



PLANNING & ZONING COMMITTEE

May, 2009

The Date of this Report has been moved to the Current Month, thus there is no report for April 2009.

BCRC Response to Rimrock Super Storage ZOA H9031

Thu 4/16/2009

Dear Ms. DeWitt,

Reference: Zoning Ordinance Amendment H9031

Beaver Creek Regional Council and the BCRC Planning and Zoning Committee have reviewed the referenced material and would like to offer the following comments on behalf of BCRC.

We support the growth of this well run and maintained business. We wish them prosperity, particularly in these hard economic times. However, in regards to the waiver of setbacks included in this Residential to Commercial ZOA, we wish to defer to the nearby property owners who are impacted.

Respectfully,

BCRC Planning & Zoning
Steven Sprinz, Chairperson



Beaver Creek Regional Council, Inc.
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The P&Z Commission review of this Residential to Commercial Zoning and Setback Change has been moved to June 17, 2009 in Cottonwood.

April 13, 2009 - The Board of Supervisors met in joint session with the Yavapai County Planning & Zoning Commission and representatives from the Sustainable Planning Committee to update progress of the following items:

Staff was asked to develop a template and priority list for Community Plans. *It is not clear if these will be retroactive to community plans currently in process.*

SECTION 441 OPEN SPACE AND SUSTAINABLE DEVELOPMENT OPTION

<http://www.co.yavapai.az.us/WorkArea/showcontent.aspx?id=40920>

SECTION 442 CLUSTER AND OPEN SPACE OPTION

<http://www.co.yavapai.az.us/WorkArea/showcontent.aspx?id=40918>

In the current iteration of this effort to "reduce the use of Lot Splits", the committee presented two (2) sections and recommends adoption of both.

Both Sections contain some misleading verbiage. "The (Option) shall only be allowed in the R1L, RMM, R1 and RCU zoning districts, where no rezoning is requested." This sentence makes the

options difficult to understand. Section 441 incentivizes Green Development by allowing smaller lot sizes and cluster oriented design (more lots per development than the underlying zoning would normally reflect); based on topography and the inclusion of 9 or more of 12 conservation features and design elements, three of which would be mandatory: Shared wells, Community sewage treatment, and Use of only drought tolerant (xeriscape) landscaping with no turf.

So, developers have an incentive to adopt many conservation features; namely, more lots to sell per development.

Section 442 incentivizes Sustainable development and the preservation of open space by allowing clustering and groupings of the homes, thereby reducing the cost of underlying infrastructure. The number (density) of lots remains the same as allowed by underlying zoning, but the lots may be clustered together.

Carol Springer brought up some possible show stoppers.

- Each of the Sections refers to land areas not to exceed 640 acres. What keeps another Developer adjacent to any 640 acre parcel developed using either Section, from also using these sections for development? The problem being: insufficient infrastructure for several of these developments side by side, and how to prohibit these new rights in such situations.
- What keeps Developers from using these Sections to realize the maximum dollar gain and then leaving? Subsequent Construction companies, parcel owners, etc. would then be liable for the costly improvements to adhere to the standards of the Sections. The County will not be responsible for informing, or disclosing, just enforcing in the event of complaint.

Conclusion

Lot Splits are limited to 5 splits, so the mitigation of splits offered by these Sections may easily be overestimated. These Sections offer developers a "gift" in a sense; new rights to develop without going through the subdivision process.

Either of these Sections will result in developments with much more County oversight than lot splits, more open space and more highly clustered neighborhoods. In the case of Section 441, they will be green, as well.

The Sustainable Planning Committee was remanded to address Ms. Springer's objections, and will continue to present these new ideas which, absent organized opposition, will be adopted by the BOS.