



COUNTY ADMINISTRATOR'S OFFICE

PIMA COUNTY GOVERNMENTAL CENTER
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C. H. HUCKELBERRY
County Administrator

February 13, 2004

Jack Camper, President
Tucson Metropolitan Chamber of Commerce
465 West St. Mary's Road
Tucson, Arizona 85702

Re: **Comments from the Tucson Metropolitan Chamber of Commerce Governmental Affairs Division Regarding Pima County May Bond Election (Attached for Reference)**

Dear Mr. Camper:

Thank you for the comments from the Governmental Affairs Division regarding the County's May 2004 bond election. The Board is committed to the widest possible community discussion of the program prior to the election. We value the input from the Chamber of Commerce and would like to address the issues raised in your correspondence.

1. "Over-riding" Issues

- A. The inclusion of a \$10 million land purchase within the Davis-Monthan (D-M) Air Force base flight path that could help preserve D-M during the upcoming round of military base closures.

We are all in total agreement regarding the importance of preserving the operational future of Davis-Monthan Air Force Base. Following up on a request from Mayor Walkup and the Tucson City Council, the County Bond Advisory Committee voted to include \$10 million in the County 2004 bond program for land acquisition around Davis-Monthan, a recommendation the Board of Supervisors wholeheartedly accepted. Having agreed to seek voter approval for \$10 million in bonds for this purpose, County bond counsel and staff had to next place all of the recommended bond projects into legally consistent ballot questions. Regarding the placement of the Davis-Monthan project, there are several related considerations, the most important of which are legal.

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First, bond counsel advises that County statutory authority to acquire land in the Davis-Monthan environs can only be for the purpose of open space and to prevent urban encroachment in those environs, a purpose that also secondarily realizes the economic development goals of the Chamber and others.

Second, since County statutory authority for the Davis-Monthan land acquisition is founded upon open space acquisition, this project cannot be legally included with any of the other questions that will appear on the May 2004 ballot. There is no logical or legal nexus between open space and public safety, or public health and other facilities, or parks and recreational facilities, or flood control, or wastewater management.

Third, in developing ballot questions, there are good reasons in public policy to not endlessly string out the number of questions that voters must decide. Recognizing the particular importance of the Davis-Monthan question, however, the title of the ballot question is "Sonoran Desert Open Space and Habitat Protection; Preventing Urban Encroachment of Davis-Monthan Air Force Base." Further, the ballot language states that a purpose of the bonds is "the acquisition of lands in the vicinity of Davis-Monthan Air Force Base to prevent urban encroachment." So, we believe we have addressed the advice of bond counsel as well as the concerns of those who want to ensure that the Davis-Monthan project is explicitly highlighted in the ballot.

Fourth, some have raised a political, not legal, issue, namely that voters will reject the open space bond program. It is worth remembering that a small bond question for Davis-Monthan of \$1.5 million was defeated by an 83 percent "No" vote from Tucson voters in 1994. This at a time when this bond question was only one of a number of steps being taking to secure Davis-Monthan against base closure. Past open space bond questions, however, have been approved by wide margins.

I would also point out that including a \$10 million item for Davis-Monthan in our May 2004 bond program is only one of the very positive steps Pima County is taking to address the issue of urban encroachment. We have attached a resolution endorsing the recommendations of the recently released legislatively sponsored Arizona Military Installation Study.

B. The ballot should be structured to present voters with "yes" and "no" votes on each of the functional categories.

We are pleased to see that the Chamber supports the six bond questions that the Board of Supervisors authorized be presented to the voters. As discussed above, the creation of ballot questions is very much an issue of law and our bond counsel worked closely with staff to develop these questions.

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C. The lack of oversight and accountability throughout each of the functional categories.

Chamber desire for oversight and accountability is shared fully by Pima County. Your impression that there is a "lack of oversight and accountability," however, is unfounded and I suspect is the result of a lack of information, which I hope to provide.

In April 1997, preparing for the May bond elections of that year, the Board of Supervisors adopted the "Truth in Bonding" ordinance that was created by County code, which requires that the Board adopt a "bond improvement plan" ordinance prior to any bond election that fully discloses what will be constructed or acquired if the voters approve the bonds. For the May 20, 1997 bond elections, the Board approved a plan that was 118 pages in length. For the November 4, 1997 transportation bond election, the Board adopted a second plan that was 47 pages in length. (Previously, in 1986, bond projects were listed in a simple, several page resolution.) Since the successful passage of both bond packages, Pima County has continuously and aggressively monitored these programs through monthly and quarterly progress reports. No other local jurisdiction or governmental entity has provided this level of transparency in the implementation of voter authorized bonds.

Since 1997, Pima County has learned much about "Truth in Bonding." We are currently preparing amendments to the "Truth in Bonding" ordinance that will further strengthen transparency, disclosure, monitoring, oversight, and accountability. The Board will be asked to establish the County Bond Advisory Committee as a continuous monitoring and oversight board. Staff will further ask the Board to establish and appoint a Conservation Acquisition Commission with specific oversight and monitoring responsibilities for all Pima County open space activities. We are currently drafting the "bond implementation plan" ordinance for the May 18, 2004 bond election that could easily exceed 200 pages. We will provide this document to the County Bond Advisory Committee for review, comment and recommendation to the Board of Supervisors. We can ensure that the Chamber is fully informed on this process and of any meetings of the County Bond Advisory Committee. The Board plans to adopt this ordinance by the end of March or the beginning of April, so that it is available to the voters prior to the start of early voting. We will publish this ordinance on the County's website. Finally, before the start of early voting, Pima County will send to every voter household a sample ballot and publicity pamphlet.

We feel confident that this bond election will be conducted with full disclosure and implemented with exemplary oversight and monitoring.

D. Long-term financial impact on Pima County should one particular bond issue fail.

We are in agreement with the County Bond Advisory Committee that the projects included for funding in the 2004 bond program are "high priority" projects. The Committee considered almost \$1.5 billion in general obligation bond funding requests, all of which were seen as addressing real needs, not all of which could be funded. Eventually the Committee narrowed this list of worthy projects down to the highest priority projects, with a price tag in general obligation bonds of \$582 million.

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Pima County believes that general obligation bonding is the most affordable method for constructing or acquiring these projects within a reasonable time frame. The truth is, if one or more of the bond questions fail, then those projects probably will not be constructed or acquired.

The Chamber also appears to be concerned that if the bonds fail, then the County would be inclined to raise the funds for the purposes identified in the bond program through new or higher property taxes. Such is very unlikely, if not impossible. The primary property tax rate and constitutional levy limit generally restrict the County's ability to raise the revenues necessary to construct projects anticipated in this bond program. However, since some of the bonds are related to open space and the purpose of a large amount of the open space bonds is to comply with the requirements of the federal Endangered Species Act, new fees or conditions of development requiring higher open space set-aside requirements or fees to purchase open space could be required. However, these would also be generally limited in applicability to those land use decisions requiring a legislative act of the Board of Supervisors where conditions of approval can be placed on the approval process.

E. Other impacts on business

Regarding other impacts on business, it is unlikely that approval of the bond proposal would increase either the cost of housing or business property other than the increases now being experienced by market forces over the last decade or longer. Nothing in the bond proposal would propose to downzone any property in Eastern Pima County.

Regarding future growth considerations, the open space bond question will not inhibit nor constrain population growth in Pima County. There is approximately twice as much vacant land not constrained by being environmentally significant as will be needed to accommodate population growth to nearly 2 million people. Water will be the constraining factor on further growth as opposed to vacant land.

2. Comments regarding Question #1 (public safety & justice facilities)

A. Last-minute add-ons to the bonding program

It is important to remember that, after the County Bond Advisory Committee submitted their report on December 9, 2003, the Sheriff and the heads of every major "first responder" in Pima County, in one voice, petitioned the Board of Supervisors to place the regional public safety communications system project back into the 2004 bond package and agreed upon a price tag of \$105 million. The Tucson Mayor and Council had also ranked the communications project as their top priority for the bond program. In light of such unanimity of purpose, and upon the request of the Board of Supervisors, the County Bond Advisory Committee did reconsider this project, voting to recommend that it be included in the bond program. The Board then voted to include the project, but reduced the bond funding to \$92 million, with the understanding that the remaining \$13 million would be obtained through federal and state funding sources.

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The project, if approved by the voters, will take much work and a considerable amount of time to implement. In addition to securing additional non-bond funding, the project will require lead time to develop technical specifications for system components that ensure they will meet the goals of the program, will be consistent with reasonably expected technological innovations, and are not the captive of a single vendor's product specifications. Before the system can move forward, there will need to be comprehensive intergovernmental agreements between all parties that establish, for example, that they will use the system, that they agree to and will abide by specifications and common procedures, that they will not undertake activities that compromise the system, and that they have and will make available the funding for annual operation and maintenance of the system. It is important to not underestimate the magnitude of the task facing police, fire and emergency service agencies. It is also important to keep in mind that the Board of Supervisors is unlikely to authorize the sale of general obligation bonds for this project in any significant amount unless and until these conditions are realized.

- B. The components of question #1 (public safety/justice) should be split into two separate ballot questions.

Legally, there is a strong reason to keep these projects in a single unified question - because the projects are all of a similar nature and Pima County derives its legal authority to undertake the projects for the same statutory sources. Questions of securing other revenue sources to complement the bond funding or issues of scheduling of projects are not sufficient enough policy concerns to alter this basic logic.

3. Comments regarding Question 2 (open space and habitat protection)

- A. The lack of detailed information on potential land purchase associated with the \$182.3 million Conservation Bond Program.

There is a staggering amount of information upon which the Conservation Bond Program is founded and how it will be implemented. Pima County does have the responsibility to develop for voters a detailed description of how the Conservation Bond Program will be implemented if approved, as well as what mechanisms will be established to ensure oversight and accountability.

It must be remembered that the origin of the open space bond question for 2004 was founded in a request of the Citizen Steering Committee of the Sonoran Desert Conservation Plan. This Steering Committee is a 90 member group of individuals who represent the full spectrum of interests within Pima County. It was their recommendation to the Board of Supervisors in June of 2003 that \$250 million of bonds be requested to fund compliance with the federal Endangered Species Act. The Board, in turn, several weeks later formed three additional citizen committees related to the bond issue - an overall Pima County Bond Advisory Committee consisting of 19 members, a Conservation Bond Advisory Committee consisting of 10 members, and a Neighborhood Reinvestment Bond Advisory Committee

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consisting of 10 members. It is these 39 plus dedicated community volunteers that spent over 5,000 person-hours reviewing bond requests of County staff, elected officials, jurisdictions and interest groups.

The Conservation Bond Advisory Committee, the initial committee charged with determining the scope, amount, location and priority of open space acquisitions, recommended to the County Bond Advisory Committee, a bond issue for open space acquisition of \$230 million. After much deliberation, the County Bond Advisory Committee approved \$182.3 million in bonds recommended to the Board of Supervisors; however, the Board ultimately approved \$174.3 million in bonds to be placed on the May 18, 2004 ballot.

During the time between when the Steering Committee recommended to the Board and the Conservation Bond Advisory Committee recommended to the full Bond Committee, a number of jurisdictions made separate open space acquisition requests, primarily the City of Tucson, Oro Valley and Sahuarita.

In the final recommendation to the Board, as will be identified in the bond implementation plan, open space acquisitions fall in four broad categories covering the \$174.3 million. The first category is habitat protection, the second category is community or signature open space, the third category is open space specifically requested by a jurisdiction, and the fourth is the purchase of property to prevent development encroachment on Davis-Monthan Air Force Base. The latter three open space categories are associated with discrete, identifiable parcels and have specific funding limits attached. For example, in the category of jurisdictional and Davis-Monthan open space, the amount of \$25.5 million has been identified and earmarked for these specific acquisitions. Community open space could run as high as \$53 million. Further community open space properties, or what have been known as "signature" properties, are also clearly identified by parcel. Therefore, there is little that is not definitive about this open space acquisition category. The last category of habitat protection could be as low as \$96.3 million if the full expenditure of community open space is realized.

The Conservation Bond Advisory Committee developed very specific properties and priorities by conservation plan subregion, which are divided into seven subregions of Eastern Pima County divided along the same identical planning boundaries of the subregions for the habitat conservation plan. Within each subregion are identified high and secondary priorities, private property for acquisition, and high and secondary State Trust land for acquisition. It is also important to understand that in the category of habitat protection the term "acquisition" means something entirely different from the more traditional acquisition of lands in other open space categories, which usually means simple outright purchase of the property. In the case of habitat protection, the specified and desired "acquisition" strategy is to either obtain a conservation easement or acquire the development rights of the property, not to purchase the property outright. This provides two strategic benefits in the area of habitat protection. First, the property remains in private ownership, and, second, the landscape remains what is known as a "working landscape." This simply means that the existing use of the property remains

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in-place, for example, a working ranch. The second benefit is that acquiring a conservation easement or development right of the property should be significantly less than outright purchase, hence larger landscapes can be conserved as working landscapes at lower public cost and the public cost of managing acquired open space properties is effectively eliminated.

Based on this more detailed explanation, there are priorities, definitive amounts, purposes, and locations for the full expenditure of the entire open space bond allocation of \$174.3 million.

4. Comments regarding Question #6 (sewer system revenue bonds)

A. Sewer revenue bond program is the result of Pima County negligence.

The sewer revenue bond is not the result of Pima County negligence. Pima County has asked voters to authorize sewer revenue bonds on four different occasions dating from June 1979. Causation of the collapse of the Northwest Outfall Sewer is a matter of debate and ultimately will be subject to litigation and standards of proof defined by a court. Sewer revenue bonds are, frankly, the only viable method of making major repair and rehabilitation to the community's aging sewer infrastructure. Wastewater is a public utility similar to all other public utilities that bond user fees or other utility related income to make necessary repairs and expansions of the system. Funding the wastewater system from the County general fund is not an option and will not be considered.

Finally, I would like to thank the Chamber for allowing me to address the Local Government Environment and Transportation Committee on Tuesday, February 10. I hope that my presentation was helpful to the Committee in being able to further understand the bond proposals that will be before the electorate on May 18, 2004.

Sincerely,



C.H. Huckelberry
County Administrator

CHH/jj

Attachments

c: The Honorable Chair and Members, Pima County Board of Supervisors
Chair, Vice Chair and Members, Pima County Bond Advisory Committee
Jim Barry, Executive Assistant to the County Administrator

1. Comments regarding “over-riding” issues:

A. The inclusion of a \$10 million land purchase within the Davis-Monthan (D-M) Air Force Base flight path that could help preserve D-M during the upcoming round of military base closures.

Pima County should separate the \$10M Davis-Monthan land purchase from the larger \$182M “Conservation Bond Program.” The Bond Advisory Committee (“BAC”) explains in its December 9, 2003, memorandum to the Pima County Board of Supervisors that the D-M land purchase was rolled into the conservation bond program because “it most directly relates to this functional category.” The BAC also states that land purchases are broken into two categories – habitat protection and community open space. The Davis-Monthan flight path land purchase is neither of these, and should be presented to Pima County voters as a distinct and separate ballot question. To do otherwise is to jeopardize the future of Davis-Monthan and the success of the Sonoran Desert Conservation Plan.

B. The ballot should be structured to present voters with “yes” or “no” votes on each of the functional categories.

The Tucson Chamber (“TMCC”) is pleased that each of the functional categories will be presented to voters in distinct, separate ballot questions. The Chamber believes that voters should have the greatest flexibility of choices on this half-billion dollar bonding project. It is important that each bonding category should be placed before voters separately, allowing voters to pick and choose where their priorities are.

C. The lack of oversight & accountability throughout each of the functional categories.

Until January 13, 2004, the Tucson Chamber was unaware of any oversight or accountability measures associated with the bonding package. Throughout the memorandum detailing the recommendations of the BAC, there is no mention of any such device or process. After meeting with BAC Chairman Lawrence Hecker, the Tucson Chamber’s Local Government, Environment & Transportation (“LGET”) Committee learned that a bond implementation ordinance would be drafted that outlined accountability functions involved with Pima County’s proposed bond package. However, the LGET Committee was told that this ordinance would not be available until after the Pima County Board of Supervisors made its final vote on the bond package on January 20, 2004. Accordingly, the public should have the opportunity to comment on the contents of the bond implementation ordinance when it is complete.

The Tucson Chamber recommends strong devices to ensure that revenues are being spent wisely. The Tucson Chamber advocates for a TMCC member to be placed on any and all committees, panels or boards that are charged with an oversight role to ensure that expenditures are made wisely. Further, to ensure that a strong business presence serves in this role, a business representative should be chosen by the TMCC Board of Directors. Accountability audits need to be included within each of the functional categories (e.g., Cultural/Historic Resources, Courts & Law Enforcement, etc.) to ensure that the intended effect of each category is being achieved. The Tucson Chamber recommends that periodic audits are completed for each of the categories to ensure revenues are being spent to reach the goal of the individual category.

D. Long-term financial impact on Pima County should one particular bond issue fail.

In its report, the BAC states it focused on “projects that addressed high priority, existing (rather than future) needs that could be started and completed in the near term.” The Tucson Chamber is concerned about the possibility that if one or more of the functional category bond projects fail, then new County revenues will be needed to fund these “high priority” programs. The result could be new or higher taxes, particularly on property.

E. Other impacts on business.

The Tucson Chamber believes the Pima County Board of Supervisors should take into account the following points while crafting its final proposal:

- i.) Increased cost of housing and business property;
- ii.) Down-zoned or artificially de-valued land violates basic property rights; and
- iii.) Future growth considerations: Will the plan leave intact sufficient development capacity to accommodate growth, or will it constrain population growth?

2. Comments regarding Question #1 (public safety & justice facilities):

A. Last-minute add-ons to the bonding program.

An additional \$105M will be included in the bond package to finance a communications system for the Pima County Sheriff's Office. In its December memorandum on the subject of the regional law enforcement communications system, the BAC raises multiple concerns over potentially funding said communications system, such as revenues being available

from the State of Arizona or the federal government. The BAC writes that there is a "belief that general obligation bonds, which are retired in ten to fifteen years, should not be used to finance those (law enforcement communications) system components." Further, the BAC states, "The Committee, however, concluded that these issues could not be resolved in time for committee members to take an informed vote on the program." This inconsistency is troubling to the Tucson Chamber, as it reflects questionable decision-making involving hundreds of millions of tax dollars.

- B. The components of question #1 (public safety/justice) should be split into two separate ballot questions.

As stated by the BAC, federal and/or state funding is typically used for this type of regional law enforcement communications system being proposed. Additionally, jail security improvements, a new court complex, and renovation of Pima County's existing courthouse are proposed to be undertaken in 2009. Hence, the Tucson Chamber recommends two separate ballot questions to address this portion of the bonding package: 1) the regional communications system; and 2) jail security improvements and courthouse improvements.

3. Comments regarding Question #2 (open space & habitat protection):

- A. The lack of detailed information on potential land purchases associated with the \$182.3 million Conservation Bond Program.

The absence of any details on land purchases is of great concern to the Tucson Chamber, particularly in light of the fact that the other functional categories offer extensive details on specific expenditures.

4. Comments regarding Question #6 (sewer system revenue bonds):

- A. Sewer revenue bond program is the result of Pima County negligence.

The disruptive sewer line breaks and subsequent environmental damage on West Speedway in the summer of 2002 were the result of a neglect of aging wastewater infrastructure. The Tucson Chamber believes that using bonding to fund repairs to wastewater infrastructure is not the correct course of action. The TMCC believes that wastewater infrastructure should have received ongoing and substantial funding from Pima County's general fund, and the current needs in this area should be funded in this way.



Board of Supervisors Memorandum

January 20, 2004

**Resolution No. 2004-_____, Regarding the Arizona Military Regional
Compatibility Project for the Davis Monthan Air Force Base Joint Land Use Study**

Background

A Joint Land Use Study authorized by the Arizona Legislature to ensure long-term stability of military installations in Arizona has recently been completed. The study calls for a number of actions related to land use, as well as actions of local governing bodies that may affect the long-term compatibility of land uses surrounding military installations.

Pima County has had a very long history of cooperating and joint land use planning with Davis Monthan Air Force Base officials. It is essential that our community planning processes prohibit incompatible land uses to afford our military installations the maximum degree of flexibility so that any future mission they are required to perform is possible.

The attached resolution takes very specific actions regarding implementation of the recommendations of the recently completed Arizona military facilities study. Please note that in adopting the resolution the Board is initiating a Comprehensive Plan regional policy to reiterate the Davis Monthan Air Force Base compatibility plan recommendations and to implement best practices regarding land uses as they relate to airport facilities and military missions.

Further, the Board is directing a large area analysis of planned land uses within the study area to ensure compatibility of all future land uses with the military operations of Davis Monthan Air Force Base. Finally, the Board will initiate a Zoning Code text amendment for Chapter 18.57, Airport Environs and Facilities Zone, to recognize the recommendations of the Joint Land Use Study and to generally update process maps, definition structure, and references to other airport facilities and standards. This action is a major step in implementing the study directed by the State Legislature to ensure the stability of Arizona military facilities.

The Board should also be aware that, contained within the open space bond recommendations for urban open space is an earmark of \$10 million for the purchase of lands to protect the southeast approach departure corridor of Davis Monthan Air Force Base from incompatible urban encroachment. The lands acquired will effectively remain in their natural state and become part of the urban open space inventory. The bond implementation plan will also specify that appropriate federal matching funds are acquired and obtained from a variety of federal funding sources to complement the local funding commitment to the acquisition of lands in the southeast approach departure corridor.

The Honorable Chair and Members, Pima County Board of Supervisors
Resolution No. 2004-_____, Regarding the Arizona Military Regional Compatibility Project
for the Davis Monthan Air Force Base Joint Land Use Study

January 20, 2004

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Recommendation

It is recommended the Board approve Resolution No. 2004-_____, regarding the Arizona Military Regional Compatibility Project for the Davis Monthan Air Force Base Joint Land Use Study.

Respectfully submitted,



C.H. Huckelberry
County Administrator

CHH/jj (January 12, 2004)

Attachment

- c: John Bernal, Deputy County Administrator - Public Works
- Carmine DeBonis, Development Services Director
- Jim Mazzocco, Planning Official, Development Services
- Ben Changkakoti, Comprehensive Plan Administrator, Development Services

RESOLUTION NO. 2004-_____

1 A RESOLUTION OF THE BOARD OF SUPERVISORS OF PIMA
2 COUNTY, ARIZONA; RELATED TO LAND USE POLICIES AND
3 REGULATIONS IN THE VICINITY OF DAVIS-MONTHAN AIR
4 FORCE BASE, AFFIRMING THE RECOMMENDATIONS OF THE
5 JANUARY 2004 DAVIS-MONTHAN AIR FORCE BASE JOINT
6 LAND USE STUDY

7
8 TO PROTECT THE HEALTH, SAFETY, AND WELFARE OF
9 CITIZENS IN THE TUCSON AREA AND MAINTAIN A STRONG
10 COLLABORATIVE PARTNERSHIP WITH DAVIS-MONTHAN AIR
11 FORCE BASE TO MAINTAIN THE OPERATIONAL VIABILITY OF
12 THE BASE.

13
14 WHEREAS, we, the Board of Supervisors of Pima County in our elected posts are charged
15 with a responsibility to protect the public health safety and welfare of residents, and,

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17 WHEREAS, land within the jurisdiction of Pima County falls within an area of Davis-Monthan
18 Air Force Base operations, and,

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20 WHEREAS, Pima County has a long history of cooperation and collaboration with Davis-
21 Monthan Air Force Base, resulting in proactive and progressive planning and zoning activities,
22 including:

23
24 1952 CJ8-52-101 Airport Zoning Ordinance - Initiation of first proposal for airport zoning
25 ordinance, including Davis-Monthan Air Force Base,

26
27 1969 Co8-67-05 (Ordinance 1969-43) - Established Approach-Departure overlay zone for
28 Davis-Monthan Air Force Base,

29
30 1982 Co13-79-02 Airport Environs Plan - Plan for Tucson International Airport also
31 established policy relating to land use within noise contours around Davis-Monthan Air
32 Force Base,

33
34 1985 Co8-85-22 (Ordinances 1985-82 and 1985-152) - Adopted Chapter 18.57 Airport
35 Environs and Facilities Zone - compatible use zones, Day-night Average Sound Level (Ldn)-
36 based noise contours, height overlay zones, and maps in current form,

37
38 1992 Co8-92-07 (Ordinance 1992-102) - Revisions to overlay zone maps for all airports,
39 minor text revision for Ryan Airfield only, and,

1 2001 Co7-01-20 (Comprehensive Plan Update, adopted December 18, 2001) - Davis-
2 Monthan Air Force Base's involvement in the planning and citizen participation process.

3
4 WHEREAS, as growth occurs, Pima County commits to working diligently towards ensuring
5 the development of land uses compatible with the long-term sustainability of operations at
6 Davis-Monthan Air Force Base, and,

7
8 WHEREAS, residents should be protected to a reasonable extent from continued long term
9 exposure to high levels of noise and from increasing levels of noise, and,

10
11 WHEREAS, citizens should be protected to a reasonable extent from the high level of risk
12 associated with over-flights and the conveyance of live ordnance that are integral to Davis-
13 Monthan Air Force Base operations, and,

14
15 WHEREAS, recommended land use compatibility zones have been defined by the Davis-
16 Monthan Air Force Base Joint Land Use Study, therefore,

17
18
19 **BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF PIMA COUNTY, ARIZONA AS**
20 **FOLLOWS:**
21

22
23 Section 1. Pima County will protect the public health, safety and welfare by
24 consideration of the long-term sustainability of operations at Davis-Monthan Air Force Base
25 and the effects on residents of continued long-term exposure to high levels of noise and of
26 the high level of risks associated with over-flights and the conveyance of live ordnance as
27 decision-making components in all future discretionary development decisions;

28
29 Section 2. Pima County staff will provide timely notification to Davis-Monthan Air
30 Force Base of all discretionary development requests within the territory within the vicinity
31 of Davis-Monthan Air Force Base;

32
33 Section 3. Pima County staff will incorporate the comments from Davis-Monthan
34 Air Force Base for formal consideration by the Planning and Zoning Commission and the Board
35 of Supervisors in the hearing process for consideration of such requests;

36
37 Section 4. The Pima County Board of Supervisors hereby initiates a Comprehensive
38 Plan Amendment to establish a Special Area Policy for Davis-Monthan Air Force Base high
39 noise areas, accident potential zones, and south-east approach-departure corridor out to
40 50,200 feet from the end of the runway, to codify the relevant JLUS Compatibility Plan
41 recommendations as a guide for future land use in that area;

42
43 Section 5. The Pima County Board of Supervisors hereby initiates the process for
44 adopting a Comprehensive Plan Regional Plan Policy to reiterate Davis-Monthan Air Force Base
45 JLUS Compatibility Plan recommendations and best practices and addresses land use
46 concerns related to other airport facilities and military missions in Pima County;

1 Section 6. The Pima County Board of Supervisors hereby directs staff to conduct
2 a large-area analysis of planned land uses within the Territory Within the Vicinity of a Military
3 Airport (Davis-Monthan Air Force Base) and to recommend such amendments to the
4 Comprehensive Plan as may be necessary to ensure compatibility of future uses with the
5 Davis-Monthan Air Force Base JLUS Compatibility Plan recommendations and best practices;
6

7 Section 7. The Pima County Board of Supervisors hereby initiates a zoning code
8 text amendment for Chapter 18.57 Airport Environs and Facilities Zone to recognize JLUS
9 Compatibility Plan recommendations and to generally update process, maps, definitions,
10 structure, and references to other airport facilities and standards, as appropriate;
11

12 Section 8. The Pima County Board of Supervisors will work towards the
13 implementation of recommendations contained within the Davis-Monthan Air Force Base Joint
14 Land Use Study (JLUS), will integrate the recommended JLUS Compatibility Plan into its
15 Comprehensive Plan, and will consider information regarding the long-term sustainability of
16 operations at Davis-Monthan Air Force Base and the effects on residents of continued long-
17 term exposure to high levels of noise and of the high level of risks associated with over-flights
18 and the conveyance of live ordnance in its deliberations concerning all discretionary
19 development requests;
20

21 Section 9. The various County officers and employees are authorized and directed
22 to perform all acts necessary to give effect to this resolution.
23

24 **PASSED AND ADOPTED** this ____ day of January, 2004, by the Board of Supervisors of
25 Pima County, Arizona.
26

27 **ATTEST**

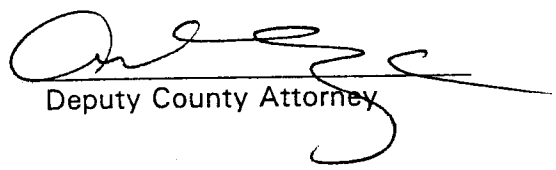
BOARD OF SUPERVISORS

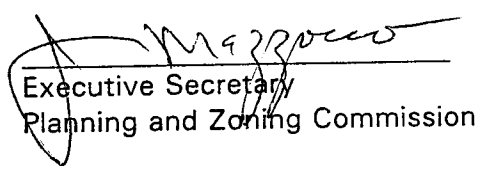
28
29
30 _____
31 Clerk, Board of Supervisors

Chair, Board of Supervisors

32
33 **APPROVED AS TO FORM:**

APPROVED:

34
35
36 
37 _____
38 Deputy County Attorney


39 _____
40 Executive Secretary
Planning and Zoning Commission