

OFFICE OF BOARD OF SUPERVISORS

YAVAPAI COUNTY, ARIZONA

Prescott, Arizona November 10, 1999

The Board of Supervisors met in special session on November 10, 1999.

Present: Chip Davis, Chairman; John Olsen, Member;, Carolyn Dicus, Assistant.

Absent: (Gheral Brownlow, Vice Chairman on scheduled vacation); Bev Staddon, Clerk.

Also present: Planning & Zoning Commission members Helmut Woellmer, Linda Bitner, Al Wood, Diane Lovett, Richard Collison, Jackie Weedon, 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.

ITEM NO. 1. 10:00 a.m. Meet in joint session with the Yavapai County Planning & Zoning Commission.

1. Report on Planning & Building Department activities and projects. Mr. Rozycki introduced Ms. Susan Bronson to the Board and the P&Z Commission and then gave a brief overview of his department's activities focusing primarily on the work with the Management Information Systems and the testing for Y2K compliance. He also spoke about the software that is being worked on to implement the electronic permitting system. He went on to say that that the first phase of the automated permit system would not include the capability for the public to apply for permits or obtain approvals via the internet, but that the public would be able to obtain permit procedures, applications and forms from the website and that they had extended the coordinated permit system to the Verde Valley. Chairman Davis asked about the permitting in outlying areas and in the libraries in which Mr. Rozycki answered that they did not have a timeline on that at this time. He went on to speak briefly about the Yavapai County Trail Plan Committee which had held their first meeting and would be meeting in the Planning and Building offices on the second Wednesday of each month. Mr. Rozycki then noted that since the regional roadway development fee had been implemented, \$1,236,818 in impact revenues had been collected. He then spoke about the filing of positions in his office and how there were still some positions they would be filing.
2. Discussion regarding street naming and access roads in fire districts. Mr. Rozycki said that the fire chiefs had asked to partner with the County to provide fire access to their districts and to sign intergovernmental agreements to provide copies of permit applications to the fire districts, which have adopted the Uniform Fire Code, for the coordination of permit applications, plan reviews and building and fire code inspections for addressing the concern of fire and emergency vehicle access or reasonable alternatives. He said that the fire chiefs were also asking that the County require that street name signs be installed as a condition of naming private streets to assist emergency response. He said that this was not County-wide as some of the fire districts had not adopted the Uniform Fire Code. Richard Collison asked how these standards would affect the County road standards. Mr. Rozycki answered that it would not undermine the County's standards as it is just for private roads and easements. Mr. Rozycki spoke briefly about sprinkler systems. Supervisor Olsen said that in an area where water was scarce, sprinkler systems would not be a practical choice. Mr. Rozycki said that most fire district which have the adopted fire code are not in the rural areas that would have this sort of problem. Don Eberle, Verde Fire Chief spoke about the process and the problems they are encountering with buildings going up and the difficulty the fire department has getting to some of these sites. He said he is not trying to stop growth but knowing up front what is being built so fire chiefs could work with the property owner(s). Supervisor Olsen asked if putting that on the application permits was possible. Mr. Rozycki said it is done on commercial but not on residential. Mr. Eberle said that a board of appeals would be set up at the fire district level. Mr. Collison asked if the fire departments have the personnel and resources to perform the inspections and do this work. Sedona Fire Chief Will Loach said that they had already been doing it and went on to explain that this

isn't just about a fire truck but also ambulances, police vehicles, and others who have to respond to an emergency. He said that in Sedona, they have a modified code which requires fire sprinkler systems and that this has led to a five to ten percent cutback on people's insurance. He explained that a residential fire sprinkler system only requires a ten-minute water supply for the system which is enough to get the people out even if the building doesn't make it. He said fire sprinklers are not a cure all but they are just asking for some improvement so that they can get their trucks in without damage. Mr. Woellmer asked if a private property could release the County from responsibility in which Mr. Schurr answered no saying it would have a limited life because if a house was sold; the new owners would not have it apply to them or if their fire spread to houses that haven't signed then the County could be held responsible. Chairman Davis asked how many fire districts have not accepted the uniform fire code in which Chief Eberle said six but those districts would go by the state fire code. Chairman Davis said that the agreements for the fire districts should be standardized. Mr. Rozycki spoke then about street naming and the naming of private easements. He said people have been coming forward to name many of the private easements but that a lot of streets are named on paper but signs are not installed on the ground. Al Wood asked how the Commission fits into the street naming. Chief Eberle said that utilities, stores and different people call them all the time to find an address or location and said the 911 people can't find locations without signage. Chairman Davis asked how do they know if a sign has been placed. Chief Loach said he would like to see it as part of the permitting system. Street Addressing Coordinator Vincent Gallegos spoke and said that private streets are often named when individuals apply for building permits and ask to have an address assigned. He said that they were trying to work with individuals to at least name the roads even if an address is not given at the time the permit is issued. Supervisor Olsen said that a time frame should be established of when signage has to be up and if it is not done then put one up and charge the individual. Mr. Woellmer said there should be an amendment to the P&Z Ordinance. Mr. Rozycki said that he would take that as a recommendation to amend the ordinances regarding requiring street name signs when naming private easements, and that we will work with the Fire Departments to prepare IGA's covering our building permit and inspection procedures with the fire districts ability to enforce the fire department access provisions of the fire code.

3. Discussion regarding use permit applications and possible changes to the Wireless Communication Plan and Ordinance requirements. Planner Andy Jochum presented an update about adoption of revisions to the Wireless Ordinance saying that they were hoping to bring direction to the Board in January and that these amendments included definitions of antenna sites, the clarifying and adding of new definitions, sound control measures, the allowance of sites in residential areas, technical requirements, public meetings, visual impact, tiered applications, property owner notification, collocation, waivers of setback and equipment removal. Mr. Rozycki said that they were getting copies of the planned amendments to the wireless carriers, individuals in the industry, cities and towns, community associations, public land agencies and the electrically sensitive. There was general consensus that the proposed amendments were heading in the right direction. It was understood that there would be public hearings before the proposed changes would be recommended for approval or adopted.
4. Discussion regarding proposed amendments to the Planning & Zoning Ordinance for golf courses to include design, water, effluent use standards and application requirements. Senior Planner Elise Link said that currently, both water usage and turf area on golf courses are regulated in the Active Management Areas by the Arizona Department of Water Resources. She said that the maximum amount of groundwater that can be used, depending on several variables, is anywhere between 400 and 450 acre feet per year (one million gallons is three (3) acre feet). Ms. Link spoke about effluent use and the regulation on the amount of turf allowed on an 18-hole golf course which was to be no more than 90 acres. She said that they had some proposed amendments to the ordinance relating to golf courses which included some standards like the golf courses being developed and managed with consideration of the ecosystem, which is to minimize the use of groundwater for irrigation purposes and encourage use of effluent or reuse. Also, applicants would be required to submit plans that show they meet the standards set by the Arizona Department of Water Resources for golf courses and they would have to obtain a report of physical availability of water to demonstrate adequate water supply for the entire development including the golf course prior to recording the final plat/final site plan and prior to construction of the golf course. Also detailed grading, drainage, irrigation, clearing and landscaping plans of a golf course will be required for review and approval by the Planning & Zoning Commission and Board of Supervisors as part of the Final Site Plan application and in conjunction with a development plan. Mr. Collison said that he is not interested in evaluating detailed construction documents. Ms. Link said that the intent was for it to be submitted as a final site plan and not for the Commission to review the technical aspects. Mr. Collison then said that he didn't like approving plats without final plat information. Mr. Rozycki said that staff can look at the appropriate level of information for golf course plans at the

preliminary and final site plan stages and address this issue when we present this proposed amendment again. Mr. Spedding said any type of activities that affect a water course needs a development permit. He said the Army Corp of Engineers is also contacted in this process. Chairman Davis said and Supervisor Olsen agreed that it is good that these changes will be making the developers be responsible for submitting the information needed for these projects.

5. Discussion regarding adoption and implementation of a Citizen Participation Ordinance. Mr. Rozycki presented information that he had received about citizen participation and a copy of the ordinance that the City of Glendale had approved. He said that it had improved areas of communication with individuals. He then went on to talk about how long the process would take. Diane Lovett said she would like to see items on agendas and that the more the public gets information, the more beneficial it is. Linda Bitner said that individuals should be willing to educate the public and residents in the areas involved. Chairman Davis said that it should help minimize the fights between developers and residents and when the developer comes in for permits, details have been worked out. He then questioned whether this would be on a voluntary basis or a formal basis. Mr. Rozycki suggested that it would be on a voluntary basis at this time. He said the County could do different options - voluntary or adopt a formal requirement as amendment to the Planning & Zoning Ordinance. Supervisor Olsen said he would like to see it standardized. Ms. Bitner asked how many times would the plans come back to them. Supervisor Olsen said that it is up to the developers to follow the process. Mr. Rozycki said that they need to develop the process so the community will know what is being looked at. Mr. Lockard said that he does request the applicants to contact the cities and towns close by for information. Mr. Wood said that if an application come before the Commission and it hasn't been looked at by the community then the Commission shouldn't look at it.
6. Discussion regarding grading permit requirements for single-family residences to address drainage problems, drainage improvement districts and impacts to County roads. Mr. Rozycki spoke about the drainage criteria manual and drainage reports. He said that they are looking at getting more information on the site plans and doing site inspections to look at grading plans. Flood Control Director Ken Spedding stated he would like to see it made a requirement to have a detailed drainage and site inspection. He said the problem that he was encountering was that new homeowners are being uninformed because contractors who receive the flood information are not passing it on to the individuals. He asked if there was any way to incorporate this information into the site plan review or permitting process. Mr. Rozycki said that right now, plans are looked at and recommendations are passed along. Mr. Spedding said that they could have some kind of berm until plan is finished and then the berm could be removed and then address them at the grading process. Mr. Rozycki said that a first step would be to amend the Planning and Zoning Ordinance or Building Code so that the recommendations made by the flood control district are made as requirements that must be incorporated into the building permitting process, plan review and building inspection process.
7. Discussion regarding site plan requirements and complete hearing application information. Mr. Rozycki said that applications for zoning map changes, planned area developments and use permits often include requirements for site plans. He spoke about the level of information received and often lacking on the plans. He said that the reason for including this item was to find out how much information staff should require or obtain from applicants prior to scheduling applications for public hearings. Mr. Wood stated that they shouldn't schedule hearings unless there is a completed site plan. Mr. Rozycki said that applicants then call the supervisors and complain if they are not heard. He said he would like to make it so the application would not be heard until completed. Mr. Lockard said that the information may be on the plan but not detailed. He asked how to deal with the requirement for the public hearings. Mr. Collison said that it should go by individual cases.
8. Discussion regarding the discontinuance or abandonment of non-conforming uses. Mr. Rozycki spoke saying that a non-conforming use is the lawful use of a building, structure or land existing at the time an ordinance or amendment takes effect, that may be continued even though it does not conform with the Planning and Zoning Ordinance. He spoke of wanting to implement several amendments to the current ordinance. He said that there had been court cases related to this item. Mr. Rozycki said that right now they wait approximately six months to show a non-conforming use but that they may have to change it to twelve months. Mr. Schurr spoke about the taking away of property right use and said to eliminate the word "abandonment" and replace with "discontinue of use".
9. Discussion regarding zoning provisions, site plans and site improvements for charter schools. Mr. Rozycki spoke on how charter schools are impacting areas. He said that there was a concern with charter schools in residential zones. Ms. Lovett said that there is only a limited amount of information on this and that there is a concern about noise and public safety issues. She said that this is something they should look at. Mr. Rozycki said that they could look into what other communities are doing and report back to the Board of Supervisors and Commission the next Joint Session.

10. Discussion regarding items for future meetings and meeting dates. Mr. Rozycki said that there are a lot of ordinance amendments such as the wireless plan, golf courses, fire districts and development agreements to be looking at and making the changes that were included in today's meeting and backup materials. He said that the next meeting would be taking place in the Verde Valley on March 29, 2000.