

AGENDA MATERIAL

DATE 11/17/20 ITEM NO. RA 15

From: G Marie Swanson
To: COB mail
Cc: Meg Weesner
Subject: Proposed Sign Codes
Date: Friday, November 13, 2020 10:12:06 AM

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

Corrected email address for the following message

From: G Marie Swanson [REDACTED]
Date: November 12, 2020 at 6:27:07 PM MST
To: COB.mail@pima.gov
Cc: Meg Weesner [REDACTED]
Subject: Proposed Sign Codes

Dear Pima County Board of Supervisors:

The Sierra Club Rincon Group appreciates Pima County's responses to the concerns it submitted in opposition to the county's proposed sign code amendments.

However, some of the responses were vague, some rejected our proposed changes, and we have not seen a final draft of the proposal. No matter what the final draft looks like, the thrust of these amendments is to weaken the existing sign code, and we remain in opposition.

We recommend that the Board of Supervisors reject these amendments and direct the staff to return with a proposal that addresses only the changes that the Reed v Gilbert decision requires.

Thank you.
G. Marie Swanson
Executive Committee Member,
Sierra Club Rincon Group

Marie's signature line: Wear your mask, wait to travel until we have a vaccine, stay at least 6 feet away from everyone, and do not participate in groups of more than 6 people!

NOV 13 2020 10:12:06 AM PST

BC

Scenic Arizona

November 13, 2020

Pima County Board of Supervisors
c/o Clerk of the Board
130 West Congress Street, Sixth Floor
Tucson, Arizona 85701

Via electronic mail

**RE: Pima County Board of Supervisors Meeting, November 17, 2020,
Agenda Item # 15, New Sign Standards**

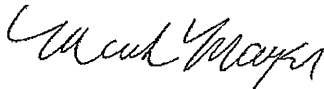
Honorable Chair Valadez & Members of the Board:

Scenic Arizona opposes the draft ordinance before you on sign standards and urges that you give County staff direction to return with a draft that only makes the minimum changes necessary to comply with the 2015 US Supreme Court decision on content-neutrality (*Reed v Gilbert*). We would further urge that prior to staff returning with such a *Reed*-compliant draft, that ample time is provided for community-based interests to review the draft as to being limited to meeting this standard. Alternatively, as Scenic Arizona posed before the Planning & Zoning Commission (P&Z), the latest (yet unseen) draft could be further vetted by group of community-based representatives.

It should be noted that this process to date has repeatedly been characterized with such disarming terms as “update”, “simplification” and “reformatting” or as changes only necessary to comply with *Reed*. In contrast, however, recent drafts (Draft 2 (August 17) & Draft 3 (October 13)) represented deregulation on a scale beyond almost all local jurisdictions of any size in Arizona. After a serious critique of these proposed changes was produced in early October, County staff agreed in a memo to the P&Z to scale back many of the code-weakening changes, but still left the majority of the most significant ones in place. A subsequent draft incorporating this myriad of 11th hour changes, however, has never been posted as of this date (11/13/20) and the P&Z voted 5-3 to forward it without themselves ever having seen such a draft.

It is difficult to understand how the same jurisdiction that produced the Sonoran Desert Conservation Plan could now have gotten to the point of seriously proposing such broad stroke sign deregulation. It is certainly not due to any clamoring from the public, as the P&Z record shows fully 63 communications in opposition (and virtually no support). As such, Scenic Arizona urges you to proceed as outlined in the first paragraph above.

Sincerely,



Mark Mayer
Government Affairs & Outreach Coordinator
520.326.4522 Email: scenicaz@mindspring.com

AGENDA MATERIAL

DATE 11/17/20 ITEM NO. RA 15

From: Donna Snyder
To: District1; DIST2; District3; District4; District5
Cc: COB_mail
Subject: RE: Board of Supervisors Public Hearing, November 17, 2020, Agenda Item #15, New Sign Standards
Date: Friday, November 13, 2020 12:12:45 PM

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

Dear Supervisors,

As residents of the Gates Pass Area, we are opposed to the proposed ordinance changes to the Pima County sign code. Our concern is not just for our immediate area, but for all of Pima County. Changing the ordinances to allow for an increase in the physical size and an increase in the number of signs is not beneficial to maintaining the appeal of our rural surroundings. It's a form of visual pollution. And it's not that we are anti-business, but want to advocate for a thoughtful, deliberate, and visually appealing approach. We urge you to reconsider and allow scrutiny and input from knowledgeable citizens and community organizations.

We stand with the Gates Pass Area Neighborhood Association, the Tucson Mountains Association, International Dark Sky Association, Scenic Arizona, The Sierra Club Rincon Group and the local observatories.

Keep Pima County's natural desert surroundings beautiful! Thank you for your consideration.

Sincerely,
Donna and Bob Snyder
1661 N Placita Tuberia, Tucson, AZ 85745

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11-17-20 12:12:45 PM

From: [REDACTED]
To: COB mail
Subject: Bd. of Sup. Hearing, 11/17/20, Agenda Item #15, New Sign Standards Opposition
Date: Friday, November 13, 2020 11:53:50 AM

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

I oppose the new sign standards as written. I would ask that you ensure that any changes to the sign code are most carefully vetted to prevent unnecessary and detrimental consequences to our natural environment.

Over the past 2 decades, I have attended dozens of public meetings where citizens have had the opportunity to express what they most value in our community. Inevitably, our unique natural assets of mountains, desert and dark skies are given top priority. Never have I heard a desire to have a more liberal sign code so that advertising will be more prominent.

Please review any proposed specific changes thoroughly with that criteria in mind.

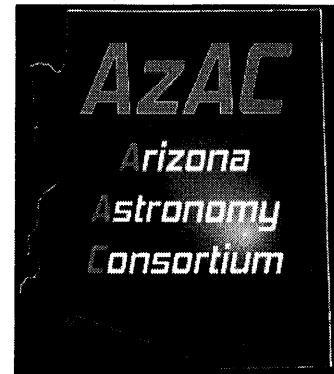
Ruth Becker
3250 E. Hawthorne St. 85716
[REDACTED]

11/13/2020 11:53:50 AM

bf

November 13, 2020

Pima County Board of Supervisors
201 N. Stone Ave.
Tucson, AZ



Re: Nov. 17th Meeting Agenda Item - Sign Code Text Amendment

info@azastronomy.org

Dear Pima County Supervisors,

As representatives of the professional observatories in the State of Arizona, we want to express our concern about the remaining potential for negative impact on facilities in Southern Arizona should all the revisions to the Sign Code be adopted as proposed. First of all, we acknowledge that County Staff were proactive in contacting selected representatives of the "dark skies" community as they were developing the revisions and that there are consequently some provisions that offer both protections and incentives for reduced lighting impact. We are grateful that the Planning and Zoning Commissioners, in their review of the proposed amendment, opted to retain the prohibition against Electronic Message Displays, which are particularly damaging to dark skies at observatory sites.

We very much appreciate that there is a statement of intention for the County to retain its commitment to protection of dark skies. We propose to work with you and your successors on a strategic approach to stop and reverse the growth of artificial sky glow in Pima County. The restoration of the natural desert sky would benefit not only astronomy but also tourism and residential property values, core elements of the economic vitality of the County. Until we have the framework of a comprehensive plan that would have mechanisms for increasing lighting through offsetting decreases elsewhere, the professional astronomy community must react on a case-by-case basis. Therefore, we have comments on the proposed Sign Code Text Amendment.

In the version now being presented, we have two items of concern.

- 1) **The increase in the number and area of permitted lighted signs.** Although there is a welcome incentive to reduce the illumination and blue light content on a per sign basis, the ~30% decrease in light per sign is more than offset by the increases in illuminated sign area proposed, ranging up to a factor of two or more, depending on usage zone. We are concerned in principle about any change in regulation that increases the light that is reflected or scattered into the sky above the metropolitan area.

Lowell Observatory

*University of Arizona
Steward Observatory*

*University of Arizona
Planetary Sciences Department*

Kitt Peak National Observatory

Fred Lawrence Whipple Observatory

Vatican Observatory

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JW

- 2) **The absence of a sunset clause.** The City-County Outdoor Lighting Code Committee is actively engaged in revising the OLC. The addition of a sunset clause would force a reconciliation of anticipated discrepancies. Without it, Proposition 207 from 2006, as realized in State Statute ARS 12-1134, can form the basis for claims from sign owners and operators that they have vested rights, even in specific modes of operation.

Southern Arizona hosts the world's largest optical telescope and 10% of the world's largest telescopes. The Department of Energy, the National Science Foundation, the Smithsonian Institution and NASA, along with US universities and foreign institutions, invest tens of millions of dollars annually in the operation and upgrade of the Southern Arizona observatories. A basis for their long-term scientific investment strategy is their perception of the commitment of local government to protecting that national and international investment. In our view, approval of all the revisions of the Sign Code as currently proposed would risk making a statement that Pima County has priorities other than protecting that investment, a risk that would be wise to avoid.

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

Dr. Stephen Larson
Senior Staff Scientist
Lunar and Planetary Laboratory
University of Arizona

Ms. Amy C. Oliver, MLS
Public Affairs Officer
Fred Lawrence Whipple Observatory
Smithsonian Astrophysical Observatory

Dr. G. Grant Williams
Director, MMT Observatory

Dr. Donald R. Davis
Director Emeritus
Planetary Sciences Institute

Fr. Paul Gabor, S.J., Ph.D.
Vice-Director, Vatican Observatory

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*University of Arizona
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Vatican Observatory

AGENDA MATERIAL

DATE 11/17/20 ITEM NO. RA 15



Gates Pass Area NEIGHBORHOOD ASSOCIATION

PO Box 87554 • Tucson, AZ 85754 • gpanasec@gmail.com • www.gpana.info

November 12, 2020

Pima County Board of Supervisors
Tucson, AZ 85701

RE: Pima County Board of Supervisors Meeting, November 17, 2020
Agenda Item 15, New Sign Standards

Dear Supervisors:

The Gates Pass Area Neighborhood Association, a group of over 120 households in the Gates Pass area, has the mission to maintain the residential character and scenic beauty of our neighborhood and the roads leading into and out of our neighborhood to the city. We offer the following comments on Agenda Item #15, New Sign Standards for the November 17, 2020 meeting of The Pima County Board of Supervisors.

The existing Pima County Sign Standards have served our community well as they balance the needs of the sign industry, businesses and the people of Pima County. We found this to be true several years ago when the International Wildlife Museum sought a setback exemption to the Pima County Sign Code for an electronic sign. The community stood behind our fight against this exemption and the exemption was not granted.

The proposed changes to the Pima County Sign Standards are said by Pima County Development Services to be minor and are said to simplify the code. As a person who has some experience with matters such as this (I served for 11 years on the P&Z Commission 1981 – 1993) I had great difficulty following the changes and trying to make sense of them even though I sensed the changes are not minor and not a simplification of the code.

For this reason as president of The Gates Pass Area Neighborhood Association I will not comment directly on the proposed changes to the Pima County Sign Code, however, I will comment on the process the staff took in making changes to the existing sign code.

There was little need to change a sign code most people in the county were comfortable with. I see some reference to a court decision as one reason, but the staff went far, far beyond changes needed because of the court case and for the most part Pima County staff only worked with the commercial sign industry in drafting changes to the existing Pima County Sign Code. Everyone else was blind sided by the first draft. Within a relatively short time there was considerable concern among groups such as The Sierra Club Rincon Group, The International

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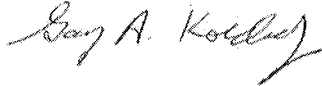
mlw

Dark Skies Association, Scenic Arizona, the local observatories and others with the changes to the sign code. At the P & Z meeting a few weeks ago there was a lot of discussion about the new sign code and staff agreed to certain changes. As of this afternoon (this letter is being written the evening of November 12) those changes are not available on the county web site. Thus groups and individuals with the knowledge to be able to read and digest the changes to the sign code do not have sufficient time to do so before the Board of Supervisors meeting on November 17, 2020.

The approach the planning staff took to changing the sign code was flawed from the start. The proper approach would have been to include from day one in the process all the individuals and all the groups in Pima County interested in signs.

It is time to pause and take a deep breath on this issue. It is time to tell the staff to get all the stakeholders; sign companies, businesses, The International Dark Skies Association, The Sierra Club Rincon Group, Scenic Arizona, the local observatories, The Tucson Mountain Association, The Gates Pass Area Neighborhood Association and others onboard and to come up with a sign code that meets the needs of the court case and a sign code that all diverse parties can support. I expect this could be done in a relatively short period of time and the staff could then present the Board of Supervisors with a new sign code that will meet the needs of the court case, be simplified and be acceptable to all stakeholders in Pima County.

Sincerely,

A handwritten signature in cursive script, appearing to read "Gary A. Kordosky".

Gary A Kordosky
President Gates Pass Area Neighborhood Association