



Board of Supervisors Memorandum

November 17, 2020

Proposed Amendment to the Pima County Sign Code

Background

Development Services staff has been working to update the Pima County Zoning Code (PCZC) sign standards which remained unchanged since 1985. The process began in October 2018, and over the last two years staff has provided three separate drafts to stakeholders and has continued to refine changes to achieve a balance of different stakeholder interests. Prior to first drafting changes, staff reached out to a range of different stakeholders to meet, discuss ideas and solicit feedback. As additional stakeholders were identified throughout the process, they were afforded opportunities to meet and provide input. Representatives of the area astronomy observatories, International Dark Sky Association and Metropolitan Pima Alliance (MPA) are some of the stakeholders that most actively participated throughout the process. A list of stakeholders that were reached out to is provided as Attachment 1.

Overview of Proposed Changes

The Planning and Zoning Commission (PZC) hearing was held on October 28, 2020. Prior to the hearing, the local chapter of the Sierra Club requested 41 quantifiable changes. Development Services staff evaluated these and responded in an October 23, 2020 memorandum with numerous changes to "Draft 3" that was presented to the PZC. Of these 41 requested changes, 35 were either changed to match the Sierra Club's request or modified with staff proposed compromise edits. Only six of the initially requested changes, remained unchanged at the time of the PZC hearing.

One of the areas of greatest stakeholder participation was the proposed inclusion of "Electronic Message Signs". Various concerns were raised by stakeholders including light output and visual clutter. The PZC recommended approval of the sign code amendment incorporating the staff proposed changes related to the Sierra Club's input and directing that "Electronic Message Signs" revert back to a prohibited sign type. The motion to approve the changes as amended was passed. Although other jurisdictions in the metropolitan area allow Electronic Message Signs, these signs will remain prohibited in the unincorporated area helping to protect the critical astronomy and dark skies in Pima County.

The recommended changes to the Pima County Zoning Code sign standards provide a balanced approach. Highlights in the draft recommended by the PZC include:

- Electronic Message Signs will remain prohibited.
- Size and height requirement for signs in residential areas such as SR, SR-2, CR-1 and CR-2 will remain unchanged from the current version of the adopted code.
- Billboard requirements will remain unchanged from the currently adopted code.

NOV 10 10:20 AM 2020 PCLKUF-BD

gllw

The Honorable Chairman and Members, Pima County Board of Supervisors
Re: **Proposed Amendment to the Pima County Sign Code**
November 10, 2020
Page 2

- In commercial and industrial areas, a more standardized 10 feet height limit is proposed for almost all sign types. A standardized 64 square feet area is also proposed for most sign types in commercial and industrial areas. The current zoning code provides broad variations to height and area limits. Current code limits vary from 8 feet to 20 feet in height, and 40 square feet to 100 square feet in area.
- Reduction in front setback for signs in all areas to zero feet to reduce obstructions due to required landscaping and buffer walls, and enhance to visibility by motorist, cyclists and pedestrians. Even with this reduced setback, signs will remain outside of roadway sight visibility lines and set back safe distances from the edge of pavement.
- A Dark Sky Option which provides certain increases in height and size in exchange for achieving additional protections and limits on light output and color temperature.
- Changes to the sign code to align with the Reed vs Town of Gilbert Supreme Court decision requiring content neutrality.

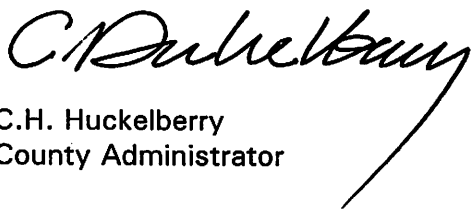
In addition, staff has provided several property specific examples in the full agenda package that compare current and proposed permitted signage if the sign code amendment were approved. These comparisons are also provide herein as Attachment 2. While each property is unique, these samples show there are likely few situations where the overall amount of signage will be increased.

Throughout the two year process, staff provided opportunities to meet with stakeholders and solicited comments. A table of comments received and their disposition, as well as the October 23, 2020 staff memo to the PZC addressing to the Sierra Club's comments, is included in the full agenda package and provided herein as Attachment 3.

Recommendation

The sign code update will be on the Board of Supervisors agenda on November 17, 2020. The proposed changes reflect a significant effort to provide a balanced sign code that is reflective of all stakeholder input. I recommend approval of the proposed amendment to the Pima County Sign Code as recommended by Planning & Zoning Commission including the prohibition of Electronic Message Signs.

Sincerely,



C.H. Huckelberry
County Administrator

CHH/dym – November 10, 2020

c: Jan Leshner, Chief Deputy County Administrator
Carmin DeBonis, Deputy County Administrator for Public Works

ATTACHMENT 1

DISTRIBUTION LIST FOR SIGN TEXT AMENDMENT^{9.29.20}

- | | |
|--|---|
| <p><input type="checkbox"/> Fluoresco Services, LLC Attn: Mark Jones
mjones@fluoresco.com</p> <p><input type="checkbox"/> Addisigns, Inc. Attn: Michael Addis
Mike@addisigns.com</p> <p><input type="checkbox"/> Southern Arizona Homebuilders Association (SAHBA)
Attn: David Godlewski & Shawn Cote
david@sahba.org / shawn@sahba.org</p> <p><input type="checkbox"/> Ben Buehler-Garcia, Principal
bbg@theriver.com</p> <p><input type="checkbox"/> Tucson Association of Realtors
Attn: Steve Huffman
steve@tucsonrealtors.org</p> <p><input type="checkbox"/> Tucson Metropolitan Chamber of Commerce
Attn: Amber Smith
amber@tucsonchamber.org</p> <p><input type="checkbox"/> Sun Corridor Inc. (formerly TREO)
Attn: Joe Snell
joe.snell@suncorridorinc.com</p> <p><input type="checkbox"/> American Institute of Architects (AIA)
Attn: Tina Litteral
Tina@aia-arizona.org</p> <p><input type="checkbox"/> Arizona Builders Alliance Attn: Tim Bee
tbee@azbuilders.org</p> <p><input type="checkbox"/> Diamond Ventures Attn: Priscilla Storm
pstorm@diamondven.com</p> <p><input type="checkbox"/> Coalition of Sonoran Desert Protection
Attn: Carolyn Campbell
carolyn.campbell@sonorandesert.org</p> <p><input type="checkbox"/> Metropolitan Pima Alliance (MPA)
Attn: Allyson Solomon
Allyson@mpaaz.org</p> <p><input type="checkbox"/> Rick Volk Real Estate Attn: Rick Volk
rickvolk@volkco.com</p> <p><input type="checkbox"/> Mark Mayer [from COT's sign effort - comments]
Government Affairs & Outreach Coordinator
Scenic Arizona
3935 E. Calle de Jardin
Tucson, AZ 85711
mmayer1@mindspring.com</p> <p><input type="checkbox"/> Roger Carpenter
rogercarpenter6@icloud.com</p> | <p>Dark Skies
Astronomy Planetary and Space Sciences in Arizona
(APSS - a consortium of professional research organizations that rely on Arizona dark skies):</p> <p><input type="checkbox"/> Don Davis – Planetary Science Institute – Dark Sky Partners, LLC
drd@psi.edu</p> <p><input type="checkbox"/> Buell Jannuzi – Director, Steward Observatory – U/AZ
buelljannuzi@email.arizona.edu</p> <p><input type="checkbox"/> G. Grant Williams – Director, MMT Observatory
gwilli@mmto.org</p> <p><input type="checkbox"/> Richard Green – Asst. Director, Steward Observatory
rgreen@email.arizona.edu</p> <p><input type="checkbox"/> Emilio Falco – Science Director, F.L. Whipple Observatory
falco@cfa.harvard.edu</p> <p><input type="checkbox"/> Amy C. Oliver
amy.oliver@cfa.harvard.edu
Public Affairs Officer
Fred Lawrence Whipple Observatory</p> <p><input type="checkbox"/> Lori Allen – Director, Kitt Peak National Observatory
lallen@noao.edu</p> <p><input type="checkbox"/> Jeffrey Hall – Director, Lowell Observatory
info@lowell.edu</p> <p><input type="checkbox"/> Timothy D. Swindle – Director, Lunar and Planetary Laboratory – U/AZ
tswindle@lpl.arizona.edu undeliverable</p> <p><input type="checkbox"/> Davis Monthan AFB
Attn.: Michael Toriello
michael.toriello@us.af.mil Nick Germanos
nicholas.germanos@us.af.mil
Bonnie (Kacey) Carter [Community Planner],
bonnie.carter@us.af.mil</p> <p><input type="checkbox"/> Green Valley Council
canouts@gvcouncil.org
bomalley5@me.com
info@gvcouncil.org</p> <p><input type="checkbox"/> Southeast Regional Council
Contact: Lucretia Free
Lucretia.free@pima.gov</p> |
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updated 10/5/20
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 - ☐ Catalina Foothills Association
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bpc21ccc@msn.com)
 - ☐ Tanque Verde Valley Association
preinthal@ranaco.com
 - ☐ BOMA: Building Owners and Managers
Association of Greater Tucson
Attn: Luann Vosburg (Exec. Director)
bomagt@comcast.net
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~~bourneasso@comcast.net~~
~~undeliverable~~
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 - ☐ Jude Cook
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 - ☐ Chuck Martin cmartin@rickengineering.com
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 - ☐ Jack Horton - send draft when available
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 - ☐ Kelly Lee, Forward Planning Manager
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 - ☐ tburdon@cox.net
 - ☐ Sierra Club [from COT's sign effort - comments]
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555 E. River Road, Ste. 301
Tucson, AZ 85704
 - ☐ Michael Stilb
MAS Real Estate Services Inc.
4750 N. Oracle Road, Suite 210
Tucson, AZ 85705

ATTACHMENT 2

Oracle Rd Gas Station – Catalina

Current Permitted Signage

Freestanding Identification Sign

- One Sign Per Street Frontage
 - Sign is permitted to be 64 square feet.
 - Maximum height permitted is 14 feet.
 - Front and Side setback of 18 feet.
 - If the height was reduced to 10 feet, a 10 foot front setback would be allowed.
 - Side yard setback is 30 feet.

Main Wall Identification Sign

- Building or Tenant Frontage
 - Each tenant is permitted 1.5 square feet of signage for each foot of building footage up to a maximum of 150 per tenant. This is permitted on two sides.
 - The current adopted sign code provides secondary limits on the number of signs as incidental and accessory. These signs are types of content regulation.

Signage Permitted with Current Proposed Changes

Freestanding

- One Sign
 - Sign is permitted to be 81 square feet.
 - Maximum height permitted is 10 feet.
 - Front of zero feet.
 - Side yard setback of 10 feet.

Wall Signage

- Building or Tenant Frontage
 - Tenant is permitted 1.5 square feet of signage for each foot of building footage up to a maximum of 200 square feet per tenant. This is permitted on two sides.
 - If a tenant has a third tenant space wall, .5 square feet of signage for each foot of building frontage up to a maximum of 200 square feet per tenant.
 - Each tenant space wall is restricted to no more than 5 signs.



P17SC00008 Rev3

Approved 05/24/2019

APN: 222-21-005A
OWNER: STATE OF ARIZONA

N07°16'39"W 330.60'

40.0' LANDSCAPE BUFFER

PROPOSED RETENTION BASIN (PRIVATE)

SINGLE STORY BUILDING
FF=3114.60

ELECTRIC TRANSFORMER

100' ELECTRICAL EASEMENT

S89°12'40"W 321.10'

APN: 222-21-0319 OWNER: AGNEW PROPERTIES

N89°11'21"E 272.07'

EXISTING FIRE FRONT 50' FROM BUILDING

1 (N/S) INV=3101.53 (W/RY: 1107.25)

24" CIP SD INV=3112.59
4" RCS SS TOP = 3106.33
SEPARATION=4.75
CONTRACTOR TO AVOID
CONFLICTS WITH PROPOSED
SD AND EXISTING UTILITIES
WHEN INSTALLING 1" RCS SERV

2 12" T.S. & V.

15' RIGHT OF WAY
DXT: 507 PG 524

11 12" T.S. & V.

14 12" T.S. & V.

2 12" T.S. & V.

2 12" T.S. & V.

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Orange Grove and Mona Lisa – Southwest Corner

Current Permitted Signage

Freestanding Identification Sign

- One Sign Per Street Frontage
 - Sign is permitted to be 32 square feet.
 - Maximum height permitted is 6 feet.
 - Front and Side setback of 10 feet.

Main Wall Identification Sign

- Building or Tenant Frontage
 - 30 square feet is permitted on two sides.

Signage Permitted with Current Proposed Changes

Freestanding

- One Sign Per Street Frontage
 - Sign is permitted to be 32 square feet.
 - Maximum height permitted is 6 feet.
 - Front setback of zero feet.
 - Side setback of 10 feet.

Wall Signage

- Building or Tenant Frontage
 - 30 square feet is permitted on two sides.



Oracle and Orange Grove – Northeast Corner (Bank at Corner is not Included)

Current Permitted Signage

Freestanding Identification Sign

- Development Complex Option
 - One sign per access point
 - 5 access points
 - Each sign is permitted to be 50 square feet.
 - Maximum height permitted is 8 feet.
 - Front and Side setback of 10 feet.
- Alternative is One Sign Per Street Frontage
 - Based on street frontage, one sign could be permitted
 - Each sign is permitted to be 100 square feet.
 - Maximum height permitted is 18 feet.
 - Front setback of 24 feet.

Main Wall Identification Sign

- Building or Tenant Frontage
 - Each tenant is permitted 1.5 square feet of signage for each foot of building footage up to a maximum of 150 per tenant. (In this shopping center, there appears to be no more than 3 tenants who would hit the maximum cap of 150 square feet. All others would remain below 150 cap and would be restricted to no more than 1.5 square feet for each foot of tenant frontage) This is permitted on two sides of each tenant.
 - The current adopted sign code provides secondary limits on the number of signs as incidental and accessory. These signs are types of content regulation.

Signage Permitted with Current Proposed Changes

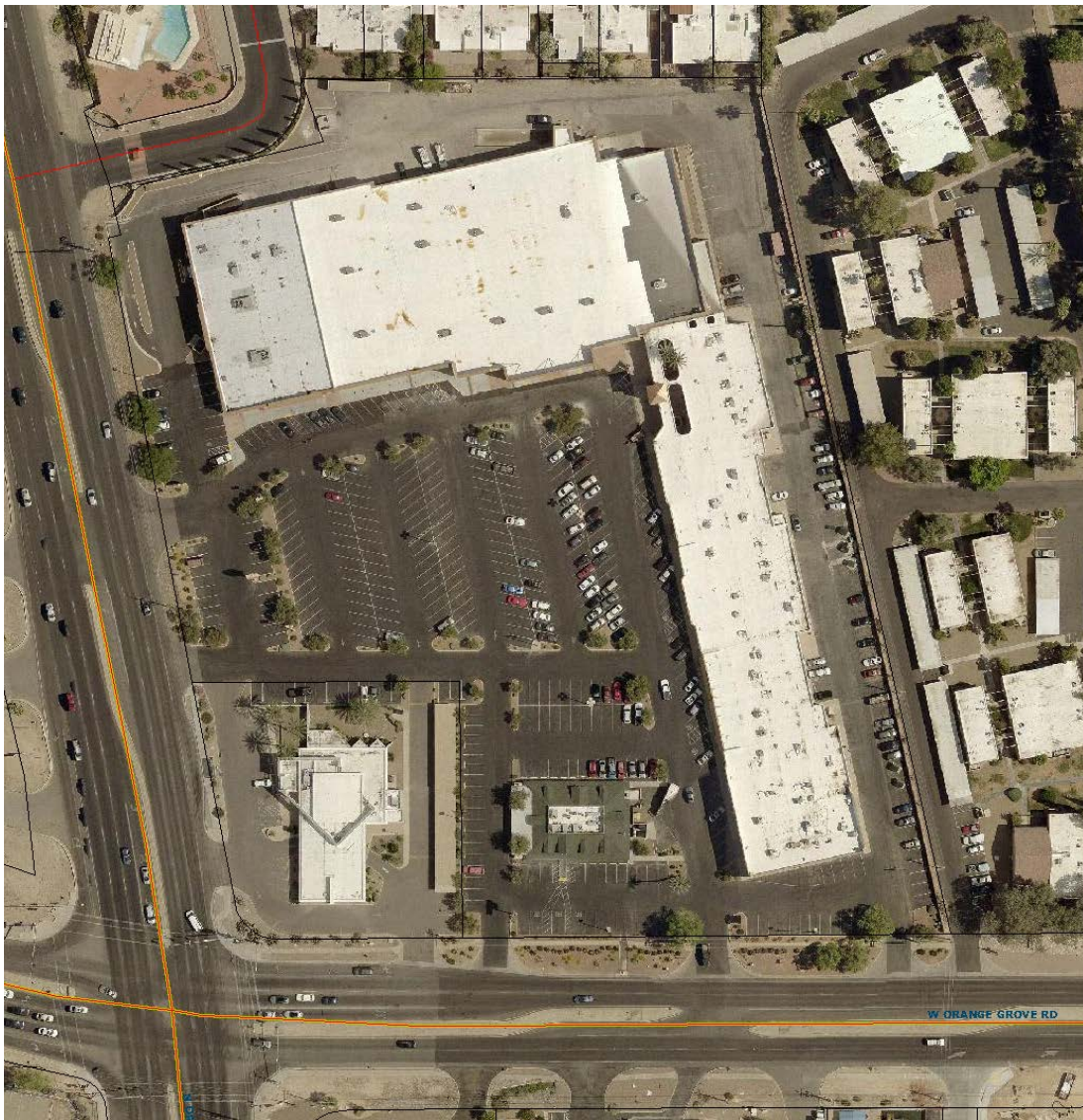
Freestanding

- One Sign Per Access Point
 - Each sign is permitted to be 64 square feet.
 - Maximum height permitted is 10 feet.
 - Front setback is zero feet. (Signs on Orange Grove frontage would be approximately 25-40 feet from edge of pavement. Signs on Oracle frontage would be approximately 15 feet from edge of pavement)
 - Side yard setback of 10 feet.

Wall Signage

- Building or Tenant Frontage

- Each tenant is permitted 1.5 square feet of signage for each foot of building footage up to a maximum of 200 square feet per tenant. This is permitted on two sides.
- If a tenant has a third tenant space wall, .5 square feet of signage for each foot of building frontage up to a maximum of 200 square feet per tenant.
- Each tenant space wall is restricted to no more than 5 signs.
- A sign can be moved to another location on the building that is not the tenant space wall. In these cases the permitted square footage is reduced to 30 square feet.



Swan and Sunrise – Southeast Corner

Current Permitted Signage

Freestanding Identification Sign

- Development Complex Option
 - One sign per access point
 - 5 access points
 - Each sign is permitted to be 50 square feet.
 - Maximum height permitted is 8 feet.
 - Front and Side setback of 10 feet.
- Alternative is One Sign Per Street Frontage
 - Based on street frontage, one sign could be permitted
 - Each sign is permitted to be 100 square feet.
 - Maximum height permitted is 18 feet.
 - Front setback of 24 feet.

Main Wall Identification Sign

- Building or Tenant Frontage
 - Each tenant is permitted 1.5 square feet of signage for each foot of building footage up to a maximum of 150 per tenant. (In this shopping center, there appears to be no more than 2 tenants who would hit the maximum cap of 150 square feet. All others would remain below 150 cap) This is permitted on two sides.
 - The current adopted sign code provides secondary limits on the number of signs as incidental and accessory. These signs are types of content regulation.

Signage Permitted with Current Proposed Changes

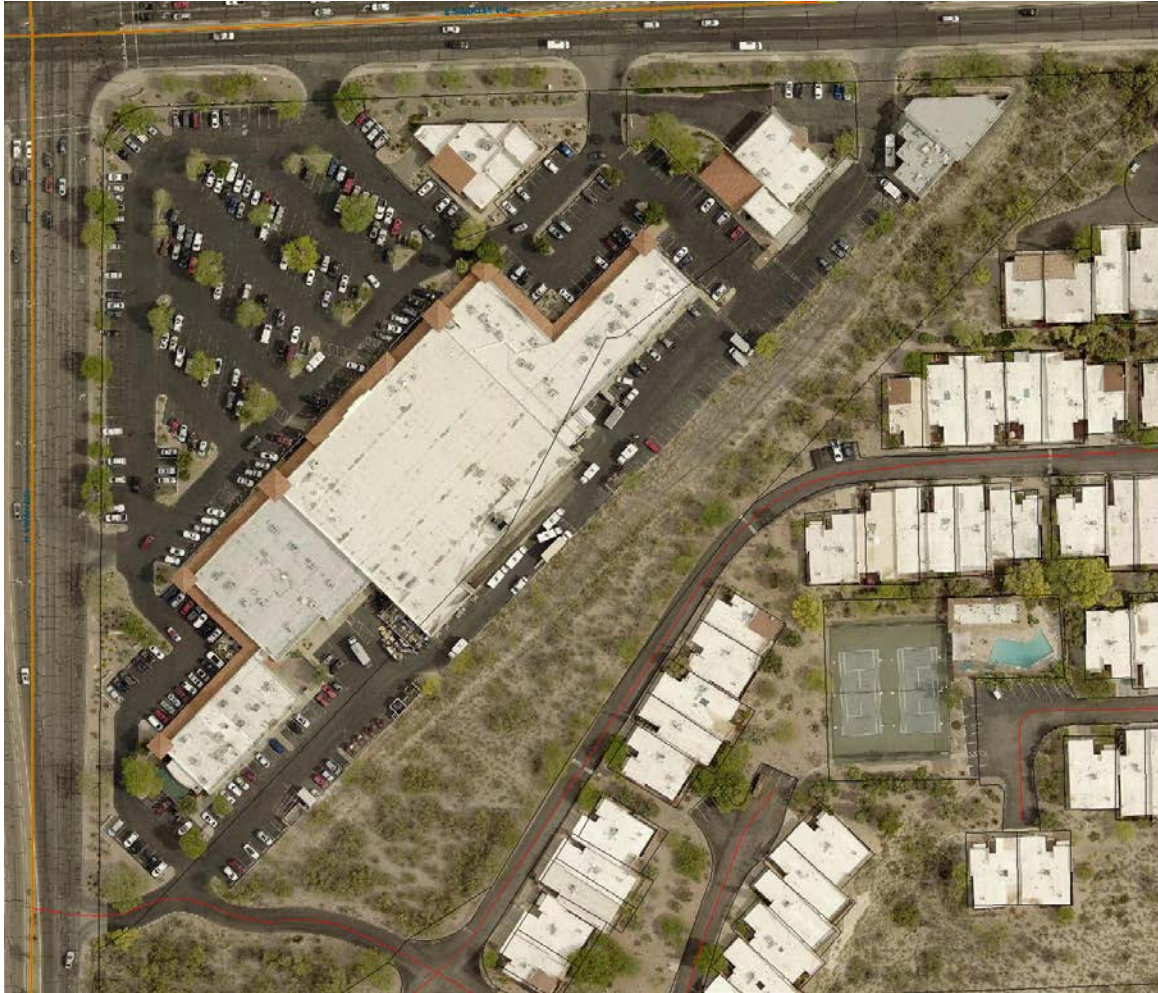
Freestanding

- One Sign Per Access Point
 - Each sign is permitted to be 64 square feet.
 - Maximum height permitted is 10 feet.
 - Front setback is zero feet. (Signs on Sunrise frontage would be approximately 30 feet from edge of pavement. Signs on Swan frontage would be 12-15 feet from edge of pavement)
 - Side yard setback of 10 feet.

Wall Signage

- Building or Tenant Frontage
 - Each tenant is permitted 1.5 square feet of signage for each foot of building footage up to a maximum of 200 square feet per tenant. This is permitted on two sides.

- If a tenant has a third tenant space wall, .5 square feet of signage for each foot of building frontage up to a maximum of 200 square feet per tenant.
- Each tenant space wall is restricted to no more than 5 signs.
- A sign can be moved to another location on the building that is not the tenant space wall. In these cases the permitted square footage is reduced to 30 square feet.



Valencia and Cardinal – Northeast Corner – Autoparts Store

Current Permitted Signage

Freestanding Identification Sign

- One Sign Per Street Frontage
 - Sign on Valencia street frontage is limited to 50 square feet. Sign on Cardinal street frontage is limited to 64 square feet.
 - Maximum height permitted on the Valencia street frontage is 10 feet. Maximum height of Cardinal street frontage is 14 feet.
 - Setback of sign on the Valencia frontage is 10 feet. Setback on the Cardinal street frontage is 18 feet. On the Cardinal frontage is the sign is no more than 10 feet high, a 10 foot setback is allowed.

Main Wall Identification Sign

- Building or Tenant Frontage
 - Each tenant is permitted 1.5 square feet of signage for each foot of building footage up to a maximum of 150. This is permitted on two sides.
 - The current adopted sign code provides secondary limits on the number of signs as incidental and accessory. These signs are types of content regulation.

Signage Permitted with Current Proposed Changes

Freestanding

- One Sign Per Access Point
 - Each sign is permitted to be 64 square feet.
 - Maximum height permitted is 10 feet.
 - Front setback is zero feet. (Sign on Valencia frontage would be approximately 45 feet from edge of pavement. Sign on Cardinal frontage would be approximately 40 feet from edge of pavement)
 - Side yard setback of 10 feet.

Wall Signage

- Building or Tenant Frontage
 - Tenant is permitted 1.5 square feet of signage for each foot of building footage up to a maximum of 200 square feet per tenant. This is permitted on two sides.
 - If a tenant has a third tenant space wall, .5 square feet of signage for each foot of building frontage up to a maximum of 200 square feet per tenant.
 - Each tenant space wall is restricted to no more than 5 signs.



ATTACHMENT 3

ATTACHMENT 3

SIGN CODE UPDATE STAKEHOLDER PARAPHRASED COMMENTS on Draft 1 and how they are reflected in Draft 2

Commenter	¹ Page #	Section	Comments & responses [Stakeholder comments in black; DSD responses in red] ¹ - per Draft 3	Any further revision in Draft 3?
SAHBA	9	18.79.030(N)(3)	Interesting that approved subdivision plat in its entirety as a site may be considered non-residential. An entire subdivision plat is differentiated from individual residential lots to allow what used to be called a subdivision directory sign.	-
"	9	18.79.050(H)	"A" & "T" frame signs exempt? Signs on residential property w/ cumulative area of less than 6', less than 6' high and non-illuminated exempt? Signs listed in 18.79.050 are exempt from having to submit application, get permits, and fees but still subject to development standards if applicable and an electrical or building permit may be required.	-
"	14, 15	18.79.060	Legal non-conforming signs. Grandfathering of existing signage unless deemed safety hazard good. Comment noted. This section underwent some revisions due to received comments; it is the same as Town of Marana's text.	Text has reverted back to existing sign code wording.
"	15, 17	18.79.070, 080	General Regulations. Code is specific to single residential lot but silent on subdivision cumulative sign area? See freestanding and wall signage allowed. Could also be addressed through the Master Sign Program and if internal to the subdivision, reference the definition of "concealed" signs and Section 18.79.030.	-
"	17	18.79.080(A)(1)(a)	Regulations by permanent sign type. A1 – Clarify "Minimum clearance 10 feet". This is an existing billboard regulation. *Billboard regulations are not being changed at this time due to court settlement with the exceptions of formatting change and two clarifications. Clearance is the distance from the ground to the bottom of the sign; presumably to minimize bulk of the sign.	"Two clarifications" are not being changed either. Same wording as existing.
"	18	18.79.080(A)(1)(d)	Regulations by permanent sign type. D – Why is max. number of signs "none"? Does this means there is no maximum allowable number of signs? Yes, no maximum. *No changes to billboard regulations with this text amendment with the exceptions of formatting change and two clarifications.	See above.
"	13	18.79.080(A)(1)(h)	Regulations by permanent sign type. H – Why is this a requirement? Presumably to reduce the negative effects of billboards by disallowing, for example, neon orange supporting structures. *No changes to billboard regulations with this text amendment with the exceptions of formatting change and two clarifications.	See above.
"	19	18.79.080(A)(4)(d)	Regulations by permanent sign type. I – Not acceptable. Eliminate public hearing requirement. *No changes to billboard regulations for this text amendment with the exceptions of formatting change and two clarifications. Surrounding property owners should have the right to comment on new billboard signs.	See above regarding two clarifications. Otherwise no change.

ATTACHMENT 3

Commenter	¹ Page #	Section	Comments & responses [Stakeholder comments in black; DSD responses in red] ¹ - per Draft 3	Any further revision in Draft 3?
"	18	18.79.080	Regulations by permanent sign type. Billboard sizes/allowances for CR1-CR5 zoning? Per current regulations *which are not proposed to be changed with this text amendment, billboards are not allowed in the zones not specified.	-
"	13, 16	18.79.050, 070(E)	Clarification on when permits are required? Says "all signs" unless otherwise stated. Permits are not required for "exempt" signs. Section 18.79.050 states "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".	-
"	26	18.79.090(C)	Banner signage – does this include trap fences on developer property? Yes.	-
"	9	18.79.030(N) (3)	Why consider approved subdivision plat as non-residential? This is where we typically place our signage. It differentiates the entire plat vs the individual residential lots to allow what used to be called a subdivision directory sign. By making it non-residential, can avail standards for freestanding and wall signs. These signs could also be addressed through the Master Sign Program. Also if internal to the subdivision, reference definition of "concealed" signs and Section 18.79.030.	-
"	26	18.79.090(D)	Balloon signage used for location purposes. If not allowed decreases ability of customers to find sales office. Draft 2 revised to allow balloon signs under "inflatable and air activated signs".	-
"	28	18.79.100(B)	Offsite signage. How will weekend directional signage be addressed? These signs are placed late Friday/early Saturday and removed Sunday evening. Through the Master Sign Program – can use a template, similar to COT's process.	Master Sign Program more refined.
"	20	18.79.080	We use Burma shave signs for marketing path to sales office/model on our property. How will this be affected? They'll need to comply with the freestanding or wall sign requirements depending on how they are attached.	-
"	15, 28	18.79.070(A), 100 (B)	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. Still not enough in addition to freestanding and wall sign allotments? Please provide an example of set up. Could also be addressed through the Master Sign Program.	-
"			Estimated processing time for permits? Fees? Copy of application and checklist? Fees will be based on the fee schedule, application and checklist are not proposed for the code but are administrative documents subject to occasional revisions. Estimated processing time for permits not proposed to change. No changes to sign fees with this text amendment.	-
"	18	18.79.080(A) (1)(h)	Are there color guidelines for the earthtone shade of brown or green? Comparable to HDZ review and requirements for "earthtone".	-

ATTACHMENT 3

Commenter	¹ Page #	Section	Comments & responses [Stakeholder comments in black; DSD responses in red] ¹ - per Draft 3	Any further revision in Draft 3?
"			Water Tanks? 6 sq ft limit prevents from using tanks as signage? Yes, but there would be other means to allow.	-
"	27	18.79.090	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? 72 hours is to provide flexibility if such signs are accidentally left out. The signs are intended to be put out daily. Yes, it would reset the clock.	-
"	28	18.79.100(B)	Need more details on Master Sign Program. Trying to keep it broad and flexible. We have enclosed draft documents with this draft.	Application forms to be changed because program more refined.
"	13	18.79.050(C)	Exempt Signs. Typically have up to 12 attention flags and one US Flag at our communities Would you please email us some photos of the type(s) of flags you mean? We need a better idea of the type of flags at issue. Received photos. Increased from 6 to 10.	-
"	26	18.79.090(B)	B. Clarify size of name/number requirement? One legible label per sign.	-
"	27	18.79.090(F)	F. 1 sign insufficient. 30 ft limitation; sometimes sales office is more than 30' distant from main road. Then you'd have to apply for the Master Sign Program.	-
"	20, 28		Will there be an expanded kiosk program? Would you please further explain this question?	Considered freestanding or part of Master Sign Program
"	21	18.79.080(C)	Use 3 tier system, of roads for signage, not 2. Comment noted.	-
"	4	18.79.010(A)	Eliminate use of pejorative language that is inherently negative such as "reduce visual clutter". Comment noted, however, sign clutter is a definite problem. Sometimes the most effective word is best. We balance it with the benefits of signage.	-
"	20	18.79.080(C)	Should amount of linear street frontage be a factor? Comment noted. Building frontage is for wall signs. Number of signs is related to approved access points.	-
"			Consideration of directional signage distances when separated by state land? Would you please further explain this question?	No response provided
"			Consider incentives for increased sign allowance when adding public art. Comment noted but do not want to confuse art with signage. May be an option exercised through the Master Sign Program.	-

ATTACHMENT 3

Commenter	¹ Page #	Section	Comments & responses [Stakeholder comments in black; DSD responses in red] ¹ - per Draft 3	Any further revision in Draft 3?
"	4	18.79.010(A)	2. Replace "reduce visual clutter" with "efficient sign placement" The word 'clutter' is appropriate here.	-
"	4	18.79.010	4. Not all unregulated signs pose a public safety risk. Comment noted.	-
"	4	18.79.010(A)(6)	6. Delete word "clear" Agree (it's repetitive) – deleted.	-
"	7	18.79.030(F)	Insert Flag language. Can add definition. Please see previous comment about emailing us photos of flags.	Allowed number of flags increased
"	13	18.79.050	Exempt Signs. What about alteration of iconic signs that keep the same "vibe"? Would you please further explain this question?	No response provided
"	17	18.79.080(A)	Billboards. Allowable in CB-1, TR, CPI, MU, MR, RVC – other categories? *Not proposing changes to billboard standards with this text amendment (with a few non-substantive exceptions). See previous comments.	No change to text; no exceptions
"	17	18.79.080(A)	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. *Not proposing changes to billboard standards with this text amendment (with a few non-substantive exceptions). See previous comments.	Same as above
"	21	18.79.080(C)(3)(c)	Use of Hospital reference does not meet content neutral test. We don't believe it's a 'content' issue.	-
"	4	18.79.010	Mention economy in purpose language See 18.79.010(A)(1) It is in the general purpose statement.	-
"	28	18.79.100(A)(4)(c)	C-iii & vi. Are these current standards. Have they changed and if so, what are ramifications? The requirements are 30% less than current lighting code specifies. This is a discretionary option to gain larger sign area and height. Standards were requested by astronomy and dark skies community. The requirement is tied to the Outdoor Lighting Code & the OLC committee leads.	-
"			Fee schedule No changes to fees proposed with this text amendment.	-
"	18	18.79.080(A)(4)	Billboards. I – clarification; road constructed after 1984 or billboard constructed after 1984? The billboard. Added "a billboard" for clarification.	Billboard text reverted to existing wording
"	19	18.79.080(A)(4)(d)	Language beginning with "It is the purpose of this subsection.." should be moved to beginning of section? This subsection was reformatted for Draft 2. It only applies to subsection A2 and relates to no substantive changes to billboard text so carrying forward existing purpose statement.	-
"	26	18.79.090(C)(2)	Temporary Signs. One within site per street frontage or one per street frontage within site? Please provide example illustrating difference.	No response provided

ATTACHMENT 3

Commenter	¹ Page #	Section	Comments & responses [Stakeholder comments in black; DSD responses in red] ¹ - per Draft 3	Any further revision in Draft 3?
“	26	18.79.090(B)	Banner Sign – Rationale for limiting to 120 days per year? Better as long as sales office still open? An allowance of 6 months if the banner is attached to an existing building was added. Otherwise may need to be addressed through Master Sign Program. (It is supposed to be a temporary sign for special event.)	-
“	27	18.79.090(F)	F – “A” & “T” -frame signs listed on Page 8 as exempt sign. It's exempt from permits but it is allowed (difference between prohibited vs exempt).	-
“	28	18.79.100(B)	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? Comment noted – we will look at more closely however we are trying to keep option simple and flexible. If a sign is proposed for the right-of-way, applicant will have to go through PC-DOT in a separate process. Administrative details of Master Sign Program such as the application form, what is required for submittal, etc. are not intended to be in the code, but separate policy documents. See attached draft documents.	Program has been refined
Jim Battaglia (2/18/20 phone call)	21	18.79.080(C) (4)	#1 - EMC or static signs: there's a problem with max. 10' heights like COT has – at least with min. of 15' leaves 5' of ground clearance out of 10'. Comment noted, however, current draft (Draft 2) proposes 10' as standard maximum height for freestanding signs.	-
”	21	18.79.080(C) (4)	3' X 8' EMC with 6 – 9' ground clearance / sign not high enough car blocks msg center, needs to have 8' clearance // at least 6' Comment noted, however, current draft (Draft 2) proposes 10' as standard maximum height for freestanding signs.	-
”	22	18.79.080(C) (10)(c)	#2 - Hold time: electronic bill – 8 sec nationwide, reduce to 3X6' = 60 sec too long – needs to transition 8 sec – digital billboards For small signs consider 3 seconds Draft 2 proposes 7.5 seconds – same as Town of Marana's sign code.	-
”			#3 - Pole cover – 5' tall 10' wide / entire construction – ground clearance / pole cover 30" wide preferred wind load – not so large of a pole cover. Visibility is blocked – skinny it up. Please further explain this comment.	No response provided
Jude Cook Cook & Co.	24	18.79.080(E) (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.	-
“	22	18.79.080(C) (10)(b)	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? Response: It makes for a very poor layout proportions - up to 75-80% for the EMC is better. Draft 2 proposes 50% which is the same as the Town of Marana's sign code.	-

ATTACHMENT 3

Commenter	¹ Page #	Section	Comments & responses [Stakeholder comments in black; DSD responses in red] ¹ - per Draft 3	Any further revision in Draft 3?
"	26	18.79.090(C)(3)	60 sq ft is too 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? Response: I would allow at least 100 sq ft. The existing code allows a maximum of 60 sq ft which we are not aware has been problematic. Draft 2 proposes 60 sq ft.; Town of Marana sign code allows a maximum of 40 sq ft.	-
"	28	18.79.100(A)(4)(a)	The 9 pm curfew is too early. (I understand that this is part of a master program and more restrictions are involved.) Comment noted. Response: 9 pm is still too early for most businesses. The 25% option is incentive based specifically to protect dark skies.	-
"	28	18.79.100(A)(4)	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 warmth 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. Response: 4400 K is warm enough, some colors when lighted this warm or more look wrong. A definition of correlated color temperature was added to the definitions section of Draft 2 to help clarify. The 25% option is incentive based specifically to protect dark skies. 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. Response: The outdoor lighting code already limits EMCs to 200 Nits. The problem I see here is that the code is not enforced as it is and adding more restrictions without truly enforcing the current code is the wrong approach. A combination of education and enforcement would serve the dark skies much more than more restrictions. Comments noted.	-
"	22	18.79.080(C)(7)	What is the proposed setback 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? The header plus 3 is also been problematic and not enforceable. Drafts 1&2 propose no setback. Drafts 1&2 do not specify number of tenant panels, only overall sign size. Response: That would be a vast improvement in itself.	-
"	28	18.79.100(A)(4)(e)	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. Response: I am still not clear what is being proposed.	-
"	28	18.79.100(A)(4)(f)	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. Response: Opaque backgrounds with light only coming out from the logos and lettering? Yes.	-

ATTACHMENT 3

Commenter	¹ Page #	Section	Comments & responses [Stakeholder comments in black; DSD responses in red]	¹ - per Draft 3	Any further revision in Draft 3?
"	20, 23, 28	18.79.080(C) & (E), 18.79.100	Here's a basic project 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. Plus there is the "concealed" sign (see definitions). Then there are also the Dark Skies and the Master Sign Program options for some more flexibility. Response: I'd like to see it applied to an actual project.		-
"	20, 23, 28	18.79.080(C) & (D), 18.79.100	Here's a basic project I might have: 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 wall signs, and the Dark Skies and Master Sign Program options for more. Response: This sounds like it will work.		-
"	20 - 23	18.79.080(C) & (D)	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.		-
"	20 - 23	18.79.080(C) & (E)	Can you point me the sections in the draft where I could determine what is allowed? Generally 18.79.080C (freestanding) and 18.79.080E (wall) plus there's also suspended (18.79.080F) and temporary signs (18.79.090).		-
"	15	18.79.070(B), 18.79.080	One suggestion, incorporate graphics to help questions. Comment noted. Draft 2 has a graphic for sign measurement and for illuminated signs.		Illuminated sign graphic removed
			I see a lot of improvements. Great.		-
James Carpentier ASA ISA			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. We will likely provide something like a summary table as part of the public hearing staff report and could provide a summary table to customers and staff. Good idea – thank you.		-
"	15	18.79.070(B), 18.79.080	The use of images can be very beneficial when describing sign types etc. We agree; Draft 2 has a graphic for sign measurement and for illuminated signs but will look into sign types as well.		Illuminated sign graphic removed
"	15	18.79.070(B)	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. It's in Section 18.79.070(B) – General regulations. B. Measurement. Draft 2 includes a graphic showing how sign area is measured.		-

ATTACHMENT 3

Commenter	¹ Page #	Section	Comments & responses [Stakeholder comments in black; DSD responses in red] ¹ - per Draft 3	Any further revision in Draft 3?
"	14	18.79.060	The applicability and administration of this section not clear. Comment noted. This is in the existing code so it has weathered some application. To delete it would diminish existing sign code rights.	Nonconforming language unchanged from existing
"	6, 17	18.79.030(B) 18.79.080(A)	Clarify that this section is for billboards & off-site. Because of a significant billboard court case in our county we are making very few changes to the existing billboard section with this text amendment. The definition of billboard specifies "off-site" and all other signs specify "on-site".	-
"	"	"	Clarify that this section is for on-premise by indicating it is 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. See the above comments plus freestanding, wall, suspended, and window signs all state "on-site".	-
"	20	18.79.080	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. We think we've addressed this through freestanding and wall signs plus the master sign program but will consider if stakeholders or public believe it necessary.	-
"	22, 25	18.79.080(C) (10)(d)	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. Comment noted.	-
"	22, 25	18.79.080(C) (10)(d) & (D) (8)(d)	Recommend that the nits be stated (140) in addition to reference to that section. Tying this figure to the Outdoor Lighting Code (OLC) so that if the OLC committee updates their standards, the sign code will automatically follow. We want the OLC committee to be the lead here.	-
"	23	18.79.080(C) (10)(e)	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. Comments noted.	-
"	27	18.79.100(A)	We are fully supportive of performance type approach that gives a bonus when meeting the dark sky protection option. Good.	-
"	22	18.79.080(C) (9)(c)	Maximum height should be stated at 8'. Agree, Draft 2 reflects change.	-
"	25	18.79.080(F)	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). Draft 2 reflects change as suggested.	-
"	28	18.79.100(A) (4)	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. Comment noted.	-

ATTACHMENT 3

Commenter	¹ Page #	Section	Comments & responses [Stakeholder comments in black; DSD responses in red]	¹ - per Draft 3	Any further revision in Draft 3?
“	28	18.79.100(B)	We fully support flexibility of this nature since the code cannot be designed to meet every type of scenario and project. Great.		-
C. Bard (DSD)	13	18.79.050(C)	Is this per site? Yes		-
“	17	18.79.070(E) (5)	This application is the same as a building permit. Ok, will fix.		-
“	20	18.79.080(C)	So I can put one sign on the road 50 MPH and two on the side street and one interstate style sign. Is this correct? Interstate is different than arterial road – is only I-10 and I-19. A site along I-10 will only be allowed one freestanding sign – period. A site not along an interstate would be allowed one sign per DOT approved access point with the exception if it's an arterial or > 50 MPH road.		-
“	23	18.79.080 (E) (3)(b)	This allows a multi-tenant building say 500 ft long with 4 tenants to have 800 sq. ft. of sign space. A single tenant building doesn't have even 1/2 the allowed sign space. I think the sq. ft. for a single tenant building could be a little more. Comment noted. It's 200 sf/tenant		This section has been revised.
“	26	18.79.090(C)	Does this mean any temporary banner is allowed as long as it is permitted; cannot consider content anymore (grand opening)? Correct.		-
“	26	18.79.090(D)	These are under prohibited signs, then you are sent here and now they are allowed? You're right, this is confusing. Removed prohibition on balloon signs in Draft 2.		-
Pima County Small Business Commission P. Cavanaugh			The Commission is in support of Draft 1; significant improvement over previous standards; greater flexibility. Also suggest the application process be simplified, refrain from sign fee increases, and provide for consistent interpretation of sign standards. We will keep the process as efficient as we can; no fee changes proposed with this text amendment process; we agree with consistency.		-
Arizona Astronomy Consortium			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 Outdoor Lighting Committee (OLC) was developed, and were not intended to imply a priority. We discussed this at the meeting held after comments received. Agreed that this is mostly the purview of the OLC committee; we cannot restrict existing signs – it could only apply to the newly allowed EMD signs.		-
“			Instead of tying the allowed sign luminance limits to the Tucson/Pima County Outdoor Lighting Code, 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: LZ0: No ambient lighting, LZ1: Low ambient lighting, LZ2: Moderate ambient lighting, LZ3: Moderately high ambient lighting, LZ4: High ambient lighting This is for the OLC committee to consider.		-

ATTACHMENT 3

Commenter	¹ Page #	Section	Comments & responses [Stakeholder comments in black; DSD responses in red]	¹ - per Draft 3	Any further revision in Draft 3?
"			The IDA and IES recommended luminance limits for these zones are: Nighttime Maximum Luminance (nits) 0, 20, 40, 80, 160 nits. 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. We further maintain that the county E2 and E3a zones are equivalent to LZ1, and the E3 zones are equivalent to LZ2. We therefore propose sign luminance limits of 20 nits. <i>We discussed this at the meeting held after comments received. Agreed that this is mostly the purview of the OLC committee; we cannot restrict existing signs – it could only apply to the newly allowed EMD signs. We are requiring 140 nits for the incentive-based Dark Skies option.</i>		-
"			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. <i>We believe that the OLC need to be spearheading lighting requirements so have tied the sign code to OLC standards so that when they revise, the sign code will follow. See above comments.</i>		-
"	8	18.79.030(I)	We would like some clarity around the definition of the term ‘electronic message display sign.’ 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, which it terms “electronic message signs.” <i>There are billboard signs (which specifically prohibit digital billboards) and there are electronic message centers – two separate sign types. The prohibition on digital billboards will remain. Added caveat to EMD sign definition that it does not include digital billboards.</i>		<i>At request of stakeholder, the definition was revised.</i>
"	20 - 24	18.79.080(C) & (E)	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. <i>All of the freestanding and wall signs are specified as “on-site” only. This text amendment proposes to continue the prohibition on digital billboards.</i>		-
"	14	18.79.060	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. <i>This is standard language for non-conforming uses.</i>		<i>Reverted back to existing code’s text</i>
"	27	18.79.100	As a minor stylistic point, the phrase ‘luminance intensity’ is not strictly correct. The phrase used previously, ‘luminous intensity’ is a better technical usage. <i>Corrected as you proposed.</i>		-
"			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		-

ATTACHMENT 3

Commenter	¹ Page #	Section	Comments & responses [Stakeholder comments in black; DSD responses in red]	¹ - per Draft 3	Any further revision in Draft 3?
			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 above, and impose reasonable curfew times. Okay, comment noted.		
“			The other point had to do with the incentive-based provisions of §18.79.080(C)(10), 18.79.080(E)(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. Digital billboards remain prohibited.		-
International Dark-Sky Association			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. Comment noted.		-
“			The same issues as the Consortium noted: No illuminated signs in E1 zones, prescribe zone-based sign luminance limits that follow IDA1 and Illuminating Engineering Society (IES) guidance for lighted, on-premise signs; namely, 20 nits in the E2 and E3a zones and 40 nits in the E3 zone; clarify the definition of ‘electronic message display sign’ and/or add other code language to continue the express prohibition of digital billboards; strike draft language in §18.79.060(C), which allows legal, non-conforming signs ..., the county sign code should meet or exceed the standards of the Tucson/Pima County Outdoor Lighting Code (OLC), same response to idea of “hooding” or “capping” signs. See DSD responses to the Consortium comments.		-
“			The other issue involves the incentive-based provisions of §18.79.080(C)(10), §18.79.080(E)(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. See above response to Consortium’s comment on this subject.		-

ATTACHMENT 3

Commenter	¹ Page #	Section	Comments & responses [Stakeholder comments in black; DSD responses in red] ¹ - per Draft 3	Any further revision in Draft 3?
Arizona Multihousing Association	26	18.79.090(C)	The 120 day temporary banner sign display time - is this in total or this is the amount of time the same sign can be displayed? For example, apartment communities regularly display banners stating their phone number and/or the type of product the offer ie: " Renting 1, 2 & three bedrooms" or specials such as "One month free". Would like to display these types of banners throughout the year to promote different incentives and availability. These signs are often attached to the building or can be found attached to sign posts at the entrances. An allowance of 6 months if the banner is attached to an existing building was added.	-



MEMORANDUM

DATE: October 23, 2020

TO: Chair and Members of the Planning and Zoning Commission

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

SUBJECT: Follow up on Recently Received Public Comments and Staff Proposed Revisions to Sign Code Text Amendment

Staff initiated the proposed Pima County Zoning Code Sign Code Text Amendment at the November 28, 2018 Planning and Zoning Commission hearing. In previous text code amendments, staff would outline the comprehensive review and changes that were being proposed at initiation, create a draft document, provide the draft to stakeholders for review and comment, and proceed through the hearing process to the Commission and Board of Supervisors. For this sign code text amendment process, staff has taken an approach that has provided extensively greater opportunities for stakeholder interaction and input. For the first part of the process, before any proposed changes were drafted, staff reached out to stakeholders to meet and discuss concerns or items that needed to be addressed, and how staff should proceed with drafting the amendment. These initial meetings occurred between January and December 2019, and included all stakeholders who wanted to participate and provide input.

Once staff received and compiled the initial comments, Draft 1 was written and provided to stakeholders on January 28, 2020. Staff then offered to meet with the broad group of stakeholders to solicit feedback on Draft 1. Comments and suggested edits were received and changes were made. Draft 2 was released and additional opportunities to provide comments commenced. As staff further refined the amendment, the meetings and comments became more precise and the dialogue with stakeholders became more focused on specific areas of concern. For instance, one topic that generated a significant amount of input was the Electronic Message Display (EMD) sign type. Based on the continuing dialogue with stakeholders, staff further refined this section and Draft 3 was released as part of the packet presented to the Planning and Zoning Commission.

Staff believes that the opportunities for stakeholders to provide input and comments throughout the process has been comprehensive. Some of the stakeholder groups with whom staff has met to discuss the code changes include the Billboard Review Committee, Green Valley Council, Tucson Mountains Association, the Arizona Astronomy Consortium, International Dark-Sky Association, business representatives and members of Boards of Adjustment. The complete list of participating stakeholders through the process is provided as Attachment 2 in the Commission's packet. In addition, staff is providing Drafts 1 and 2 to the Commission with the lists of comments provided after each release. We are also providing documents that list each written stakeholder

comment and staff's response to the change to show the efforts made to include stakeholders and the incremental changes that have taken place up to Draft 3. In addition, our memo outlines further suggested edits to the text based on the most recent comments received.

During the process, staff has presented the sign code text amendment as a multi-faceted effort (i.e. not limited to the court case). The legal ad states that this is a proposal to repeal and replace the current sign standards (with exceptions of billboards and nonconforming sign standards) to update and clarify sign standards, reflect current sign technology and trends, encourage good sign design, and protect Dark Skies and scenic values. And, that the new standards affect the size, height, illumination, location, and other features of the time, location and manner of signs. Inclusion of EMD signs comes under the consideration of new trends in signage.

Staff has received additional stakeholder comments, most recently being from the Sierra Club – in their comment letter dated October 8, 2020, they provided 41 points that they requested be changed from Draft 2. Staff reached out to the Sierra Club on September 21st and October 1st, 13th and 20th and offered to meet to discuss their comments, understand the issues of greatest concern, and collaborate to resolve as many as possible in the lead-up to the Planning and Zoning Commission meeting. To date, the Sierra Club has not taken up staff's offer to meet and discuss.

Draft 3, which was released after the Sierra Club comments were received, proposes five changes that were requested by the Sierra Club or are proposed as a compromise to their or other stakeholders' comments. In addition, staff agrees to change twenty-one of the points as requested by the Sierra Club, and proposes a compromise change to an additional ten points requested; there would be no change to six points requested. Staff has provided a point-by-point breakdown of the 41 points raised by the Sierra Club, below, with agreed changes or proposed changes or modifications to the amendment being proposed through this memo to the Commission. Additionally, below is a request by the Billboard Review Committee received in response to Draft 3 and two changes proposed directly by staff. Per this memo, staff requests 28 changes to Draft 3, which are listed in Attachment A.

[paraphrased public comment – black / staff response – red]

Sierra Club October 8, 2020 memo comments #1 – 41 (using their numbering):

- #1 - 3 Prohibit Electronic Message Display signs. Sierra Club had commented on Draft 2; Draft 3 provides further compromise by limiting EMD signs to daylight hours only to reduce light pollution for astronomy and Dark Sky community. No other changes are proposed at this time but staff is motivated to consider astronomers, Dark Sky, business community interests, and others proposals toward an acceptable solution.
- #4 Reinstate maximum 50 square feet (sf) sign area for freestanding signs in commercial and industrial zones & 32 sf for non-residential uses in residential and rural zones. Staff proposes changes to Draft 3 to allow a maximum of 32 sf (sign area) and 6 feet (') (height) for nonresidential uses in the ML, SR, SR-2, SH, CR-1, CR-2, CR-3, CR-4, CR-5, CMH-1, and CMH-2 zones. These changes would align the text amendment with current code restrictions for height and square footage.
- #5 Allow 1 freestanding sign for the first 550 feet of frontage and one additional for each partial or full 250-foot bracket over that amount. Staff propose to limit street frontages of less than 300' to 1 freestanding sign per site.
- #6 Reinstate the minimum side yard setback of ten feet in all zones. Staff propose this same change to Draft 3.

- #7 Revise front setbacks in commercial and industrial zones to 10' for a sign > 8' height or 50 sf area, to 18' for a sign > 64 sf. Staff propose a change of a minimum 10' front setback for any sign greater than 10' in height. Providing clear visibility to cars and pedestrians is critical. Setbacks for signs taller than 10 feet is appropriate.
- #8 Reinstate height limits of 6' in residential & rural zones and 8' in the TR, TH and Resort zones. Draft 3 proposes a non-illuminated 6 sf, 6' limit for residential uses in residential areas and for a home occupation. Per #4 above, staff propose the changes to Draft 3 to allow a maximum 32 sf (sign area) and 6' (height) for nonresidential uses in residential and rural zones.
- #9 Delete the greatly increased allowances for "limited access high volume arterial roadways". Staff propose the change to delete the differentiation for "limited access, high volume arterial roadways" at this time and the associated standards from Draft 3.
- #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. Staff propose this same change to Draft 3.
- #11 Delete special allowance for hospital uses; the height allowance is twice as great as for any other use. Staff propose the change to reduce the maximum height to 15' (from 20') in Draft 3, but we believe that given the nature of a hospital and the additional allowances permitted in the current code for the use, additional signage is needed for this critical life safety use.
- #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. Staff propose this same change to Draft 3, proposing a minimum distance of 6'.
- #13 Limit the increase in height for drive-through signs to 7 feet (from the existing 6 feet). Staff propose this same change to Draft 3.
- #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). Staff propose this same change to Draft 3 in the form of adding "Building Entryway Sign" with a definition of, "An on-site sign at the entry or access point of a multi-tenant, non-residential building or development" and the associated standards of maximum 40 sf area, 8' height, minimum 40' setback, and not oriented to the street.
- #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). Staff propose the addition of "Minor signs" which would be small, on-site ground signs but not limited to access points with the standards of a maximum of 6 sf, 4' height and 25' setback.
- #16 Reinstate subdivision entryway signs. Staff propose this same change to Draft 3 in the form of adding "Subdivision Entryway Sign" with a definition of "An on-site sign at the entry or access point of a subdivision" and associated standards of maximum 40 sf

area, 8' height, and 1 per entryway with a maximum of 2 per subdivision.

- #17 Reinstates the wall signage allowances, with scaled additional allowances for non-residential uses in the less intensive non-commercial/industrial zones and for particularly long commercial/industrial building frontage. Staff propose a change of maximum area of 30 sf for a wall sign for nonresidential uses in the ML, SR, SR-2, SH, CR-1, CR-2, CR-3, CR-4, CR-5, CMH-1, and CMH-2 zones.
- #18 Revise as to the number of building frontages for which the full wall sign allotment is allowed. No transfers of allotments from one wall to another are permissible. Draft 3 limits the building frontage to 2 for full sign allotment. For a third building frontage, limited signage is permitted.
- #19 Revise Draft 2 to limit the overall number of wall signs as in the existing code - the number of wall signs > 2 sf area is limited to 5, and for all of the remaining walls the number is limited to 2. Staff propose a change of no more than 5 signs be allowed on any tenant space or building wall.
- #20 Reinstates the existing definition and allowances for awning signs. Draft 3 regulates awning signs as wall signs and these signs if proposed by a building owner will deduct from the maximum allowed by new code. Staff propose no change.
- #21 Reinstates separate definitions for projecting and suspended signs. Staff propose no change. These signs are permitted as part of the wall sign allotment. Staff does not believe that regulating how the building owner allocates signage is required.
- #22 Reinstates permanent window signs in wall sign allotment and the 30% limit for any given window; limit illuminated window signs to one per frontage and two total (as per the existing code for all permanent window signs) and to no more than 15% of window area; and provide limits on the number of non-illuminated permanent signs more in line with the existing code. Window signs have their own allotment outside of wall sign allocation which is the percentage of window. Staff propose changes to permanent window signs of a maximum area of 30% of window area and limit illuminated and non-illuminated window signs to 1 per frontage and 2 total.
- #23 Reinstates an area limit for a changeable copy sign (non-electronic sign copy) of one 40 square foot sign per building frontage and a limit of no more than two such signs per occupancy (whether as a component of a freestanding sign or as a building wall sign). Also. Reinstates a definition for such signs. Subject to further confirmation, staff propose changes to differentiate between "change of sign copy" and "changeable copy sign" in the form of adding a definition of changeable copy sign and that the Draft 3 standards apply to both types. Staff propose no change to sign area.
- #24 Reinstates the definition of and allowances for detached canopy signs (not to be included in any wall sign allotment). Draft 3 separates out canopy signs and proposes unique standards.
- #25 – 28 Delete "Dark Sky Protection Option" and support the work of the Outdoor Lighting Code Committee to revise the Outdoor Lighting Code so as to more effectively control sign illumination. Due to Prop 207 we are limited in our ability to make more restrictive regulations. Incentives are a tool we can use to encourage more efficient illumination. Staff does not know when the Outdoor Lighting Code (OLC) will be revised. Planning staff will be involved in the process of the Outdoor Lighting Code change when the

Building Official initiates this process. This is a way to reduce illumination. If necessary staff could have a 'sunset clause' to see if by a certain date the provision is working as proposed. We completely support the work of the OLC committee but it is their schedule as far as amending the OLC standards.

- #29 Revise the definition of concealed sign to mean signs located within a building, except those that are attached to the inside surface of a window or otherwise placed so as to principally be viewed from outside of a window; and signs within a courtyard or other outdoor area that is surrounded by a building or other permanent opaque structure. Staff propose a change to the definition of concealed sign to read, "A permanent or temporary on-site sign that is within the boundaries of a premises, obscured from and not legible from adjacent public right-of-way." Examples: indoor signs and signs located within an outdoor courtyard. Does not include a billboard.

- #30 Delete the master sign program from Draft 2 and only consider it at a future date when a proposed program includes a proper legal procedure with public notice and hearing; clear limitations and guidelines; a provision that overall sign allowances are not to be substantially increased; and an analysis that sets forth the actual public benefit to be derived in terms of community appearance. Draft 3 reflects delineation of request that can be decided by the Planning Official versus those with more impact that can be decided by the Design Review Committee at a public meeting. Small increases and signs in the right-of-way can be approved by the Planning Official. Other requests are approved/denied by the Design Review Committee which is composed of staff and members of the public, such as architects and engineers.

- #31 Reinstate the existing prohibition on air-activated signs (as a type of moving sign). Staff propose this same change to Draft 3.

- #32 Reduce the area limit for portable signs from 12 square feet to 6 square feet. Staff propose this same change to Draft 3.

- #33 Add a height limit for portable signs of 3.5 feet. Staff propose this same change to Draft 3.

- #34 Clearly require that portable signs are to be removed during the time between the close of business to the next opening of business. Staff propose this same change to Draft 3.

- #35 Specify a minimum 4-foot horizontal clearance on sidewalks for temporary, portable signs and for any other temporary signs where such a clearance may be applicable. Staff propose this same change to Draft 3.

- #36 Clarify that portable signs are not to be permitted in parking areas, including islands and spurs, and to provide at least a minimal clearance from the perimeter of parking areas. Staff propose this same change to Draft 3 with a 3-foot minimal clearance.

- #37 Only allow banners that are rigidly affixed to building walls at all four corners. Staff propose this same change to Draft 3.

- #38 Reduce the maximum area for banners from 60 feet to 40 feet (equivalent to the area allowance for changeable copy signs/panels in the existing code). Staff propose no change.

- #39 Reduce the time period allowed for wall banners from 180 to 90 days per calendar year with the 90 days to be divided into no more than two time periods. **Staff propose this same change to Draft 3.**
 - #40 Revise Draft 2 so that window signs are not permitted on the exterior side of windows. **Staff propose this same change to Draft 3.**
 - #41 Revise Draft 2 to reduce the area of a window within which a temporary window sign may be displayed from 40% to no more than 25%. **Staff propose this same change to Draft 3.**
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From the Billboard Review Committee (BRC) email dated October 20, 2020, there appear to be three issues:

#1 This item relates to a reference to the billboard restrictions in the section regarding obtaining a special use permit from the Board of Supervisors and addresses a sort of scrivener's error in the existing code by requesting to change a minor reference in Draft 3. **Staff in collaboration with the Billboard Review Committee committed to retaining the exact wording for billboards from the existing zoning code – including the error. Staff suggest the BRC present this item to the Commission if they wish.**

#2 This item is the prohibition of inflatable and air activated signs. **Per item #31 of the Sierra Club's list, staff propose to remove these signs as permitted. It is not clear to staff whether the BRC is proposing to retain them as temporary signs which was the only way they were originally intended to be allowed. Staff suggests the BRC present this item to the Commission if they wish.**

#3 This item is the wording of the definition and the prohibition of "moving signs" and the exception for movement with Electronic Message Display signs. **Staff propose the same change to Draft 3 with the exception that the definition of moving sign remain the same as the existing code.**

Additional staff-proposed changes:

- #1 Staff propose the following change to Draft 3 regarding sign measurement. That the existing code's method of measurement replace the method in Draft 3. Change Draft 3 sign measurement to read as follows:

Measurement and Location Standards:

Sign area measurement:

- a. Background panel: A sign placed on a background panel is measured as the area contained within the outside dimensions of the background panel;
- b. Individual letters or symbols: A sign with individual letters or symbols placed separately on a building wall, awning or other structure without a background panel, is measured as the sum of the smallest rectangular shape needed to enclose each letter or symbol;
- c. Illuminated panel: A sign in an illuminated panel is measured as the entire illuminated surface area;

d. Multiple components: A sign displayed in more than one component, e.g., a service station identification and price sign, is measured as the area enclosed by the smallest rectangle encompassing all the components.

#2 Staff propose the change to Draft 3 to add a definition of canopy sign as follows:

“Canopy Sign: A sign mounted on a canopy which is a permanent fixture, often made of metal or glass, that is attached to a structure.”

The reason for the change in how square footage is calculated is based on informal comments received from stakeholders that this would impact sizes of signs. The change listed above will align how area is calculated to how it is measured in the existing code. Staff believes maintaining how square footage area is calculated will eliminate a potential concern about the impact of such a change.

STAFF RECOMMENDATION

Staff is amending the original staff report recommendation. Most of the changes staff proposes to Draft 3 are based on the additional comments received since the staff report was released. Staff recommends approval of the zoning code text amendment with the inclusion of the changes listed on Attachment A. These additional changes will provide further protections based on comments received from stakeholders.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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