

**Sustainable Planning Meeting  
January 11, 2008**

Members Present:      Matt Ackerman, Chairman      Gene Kerkman  
                                 Bill Feldmeier                              Joan McClelland  
                                 Elizabeth Lassuy                             Tom Reilly  
                                 Jim Sullivan                                    Jim Wise  
                                 Elise Link                                        Shakeeb Shariff  
                                 Jon Barnert

Guests:                    Dava Hoffman, Owner, Dava and Associates, Inc.  
                                 Al Roddan, President, Diamond Homes  
                                 Bill Gary, Owner, Dalcom Development  
                                 Swayze McCraine, Owner, Dalcom Development  
                                 John Wesnitzer, President, Shepard/Wesnitzer, Inc.  
                                 Dave Blauert, Owner, Blauert and Associates  
                                 Joe Jackson, Planning and Zoning Commissioner  
                                 Brad Swisher, President, Northern Arizona Division of Suncor  
                                 Jason Gisi, Owner, Gisi Enterprises, Inc.  
                                 Chris Bridges, Yavapai County Public Works, Transportation Specialist  
                                 Joe Huot, Yavapai County Public Works, Special Projects Manager  
                                 Jack Judd, Yavapai County Chief Building Official  
                                 Georgene Lockwood

Mr. Reilly gave the opening statement that this meeting was to garner information from the developers to ensure that the Committee was headed in the right direction. He said while the public was invited, this was not a public hearing. He said there would be future meetings where the public could participate. He said there were index cards available by the front door where they could write down their comments. He turned the meeting over to Mr. Ackerman, Chairman.

Mr. Ackerman presented a brief history of the Committee, their goals and direction they were going. He asked the participants to introduce themselves. He said the first level of discussion was to address lot splits and a better alternative for developers. He said some issues were the loss of open space, unchecked sprawl throughout the County, and diminishing water supplies. He said some solutions the Committee had been working on were more efficient land use, walk-able communities, preservation of open spaces, water resources, and wildlife habitat. He stated the Residential Conservation Subdivision was a starting point, and this would be a voluntary option so that developers had a more favorable option than that of lot splits.

Mr. Shariff said that their comments would help fine tune the Residential Conservation Subdivision criteria. He said some general comments that the Committee had heard and discussed in the past were:

- Density bonus and the public hearing process criteria; they were still deciding on a point system for density bonus.
- Right to cluster as an inherent benefit and how the costs might be offset.

Mr. Ackerman said they hoped to make it easier to do a Conservation Subdivision and to go beyond to address a broader range of topics and what Sustainable Planning means based on the growth of Yavapai County such as:

- What areas of the County were appropriate for development
- Higher density and mixed uses
- Local food production
- Wildlife preservation
- Public input and participation was critical.

Mr. Wesnitzer said it was a vast improvement over County Ordinances and asked about the transferring of density and could they transfer the density from one parcel and increase the density on another. Would they be credited a density increase if they used such things as green building materials, had LEED certifications, waste water treatments, or interior of wetlands in the desert?

Mr. Roddan said he agreed with those credits; LEEDS had momentum County-wide. He said as a supplier of factory buildings that were constructed of sustainable materials, homes that were 100% energy star rated, and more conservation in terms of using scrap material, that he felt that the sustainable issue should include modular built homes.

Mr. Swisher asked if this was meant to be for size specific parcels only.

Mr. Barnert said they had looked at the underlying zoning and not specific parcel size, but the Committee would like to know what the consumers were asking for.

Mr. Swisher asked if this would apply to large developments only. He said sustainable subdivisions come with a price. He said the profits weigh benefits and how it was conceived by the buyers. He said regarding the current market in this County, most developers would like to build green, but at the same time, still wanted to do things as they had been done in the past. He said as an example, surface water could be collected at one point, but the maintenance was a burden to the home owners and sometimes they were not willing to assume the maintenance burden. He said while the developers would like to build for sustainable living that topography was often a challenge and might make it unfeasible. He suggested putting the burden of the tax assessment on the buyers and that would lessen the burden of the upfront cost to developers.

Mr. Ackerman said the primary element for a conservation subdivision was the right to cluster as a way of creating open space, and there was an inherent benefit to clustering which saved on the cost of the infrastructure.

Mr. Barnert said they were changing the character of the neighborhoods and the Board of Supervisors wanted to know what the consumers wanted and what they would be willing to pay for.

Mr. Gisi said the issues here fell to the general contractor once the vertical structures were in place, when you start talking about the master plan, the costs included for the greener or environmentally friendly direction you were taking were realized in the vertical issues and not the horizontal issues, although they do relate to the vertical and horizontal retention practices that were starting to develop whereby water conservation was taken into account. As a developer he was not sure how efficient those dollars spent would be in the horizontal issues, but he knew on the vertical side of things, there seemed to be a trend towards the consumer swallowing that additional cost, but felt that it had not been recognized on the ground yet and was still in a thought process.

Mr. Swisher said that each market was different. He said considering the environmental, horizontal or vertical perspective, that a home in Prescott Valley might sell for \$320,000 and the same home in Santa Fe, NM would sell for \$450,000 because of the water restrictions there. He said it came down to what the consumer was willing to spend, and if it cost too much, it defeated the purpose.

Mr. Ackerman said his firm was hired to do two LEED homes. He said in the pilot program they were only expecting about half a dozen homes to participate and 1,900 asked to be LEED recertified. He said this indicated that the trend was changing and more options in developing needed to be considered.

Mr. Gisi said in his experience that in this County the market was price sensitive, with people looking for cheap homes that they could own. He felt that if builders and developers did not meet the conservation criteria that the State would step in and start legislating.

Ms. Lassuy asked the panel their thoughts on the bonus criteria the Committee had complied and if that was something that would interest them.

Mr. Sullivan said that any bonus criteria would affect the cost of building, but there needed to be some way to tie the infrastructure and quantifying the bonus.

Mr. Wesnitzer said they needed the density bonus to develop, he said they should increase the density through credits so that the unit cost was reduced. He said cluster cuts infrastructure cost, and that added to the bottom line and reduced the cost of that building site.

Mr. Sullivan said they were looking for the merit of doing this with the underlying zoning and would this be enough incentive for the developers to do this.

Mr. Swisher said that any incentive would help. He said to market homes there were a number of things one had to do under the current Zoning Ordinance and he saw the density bonus as a very attractive benefit.

Ms. Link said the Committee was trying to make clustering under the existing density as a matter-of-right without going through the public hearing process and wanted to evaluate if not having the public hearing would be enough incentive for the smaller developer.

Mr. McCraine said by the time a developer went through all the hoops they could not afford to do the development. He felt the smaller developers needed the incentive. He said you had to have 300 units to get a viable water company and unless you could convince ADWR that a water association could be formed, you can't get approval. You can't get a packaged plan unless you had 500 or more units. The County could not control ADWR. He said the smaller acreage development needed a method to eliminate wells. He said they might not be able to afford to pave the streets so he felt the incentives needed to be flexible, such as reducing road widths, or increasing the width of the shoulders, or possibly using an all weather surface and not paving.

Mr. Barnert said the Board had stated in rural areas they would be open to other permeable road surfaces.

Mr. Wesnitzer said he preferred paved roads or some type of surfacing, ABC or something.

Mr. Wesnitzer said that might help reduce cost but the developer should also be able to make a profit. He said the County should consider giving the easements to the Federal government as that would save on taxes.

Mr. McCraine suggested instead of paving perhaps doing chip sealing. He said the developers want to be able to say to their buyers that there is water, the sewer is there and there were paved roads inside the development; there could be dirt roads leading to the development, but inside the development there should be some type of paved roads.

Ms. Link said they wanted to also incentive the smaller developers to come in to cluster and asked if it were enough of an incentive not to have to go through a public hearing process. She said the individual challenges of the property would need to be dealt with on a case-by-case basis.

Mr. Wesnitzer said it was not always possible to get the number of lots desired due to the topography of the land; drainage was often an issue, a flood plain could be an issue. He said if the developer met the criteria and could increase the number of lots and density that would help. He said they needed to work out a matrix to get what percentage they put on each item, maybe some sort of an estimated construction cost study.

Mr. Blauert said the smaller developer needed to get past the public's idea of density because otherwise they were beaten before they started. He said hearing getting entitlements from the County was music to his ears.

Mr. Gary felt that clustering should be a matter of absolute right that could not be questioned by the public in any public hearing. He said the public always questions clustering, but one could have a flood plain or other topographic concern that would not allow them to cluster.

Mr. Wesnitzer said it would help if the wording in the Subdivision Regulations could be changed to require fewer setbacks around the perimeter of the property and the lot dimensions.

Mr. Reilly said they had looked at eliminating the setbacks within the development, but keeping the boundary around the perimeter of the subdivision. He felt this would help the smaller developers.

Mr. Swisher said with a number of lots represented by realtors there came a public report regarding the water adequacy and that could kill it. He said if lot splits did not need certified water assurance maybe splits with restrictions through CC&Rs or something like that could be done.

Ms. Dava said the long process of getting the ADWR approval is one reason for lot splits. She said the number of lots might be looked at and instead of a subdivision it might be called a "special development."

Mr. McCraine said there were several small water companies throughout the County, and if they were franchised the County might require them to serve a larger area and if they weren't franchised they would not be required to do that. He felt that some of the smaller water companies could easily and efficiently serve a larger area than they did and maybe the County could force them to do so because it was easier to annex into an existing water system then going through ADWR to get approved.

Mr. Gary said that water was a main issue as far as development and growth were concerned.

Mr. Reilly said another issue was how to let the public know what was going on if they did not go through the public hearing process.

Mr. Gise felt that some type of public notification was needed. He said that staff and the developer would negotiate, but he felt it was the developer's responsibility to notify his neighbors with a 300 ft. notification, legal ad or public hearing.

Mr. Reilly said it could be the same notification as a subdivision with only the one public Board of Supervisor's hearing.

Mr. Gise felt that the developers still needed to notify their neighbors with what they were doing.

Ms. Hoffman said that one area of the code would include clustering as a matter-of-right with no density increase, the same underlying zoning and the same number of units and for that the Subdivision Regulations did not require any public notification, but the criteria for density bonus might be more of an impact on the community and might require some type of public notification, but no public hearing except by the Board of Supervisors.

Mr. Swisher said that not having a formal process would be a benefit, but there still needed to be a requirement to notify the public as it relates to density bonus and not rezoning.

Mr. Feldmeier said if it met the criteria set up by the County it must be approved, but it would smooth public feelings if the developers talked to their neighbors about what they were doing.

Mr. Gisi said that quantifying neighbors could be a challenge because a lot of the folks come from who knows where; he said your sphere of influence as it relates to your neighbors was a challenge.

Mr. Gary said if the County Ordinance made it so the developer did not have to go through the public hearing process that would be the rule and there would be no public uproar.

Mr. Ackerman adjourned the meeting at 12:00 p.m.

The following points were raised from a member of the public.

Encourage concepts of "open space:"

- Wildlife habitat
- Community areas
- Scenic
- Usable and unusable by humans and animals
- Quality of life planning
- Need to "market" the Residential Conservation Subdivision concept to the public in terms of how it benefits the community.