

Overview of Three Models Used to Preserve Historic Signs in Other U.S. Jurisdictions

Like many municipalities in the United States, the City of Tucson does not have a specific process for preserving historic signs. The current Sign Code provides contemporary guidance for signs, but does not address older, larger “grandfathered” signs that have weathered the years. Over the last year, City staff has been approached by property owners with questions and concerns about their historic signs in the downtown Tucson area. Additionally, planning work occurring through the Oracle Area Revitalization Plan project has identified a corridor north of downtown that is ripe with historic neon signs that are important features to the residents, property owners and businesses in the area.

The Mayor and Council Subcommittee on Rio Nuevo/Downtown, Arts, Culture and History directed staff to research the specific needs that exist in Tucson related to historic signs, and how other jurisdictions have handled these same needs. The goal is to define a program that will help preserve and enhance historic signs in Tucson.

Needs Assessment

Based on conversations with property owners, and a windshield survey of Tucson’s more historic corridors conducted by staff on January 21, 2009, City staff determined that there are significant signs that contribute to the overall character, history and identity of Tucson that should be protected and enhanced. The needs that a potential historic sign preservation program should address include:

- **Definition of “Historic Sign”** – A definition does not exist in the current Sign Code. Historic signs have most likely been ‘grandfathered’ in, meaning that they are not compliant with the current Sign Code.
- **Restoration** – Currently, ‘grandfathered’ signs can be taken down to be refurbished or restored. However, the signs must be reinstalled in exactly the same spot. To put them elsewhere on-site, or to change the content, requires a variance.
- **Relocation** – Moving a ‘grandfathered’ sign to another spot on the same property requires a variance. Moving a ‘grandfathered’ sign to another property is not allowed, although a variance might address this issue.
- **Removal** – Removing a ‘grandfathered’ sign from a property is currently allowed. However, there is no mechanism for alerting anyone regarding the sign’s removal or demolition.
- **Replication** – The current Sign Code does not allow for new signs to be constructed using “historic styles”. Such an option would be useful in areas where other historic buildings and signs exist, or where old signs existed previously that would complement an area’s character.

Staff researched other programs in place throughout the country using the Internet, articles and personal communications. Three general models stood out for their potential application in Tucson:

- City-wide Overlay Zone (*Flagstaff, AZ*)
- Historic/Landmark Inventory List (*Orlando, FL; San Jose, CA*)
- Corridor-specific Overlay Districts (*Portland, OR*)

The following briefly describes each model based on specific programs being managed in other U.S. jurisdictions. The administrative processes used by the entities, the regulatory tools that apply, the elements of each program that are unique, and suggestions or considerations for the City of Tucson to ponder are also provided. This research is not exhaustive; there may be other models that exist. The models provide a starting point for the City of Tucson to devise its own approach based on the best practices and advice of other jurisdictions.

CITY-WIDE OVERLAY ZONE

Landmarks Design Review Overlay (LDRO) District

Flagstaff, AZ

Contact: Karl Eberhart, Architect, Historic Preservation Officer

Phone: (928) 779-7632 x7268

Dates of conversations: February 18, 2009 and June 12, 2009

Administrative Processes/Procedures:

- Zoning process for additions/removals to the overlay
- Design Review process for applicable properties
- Waiver for Diminution of Value

Pertinent Regulatory Tools:

- City-wide overlay district
- Sign Code

Comments:

- ♦ Boundaries are the city's boundaries
- ♦ The LDRO includes "all properties, of whatever nature and wherever located". Additions to and removal from treated as zoning changes
- ♦ For those properties included in the LDRO, the most restrictive requirements prevail; where conflict exists, the LDRO supercedes underlying zoning.
- ♦ Signs are not currently in Flagstaff's LDRO
- ♦ U.S. Secretary of Interior's Standards are the criteria used for determining eligibility for what can be included
- ♦ Downtown Historic Development Guidelines enforce how the neon signs occurring along Route 66 are handled (Route 66 not yet designated, but is "on the list" of things to do)
- ♦ Current sign code identifies "areas of special designation", which includes flexibility for increasing size and height of signs depending on their quality

Suggestions/Other Considerations:

- ♦ Prop. 207: Consider using a waiver form for all properties included on inventory or in districts formed for this project. Flagstaff is being sued over an Historic Design Review Overlay created a few years ago by the 20% of property owners who were not in favor of the Overlay. Suit is ongoing; Prop. 207 is the underpinning for the suit. A waiver is used now.

- ♦ Deeding signs: Flagstaff tried to recover signs taken down and found that they had been sold to a casino in Las Vegas to be used as interior decoration. Eberhardt liked the idea for deeding signs over to the city.
- ♦ Grant Program: Flagstaff has a grant program that helps with exterior rehabilitations, sign restoration, and architectural services. Originally funded with \$100,000, applicants submit a form requesting funding. (Max request is \$10,000.) Grant program will exist until grant funds run out.
- ♦ Billboards: Flagstaff defines billboards as outdoor advertising and as something “other than a sign”. Billboards have been banned within City limits and have been removed at the City’s expense.

Document References:

- Design Guidelines: Landmarks Design Review Overlay District
- Consent to Conditions/Waiver for Diminution of Value
- Flagstaff Land Development Code, Chapter 10-08: Signs and Lighting

HISTORIC/LANDMARK INVENTORY LIST

Historic & Landmark Signs Inventory

San Jose, CA

Contact: Sally Zarnowitz, Historic Preservation Officer

Phone: (408) 535-7834

Dates of conversations: February 4, 2009 and June 15, 2009

Administrative Processes/Procedures:

- Historic Evaluation Criteria Form
- Historic Landmark Nomination Form
- Environmental Clearance (required review for demolitions)

Pertinent Regulatory Tools:

- Ordinances (for Landmarks)
- Sign Code

Comments:

- ♦ Historic and landmark signs are handled administratively by the Director; reports are given every 3-4 months to the Historic Commission to clarify what’s been added, changed, etc.
- ♦ Did not start with an inventory, but recommends that approach. Signs are added through an application process. CA State DPR form used to assess the sign’s historical qualities.
- ♦ Historic signs do not count against overall sign allowance
- ♦ The U.S. Secretary of Interior Standards are used as a guide for signs. These guidelines do not allow replication.

San Jose, CA (continued)

- ♦ Landmarks are handled by Ordinance.
- ♦ Director has approval for theater marquees
- ♦ Attorney’s Office works with them to set up ordinances for special cases

Suggestions/Other Considerations:

- ♦ Web page for (Re)locations: The State of California requires that resources/materials be advertised locally for any properties undergoing demolition. San Jose is contemplating setting up a web page to assist with advertising unwanted (historic) signs and resources.
- ♦ Billboards: San Jose defines and classifies billboards based on their size – 12’ x 24’ and 14’ x 48’. Billboards are not defined as a sign. Signs and billboards are different things

Document References:

- San Jose, CA White paper submitted to Historic Commission describing the program

Landmark Signs Inventory

City of Orlando, FL

Contact: Richard Forbes, Historic Preservation Officer

Phone: (407) 246-3350

Dates of conversations: February 5, 2009 and August 28, 2009

Administrative Processes/Procedures:

- Certificate of Appropriateness
- Development Review Processes – Minor (City Planning Official); Major (Historic Preservation Board Review)

Pertinent Regulatory Tools:

- Sign Code
- Historic District Overlays

Comments:

- ♦ Only deals with Landmark Signs (looking to update the list), not historic signs
- ♦ Registry occurs with official adoption of an ordinance deeming the sign a Landmark (signs and underlying property are listed)
- ♦ No process in place for relocation or replicating a historic “style”
- ♦ Have had a problem with one really ornate “out there” sign that was difficult to repair. Took some time and energy to assemble some companies to repair and address.

Suggestions/Other Considerations:

- ♦ “Comping” historic sign square footage: To avoid “too much signage” or incompatible signage, consider tying the new signs to a Review Board process that will review for appearance.

- ♦ Link the signs to the buildings: One sign on their list did not call out that it was on the side of an old building and was not visible. The sign was “lost” when a building was demolished. They were able to take part of it and it is “commemorated” in the new building that took the old buildings place.
- ♦ “Lost” signs: A local museum has been assembling signage in their warehouses that are not yet on the inventory. Property owners don’t call the Historic Preservation Officer, they call the museum. Having a mechanism to avoid this loss would be valuable.
- ♦ Billboards: Orlando does not allow construction or installation of new billboards. Billboards requiring major repair or partial removal of the billboard for repair require the billboard to be removed and replacement is not permitted. Routine maintenance of existing billboards is permitted and does not require the removal of the billboard.

CORRIDOR-SPECIFIC OVERLAY DISTRICTS

North Interstate Corridor Plan District

Portland, OR

Contact: *Julia Gisler*

Phone: (502) 823-7624

Date of conversation: (Did not get a call back)

Administrative Processes/Procedures: ■ Design Review process

Pertinent Regulatory Tools: ● North Interstate Corridor Plan
 ● North Interstate Plan District

Comments:

- ♦ Portland’s first “Neon Sign District” was in the news during 2008. The district covers a portion of the broader planning area identified in the *North Interstate Corridor Plan*, which is a comprehensive redevelopment plan.
- ♦ The Neon Sign District was initiated based on public’s efforts to save an historic sign when the property was sold and a new business was planned
- ♦ Specific signs (inventory) to be protected are listed in the North Interstate plan.
- ♦ Relocation stipulations are potentially useful, as defined in the “Exhibit 4: Requested Amendments to Title 32, Signs and Related Regulations”

Document References:

- “Exhibit 4: Requested Amendments to Title 32, Signs and Related Regulations”