforming section language will remain unchanged from the existing sign code.

We thank you for your comments and for meeting with us. As soon as there is a revised Draft 3 of the Sign Code, it will be shared with the Billboard Review Committee for review of the content.

Thomas,

The Billboard Review Committee (BRC) has reviewed your September 24 memorandum and provides the following initial response:

First, we have reviewed your responses on Items #1, #3, #4, #5, and #7 and accept the changes for each item as either correctly reverting to the language in the existing code so as to not affect the regulation of billboards (#1,#4, #5, #7) or revising the proposed Draft 2 changes to the existing code so that the changes would no longer affect billboard regulation (Item #3). There does not appear to be any need to have further discussion on these five items as they apply to billboards, subject to the revisions being accurately reflected in the next draft.

Second, regarding Item #3, the response seemed to indicate the direction in which staff would like to go, but it was not flushed out with a specific definition for "mechanical movement sign". In addition, the response made no reference to the draft language in the BRC September 7 memo, the latter of which was based in part on the definition of a "moving sign" in the existing code. The BRC does accept the part in the response that indicates that the prohibition on a "digital billboard" in Draft 2 (at Sec. 18.79.040.A.3) would be struck and a prohibition on "electric message display components of a billboard" would be inserted in its place. That addresses motion related to changes in display illumination, but all other forms of motion need to be adequately addressed. The BRC is still reviewing this issue and will follow up with revised draft language.

Third, in regard to Item #6, the staff language appears similar to the language that the BRC had provided in its Sept 7 memo, but whether this language adequately addresses the issues raised in the memo is dependent on reviewing the revised subsection in its entirety (not just the first of three sentences alone). Please provide the newly revised Sec. 18.79.100.B.2 in its entirety, so that we may be sure that the intent is realized in the full context of the subsection.

Lastly, it should be noted that the memorandum omitted the participation of BRC member Dr. Richard Green in our September 16 ZOOM meeting and his participation should be noted in any future reference to the meeting.

Thank you, again, for your response and the BRC looks forward to your further follow-up.

Emailed 10/9/20

Brent,
Do you have time Monday for a call. Want to discuss the one item on moving signs and I have some ideas. Let me know if you can discuss.

Tom Drzazgowski
Pima County - Chief Zoning Inspector
201 N Stone Av – 1st Floor
520.724.6675

From: Brent Davis <brent.davis@gmi-tucson.com>
Sent: Tuesday, October 6, 2020 2:48 PM
To: Thomas Drzazgowski <Thomas.Drzazgowski@pima.gov>
Cc: Carla Blackwell <Carla.Blackwell@pima.gov>; Daniel Ice <Daniel.Ice@pima.gov>; Janet Emel <Janet.Emel@pima.gov>
Subject: Billboard Review Committee issues

****
This message and sender come from outside Pima County. If you did not expect this message, proceed with caution. Verify the sender's identity before performing any action, such as clicking on a link or opening an attachment.
****

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Second, regarding Item #3, the response seemed to indicate the direction in which staff would like to go, but it was not flushed out with a specific definition for “mechanical movement sign”. In addition, the response made no reference to the draft language in the BRC September 7 memo, the latter of which was based in part on the definition of a “moving sign” in the existing code. The BRC does accept the part in the response that indicates that the prohibition on a “digital billboard” in Draft 2 (at Sec. 18.79.040.A.3) would be struck and a prohibition on “electric message display components of a billboard” would be inserted in its place. That addresses motion related to changes in display illumination, but all other forms of motion need to be adequately addressed. The BRC is still reviewing this issue and will follow up with revised draft language.

SIERRA CLUB

Grand Canyon Chapter • Rincon Group
300 E. University Blvd. #260 • Tucson, Arizona 85705
(520) 620-6401

September 7, 2020

Pima County Development Services Department
201 N. Stone Ave.
Tucson, Arizona 85701

To Whom it May Concern,

The Sierra Club Rincon Group has approximately 5,000 members in southern Arizona, most of them in the greater Tucson area. We are opposed to the proposed changes to the Pima County Sign Code that would allow many more large and intrusive signs than current language.

Tucson once had a reputation for incredible sign blight and Speedway was dubbed "the ugliest street in the nation." Our current code language was designed to correct that blight, and the sign situation slowly, but surely, has improved over recent decades. We must not backslide.

The proposed "Pima County Sign Regulations (Draft 2)" essentially is a sweeping deregulation document, the long-term effects of which would be disastrous, esthetically and in terms of vehicular travel safety.

It is shameful that the department is using the very narrow Supreme Court ruling on Reed v. Gilbert as a justification for this gross deregulation of commercial signage.

Here are a few of the more egregious changes in this deregulation document:

- The purpose statement elevates promoting perceived commercial interests over traffic safety. It would allow now-prohibited distracting full-color electronic messaging signs that could change messages at 7.5-second intervals.
- It significantly increases the size and number of allowable free-standing signs in commercial areas.
- It significantly increases the size and number of allowable business wall signs.
- It significantly increases the allowable height of businesses' free-standing and wall signs.
- It reduces the required setbacks from streets for side and rear signage.
- It would allow department personnel to grant exceptions from the greatly relaxed rules.
- It would allow a variety of potentially obtrusive temporary signs now expressly prohibited.
- It would allow greater latitude for businesses to retain signs exceeding county standards because they were installed prior to the standards' adoption.

For these reasons, and more, we strongly urge the county to reject this document. It should instead retain and strengthen the current sign code except within the very narrow scope of Reed v. Gilbert.

Sincerely,

Meg Weesner

Meg Weesner
Sierra Club Rincon Group Chair

Printed on recycled paper

Received email 10/12/20 along with “Sierra Club 10/12 Comments”

Dear Mr. Drzazgowski - On August 25, 2020, I received a notice from Pima County Development Services Department, in a hand-written envelope, announcing the opportunity to review a draft of proposed changes to sign regulations in Chapter 18.79 SIGN STANDARDS of the Pima County Code (“Draft 2”). The Sierra Club Rincon Group made an initial review and on September 7 sent a letter to the Department in opposition to many of the changes the draft. We are concerned about the proposed widespread deregulation for numerous sign types in numerous zones. After contact from the Department on September 21, the Rincon Group responded with an October 1 letter indicting that a more thorough written analysis would be provided to provide details about sections to which we are opposed. That analysis is attached, along with the large number of revisions necessary to protect the visual environment and conserve energy.

Thank you for providing the public and stakeholders the opportunity to review the proposed changes.

Meg Weesner
Rincon Group Chair
Sierra Club Grand Canyon Chapter
mweesner@att.net

Sierra Club

Grand Canyon Chapter ● Rincon Group

300 E. University Blvd. #260 ● Tucson, Arizona 85705

Analysis of Draft Changes to the Pima County Code That Would Weaken Sign Regulations

October 8, 2020

Introduction

In a letter dated October 1, the Sierra Club Rincon Group indicated to the Pima County Development Services Department that it would provide a detailed analysis to substantiate its opposition to the Department's August 17, 2020 draft of proposed sign regulation changes in Chapter 18.79 of the Pima County Code ("Draft 2"). That analysis is provided below and finds that the proposed changes amount to a sweeping and unprecedented deregulation of signage controls. The analysis further provides a long list of revisions necessary to restore the code to one that protects the visual environment, does more to conserve energy, and better reflects the public interest.

It should first be noted that Pima County has been less than forthcoming about the nature of its code revision process, simply referring to it variously as "an updating" or "simplifying" or making necessary changes to comply with a US Supreme Court decision that stiffened 1st Amendment standards for "content-neutrality" (*Reed v. Gilbert*, June 2015). There is nothing in this kind of County rhetoric that would alert the public to what is actually being proposed: massive deregulation of signage requirements. One can only assume that there is not widespread public support for such deregulation, or else Pima County would be highlighting the deregulatory nature of its efforts at every turn. As to the oft-cited *Reed*, virtually none of the proposed deregulatory changes for permanent signs are necessitated by this court decision, and the few that are (or may be) lend themselves to relatively easy and simple fixes (that would not weaken the code). *Reed* does have some applicability to certain temporary sign types where content-neutrality may be an issue, but generally those are not the types of temporary signs that are most offensive to the public.

It should be noted that this analysis does not cover billboard regulation issues raised in the September 7 Rincon Group letter, as the Group now understands that billboard regulations were not supposed to be affected by this code revision process and that the Billboard Review Committee is addressing the shortfalls in this regard with the County, along with issues also raised in the Group's September 7 letter regarding the nonconforming sign section.

The analysis of the Draft 2 below covers in detail the following on-site permanent sign categories or types: electronic message displays, freestanding signs (including all subtypes), and wall signs (including all subtypes). It also addresses the "dark sky protection option", the change in definition for concealed signs, and the master sign program, as well as touching upon weakened requirements for four types of non-residential temporary signs. Other sign types or administrative schemes are worthy of such detailed treatment, but will have to be addressed in a supplemental document: signs for residential uses (both permanent and temporary); the purpose section; proposed changes to definitions, exempt signs and prohibited signs not yet covered; and general development standards (including sign area and height measurement). In addition to the analysis, numbered revisions to Draft 2 also follow that would protect the visual environment, better conserve energy, and be responsive to the public interest at large.

Electronic Message Signs (Re-Titled in Draft 2 as Electronic Message Display Signs)

Electronic message signs are a prohibited use under the existing code (Sec. 18.79.040.A.3). Draft 2 would not only lift this prohibition, but would provide for widespread use in all zones with messages that could not only change as frequently as once every 7.5 seconds, but could create motion by fading in and out in transition. Draft 2 also re-titles electronic message signs to electronic message display signs and revises the definition.

There is no form of signage that represents such a high level of blight and distraction along community streetscapes than electronic displays. Their intent is to attract the viewer's attention to the sign (and away from driving tasks at hand) through the eye-catching motion of rapidly changing displays and illumination that stands out far and above the ambient light (in both daytime and nighttime applications). Electronic displays also contribute to climate change due to their enormous consumption of energy, as daytime use requires ten times more electric power than nighttime use and where traditionally illuminated signs are not powered during the day at all.

There is probably no type of signage that is more rejected by the public than electronic displays, as evidenced by the mass outpouring of citizens against a proposal to place such an electronic sign on West Gates Pass Road in 2017. As further evidence of such rejection, a public opinion poll performed by Behavior Research in 2005 found that Pima County residents rejected electronic billboards by an astounding 3 ½-1 margin. And, certainly, elected officials do not have their phones ringing off the hook with calls from average citizens demanding more electronic signs on Pima County roadways. In fact, the only real proponents for such signs are those that profit from their sale and installation and a relatively small proportion of sign users that embrace such an aggressive form of display.

Pursuant to the foregoing discussion, the following changes need to be made to Draft 2:

1. Reinstate the prohibition of electronic message display signs (under Sec. 18.79.040.A)
2. Delete the allowances of electronic message display signs as components of freestanding or wall signs (Sec. 18.79.080.B.10 & Sec. 18.79.080.D.8).
3. Revise all other references to electronic message display signs as necessary.

Lastly, it should be added that there are no *Reed* considerations in reinstating the existing ban on electronic messages signs. The elimination of time & temperature signs in Draft 2 precludes even the thinnest of threads of such an argument. In this regard, it should be further noted that there are no exceptions to the electronic message sign prohibition whatsoever (existing Sec. 18.79.040.A.3) and, therefore, the exception for time & temperature signs to the prohibition on moving signs (existing Sec. 18.79.040.A.9) can only refer to the mechanical motion language (e.g., swing hand clocks and electrically rotated hard copy numerals) and not to motion associated with flashing or blinking lights. If there are any Prop 207 concerns, this electro-mechanical allowance could be reinstated, if not already covered under the Draft 2 changeable copy sign provisions.

Freestanding Signs for Non-Residential Uses

Under the existing code, there are five types of permanent signs that are not attached to a building: 1) freestanding identification signs (the principal type); 2) directional signs; 3) menu boards; 4) directory signs; and 5) subdivision entry signs. These sign types as a category are somewhat informally referred to as "freestanding" or "freestanding signs" in the existing code (in contrast to other jurisdictions that more commonly refer to this sign category as "detached").

The proposed Draft 2 makes revisions to the regulations governing these sign types that are deregulatory in nature and result in large increases in sign allowances. The most impactful of these changes are to the freestanding identification sign type (which is re-titled to simply "freestanding sign" in Draft 2). These changes include substantial increases in sign area and the number of signs per site that in combination result in very large to enormous increases in the overall sign area allowance per site. Draft 2 also completely eliminates minimum setbacks from property lines and, in many cases, substantially increases height limits. In addition, directory signs are completely deregulated and allowances for menu board signs (re-titled in Draft 2 as drive-through signs) are greatly increased. Following the discussion below, tables and text are provided that specify in great detail the increased allowances and other changes affecting these four detached sign types.

Before providing the detailed tables and text, some general points about the Draft 2 revisions need to be made, followed by a listing of the changes needed. As to general points, it should be noted that virtually none of the Draft changes to these four permanent sign types are related to compliance with the *Reed v. Gilbert* decision rendered by

the US Supreme Court. All of the regulations at issue are either dimensional or locational in nature, are not content-based, and therefore not affected by *Reed*. The only two possible exceptions are the titles of two sign types (menu board signs and directional signs) that suggest a certain type of content (even though the substantive regulations do not). This problem is readily and easily addressed by changing the titles, which Draft 2 has already done in one case (menu board signs, now drive-through signs) and in the other case can be readily do so upon reinstatement of the sign type (directory signs).

A second general issue is changing the scheme through which the number of freestanding signs allowed on a street frontage is calculated from the length of the street frontage to the number of access points on that frontage. Local codes in Arizona most typically use the former scheme, as is the case in the existing Pima County Code (except for development complexes with a frontage length greater than 549 feet). There are two problems with the access point approach. First, the number of access points can be arbitrary, depending on factors entirely unrelated to sign regulation or its rationale. Site designers should not be encouraged to squeeze in the maximum number of access points permitted by roadway design standards just to provide the opportunity for an additional freestanding sign. Second, and more importantly, is how this scheme would apply to existing development that predates modern roadway designs. It is common in the urban setting to have older commercial development with frontages well under 200 feet to have two access points, which under Draft 2 would entitle the site to two freestanding signs instead of one (as reflected in the applicable table below). Furthermore, this scheme would not work for very old development on the urban fringe or in rural areas where roads may have no curbs and the site has a dirt parking lot, resulting in the whole frontage being an access point. As such, Draft 2 needs to be revised to tie the number of freestanding signs along any given frontage to the length of that frontage.

A third general issue is the change in the definition of a "concealed sign". This proposed change would particularly affect regulation of permanent freestanding signs, exempting even the largest of such signs from regulation in certain configurations. As discussed in more detail in the separate section on this issue, the existing definition needs to be reinstated with further clarification that the exemption only applies to signs that are inside of a building or inside of fully enclosed courtyard and that are not visible from the (unenclosed) outdoors.

To address the points made above and the great increases in sign allowances that are detailed below, the following revisions need to be made to Draft 2.

4. First and foremost, reinstate the longstanding maximum sign area allowance of 50 square feet for freestanding signs in commercial and industrial zones, as well as the 32 square feet maximum allowance for non-residential uses in residential and rural zones. As an alternative in the commercial and industrial zones, if only one freestanding sign is used on a frontage and that frontage respectively exceeds 300 feet or 550 feet in length, the 50 square foot maximum can be increased respectively to 64 square feet or 90 square feet, subject to additional setback requirements (as in the existing code).

5. Revise Draft 2, so as to allow one freestanding sign for the first 550 feet of frontage and one additional for each partial or full 250-foot bracket over that amount (note that this implements the one sign per access point scheme found in the existing code for development complexes and in Draft 2 for all freestanding signs; it is based on real world implementation of the number of access points that would be allowed under Pima County roadway design standards for roadways with posted speed limits of 40 & 45 MPH).

6. Reinstate the minimum side yard setback of ten feet in all zones.

7. Revise Draft 2 front lot line setbacks in commercial and industrial zones so that a 10-foot minimum setback is required for a sign exceeding 8 feet in height or 50 square feet in area (consistent with the existing code for development complex signs with an 8-foot height and zero setback) and that a sign exceeding 64 square feet in area requires a further setback to 18 feet (note that the Draft 2 reduction to zero setback in the residential and rural zones is acceptable if the existing area and height limitations are reinstated).

8. Reinstate the height limits of six feet in the residential and rural zones and 8 feet in the TR, TH and Resort zones.

9. Delete the greatly increased allowances for “limited access high volume arterial roadways”, as what constitutes such roadways is undefined and Pima County transportation Department documents suggest a far more expansive scope than is defined in most jurisdictions.

10. Add language to the section on freeway signs so as to require that the signs faces be perpendicular to or substantially oriented to the through travel lanes of the interstate.

11. Delete the special allowance in Draft 2 for hospital uses; the height allowance is twice as great as for any other use outside of the interstate area in Draft 2 and there would appear to be no justification for such a great allowance; if there are special signage needs for hospital uses, these needs should be made known and addressed with much more narrowly crafted provisions.

12. Revise Draft 2 drive-through requirements so as to assure that sign faces are only oriented to drive-through lane users (e.g., no second face allowed unless oriented to a second drive-through lane) and are located adjacent to and within a short, specified distance of the edge of the lanes.

13. Limit the increase in height for drive-through signs to 7 feet (from the existing 6 feet).

14. Reinstate the regulation of directory signs (see discussion on concealed signs below and in separate section) with the existing requirements, except to round off the 43-foot setback from street property lines to 50 feet (Note that in Marana this setback is 100 feet).

15. If directional signs are reinstated, re-title to access point signs or similar and otherwise maintain existing requirements (noting that new zero setback requirements in Draft 2, as well as in the full implementation of these comments, would greatly reduce the need for such signs).

16. Reinstate subdivision entryway signs with the existing provisions that are in reasonable scale with their settings and are located in residential areas.

Below are tables that detail in percentage terms the large to enormous increases in overall sign area allowances in Draft 2 for the principal freestanding sign type. These tables account for most real-world site scenarios, based on the multiple variables in both the existing and proposed codes. They are followed by additional tables and text regarding the elimination of setback requirements and other deregulatory changes for the principal freestanding sign type, as well as the same for increased allowances and other changes related to the three secondary freestanding sign types (directional signs, directory signs, and drive-through signs).

<u>Increased Sign Area Allowances for Freestanding Signs</u>
<u>(Defined as Freestanding Identification Signs Under the Existing Code)</u>

Increases in Maximum Area Allowed for Freestanding Signs on Sites with Less Than 300’ Frontage and not Located on a Limited Access Arterial with a Posted Speed Limit Greater Than 50 MPH

Zones	Existing Code	Draft 2 One Access Point	Increase %	Draft 2 Two Access Points	Increase %	Draft 2 Three Access Points	Increase %
IR, RH & GR-1 (generally) ML,SR,SR-2,SH,CR-1, CR-2,CR-3,CMH-1, CR-4,CR-5,CMH-2, MU (other than conditional uses)	32	81	153%	64+64	300%	64+64+64	500%
TH,TR,RVC,Resort	48	81	69%	64+64	167%	64+64+64	300%
CB-1,CB-2,CPI, MU (conditional uses)	50	81	62%	64+64	156%	64+64+64	284%
CI-1,CI-2,CI-3	50	81	62%	64+64	156%	64+64+64	284%

Increases in Maximum Area Allowed for Freestanding Signs on Sites with from 300' to Less Than 549' Frontage and not Located on a Limited Access Arterial with a Posted Speed Limit Greater Than 50 MPH

Zones	Existing Code	Draft 2 Two Access Points	Increase %	Draft 2 Three Access Points	Increase %	Draft 2 Four Access Points	Increase %
IR, RH & GR-1 (generally) ML,SR,SR-2,SH,CR-1, CR-2,CR-3,CMH-1, CR-4,CR-5,CMH-2, MU (other than conditional uses)	32	64+64	300%	64+64+64	500%	64+64+64+64	700%
TH,TR,RVC,Resort	48	64+64	167%	64+64+64	300%	64+64+64+64	433%
CB-1,CB-2,CPI, MU (conditional uses)	64	64+64	100%	64+64+64	200%	64+64+64+64	300%
CI-1,CI-2,CI-3	64	64+64	100%	64+64+64	200%	64+64+64+64	300%

Increases in Maximum Area Allowed for Freestanding Signs on Sites with Greater Than 549' Frontage and not Located on a Limited Access Arterial with a Posted Speed Limit Greater Than 50 MPH

Zones	Existing Code	Draft 2 Three Access Points	Increase %	Draft 2 Four Access Points	Increase %	Draft2 Five Access Points	Increase %
IR, RH & GR-1 (generally) ML,SR,SR-2,SH,CR-1, CR-2,CR-3,CMH-1, CR-4,CR-5,CMH-2, MU (other than conditional uses)	32	64+64+64	500%	64+64+64+64	700%	64+64+64+64+64	900%
TH,TR,RVC,Resort	48	64+64+64	300%	64+64+64+64	433%	64+64+64+64+64	567%
CB-1,CB-2,CPI, MU (conditional uses)	90	64+64+64	102%	64+64+64+64	184%	64+64+64+64+64	255%
CI-1,CI-2,CI-3	100	64+64+64	92%	64+64+64+64	156%	64+64+64+64+64	540%

Increases in Maximum Sign Area Allowed for Freestanding Signs on Development Complexes with a Minimum of 500' Frontage and a Posted Speed Limit of 50 MPH or Less

Zones	Existing Code Per Access Point	Draft 2 Per Access Point	Increase %
All	50	81	62%

Increases in Maximum Sign Area Allowed for Freestanding Signs on Sites Fronting Limited Access Arterials with Less Than 300' Frontage and Posted Speed Limits of More Than 50 MPH

Zones	Existing Code	Draft 2 One Access Point	Increase %	Draft 2 Two Access Points	Increase %	Draft 2 Three Access Points	Increase %
IR, RH & GR-1 (generally) ML,SR,SR-2,SH,CR-1, CR-2,CR-3,CMH-1, CR-4,CR-5,CMH-2, MU (other than conditional uses)	32	100	213%	100+100	525%	100+100+100	838%
TH,TR,RVC,Resort	48	100	108%	100+100	317%	100+100+100	525%
CB-1,CB-2,CPI, MU (conditional uses)	50	100	100%	100+100	300%	100+100+100	500%
CI-1,CI-2,CI-3	50	100	100%	100+100	300%	100+100+100	500%

Increases in Maximum Sign Area Allowed for Freestanding Signs on Sites Fronting Limited Access Arterials with from 300' to Less Than 549' Frontage and Posted Speed Limits of More Than 50 MPH

Zones	Existing Code	Draft 2 Two Access Points	Increase %	Draft 2 Three Access Points	Increase %	Draft 2 Four Access Points	Increase %
IR, RH & GR-1 (generally) ML,SR,SR-2,SH,CR-1, CR-2,CR-3,CMH-1, CR-4,CR-5,CMH-2, MU(other than conditional uses)	32	100+100	525%	100+100+100	838%	100+100+100 +100	1150%
TH,TR,RVC,Resort	48	100+100	317%	100+100+100	525%	100+100+100 +100	733%
CB-1,CB-2,CPI, MU (conditional uses)	64	100+100	213%	100+100+100	369%	100+100+100 +100	525%
CI-1,CI-2,CI-3	64	100+100	213%	100+100+100	369%	100+100+100 +100	525%

Increases in Maximum Sign Area Allowed for Freestanding Signs on Sites Fronting Limited Access Arterials with More Than 549' Frontage and Posted Speed Limits of More Than 50 MPH

Zones	Existing Code	Draft 2 Three Access Points	Increase %	Draft 2 Four Access Points	Increase %	Draft 2 Five Access Points	Increase %
IR, RH & GR-1 (generally) ML,SR,SR-2,SH,CR-1, CR-2,CR-3,CMH-1, CR-4,CR-5,CMH-2, MU (other than conditional uses)	32	100+100+100	838%	100+100+100 +100	1150%	100+100+100 +100+100	1463%
TH,TR,RVC,Resort	48	100+100+100	300%	100+100+100 +100	433%	100+100+100 +100+100	942%
CB-1,CB-2,CPI, MU (conditional uses)	90	100+100+100	233%	100+100+100 +100	344%	100+100+100 +100+100	456%
CI-1,CI-2,CI-3	100	100+100+100	200%	100+100+100 +100	300%	100+100+100 +100+100	400%

Increases in Maximum Sign Area Allowed for Freestanding Signs on Development Complexes Fronting Limited Access Arterials with a Minimum of 500' Frontage and Posted Speed Limits of More Than 50 MPH

Zones	Existing Code Per Access Point	Draft 2 Per Access Point	Increase %
All	50	100	100%

Minimum Setbacks for the Principal Freestanding Sign Type

The minimum setback requirements for freestanding identification signs in the existing code has been entirely eliminated for freestanding signs in the proposed Draft 2 regulations.

The minimum setback from front and side lot lines has been reduced from 10 feet to zero feet for development complexes with a frontage length greater than 549 feet (regardless of zone) and in the following zones: IR (generally), RH (generally & GR-1 (generally), ML,SR,SR-2,SH,CR-1, CR-2,CR-3,CMH-1, CR-4,CR-5,CMH-2, MU (except conditional uses), TH,TR,RVC, and Resort.

In the CB-1,CB-2,MU (conditional uses), CPI, CI-1,CI-2,CI zones the minimum setback requirements from front and side lot lines in the existing code have been eliminated. For properties in these zones with a frontage length of 120 feet or more the minimum setback from side lot lines has been reduced from 30 feet to zero feet. For properties with a frontage length of less than 30 feet, the minimum setback has been reduced from one-fourth of the frontage length to zero feet. In these zones, the minimum setback from front lot lines has been reduced as follows:

a. Signs with a height of 10 feet or less: minimum setback reduced from 10 feet to zero feet.
b. Signs with a height greater than 10 feet and up to 14 feet: minimum setback reduced from 18 feet to zero feet.
c. Signs with a height greater than 14 feet and up to 20 feet: minimum setback reduced from 24 feet to zero feet.

Maximum Heights for the Principal Type of Freestanding Signs

The maximum height requirements for freestanding identification signs in the existing code have been greatly increased in the proposed Draft 2 for the less intensive zones and for development complexes with a street frontage of greater than 549 feet (regardless of zone). The maximum height has been increased from 6 feet to 10 feet in the following zones: IR (generally), RH (generally) & GR-1 (generally), ML,SR,SR-2,SH,CR-1, CR-2,CR-3,CMH-1, CR-4,CR-5,CMH-2, MU (except conditional uses). The maximum height has been increased from 8 feet to 10 feet for development complexes with a street frontage of greater than 549 feet (regardless of zone) and in the following zones: TH,TR,RVC, and Resort.

Directional Signs (Deleted in Draft 2)

Under the existing code, directional signs are limited to a maximum sign area and of 6 square feet and a maximum height of 3 feet; must be located at access points; have no minimum setback requirement; and must be separated from another directional sign by at least 26 feet (effectively limiting the number to two (2) per access point. In the proposed Draft 2, these signs are deleted, with their function presumably intended to be incorporated into greatly enlarged freestanding signs with a setback proposed to be reduced to zero.

Menu Board Signs (Re-Titled As Drive-Through Signs in Draft 2)

Menu board signs under the existing code have been re-titled in the proposed Draft 2 with the associated allowances being substantially increased at the same time. Under the existing code, such signs were limited to restaurant uses, but in Draft 2 the allowance is extended to all uses. In addition: 1) the maximum height is increased from 6 feet to no height limit at all (or 8 feet per a secondary draft code provision); 2) the maximum area is increased from 30 square feet to 36