

**November 1, 2018**

**Regarding the El Rojo Grande Ranch rezoning hearing to be held on  
Thursday December 20<sup>th</sup>, 2018 :**

This document are questions by **John Black JB** ( a neighbor to El Rojo Grande ) and answers written by **Tammy deWitt TD** from Yavapai County. Please read through these points for better understanding the process.

### **Regarding how to submit a report to the P&Z Commission**

JB: I am currently writing a land use report, and a hydrology report, that each include full-color illustrations. I would like to ensure that each member of the P&Z Commission, and each member of the Board of Supervisors, has their own copy - **which includes all of those color illustrations**. How many copies of each report should I submit, to make sure this happens? I know that there are 5 Supervisors, but I don't know how many people are on the P&Z Commission? Also, how many additional copies will be needed for **archival** purposes?

TD: If you want to submit information for the Commission members, please provide 11 copies (1 for staff and 10 for the Commission members). The one for Staff is scanned and included in the information moving forward to the Board members. Please make sure to include your background information for the Commission and Board to see why you are providing this information and what credentials you have to be doing this type of report.

TD: We send notices out to the property owners within 1000' of the property boundary letting them know the application is scheduled for hearing and how they can send comments in. The property is posted for Hearing and other postings will be put up to let the residents know the Hearing date.

**Q6a:How much time** will be allotted for each person who wishes to speak It is my understanding that the residents in the local area will receive invitations (from the Yavapai County Planning Department) to submit their comments regarding the proposed rezoning of El Rojo Grande Ranch.

**Q1a:** Is this correct?

**Q1b:** The residents along the **southern boundary** of the El Rojo Grande Ranch, have not yet received invitations from the Planning Department to submit their emails and letters. When will these invitations be mailed out?

**Q1c:** Have the residents in **Sunset Hills** also been sent invitation letters? If not, when will those letters be sent out?

Each person is allowed 3 minutes

**Q6b:** Will people addressing the P&Z Commission be allowed to use **PowerPoint Slides** during their allotted time? *If it is provided to Staff ahead of time, but one only has 3 minutes.*

**Q6c:** Will people addressing the P&Z Commission be allowed to provide a document that includes **illustrations**, for use during their allotted time? *Yes, we will need 10 copies for the Commission and 2 copies for Staff.*

**Q6d:** In addition to my time to speak about my own personal concerns (as a **resident** who lives adjacent to the Ranch) will I also be allowed time to speak as the **President** of the **EL Rojo Vistas Estates Homeowner's Association**, which collectively accounts for over **one third** of the developed boundary around the perimeter of the Ranch?

*No, each person is only allowed 3 minutes no matter how many groups they are representing.*

**It is my understanding that the P&Z Commission does not (and is not allowed to) consider water issues, effluent treatment / disposal issues, or traffic issues when formulating their Recommendation to the Board of Supervisors.**

**Q2a:** Is this correct? *Per State and Case Law, Counties are not allowed to consider water when making Land Use decisions. Effluent is handled through ADEQ and traffic is handled by Public Works and ADOT.*

**Q2b: Exactly what criteria** does the P&Z Commission consider, in formulating their recommendation to the Board of Supervisors? Is there a **document** that **lists** these criteria? If so, could you please forward that document to me? *The Commission is charged with looking and Land Use and if it is an appropriate Land Use for the property.*

**Q2c:** Are the members of the P&Z Commission required to **read** all letters, emails, and reports submitted by residents regarding the proposed rezoning, **prior** to formulating their Recommendation to the Board of Supervisors? *Packets are provided to the Commission with all background*

information and letters a week before the meeting. I cannot tell you if they read everything or not.

**Q2d:** If the members of the P&Z Commission are not required to read all of the letters, emails and reports, how is the content of those documents used in formulating the P&Z Recommendation to the Board of Supervisors? (For example, does the Planning Department provide **statistics** indicating how many letters were received in **support** of rezoning, versus how many were received that were **opposed** to the rezoning?)

Does the Planning Department **enumerate** and **tabulate** statistics about the specific **concerns** that were cited in the emails or letters for objecting to the rezoning?) [Staff lets them know how many letters of support and opposition that was received, map out the opposition, and summarize the concerns.](#)

**Q2e:** Do the **specific concerns** raised in the emails and letters play any role in how they are **handled**? For example, if the P&Z Commission is not allowed to take into account water, effluent treatment, and traffic concerns, does this mean that emails and letters objecting to rezoning based solely on those issues will be discarded, or ignored - or separately categorized? In other words, are those emails or letters treated any **differently** from others. [The Commission considers all information provided and takes it all into consideration.](#)

ELS has asked that the zoning for El Rojo Grande Ranch be changed from Residential single-family zoning to Planned Area Development (**PAD**) zoning, based on a **Conceptual Site Plan** that they have submitted to the Yavapai County Planning department.

**Q5a:** If ELS is granted PAD zoning, would they be allowed to make **changes** to that Conceptual Site Plan **after** they have been granted PAD rezoning? [Section 440 \(PAD District\). G \(Amendments\) provides criteria to allow for Minor and Major Amendments. Minor PAD amendments are done administratively and does not require any public comment. A Major PAD Amendment will require a Hearing through the Public Hearing process.](#)

**Q5b:** If ELS is allowed to make changes to their Conceptual Site Plan after being granted PAD zoning, what are the types of changes that PAD zoning would specifically **prohibit** ELS from making? [Yes per the PAD Ordinance.](#)

**Q5c:** If ELS chooses to make changes to their Conceptual Site Plan after being granted PAD zoning, would ELS be required to obtain **approval** for each of those changes? [Yes](#)

**Q5d:** Does the procedure for granting approval require **public disclosure** of all of those changes? If so, in what **manner** would that public disclosure be achieved? [Only if it is a Major PAD Amendment.](#)

**Q5e:** Does the procedure for granting approval of changes require **solicitation of inputs** from adjoining or nearby property owners who might be **adversely** affected by those changes? [Only if it is a Major PAD Amendment.](#)

**Q5f:** Does the procedure for granting approval of changes require a **public hearing**, as is done with requests for zoning changes? [Only if it is a Major PAD Amendment.](#)

**Q5g:** Does the procedure for granting approval of changes require a **Recommendation** from the P&Z Commission to the Board of Supervisors? [Only if it is a Major PAD Amendment.](#)

**Q5h: Who** would ultimately **grant approval** of changes proposed by ELS? Would changes need to be approved by the **Board of Supervisors**? Could changes be approved by an **unelected official**? [Minor PAD Amendments are done administratively by Staff and Major PAD Amendments are done through the Public Hearing process.](#)

My understanding of the P&Z Hearing on December 20 is as follows: The letters and emails (and any other written communications) from the public will be "bundled" on Dec 11, and then a copy of that bundle will be delivered to each of the members of the P&Z Commission, to allow them to review that entire bundle of documents **prior** to their Dec 20th hearing. [Correct](#)

**During** their Dec 20th hearing, each member of the P&Z Commission will receive an **additional bundle** of letters, emails, or other written documents, that were received from the public **after** Dec 11, but **before** the hearing on Dec 20th). [Correct](#)

The hearing on December 20th is **the final step** in the public data gathering process. **The Commission may either defer the application or make a recommendation at this meeting. Any letters submitted after the Commission meeting will be included in the information provided to the Board of Supervisors.**

The actual decision (whether to *recommend* or to *not recommend* granting of the ELS rezoning request) will **NOT** be made at the hearing. [See above](#)

**After** the hearing, the members of the P&Z Commission will collectively formulate the actual wording of their Recommendation to the Board, which will be delivered to the Board of Supervisors **prior** to the January Board of Supervisors meeting. [Staff has recommended stipulations they are voting on and they are voting on the application in front of them.](#)

**Q3a:** Is my understanding of this process correct? (If not, which of the five statements above is incorrect, and why?)

**Q3b:** On what **date** will the entire **text** of the P&Z Commission's Recommendation be made public? [The results are done soon after the meeting and the minutes are approved by the Commission at their next meeting in Prescott to be included in the packet for the Board members.](#)

**Q3c:** **In what manner** will that Recommendation be made public? [Anyone can ask for a copy since it is public information.](#)

**Q3d:** **How many days** prior to the Board of Supervisors meeting will the Recommendation be made public? [At the Commission meeting.](#)