

OFFICE OF BOARD OF SUPERVISORS
YAVAPAI COUNTY, ARIZONA

Prescott, Arizona

October 29, 2001

The Board of Supervisors met in special session on October 29, 2001.

Present: Gheral Brownlow, Chairman; Lorna Street, Vice Chairman; Bev Staddon, Clerk.

Absent: Chip Davis, Member.

ITEM NO. 1. Development Services Director Ken Spedding and General Plan Consultant Dava Hoffman. Review and discussion of the Yavapai County General Plan. Staff members present and participating in discussion were: Elise Link, Senior Planner; Randy Schurr, Deputy County Attorney; John Munderloh, Water Advisory Committee Coordinator. In addition to Ms. Hoffman's presence, co-consultant Rick Counts of Community Science Corporation was also present. The following members of the Planning & Zoning Commission were present and participated in discussion with the Board: Tom Thurman, Walter Burcham, Lee Nelson, Jacquie Weedon, Helmut Woellmer, Linda Bitner, and Curt Lindner. Mr. Spedding told the Board that staff was looking for feedback and that he hoped to have all the changes to the General Plan worked out prior to the anticipated December 17, 2001, adoption date for the Plan. Mr. Schurr said that staff would like to have the plan adopted this year, as required by state law, and that he strongly suggested that the Commission members listen to the comments of the Board. Mr. Schurr said that the Board could adopt the entire Plan or only parts of it, but that once adopted any changes to the Plan would have to go back through the Commission. Chairman Brownlow asked about how public comments should be treated. Mr. Schurr said that if the Board felt a portion of the Plan should not be adopted because of public comments, it could go back to the Commission. He added that the public should let the Commission know its comments. Mr. Spedding noted that comments from County departments and other agencies had already been received. Ms. Hoffman briefly reviewed what had been done with regard to the General Plan, saying she had gone to a dozen communities to ask for the public's vision and goals. She told the Board that the comments from those meetings had been mailed to participants and posted on the County's website. Ms. Hoffman said that through the process items for which the County has no authority were eliminated, as were ideas that were specific as opposed to being goals or objectives. She said the public had requested that the goals be specific, and she added that some technical changes had been made which did not affect the goals or objectives of the Plan. Ms. Weedon said that the entire time she had been on the Commission she had felt the public should be better educated about how things work with planning and zoning. She said she felt that one of the goals should be to try to educate people, and she asked whether it would be possible to establish a plan at some point to help educate community groups. Ms. Hoffman said that could be included as part of the Plan implementation strategy. Mr. Burcham referred to the Land Use Element of the Plan and reference to regulating lot splits. He asked if the County had the authority to regulate lot splits. Mr. Schurr responded that some of the goals identified in the Plan might not be legally possible now, but that it was hoped they would be in the future. Ms. Hoffman said it was also possible to provide a degree of regulation through the subdivision regulations. Mr. Schurr said an example might be allowing higher density in a PAD located near a city or town. Ms. Link asked whether the County had the ability to at least review lot splits, and whether that would be an appropriate addition to the Plan. Mr. Schurr said that the County had the ability to adopt a lot split review ordinance, but that the review process was so limited that staff felt it wasn't worth the resources to implement it. Supervisor Street said that, in reality, if a person does a survey on their property and records it, it automatically becomes a lot split and that anyone could do a lot split without the County even knowing about it. She said that when a lot is split there is no way to know whether the taxes have been paid, and that neither the Recorder, Treasurer or Assessor had the authority to stop a person from doing a lot split. Supervisor Street said that lot splits are done outside of the County's processes, and that until someone could figure out how to stop them it would not be possible to regulate them. Mr. Burcham asked if it would be possible to put together a review committee to look at the problem to see if there was a way to use a database to alert County departments to lot split activity. Mr. Schurr said he thought that was a good item for a future study session. Mr. Spedding pointed out that there was a statewide lot split work group and that the County had a representative to the group who attended

meetings monthly. Mr. Lindner said he thought what people were saying was that there needed to be some language included in the Plan like "review" so that staff could work toward that goal. He said he was starting to see more and more lot split activity in the Verde Valley where people were working together on it, to the extent that some large ranch properties were being split down to two-acre parcels within a matter of months. Mr. Lindner said that people said they were lot splitting because the County's subdivision regulations were too restrictive. He said he would like to see some language in the document that would provide some support for reviewing the issue. Chairman Brownlow said he did not like lot splits, but that if the County was too tough with its subdivision regulations it would cause people to turn to lot splitting. Mr. Spedding said the issue of lot splits was on the agenda for the joint session with the Board and Commission scheduled for November 14, 2001. Mr. Spedding said he had some concerns about language in the Plan related to restricting adult businesses and users of hazardous materials or pollutants. He pointed out that pollutants are found in residences, saying he was concerned that the language could result in problems later on. Mr. Thurman said the Commission would still have to make decisions about what is hazardous and what is not, and that each case had to be considered individually. He added that these were goals and objectives. Ms. Hoffman said perhaps the phrase was too specific and belonged in the implementation phase. Mr. Schurr pointed out that both types of businesses locate in urban and industrial type zones, and that the language did not really fit with the category of "sustaining rural character." There appeared to be general agreement that the phrase regarding adult businesses and hazardous materials was not needed. Ms. Hoffman also suggested broadening "specialty enterprises" to include country stores and the like. Supervisor Street said she thought people were trying to focus too much on specifics, and that everyone needed to think in more general terms. Ms. Weedon referred to language in the Plan regarding "building on sensitive hillsides or ridges and keeping lighting levels low", asking whether this was really more of a community plan issue than a General Plan issue. Pat Acosta, who said she was representing the Williamson Valley Concerned Citizens, expressed concern about references to "mixed use communities" and providing "incentives", and whether the Plan anticipated implementation of those ideas. She also asked about infill. Mr. Spedding addressed infill, giving as an example the desirability to have commercial endeavors located adjacent to existing commercial properties as opposed to being located away from them. Supervisor Street pointed out that "incentive" does not always mean money. Ms. Hoffman agreed, saying that often it means just being flexible. Discussion turned to the Transportation Element of the General Plan, with Mr. Spedding pointing out that existing County roads would be adopted as part of the General Plan adoption. Mr. Woellmer said the regional road map included in the Plan needed to be updated. He asked why the County did not put bike lanes in along Beaverhead Flat Road. Ms. Hoffman said she believed there was concern that if bike lanes were built along that road they would dump people out into a high traffic area with no bike lanes. Mr. Spedding suggested looking at an overall bike plan to see where the County might look at alternative transportation plans or bike trails. Ms. Hoffman said there were many groups all over the County that were working on bike trails and other trails, and that the groups were not even talking to each other. She said there was a real need for coordination of efforts in this regard. Mr. Thurman said that as long as lot splits were allowed to continue it would be impossible to develop a plan for bike trails. Mr. Woellmer said he thought it would be a good idea for the County to get the message out to the public regarding why it did not build bike lanes along Beaverhead Flat Road. Ms. Hoffman said she believed the Board needed to make some strong policy statements regarding the issue. Supervisor Street said that goals and objectives did not necessarily mean the goals and objectives would happen. She said that goals would be dependent upon resources and money. She referred to language under the Transportation Goals section of the Plan regarding airports, saying that she had chosen not to spend money to improve the Bagdad Airport because she did not believe it was worth the expenditure. She pointed out that transportation was not just about bike paths, but about the entire spectrum of transportation and that it was all dependent upon the amount of money available. Ms. Hoffman said that was a good point. She asked if there was any strong feeling about a regional airport. Prescott resident Paul Daly said he agreed with what Supervisor Street had said about being general, and that people were spending a lot of time talking about implementation and losing track of the goals. Mr. Burcham pointed out that with regard to the Water Resources Element of the Plan, again, lot splits needed to be discouraged. Discussion turned to the Open Space Element, with Ms. Hoffman saying that there was a great deal of public land in the County available for public recreation. Mr. Burcham referred to references in this section regarding wildlife corridors, asking how wide the proposed corridors would be and how that would fit with private property. Mr. Thurman said he thought wildlife corridors were a great objective, but that he was not sure it was a viable objective. He said he did not know how a wildlife corridor could be preserved through someone's private property. Mr. Counts said it was an implementation issue, but that wildlife corridors could account for open space in a subdivision plan. Mr. Thurman said it seemed that the bottom line with

regard to the General Plan was that it was not written in concrete, and that it was designed to give people an idea of what the County wants. Supervisor Street agreed, saying the Plan was not about preventing private property owners from using their property nor was it about squeezing everyone into a box. She said it was not possible to make everyone happy all the time and that there were private property rights to consider. During discussion of the Existing Plans section of the General Plan, Mr. Woellmer asked if the County had reminded communities to update their community plans. Chairman Brownlow said he doubted if communities had been reminded. He said he would like to see community plans done differently than they had been done in the past, and that he liked the idea of educating the public about what they can and cannot do with regard to planning and zoning. He said he thought it would be a good idea to have community plan groups supervised by someone who could provide them with that kind of information, and that he would like to see plans done in a six-month period of time instead of being spread over two years and riddled with infighting. Supervisor Street said the General Plan still had to be broad, and that if individual communities wanted specific things that was fine but those things should not be imposed on the entire County. Ms. Nelson said she had a concern about language in the Water Resources section of the plan regarding "strict well monitoring." After brief discussion, there was general agreement that it should be changed to "encouraging well monitoring." Mr. Spedding pointed out that there were ways to encourage reduced water use, such as requiring the use of low water toilets. Ms. Hoffman pointed out that the ability to make major and minor amendments to the Plan would be included as part of the Plan adoption, and that the Board would have an opportunity next year to work on goals and objectives again. Mr. Counts agreed, saying that when the implementation process began the Board might find it necessary to make some revisions to the goals and objectives. Cottonwood resident Mike Gardner said he had heard a great deal on this day regarding goals and objectives, and that he hoped the County would make it clear that the goals and objectives were not set in stone and that the goals and visions may not even be attainable. He said he was concerned about the use of the term "wildcat subdivisions" because it implied that something illegal was taking place when, in fact, lot splitting was legal. Supervisor Street said she thought that was a good point. Mr. Lindner agreed. Ms. Hoffman said she thought the word "wildcat" was about as good as anyone could get to describe that type of activity and that she did not think it was out of line. Mr. Schurr agreed, saying that a five-way legal parcel split was still a wildcat subdivision. Chairman Brownlow said that lot splitting problems end up with the Board because no matter what people say when they first purchase such property they end up coming to the County about roads, fire protection and the like and they end up blaming the County. Supervisor Street agreed, saying there was a lot that the County just cannot do anything about. There was brief discussion about the "Code of the Wild, Wild West" book that Chairman Brownlow had provided to realtors previously. Mr. Thurman asked if the issue of rentals in residential areas needed to be addressed in the General Plan. There was general agreement that it did not need to be included.

CONSENT AGENDA FOR BOARD OF SUPERVISORS:

1. Consider approval of Change Order No. 1 with Southwestern Construction & Engineering, Inc., for the Yavapai County Camp Verde Remanded Juvenile Facility, in the amount of an additional \$6,917.34. Approved by unanimous vote of those present. Motion by Supervisor Street, second by Chairman Brownlow. No comments from the public.

There being no further business to discuss, the meeting was adjourned.

ATTEST:

_____ Clerk _____ Chairman