

Work Session

May 13, 2015

The Pinal County Board of Supervisors convened at 9:34 A.M. this date. Chairwoman Chase called the meeting to order.

A video recording of this meeting and presentations can be viewed at www.pinalcountyaz.gov

Present: Chairwoman Cheryl Chase; Vice-Chairman Pete Rios; Supervisor Stephen Q. Miller; Supervisor Anthony Smith; Deputy County Attorney, Mark Langlitz; County Manager, Greg Stanley; Clerk of the Board, Sheri Cluff and Assistant to the Clerk of the Board, Diane Gardner.

Supervisor Todd House was not in attendance.

Work session to discuss the Pinal County Environmental Health Services Regulatory Authority of Manufactured Home Communities and RV Parks.

Christopher Reimus, Public Health Department, and Ashlee McDonald, Community Development appeared before the Board and provided a two part presentation regarding recommendations with respect to Manufactured Homes and RV Parks. Quite a few discussions have been had over the last year and a half both between Environmental Health Services and Community Development. Also public meetings have been held with respect to visitors in RV Parks and properties. Throughout the discussions the two issues came together from both departments and they realized they have some shared jurisdiction over the issues. Mr. Reimus discussed the first part regarding the environmental health services rules with respect to RV parks and the second part was presented by Ashlee McDonald regarding the zoning regulations.

Supervisor Smith clarified that any homeowner can park their RV on their property if they do not use it for temporary housing.

Mr. Reimus/Ashlee McDonald's presentation can be found on the Board of Supervisors website.

Supervisor Smith offered the following alternative language regarding the set-backs:

Recreational vehicles used as short term guest housing shall not impede access by public or emergency services or create dangerous conditions either on the site where they are located or on immediately adjacent property. Recreational vehicles must be operational and parked in a manner that does not block sidewalks, driveways, entryways to other property and allows immediate removal if necessary in the event of an emergency.

Supervisor Rios felt the language was vague and therefore, there would be a lot of judgment calls made by enforcement officers.

Judy Portock appeared before the Board and with a presentation opposing changes to the current ordinance. Currently the use of RVs as temporary housing is not permitted and she feels it should stay that way.

Ms. Portock's presentation can be viewed on the Board of Supervisors website.

Chairwoman Chase read part of an e-mail she received from Linda Beers from Hidden Valley. Linda states: "The current ordinance doesn't allow guests or relatives who want to visit for one to two weeks. This ordinance needs to change so when we have someone who wants to visit and is traveling in an RV or a trailer they can stay without a complaint being submitted."

There wasn't anyone else from the public who wished to speak.

Wes LaCrosse appeared before the Board to answer questions regarding Code Compliance.

Supervisor Smith asked Mr. LaCrosse is it is possible to change the Code Compliance process. Is the process county or state regulated? Mr. LaCrosse advised that the legal department is looking into the process to see if we can get back to the citation as a second means of enforcement.

Greg Stanley, County Manager, stated that staff will look at the proposed language and when it comes back through this process, they will present pros and cons of this language and other options.

Supervisor Smith asked where we were going with this. Are we taking the comments and running them back through Planning and Zoning Commission?

Ms. McDonald explained that moving forward, we would start with the Planning and Zoning Commission and then ultimately once they make their recommendation, this item will come before the Board.

Supervisor Miller verified that this process will require a public hearing component as we go forward.

Work Session to discuss three potential staff initiated Comprehensive Plan Text Amendments.

A. PZ-PA-001-15 A text amendment to Chapter 8: Healthy Happy Residents; to add a subsection titled *Healthy Places*;

B. PZ-PA-002-15 A text amendment to Chapter 3: Sense of Community; to add *Green Energy Production* as a new land use designation under "Additional Land Use" designations and allow requests to this designation as non-major amendments up to 320 acres; and

C. PZ-PA-003-15 a text amendment to Chapter 3: Sense of Community; to add language regarding medical marijuana dispensaries and medical marijuana off-site cultivation locations considering them Commercial and Employment land use types, respectively under "Commerce Related Definitions (Commercial and Employment)"

Ashlee McDonald appeared before the Board regarding Major Comprehensive Plan Amendments and reminded the Board that major comp plan amendments happen once per year and we are getting ready to kick off the 2015 amendments. These three proposals are staff initiated amendments.

Ms. McDonald presented on PZ-PA-001-15 Healthy Places. This is a countywide text amendment requesting a subsection be added to Chapter 8, Healthy Happy Residents. This request is submitted by staff. There are growing trends in the market which support local and healthy food sources such as Farmer's Markets, Community Gardens and Urban Agriculture. The section will address the availability of healthy food and will include a series of goals, objectives and policies to further this mission. The impacts on policy direction would further reiterate and pass on our agricultural heritage to future residents.

Steve Abraham, Planning and Development, appeared before the Board to present on PZ-PA-002-15 a request by staff to add a new land use designation titled Green Energy Production. This will create a very specific designation for photovoltaic power generation only and also allow those requests to be processed as minor amendments rather than major amendments up to 320 acres.

Mr. Abraham the presented PZ-PA-003-15 and advised this item was also County generated. He advised this is a discussion he would like to have with the Board as to where to locate medical marijuana outdoor cultivation facilities.

Mr. Court Rich appeared before the Board with comments regarding this item. Medical marijuana under State Law is not considered agricultural but he felt that the county code does not distinguish between certain types of agriculture and others. It is exactly the same if you are growing a crop. He felt that our code as it is today allows it and there isn't a need for a comp plan amendment.

Mark Langlitz, Deputy County Attorney, wanted to make the point that Mr. Rich can give his opinion of what the law may be but is not entitled to give the Board legal advice.

Mr. Rich stated that he was giving his opinion. He did not feel that from a planning perspective it makes sense to encourage people to re-designate areas that are in a current agricultural area to an industrial area.

Supervisor Smith made a comment that he was disappointed to hear that the Planning Department is staying with their requirement of a comp plan change when he believed that the direction given by the Board of Supervisors in a session was pretty explicit as far as moving forward with definitions that the comp plan currently addresses that and a comp plan was not needed yet he still hears that Planning Department is requiring a comp plan change. He asked for an explanation whether in the meeting or privately to understand why.

Mark Langlitz recommended that this subject would best be handled in an Executive Session.

Motion was made by Supervisor Smith and seconded by Supervisor Miller to convene into Executive Session. Motion carried by unanimous vote.

11:26 A.M. - Executive Session for the purpose of obtaining legal advice from the County Attorney pursuant to A.R.S. 38-431.03(A)(3).

Present: Chairwoman Cheryl Chase; Vice-Chairman Pete Rios; Supervisor Stephen Q. Miller; Supervisor Anthony Smith; Deputy County Attorney, Mark Langlitz; County Manager, Greg Stanley; and Clerk of the Board, Sheri Cluff.

12:10 P.M. – Chairwoman Chase adjourned the Executive Session and reconvened the regular session.

Work Session to present, discuss and review the draft of the San Manuel Airport Master Plan with anticipated adoption at a future Board meeting.

Jim Petty, Public Works, appeared before the Board and introduced Mr. Nick Pela, Pela and Associates and Mr. Ryan Toner from Dibble Engineering. Mr. Pela made his presentation to the Board regarding the San Manuel Airport Master Plan.

Mr. Pela's presentation can be viewed on the Board of Supervisors website.

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The meeting stood adjourned at 12:48 P.M. The next regular meeting of the Pinal County Board of Supervisors will be on Wednesday, May 27, 2015 at 9:30 A.M.

PINAL COUNTY BOARD OF SUPERVISORS

Diane Gardner, Assistant to the Clerk of the Board