

# *Planning for Sign Code Success™* Policy & Process Considerations

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July 26, 2019



# Presentation Format

- Section I - Best Practice – Sign Code Development
- Section II – Administration/Permitting
- Section III - Economic Considerations
- Section VI - Model Sign Codes

# Section I

## Best Practices Sign Code Development

# In House or Consultant?

- Have the staff to do in house?
- In house and consultant?
  
- Who plans on doing the update in house?
- Who plans on hiring a consultant?

# Include all stakeholders in the process

- Form a stakeholders group
- Who would you include as stakeholders?

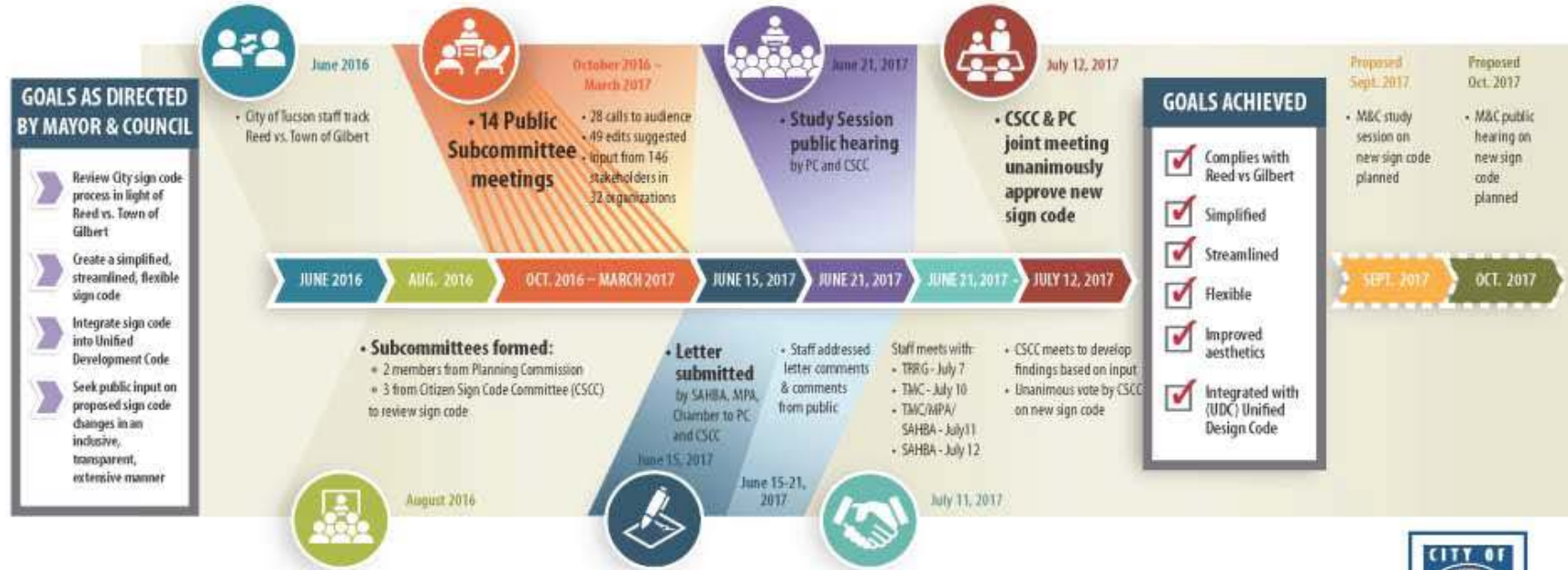
# Issues/Goals

- What are the problems with the code?
- Stakeholder group can assist identify what is working, what is not working
- Identify issues/goals early in the process
- Needs to align with and enhance existing policies

# Creating a New Sign Code for Tucson

Planning & Development Services Department

June 2016 – August 2017



**Stakeholder groups include:** International Dark Sky Association, Metropolitan Pima Alliance, Multi-Family Association, Southern Arizona Home Builders Association, Tucson Association of Realtors, Tucson Metro Chamber, Tucson Residents for Responsible Government, and others.



Work in progress – 8/9/2017

# On-line polling

- Online polling with well done balanced visual preference can be beneficial
- Vs. in a meeting...limited participation



# Review Table of Contents

- Carefully look at overall structure of code
- Agree on the table of contents early on in process
  - A statement of the purposes to be achieved
  - Definitions
  - Standards for measuring sign areas
  - Regulations governing sign placement, height, and area
  - Enforcement
  - Regulations for temporary signs
  - Prohibited signs
  - Regulations for non-conforming signs
  - Administrative provisions, variances and appeals

# State purpose/rationale

“Always clearly articulate the purpose and rationale for the sign regulations in detail at the start of the regulations.”

Brian Connolly, Mark Wyckoff, Michigan Sign Guidebook, December 2011, Scenic Michigan

# Ensure as much content-neutrality as possible

“Ensure that the ordinance is as content-neutral as possible, while accepting that, if the regulations are not 100% content-neutral, there will be some legal risk that otherwise could be avoided.”

Brian Connolly, Mark Wyckoff, [Michigan Sign Guidebook](#), December 2011, Scenic Michigan

# Substitution Clause

This statement prevents inadvertent preferential treatment of commercial speech over non-commercial speech

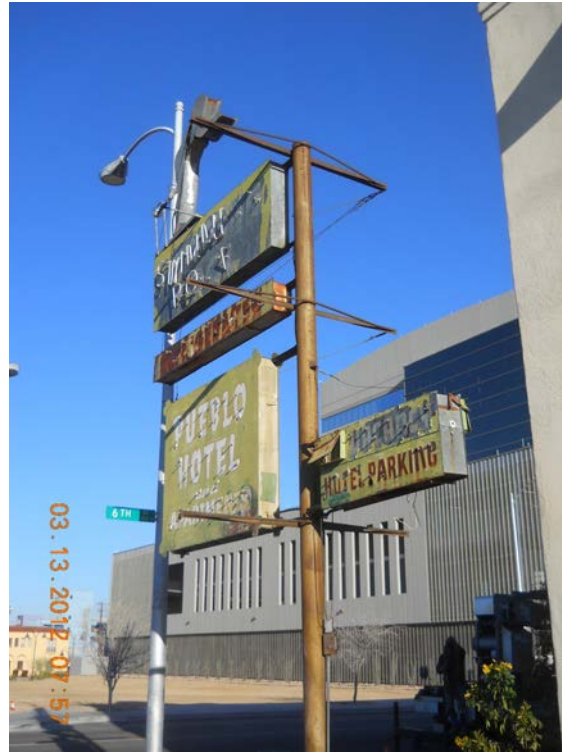
# Severability Clause

- If a section of the sign code is found unlawful that can be removed without invalidating the entire code
- Include in the sign ordinance

# Overlay Districts

- Unique areas -Gateway/Historic/entertainment
- Unique regulations

# Tucson Historic Landmark Sign Code (HLS)



<https://www.tucsonaz.gov/pdsd/historic-landmark-signs-hls-preservation-program>



“One size fits all ”

“A “one size fits all ” approach does not work for effective sign regulation— different sign types (and context) lend themselves to different forms of regulation.”

Brian Connolly, Mark Wyckoff, Michigan Sign Guidebook, December 2011, Scenic Michigan



# Context Rather than One Size Fits all

- Different districts neighborhoods and districts have different needs
- Some districts have larger setbacks some structures up to the ROW

# If You Cannot Enforce Do Not Adopt

## **Not enforceable:**

Brightness/Luminance. The brightness of electronic message center signs shall not exceed 90 percent of the maximum output of the sign during the day. During the night, brightness shall not exceed seven percent of the maximum output of the sign, with a maximum of 1,000 nits. Maximum output shall be measured in nits. (Oak Harbor WA)

## **Enforceable:**

*EMC's shall not exceed 0.3 footcandles over ambient lighting conditions when measured at the recommended distance*

# Review Past Variances or Exceptions

- Go back several years for exceptions or variances
- If patterns exist analyze and determine why – try to minimize
- Variances and exceptions should not occur on a regular basis

# Include Tables/Illustrations

**TABLE 113-06.A – PERMITTED SIGNS (P=Permitted, shaded cell = Not Permitted)**

Code Reference	Sign Type	Location									PF
		Public Rights-of-Way	Private Rights-of-Way	Single-Family	Multi-Family	Mixed-Use	Commercial and Industrial	SHD-RO	SHD-CO	Open Space	
<b>TEMPORARY SIGNS</b>											
113-08.A.2	Class I Temporary Signs (Small A-Frame Signs)			P	P	P	P	P	P	P	P
113-08.A.3	Class II Temporary Signs (Large A-Frame Signs)			P	P	P	P	P	P	P	P
113-08.A.4	Class III Temporary Signs (Small Post Signs)			P	P	P	P	P	P		P
113-08.A.5	Class IV Temporary Signs (Large Post Signs)			P	P	P	P	P	P		P
113-08.A.6	Banner Signs						P		P		P
113-08.A.7	Light Pole Banner Signs	P	P		P	P	P	P	P		P
113-08.A.8	Teardrop Banner Signs			P	P	P	P	P	P	P	P
113-08.A.9	Sign Walkers	P	P	P	P	P	P	P	P	P	P
<b>BUILDING MOUNTED SIGNS</b>											
113-08.B.1	Building Wall Signs			P	P	P	P		P		P
113-08.B.2	Blade Signs			P	P	P	P		P		P
113-08.B.3	Canopy Signs				P	P	P		P		P
113-08.B.4	Marquee Signs						P				P
113-08.B.5	Awning Signs						P		P		P
113-08.B.6	Hanging Signs					P	P	P	P		P
113-08.B.7	Window Signs and Sunscreens			P	P	P	P	P	P		P



# Regulatory Considerations

- Consider well drafted incentives/flexibility
- Encourages creative designs



# Regulatory Considerations

- Treat on and off premise signs with distinct and separate regulations

# Regulatory Considerations

- Carefully review the allowed sign types for each district or transect...
- Ensure it will function as needed
  - Pedestrian, driver or both
- Context



# Section III

## Administration/Permitting



# Administration/Permitting

- Review permitting and administration with same diligence as all parts of the code
- Streamline, Streamline, Streamline
  - ✓ Saves staff time, applicant time, end users are happy

Any jurisdictions currently have on-line permitting?

# Minimize Discretionary Approvals

- Timely and costly
- “Discretionary review process often culminates in uncertain, inconsistent and unpredictable decisions.”\*

\*Zoning Practice, *Practice By-Right Zoning*, Lane Kendig, April 2016

# Administration/Permitting

- What are the potential issues with costly and/or long permitting time lines?
- How would you rate your permitting process 1 to 10 and why?
- What could you do to improve your permitting/administration of the sign code?

## Section III

# Economic Considerations

## Case Study – Urgent Care\*

More specifically, what is a small 24 inch by 10 inch directional sign worth?

By Richard Bass AICP/MAI

# Urgent Care Clinic with Wall and Ground Signage



# Urgent Care – Case Study

- Located in SE Florida community
- A “typical” Urgent Care sees 65 to 70 patients per day as the norm, peak of 90 to 100 patients per day.
- After a year of operation, the subject clinic was only seeing 30 to 36 patients per day.

# Urgent Care – Case Study

- Patients had trouble finding the clinic due to inadequate signage and location
- Owners decided additional signage needed
- Received approval for a wayfinding type sign in the ROW due to the nature of the use



# Urgent Care – Case Study



# Urgent Care – Case Study

- Impact of the sign was immediate
- Within 30 days the clinic was up to norms of 65 to 70 patients per day.
- Average Charge for services \$150/per patient. @ 30 Patients per day = \$ 4,500. @ 65 Patients per day = \$ 9,750,
- The gross impact is \$1,916,250 per year.
- Cost of the sign \$500

# Economic Impacts

Consider the possible economic impacts that the proposed sign ordinance will have on jurisdiction

- Positive?
- Neutral?
- Negative?

# Section VI

## Model Sign Codes

# Model Sign Codes

- They are not good, they are not bad, they are informative
- Good: Starting framework
- Bad: Not customized for your community
- Always best to produce own well-written regulations

# Model Sign Code Projects

- ***A Legal and Technical Exploration of On-Premise Sign Regulation***, Urban Design Associates, released June of 2011
- ***A Framework for On-Premise Sign Regulations***, released in March 2009-Code is on disc and ISA website
- ***Model On-premise Sign Code***, United States Sign Council, 2011 (available on USSC website)



# Urban Design Associates (UDA) Code

A Legal and Technical Exploration  
of On-Premise Sign Regulation  
**An Evidence Based  
Model Sign Code**



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U R B A N   D E S I G N   A S S O C I A T E S

# ISA/SRF As Your Resource

If you are seeking any information in regards to regulatory or technical issues with your sign code and we offer complimentary sign code assistance/resources

**James Carpentier AICP**

<http://www.signresearch.org/>

[www.signs.org/planners](http://www.signs.org/planners)

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