

**Sustainable Planning Meeting  
May 16, 2008**

Members Present:        Matt Ackerman, Chairman                Jim Wise  
                                 Gene Kerkman                                Jim Sullivan  
                                 Elise Link                                     Margie Bryan  
                                 Dava Hoffman

Absent:                    Jon Barnert                                    Bill Feldmeier  
                                 Tom Reilly

Guest:                    John Rasmussen, Yavapai County Water Advisory Committee

The meeting began with a motion to approve the minutes from May 2, 2008. The vote to approve was unanimous.

Mr. Ackerman gave a recap of the meeting with the District 3 Supervisor and felt the outcome was good.

Mr. Kerkman recapped the Supervisor's concerns. He said there was a gentleman at the meeting from the Trust for Public Land, a gentleman from the Nature Conservatory, and a representative from the Professional Land Services from Prescott and the discussion became more of a transportation issue. He said Proposition 207 kept coming into the discussion as well as assigning values to property based on the topography.

Mr. Ackerman said he felt the Supervisor was opposed to having the conservation subdivision as a matter of right. He felt the Supervisor was focused on the big picture and wanted to encourage development in the places the County wanted it and to discourage development where the County did not want it and the main way to do this was with the transfer of development rights. He hoped the Committee could get the support of the other two Supervisors.

Ms. Hoffman said the major issue in the County was the number of exempt wells and lot splits.

Ms Link said she did not think that anyone was opposed to what the Supervisor wanted to accomplish, but felt they were already doing that on a small scale; that is, preserving the areas that they did not want developed. She said in researching other jurisdictions that had a conservation subdivision, most of them required 40-50% open space after they take out for flood plains, ridge tops and things like that.

Ms. Hoffman said if they put in more codes that would defeat the purpose of the PAD, there would be less preservation, because it was becoming too difficult to do.

Mr. Sullivan said he agreed and that would stop development. He felt that 25% open space was a good idea and that brought in the question of what was the definition of Open Space. He said the County might spend the money to hire a contractor to overlay the County and find where the private property was that had topography conditions that should be identified and preserved.

Mr. Ackerman said grant funding was another consideration.

Ms. Link said the whole purpose of conservation was to get people to not develop on ridge lines and not to put fences in open space. The County did not want the left over land as open space, the entire purpose was to preserve nice big continuous open space that was not fenced, and they might have to give bonuses to accomplish this.

Mr. Kerkman said this idea suffers if you take a regional view; you needed to take a little piece at a time.

Ms. Hoffman said approximately 20 years ago they adopted the Master Trails Plan to have all these nice connected trails, and it still had not happened. A lot of this was not done by developers but by private land owners who had been told they could split their land and make a profit and this was what had happened.

Mr. Sullivan said the broader vision of open space connectivity was ideal, but if someone came in and bought the land around the perimeter you start to develop the open space corridor a little at a time, and then if someone came in and bought the land in the middle, then staff could state he was surrounded by open space and the County began to get control over where the open space was located.

Ms. Hoffman said that developers were not going to just hand over their land for open space.

Mr. Ackerman said it was not a matter of handing over their land; someone would buy their development rights. He felt the County was keeping the long range vision with what they were currently doing. He felt that the dilemma was that to get anything passed dealing with lot splits they would have to get it as basic and watered-down as possible.

Ms. Link said it had already been mailed out for review and she was anxious to hear the comments they would receive, so when it was brought to the Commission, all concerns and issues could be brought up.

Mr. Kerkman said they needed to balance this what they had today, was this better or worse, and obviously this was a step in the direction of better, and if you wanted to get high-centered on this vision of the bigger picture you were not going to get anywhere. There were immediate tangible benefits to doing this, and while they brought the big picture into focus, there was no reason to wait.

Mr. Sullivan said the Committee had brought up a number of items and they were now in the process of refining their arguments.

Mr. Ackerman said that water would be the biggest issue, but not the only development guideline. He said what the Supervisor was describing was a two prong thing that needed to happen simultaneously; one was to develop the legal language and to develop the actual format and structure to allow some form of transfer of development rights to happen and the other part was where in the County they wanted to encourage or discourage development.

Ms. Hoffman said to her these were two different animals. One was a tool in the codes to allow development rights and the other was called growth management where you adopt overlays in the County approved by the Board of Supervisors showing where development would or would not be allowed, and she felt that stood no chance of happening.

Mr. Kerkman suggested they take a narrow focus and keep pushing for the conservation subdivision and the solutions would evolve. He saw Stage 2 as another push and if they did not keep pushing this would never happen.

Ms. Link felt they should continue to focus on the incentives to develop the conservation subdivision.

Mr. Ackerman said the goal was to guide development in the County and the best they could do was to encourage this with incentives, and this would include mapping the County and looking at

transportation and future transportation and try to manage growth in these ways. He said that was starting from the big picture down and he did not agree that the Committee needed to start at the bottom and work towards the top and asked if the group wanted to work from the top down or from the bottom up.

Ms. Hoffman said several members of the Committee had been working on this with various groups and Committees in the past and there were maps of the County available and they might bring some of these maps to their meetings. Regional planning was to plan the goals and the way to get there was through the codes, and they had been working on code changes to get to the big picture, whether from the top down or from the bottom up, and felt they would accomplish more with coming up with codes that encouraged flexibility and creativity to accomplish bits and pieces of open space until they had a corridor.

Mr. Sullivan said whether it was called design overlay or a guideline, the codes would determine where that was in the County. He said it was as simple as saying that if you were proposing development in an area then you need to consider a conservation easement or a transfer development right instead of saying you can't development in an that overlay area.

Ms. Hoffman felt that open space anywhere was good, so why not allow a uniform incentive type program on any land throughout the County.

Ms. Link said she agreed with having something in the codes like that, because it made her uncomfortable having certain areas of the County designated as undevelopable.

Mr. Kerkman said that would prevent having all of the open space in one area because there would be none of these areas in some of the more desirable building space, because open space did not give the developer the same return as putting a house on it. This incremental approach would provide this and not allow all the open space in one area of the County. He said they had another follow-up meeting with the Supervisor in July and they could bring these concerns back to that meeting.

Ms. Link said she felt that if someone else wanted to do that mapping that was fine, but she felt the focus of the Committee would get lost if they attempted to do that, and she would prefer to proceed with Step 2 with codes and incentives. She asked if the Committee should be part of the review process.

Mr. Sullivan felt it should be processed the same way as a sketch plan was processed now and he did not think the Committee needed to be part of a reviewing committee. He said if something unusual was proposed that caused staff to have some reservations on it, then the Committee might want to review that.

Ms. Hoffman felt that as long as they abiding by all the codes and regulations, then a staff review would be sufficient.

The timeline was discussed. The Residential Conservation Subdivision would be a discussion item at both June 4 and June 18 Commission meetings so the review comments needed to be back by June 2. The Commission hearings would be July 9 and July 21 and tentatively sent to the Board of Supervisors on August 18. Items for the next agenda were discussed and included Step 2 and review of the tools needed to accomplish it, a review of Coconino and Pima County, and a discussion on the County General Plan and how it worked with what the Committee was doing; they decided the maps could wait unless there were some readily available. The Committee decided the Draft Residential Conservation Subdivision document along with the cover memo were to be placed on the web.

The meeting was adjourned at 11:30.