

**PROCEEDINGS OF THE COCHISE COUNTY BOARD OF SUPERVISORS
WORK SESSION HELD ON
Tuesday, April 8, 2014**

A work session of the Cochise County Board of Supervisors was held on Tuesday, April 8, 2014 at 11:00 a.m. in the Board of Supervisors' Executive Conference Room, 1415 Melody Lane, Building G, Bisbee, Arizona.

Present: Ann English, Chairman; Richard R. Searle, Vice-Chairman; Patrick G. Call, Supervisor

Staff Present: Michael J. Ortega, County Administrator

Jim Vlahovich, Deputy County Administrator

Britt W. Hanson, Chief Civil Deputy County Attorney

Beverly Wilson, Planning & Zoning Director

Gussie Motter, Deputy Clerk of the Board

Chairman English called the meeting to order at 11:00 a.m.

ANY ITEM ON THIS AGENDA IS OPEN FOR DISCUSSION AND POSSIBLE ACTION

PLEDGE OF ALLEGIANCE

THE ORDER OR DELETION OF ANY ITEM ON THIS AGENDA IS SUBJECT TO MODIFICATION AT THE MEETING

INTRODUCTIONS

ITEMS FOR DISCUSSION

Community Development

1. Discussion and possible direction regarding the Light Pollution Code (LPC) update process currently being undertaken by the Planning Division.

Ms. Wilson introduced Bob Gent, Craig Liming, and Ted Forte, members of the working group who helped to craft the changes of the Light Pollution Code (LPC). She then introduced a PowerPoint presentation regarding the proposed changes to the LPC and zoning regulations changes to address digital signs.

Technology has changed, Ms. Wilson explained. The incandescent bulb is no longer being manufactured. It has been replaced with compact florescent bulbs and Light Emitting Diodes (LEDs). She then showed examples of current digital sign technology, noting that LED diodes project light at 180 degrees and cannot be shaded.

The LPC sets lumen counts for both shielded and unshielded lights but currently there is no reference to digital signs or new technology. Light trespass measurements are no longer feasible because 180degrees above five-foot will not register in lumen meters.

To look for ways to deal with new technologies, a working group was formed and met twice with staff. A Public Meeting was held to discuss the LPC review. There was strong consensus to ban digital signs. A questionnaire was distributed which asked, Regarding digital signs in Cochise County, do you support:

- A complete ban on digital signs?
- Review and approval by County staff?
- Review and approval by the Planning and Zoning Commission at a Public Hearing?
- No regulations limiting digital signs?
- Another option? (Please explain below.)

64 questionnaires were returned

- 52 support a complete ban
- 1 support a staff review
- 7 support the Special Use process
- 1 support not regulating digital signs
- 6 suggested other considerations including:
 - Restrict size, brightness, color and timing (turn off at night) but not a complete ban.
 - Use of a monitoring system to regulate signs including night dimmers.
 - Ensure proper shielding.
 - Place a tax on digital signs.

Supervisor Call said that he would have liked to see a wider audience that includes business people for the questionnaire.

Ms. Wilson presented a case study regarding the digital sign at Canyon General gas station and convenience store. Allowed unshielded lumens at this site are 1,920. This includes the digital sign and the Canyon General sign. Total unshielded lumens from the digital sign at 100% were 111,199. The Canyon General sign equaled 28,800 lumens equaling 139,999 lumens on this property. A violation hearing is scheduled for April 2014.

The question asked by Ms. Wilson was: How do we preserve dark skies; Respect the county's rural character; but still be business friendly?

Ms. Wilson then presented staff recommendations to amend zoning regulations, Article 19 – Signs.

- Add special restrictions for digital signs to address existing and emerging technology
- Digital signs would be permitted as ground signs
- Illumination: Permitted but only from sunrise to sunset, except for fuel price, motel price, time and temperature signs, and similar signs, which can be illuminated at any time, provided:
 - The lumens emitted by the sign, together with any unshielded lighting on the site, do not exceed the maximum allowed in Table 4.1 of the County Light Pollution Code for unshielded lighting;
 - The lighted text on the sign is red or green on a black background; and,
 - Complies with all other provisions of the Light Pollution Code and County Zoning regulations.
- Maximum height: Five-feet above grade.

She also presented staff recommendations for minor changes to the existing Light Pollution Code:

- Definitions: Add digital signs – A type of electronic display that shows programming,

menus, information, advertising, and other messages. Digital signs are lighted, typically animated, flashing and use technologies such as LCD, LED, plasma displays, or projected images to display content and cannot be shielded.

- Section 6 Signage: Add C. Digital signs that meet the standards as listed in Section 1907.02B of the Cochise County Zoning Regulations are permitted. Digital signs shall be considered unshielded and restricted to total luman cap per Table 4.1 of this code.

In response to Supervisor Call's question, Ms. Wilson replied that she had emailed the other planning directors in the state and many counties have not dealt with them.

Supervisor Call reiterated his desire to include business owners in the discussion.

Ms. Wilson suggested that the changes be taken to the P&Z Commission in June.

Supervisor Searle stated that he was against an outright ban and would prefer a Special Use.

Supervisor Call concurred, saying that he hopes to avoid the word ban and just describe the limits for a digital sign.

Mr. Hanson added that if we are going to use the Special Use route, we will have to have to give the Commission parameters to deal with when making a decision.

Supervisor Call praised the efforts of staff and the working group.

Chairman English agreed that the issue should go to the Commission in June.

Ms. Porier will place a report of the work session in the newspaper and tell concerned citizens to call Ms. Wilson.

Chairman English adjourned the meeting at 11:55 a.m.

APPROVED:

Ann English, Chairman

ATTEST:

Gussie Motter, Deputy Clerk of the Board