

OFFICE OF BOARD OF SUPERVISORS
YAVAPAI COUNTY, ARIZONA

Prescott, Arizona

January 29, 2003

The Board of Supervisors met in special session on January 29, 2003.

Present: Chip Davis, Chairman (late); Gheral Brownlow, Vice Chairman; Lorna Street, Member.

Absent: Bev Staddon, Clerk, due to another scheduled meeting.

Also present: Planning & Zoning Commission members Helmut Woellmer, Linda Bitner, Tom Thurman, Lee Nelson, Gene Kerkman, Curtis Lindner and Karl Rockwell; Development Services Director Ken Spedding; Planning Manager Elise Link; Permitting and Compliance Director (Cottonwood) Enalo Lockard; Deputy County Attorney Randy Schurr; General Plan consultant Dava Hoffman of Dava & Associates and Carolyn Dicus, Administrative Aide.

ITEM NO. 1. Board of Supervisors. Meet in joint study session with the Yavapai County Planning & Zoning Commission for discussion only regarding the following items:

1. **General Plan update.** Dava Hoffman, Dava and Associates. Ms. Hoffman said that her purpose today was to obtain input from the Commission and Board to find out what questions or comments they had regarding the General Plan. She said on December 13, 2002, the plan had been sent to outside agencies, adjacent counties, federal agencies and Indian tribes. She said the plan had also gone out on the website, to libraries and was available in the offices. Ms. Hoffman spoke of the letters she had received from different individuals and entities with comments and requests for changes with the General Plan such as the time frame matrix. She explained that they had added a last chapter for community plans so they would conform to the General Plan for land use, open spaces and commercial uses. She said the plan would provide a baseline of where the County is at this time, but that it only extends to ten years down the line at the maximum. Discussion turned to water issues, with Ms. Hoffman saying that the water projections for the Verde Valley were under calculated and would have to be corrected. She spoke of the updating of trails, the letter from the Nature Conservatory to move up the timelines for grants and said she would be attaching all the letters and comments they had received to the General Plan. Mr. Linder stated he would like to see whatever comes before the Commission to be complete and to have a window of time to go over the documentation and to have the General Plan out to the public in time for comments. Supervisor Street said she agreed with passing the recommendations on to staff saying the objective or goal is there and staff can discuss the issues and figure out what needs to be done. She said this had been in the process for two years now. Mr. Woellmer said after reading the draft plan through and after closing of the comment period, they should adopt the draft as it is right now and any amendments could be added later. Mr. Spedding said that currently there are only a couple of simple changes needing to be made. Ms. Hoffman said that the City of Sedona had sent a letter with updates to different issues; one being legislative issues and that she would like to sit down with some of the departments such as Flood Control to discuss these changes. Supervisor Street asked if the Board would be able to make changes every year in which Mr. Schurr answered yes, especially with legislative changes occurring. Ms. Hoffman said she had received a letter from the Paulden Area Community Organization (PACO) with goals and objectives which included water issues. Discussion also turned to the letter received from the League of Women's Voters concerning affordable housing. Mr. Spedding said he is currently sitting on a committee for affordable housing and that there would be a report coming out on housing issues. He said it was possible they could make changes to the General Plan and the Ordinances such as waiving fees for organizations. Mr. Kerkman said that he does not see that the County's Plan was for social engineering. Ms. Hoffman agreed with one item of PACO's comments to remove the word "rural" from community. Supervisor Street asked what was considered "community". Ms. Hoffman replied that there was a whole packet on what a community is versus a rural area. She went on to explain other portions of the General Plan for revision and the rewording of a portion for transportation goals saying she would like to get recommendations on roads from the Public Works Department. Discussion turned to water issues, during which Ms. Hoffman said she was working with Water Advisory Committee Coordinator John Munderloh for recommendations as there were a lot of water facts missing. Mr. Spedding said Public Works was being worked with on these issues and that the County will share information with Mr. Munderloh's group and will bring the information back to the Commission. Supervisor Brownlow noted that all the restrictions are being placed on the

Active Management Area (AMA) when all of the water issues are happening outside of the AMA. Ms. Hoffman said the information on water needs to be applied County-wide to all water ways and not just to the Verde River. Peter Atona with the Paulden Area Community Organization (PACO) said they appreciated the consideration of their concerns regarding the General Plan. Ms. Hoffman said the Nature Conservancy had expressed a concern over the timeline and asked that it be changed from mid-term to short-term for the consideration of grant submittals. Supervisor Brownlow asked if anyone had a problem with changing the timeline for this request. There were no comments against the change. Discussion turned back to water issues whereas Mr. Munderloh added that the water committee was developing plans for the Verde at this time. Art Coates spoke of the water funding for the Verde saying that the history of the AMA does not support this funding plan and there should be another plan in place. There was consensus to make corrections and updates and to discuss other comments with County staff.

2. **Discussion and prioritization regarding Community Plans.** Supervisor Brownlow asked why Williamson Valley was not included for a community plan. Mr. Spedding said that Williamson Valley is a housing development or a corridor and not does not fit the criteria for a community plan. Ms. Hoffman explained that a community contains services and amenities for the community, has boundaries and would contain such services as a fire station, a water company, a post office, and restaurants. She said that Williamson Valley would fit into the category of a municipal influence area which depends on nearby communities for services. Mr. Spedding said they could do a community plan if they wish to form into a community or if they would like them to form into a different plan. Supervisors Street said that the Williamson Valley group needed to form into some plan if they wanted to control what was going to happen with their community and what goes in out there as there is a lot of open space available. Pat Acosta said their group wanted to put in a plan and to have something in writing about what was appropriate. Chairman Davis said he wanted another tier added for municipal influence areas to be able to develop some tool for people to input on development of their areas. Supervisor Brownlow asked if there were any funds for these processes. Mr. Spedding replied that they will be discussing funding but he felt most of the work could be done in-house but that they may need to bring in some specialists.
3. **Discussion and prioritization of Zoning Ordinance Amendments.** Mr. Lockard listed 20 items identified for amendments saying that the staff was looking to the Boards to identify which items they wanted them to tackle first, and to give their approval to move forward with research and review in order to bring forward these items for formal consideration and approval. Mr. Woellmer said that he felt they needed to seriously look into the different possible ways to put houses onto lots and the different ways of construction of these homes. Discussion turned to the different items listed for consideration such as disabled cars, golf courses, the Hillside Ordinance, bed and breakfast facilities and political signs. Mr. Spedding said they would like to be able to regulate signs more as far as size and the like. Mr. Kerkman said the definition of manufactured homes and factory built homes needs to be clarified as they are two different products. He said as far as golf course issues, most of the developments build the golf courses first, then start building up the residential which can take up from 10 to 20 years. He said saying as an example, if they could impose a limit up front, say after 5 years, the amount of ground water a development could use then reduce it after 10 years, 15 years, etc. then maybe developments would not want to build the golf courses up front before effluent is generated. Mr. Thurman spoke of factory built homes versus stick built saying a lot of individuals want only site built homes in their area and if they are going to allow the factory built in these areas, they may see some lawsuits coming through. He said the County also needed to watch that they do not start creating C.C. & R's and he spoke briefly about golf courses and new subdivisions. Mr. Kerkman spoke about the need to have an ordinance or control for dealing with public safety issues like the tree issue saying there are fire hazards involved and he does not see any mechanism or plan to deal with these issues. Mr. Spedding said they are looking at the building codes and may do like the City of Prescott for adequate defensible space. He said the ordinances start when they are approved and there may be grandfathered issue rights. Ms. Nelson said she likes an education process for the public which Mr. Spedding replied that the County was linking with other entities on the website for informational purposes. Discussion turned to the bark beetle issue. Richard Collison spoke regarding the bark beetle meeting that had taken place at the City of Prescott and the economic impact on the whole area and what it would mean with the loss of revenue in case of a devastating fire. He spoke of the County's responsibility for handling this problem including getting grant money for fire risk, clearing off lands and the filing of liens on properties. Supervisor Brownlow spoke of the out-of-state

property owners and the fact of them not being informed about the fire problem and needing to be informed about what is happening by mailing out notifications to these absent owners. Joan McClelland spoke regarding retail sales and asked that they strike the language regarding second hand sales. Supervisor Brownlow said the Wildland Interface Code was going to need worked on also.

- 4. Discussion on rezoning public/private lands without owners consent. Mr. Schurr presented information regarding the legislation issues with the rezoning of public and private lands saying that Pima County had challenged the Supreme Court on this issue as unconstitutional and the courts had found in favor of the county. Chairman Davis asked if they could rezone all state and federal land as RCU-36A. Mr. Schurr said this was not applicable to federal or state lands but can be done with private property owners. Mr. Spedding said they could move forward if the Board so chooses for them to do so and that the focus should be on acres for exchange or that could be exchanged and that they should get the process going. Chairman Davis asked if it was initiated would it supercede any agreements already approved. Mr. Schurr said no.

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

ATTEST:

_____ Clerk _____ Chairman