

OFFICE OF BOARD OF SUPERVISORS

YAVAPAI COUNTY, ARIZONA

Prescott, Arizona August 25, 1999

The Board of Supervisors met in a special session on August 25, 1999.

Present: Chip Davis, Chairman; Gheral Brownlow, Vice Chairman, Carolyn Dicus, Assistant.

Absent: Bill Feldmeier, Member (on scheduled vacation); Bev Staddon, Clerk.

ITEM NO. 1. Board of Supervisors. Consider approval of the following Consent Agenda items: Motion by Supervisor Brownlow, second by Chairman Davis All items on the Consent Agenda were approved unanimously by those present.

1. Requests from Public Works:

- a. Pursuant to A.R.S. §11-254.01(A), determine that an emergency exists requiring immediate action to protect the public safety, and award bids received for contract/supplemental agreement #1 to Supply Operated Equipment in Yavapai County, Contract #997597, for Mowing Equipment. Bids opened August 24, 1999. Recommend awarding for all bids received a unit prices bid for daily, weekly and monthly rates. Reset hearing date and time from August 16, 1999, to September 7, 1999, at 10:00 a.m. to consider establishment of several roads in the Mayer area as County highways.
- b. Reset hearing date and time from August 16, 1999, to September 7, 1999, at 10:00 a.m. to consider establishment of various roads in the Verde Valley as County highways.

2. Requests from Board of Supervisors:

- a. Appoint Board Attorney/Assistant County Administrator Dave Hunt as a County representative on the Yavapai Combined Trust Board, to replace Jim Argyle.
 - b. Amend tax rates set on August 16, 1999, to provide for a zero tax rate for maintenance and operation in the Granite Gardens Sanitary District.
3. Request from Human Resources for a new MIS job classification resulting from operational changes-- Systems Administrator and corresponding job reclassification for Charles Works from Computer Operator, Range 31-4 to Systems Administrator, Range 41-1 (represents an underfilling of the position); Ken Barwick from Computer Operations Supervisor, Range 43-9 to Systems Administrator, Range 50-6.

ITEM NO. 2. Meet in Joint Session with the Yavapai County Planning & Zoning Commission.

Present: Chip Davis, Chairman; Gheral Brownlow, Vice Chairman, Carolyn Dicus, Assistant.

Absent: Bill Feldmeier, Member (on scheduled vacation); Bev Staddon, Clerk.

Also present: Planning & Zoning Commission members Helmut Woellmer, Linda Bitner, Al Wood, Jim Buchanan, Diane Lovett, Richard Collison, Howard Armstrong; Mike Rozycki, Planning & Building Director; Enalo Lockard, Assistant Planning & Building Director; Randy Schurr, Deputy County Attorney; Elise Link, Senior Planner; Chris Bridges, Planner; Andy Jochums, Planner.

Mr. Rozycki spoke to the Board of Supervisors and the Planning & Zoning Commission about the status of the Urban Overlay Zone. He told them that when the agenda for this meeting had been drafted, the Urban Overlay Zone was before the P&Z Commission and that this item was coming before the Board of Supervisors at their meeting on September 7, 1999. He said that there will be no action taken on this item at the Board meeting as the Commission deferred the item to allow for further refinement of the proposal. Supervisor Brownlow asked how citizens are notified about the Overlay Zone and Mr. Rozycki answered

that property owners are notified by first class mail. He said that over one hundred people had attended the Commission meeting and that not all individuals were against the proposal except some fire chiefs. He said there had been a lot of misunderstanding about the proposal and that some areas had not been looked at and some had included too many areas. Mr. Rozycki said that they could do community meetings then have a revised plan and mail back out to the affected property owners. Diane Lovett spoke saying that the language should be changed and made more descriptive. Supervisor Brownlow said that he had some pamphlets called "The Code of the West" which has been very helpful to individuals. He said that the floor was not being opened up to public discussion for this matter on this date.

1. **Report on Planning & Building Department Activities and Projects.** Mr. Rozycki spoke about the automated permit system explaining how it works and saying that it should be operational by November 1, 1999. He said that they were also proposing to extend the coordinated permit system to the Verde Valley in the fall. Chairman Davis asked if this system will be able to electronically send information to the different departments. Mr. Rozycki said that yes that would happen and also that eventually people should be able to get permits through the internet and that there are a lot of possibilities. Mr. Rozycki went on to speak about the trails plan. He said that eight out of nine members of the trail committee have been appointed and that it is truly a citizens committee. Mr. Buchanan asked if the recommendations would be reviewed by the County Attorney in which Mr. Rozycki responded that yes, if there was going to be a change to the master trail plan then the County Attorney would be looking at it. Mr. Rozycki then spoke about Roadway Development Fee Ordinance giving the Board an update on how much had been collected since September 1, 1998 which was \$1,026,225 and he spoke of an annual report that they will be preparing by statute and ordinance. He said at that time they may recommend modifications or changes to the ordinance. He said that at this time, the fee only covers dwelling units and not RVs because they had not been considered as a permanent residence but they were considering changing that and adding RVs as dwelling unit when it is being used as a permanent residence. Mr. Rozycki spoke about working on a grading policy and related building safety policies and said that they are also working on the adoption of the 1997 Building Code Edition. He went on to speak about ranches subdividing and projects that will be coming before the Board. Chairman Davis asked Mr. Rozycki about major issues that they will have to look at. Mr. Rozycki said that the County will have to decide what kind of services they are going to want to provide or have to provide in the future; urban services or rural services. In discussing urban/rural growth issues he advised the Board of one of the provisions of the Citizens Growth Management Initiative that states that after the year 2003, the County could not approve subdivisions outside of designated urban growth boundary that relies on individual septic systems.
2. **Discussion regarding Growing Smarter Act, the Citizens Growth Management Initiative and the requirements to adopt or re-adopt a comprehensive long range county plan (approaches & alternatives)** Mr. Rozycki spoke about the key provisions of the Growing Smarter Commissions Draft Report and the Citizens Growth Management Initiative. He said that the Citizens Initiative is being pushed to be on the year 2000 ballot. He said that under the Growing Smarter Act the County has until December 31, 1999, to adopt a new comprehensive plan based on the County's population which shall include a land use and transportation element. The Board and Commission has in the past agreed that in updating the comprehensive plan the County should also address open space, the cost of growth, and environmental issues, not just the minimum requirements. Mr. Rozycki said that one of the key issues dividing the Growing Smarter Commission and that they are wrestling with in their final report due out in September, is property rights. He said he believed that the Citizens Growth Management Initiative will have enough signatures to be on the ballot in November of 2000 and if it is passed by the voters, the County will have to adopt a comprehensive plan including urban growth boundaries that would have to be adopted and approved by the voters before January 1, 2003. After that time, if the plan is not approved, the County can not approve zoning changes and there will be limits on urban services. Diane Lovett said if urban boundaries are adopted and private property rights come into effect then she is worried because there are no guidelines. Mr. Rozycki said that the community plans could be used as guidelines. He spoke about Coconino County's plan but said that there are differences between Yavapai County and Coconino. Jim Buchanan spoke about the Flagstaff/Coconino County Regional Land Use and Transportation Plan and said his primary concern was that our plan will need to be worked on aggressively to meet the deadline and the need to get on with the County's General Plan. Mr. Rozycki agreed and said that it would be a challenge to meet those requirements and that he was trying to learn from other entities.
3. **Discussion regarding Regional Growth Planning in the Verde Valley and in Central Yavapai County.** Mr. Lockard spoke about a resolution being drawn up and about the open space issue. He spoke about the Verde Valley

Regional Forum which took place in June to discuss growth management and regional planning. He said that at present there is about 16 square miles of state trust land along State Highway 89A which raises concerns with development and the potential for communities in the Verde Valley growing together. He also spoke about the Indian community building an over 100,000 square foot casino which will make a large impact on the Verde. Mr. Rozycki said that one of the questions coming out is what is the County's role. He said that the Board had taken a leadership role on transportation and water issues but land use hasn't been addressed and questioned whether the cities and towns will take the role. Chairman Davis said he believed that it would have to be the County as one town jurisdiction would have a hard time taking recommendations from another town entity. Supervisor Brownlow said it will be interesting to see what will happen to the incorporation of Paulden and the annexations in Chino Valley.

4. Discussion of Proposed Amendments to the Planning and Zoning Ordinance and Subdivision Regulations.

- a. Status of expansion of Urban Overlay Zone to Walker, Wilhoit, Skull Valley and Paulden. Mr. Rozycki said that the agenda had been drafted before the P&Z Commission had met. He said that they would review specific areas, meet with individuals in the various communities and they would again mail out notices to the affected property owners prior to scheduling hearings on a revised proposal with the Commission or Board. Mr. Rozycki estimated that it would be at least six months or more before they would bring a revised proposal regarding extending the building code to some or portions of these areas back to the Planning & Zoning Commission.
- b. Golf Course design, water/effluent use standards. Elise Link spoke regarding golf courses and the master plans for residential golf communities. She said they are trying to put together an amendment to the ordinance to require all golf courses be designed and manage their water use in accordance with the Active Management Area (AMA). This would also include providing consistency for developers and a guide for the P&Z Commission and Board of Supervisors. She said that the County is going to see more of these types of developments. Ms. Link spoke about the use of effluent by golf courses and the goals they would like to see accomplished. Mr. Woellmer said that he appreciated guidelines to work off of and if it does become an ordinance, he would like to see a change in wording expressed in gallons instead of feet. Mr. Buchanan said that he had a concern about the wording "non-potable water supply" and would like better and cleaner language. Mr. Collison spoke about personal property rights and how much grass can be grown and the need to take an environmental stand. He said there is a need to adopt a policy on the use of effluent and for developers to have to provide projects that can deliver reusable effluent for their courses.
- c. Hillside/slope development. Mr. Rozycki spoke about expanding the building code and grading permit requirements in regard to hillside/slope development and about hillside scarring. He said that they had been looking into re-vegetation to minimize the scarring. Mr. Collison spoke about driveways and that trying to get vegetation in slopes would take years and maybe tying engineering into residential areas would benefit the County. Mr. Rozycki said that development is one item they are looking into addressing and to reduce cut and fill.

5. Discussion regarding recent Use Permit applications and possible changes to the Wireless Communication Plan and Ordinance requirements. Mr. Rozycki said that the Board of Supervisors had approved a Wireless Communications Plan and he spoke about the use permit applications that had been coming in. He said there has been more to discuss coming out on this recently and that the applicants for wireless communication have had a lot of concerns and questions. Ms. Link said she had received numerous applications for this use and would like to address the County's needs and issues from the applications. She said she would like to get more direction when the applicants do not meet the requirements per the plan. Ms. Link also stated that the County should maybe look at a different fee schedule for prime locations and provide incentives for co-locating. Andy Jochums spoke about visual impact and stealth designs to help camouflage the towers. Ms. Link said that towers are exempt in residential areas with no height requirement and we may want to consider allowing these facilities in residential areas if they are designed to meet stealth requirement and residential height restrictions. Mr. Armstrong said that it would be helpful to have community meetings and let them know about federal mandates and where they will understand that it is a technology coming. Mr. Buchanan said that although there is a federal mandate, there are other ways providers can put up their towers so as to not to make so much of an impact. He spoke about the latest meeting in Dewey and the mis-information about the use or availability of BLM land for potential wireless communication sites. He said that it is important to have staff at these meetings so that they don't get the wrong information.

Mr. Collison said he would like to see about the co-locators and have them have a co-location plan with an engineered study so the low man on the pole has a viable use on the tower. Mr. Woellmer said he had a problem with the fall zone. He said the last 5 out of 6 applications did not have a large enough zone for the towers. At this point, Supervisor Brownlow had to leave the meeting for a previously scheduled appointment. Mr. Rozycki said that they need to look at whether they want large towers with all seven communications on them or smaller towers for fewer users. He then asked if because of time restraints if they come just look at item no. 6 and leave the rest of the items to bring back at a later time. All agreed that that would be fine and continued on to the next item.

6. Discussion regarding Fire Districts concerns and request regarding private road easements and adequate access for emergency services. Mr. Rozycki spoke saying that he had been contacted by several fire chiefs and that he had a meeting with them tomorrow to discuss the fire code and specifically the issue of access to metes and bounds parcels within the various fire districts. Mr. Buchanan said that he supports the approach because of the safety issue. He said that if it is a safety issue for residences then it is a safety issue for everyone. Mr. Collison said that he had heard of a place in California where they had adopted a fire safety code and there were less lot splits happening in the rural area but he sees a lot of non-conforming lots possibly happening. Chairman Davis said he was not against lot splits but he is against the lack of ingress/egress, water problems and septic problems. Randy Schurr said that intergovernmental agreements with fire districts which have approved the fire code would need to be done. Mr. Rozycki said he was concerned with the County trying to amend the Zoning ordinance and require improved access for all properties in the County. At this time, he would recommend working with the Fire Districts and let the fire chiefs work on causing compliance with the fire code in their districts first and then the County would build on that in the future.
7. Discussion regarding the discontinuance or abandonment of non-conforming uses. This item was not heard because of time restraints.
8. Discussion regarding site plan requirements and complete hearing application information. This item was not heard because of time restraints.
9. Discussion regarding items for future meetings and meeting dates. This item was not heard because of time restraints.

ATTEST:

Clerk _____ Chairman