

THE MINUTES OF THE JOINT WORK SESSION OF THE MAYOR AND CITY COUNCIL AND THE PLANNING & ZONING COMMISSION OF THE CITY OF WILLCOX COCHISE COUNTY, AZ

HELD ON THIS 16TH DAY OF AUGUST 2010

CALL TO ORDER-Mayor Gerald W. Lindsey called the joint work session to order with the Planning & Zoning Commission on Monday, August 16, 2010 at 6:00 p.m. The Mayor stated it is good to have those visiting and the members of the Planning & Zoning Commission and sit down and talk about these things occasionally. Helps to understand where each is coming from.

ROLL CALL City Clerk Cristina G. Whelan, CMC, called the roll:

PRESENT

Mayor Gerald W. Lindsey
Vice Mayor Monika Cronberg
Councilman Elwood A. Johnson
Councilman Stephen Klump
Councilman William Holloway
Councilman Robert Irvin

STAFF

City Manager Pat McCourt
City Attorney Hector M. Figueroa
City Clerk Cristina G. Whelan, CMC
Library Director Tom Miner
Finance Director Ruth Graham
Public Services & Works Director Dave Bonner

ABSENT

Councilman Christopher Donahue

PLANNING & ZONING COMMISSIONERS

PRESENT

Chairman Jim Fusco
Commissioner Doyle Miller
Commissioner Don Ulises

STAFF

Zoning Administrator Jeff Stoddard

ABSENT

Vice Chairman Earl Goolsby
Commissioner Nancy Guerrero

PLEDGE OF ALLEGIANCE TO THE FLAG-Mayor Lindsey.

DECLARATION ON CONFLICT OF INTEREST-There was no response from the members of the City Council and Planning & Zoning Commission.

ADOPTION OF THE AGENDA

MOTION: Vice Mayor Cronberg moved to adopt the agenda as presented.

SECONDED: Councilman Holloway seconded the motion. **CARRIED.**

DISCUSSION REGARDING THE INFILL INCENTIVE PROGRAM

City Manager Pat McCourt addressed the Mayor and Council and the Chairman of the Planning & Zoning Commission and Commissioners. The Infill Incentive Program is a concept to encourage development within those parts of the City where existing infrastructure already exists. The concept is that it will increase the assessed value and the cost for services will be very minimal. Incentives that are being suggested cover reduction of certain fees and waiver of some building fees. The Project as envisioned would allow both the use of vacant property and the removal or demolition of derelict buildings and the replacement of those buildings.

Mr. Jeff Stoddard, Zoning Administrator, explained the area talking about is the north part of the City limits. Talked to Tucson, Sierra Vista and others why they have put this into their Zoning because it is not just infill without urban sprawl. Also they said it brings more pride to that community. When they see a new house they start to clean up their area. Older house no one living in helps the contractor come in and waive demolition fee and get 50% less in labor costs for connections and sewer connections

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fees. The average Sewer Connection Fee through a contractor is about \$480.00. For each connection fee for water/gas meter it is \$800 each or \$400 waiver fee on each of those or \$1,200 savings to contractor. We do not have impact fees like bigger cities have. On a \$3,000 permit it would cut \$480 from the permit fees. Criteria is so long as in area on the map they must be properly zoned, there will be no re-zoning; and zoned ready which means the gas, water and sewer must be at the property line. City Manager McCourt stated not all those areas in the proposed Infill District are served by water, gas and sewer. Mr. Stoddard replied that is correct and proposes they have gas, water and sewer. Those areas that do not have these services are on the right side and only a portion of the total City as shown on the left side of the map. To meet criteria they must have all three (3) utilities. Councilman Johnson asked if already have gas, water, and sewer had to pay again and Mr. Stoddard replied they have to pay for the installation of the meters or \$800 a piece. Public Services & Works Director Dave Bonner added if meters are already there then there is no charge. Mr. Stoddard explained if the house is gone the meters would be removed. Mayor Lindsey asked to clarify the water and gas meter have to be paid for regardless. Mr. Stoddard explained if meters are still there they do not have to pay. Most lots that are empty the meters have been removed. If removed they have to pay for them or if never there they would have to be paid for. Councilman Johnson asked if demolish house then put meters. Mr. Bonner stated if remove existing house and if meters already exist do not have to pay additional meter fees. Many of these lots have always been vacant.

Mayor Lindsey asked if applying for infill and demolition applied for and knows planning to build house within 36 months then leave meter and both Mr. Stoddard and Mr. Bonner replied in the affirmative. Mr. Stoddard said on those types of permits would be sewer connection fees. Commissioner Ulses asked if gas meter has been removed and Mr. Stoddard said then put back after demolition and no charge. Councilman Johnson asked how many vacant lots are in that area and Mr. Stoddard replied he does not have exact number. City Manager McCourt said the City owns 3-of those lots and Chairman Fusco said 35 would be a number and Mayor Lindsey thinks it is 30-45 lots. Mr. Bonner stated there are 20 plus in Ironwood alone. Chairman Fusco on P&Z standpoint they are working on Title 17 and would like to see all that codified and in place before move forward. This is great idea. Already through definitions and not sure how many more work sessions are needed. They will have clear definitions on each zone what is allowed and what is not. Years ago Manufactured Home Industry pushed zoning and it was great for them but not for the community. We want to fill those lots and get a tax benefit but not fill with anything and everything. City Manager McCourt said this could be used regardless of zone that is there. Mr. Stoddard explained we have to follow ARS which gives you 6-things you can use and so long as use something similar i.e. we used criteria must fall within infill, project must be properly zoned and development ready.

Councilman Johnson agrees that an Infill District is something we need to motivate the builders and thought at first talked about waiving all fees. Mr. Stoddard said that is correct and after meeting with John Bowen, Utilities Supervisor, Mr. Bonner and City Manager McCourt it was agreed to waive fees on labor costs but not product costs for meters. Councilman Johnson wants to know the incentive on how to encourage builders to build in these lots and asked on average what builders could save. If Title 17 were finished we could promote this to say "build on this lot save \$2800.00" and Mr. Stoddard replied \$1200-\$1300.00. That is labor costs and sewer connection fee. Councilman Klump asked what the average permit fee is and is it still based on square footage. Mr. Stoddard explained it is based either on square footage or valuation which ever is higher and average is about \$3500-\$4000.00. Sewer Connection Fee \$400 is a big chunk and biggest is the plan review or 60%. Commissioner Ulses asked what contractors do you plan to sell this to and Mr. Stoddard replied whoever wants to go through process and has license for commercial or residential. Councilman Klump asked if the homeowners could do it and use this process and Mr. Stoddard replied "Yes, sir." City Attorney Figueroa asked Mr. Stoddard how big is that district and Mr. Stoddard stated he did not measure the exact square footage. Mr. Figueroa asked what a percentage is 10-20-30%. Mr. Stoddard said closer to 75%. City Attorney Figueroa explained that under Statute we have to meet certain criteria and if we have large number of vacant, older or dilapidated, absence of development and asked if in this district and Mr. Stoddard replied "No." Mr. Figueroa there would be an absence and another is their high occurrence of crime over in Ironwood and Mr. Stoddard replied "no." Mr. Figueroa asked does it continue to decline in population and again Mr. Stoddard replied "No." Mr. Figueroa said when developing Infill District as he understands it you have to identify area and have to meet the 3-criteria. The second starting point is elements zoning or rezoning and P&Z is not looking at rezoning and not part of the plan unless Mayor and Council want it to be. Another element is expediting zoning at the time of proposal. Third is a waiver and thinks Mr. Stoddard has a plan on waiver and then relief from development standards and what does that mean he does not know. Do we have this plan, he asked

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Mr. Stoddard, for providing a relief from those standards. Mr. Stoddard said "you don't have to do that because it says it may include." Mr. Figueroa replied he understands that and when using plan appropriate for waivers and if wanted to have more waivers to encourage developers you can do it. If wanted to reduce the cost of permit could reduce it. Biggest in ARS Subsection C on those areas delineated on official map of City described as Infill Incentive District you could have it in one certain area if qualifies and then in between can not have island annexation but you could have another infill and another a half mile away. And you have to meet those criteria. The 75% of the City he is not sure and it may not be appropriate size of district. He thinks this is really good idea and developed this in South Tucson with the Pasqual Indians and have to think it through. They had help from Tribe and Lottery. If put Mayor's house in the Infill District and his neighbor doesn't like it in that area "you will get a lot of flack."

Mr. Figueroa agrees with Chairman Fusco that Title 17 is very important to allow that and will fall into this concept. City Manager McCourt asked if this is in Title 17 and Mr. Stoddard replied in the affirmative. Mayor Lindsey in case of South Tucson there are some similarities which are more densely developed than we are in Willcox and it is a small area as far as size of Willcox City and asked if they developed districts within the City that they used for infill. City Attorney Figueroa explained that the City of South Tucson is one (1) sq. mile and boundaries west and east side is City of Tucson. The City of Tucson gave them a quarter mile near I-10 which was Pasqual and accepted about 20 houses. They did not have that many vacant lots in South Tucson and any vacant land usually belongs to the City and one district. Mayor Lindsey said some issues may not apply to South Tucson or to Willcox. City Attorney said there is crime, domestic violence and houses were falling down, there was loss of population, and there was definite absence of new development. Mayor Lindsey said the point is on the one square mile area it is hard to say that is area underdeveloped. Mr. Figueroa explained they did and Primavera Development went through HUD and City and received money for Rehab program and some grant fund and the rest was the owner had to pay back in time. It was not an Infill District it was Re-Hab. And they had Neighborhood Preservation and Chapter 7 which is similar to our Title.

Commissioner Ulses stated he is hearing we need to do survey of vacant lots and vacant structures and how many fall into category we are talking about. Chairman Fusco said R-3-A district has overlay transition type zone. If narrow to one zone R-3-A zone this would be excellent zone. We have been moving into that direction for many years. There are vacant lots there, there are substandard homes and homes that need to be tore down, and a lot of co-mingling of manufactured homes of older substandard in the zone. It would be nice to do whole City and not sure how to make it work. City Attorney Figueroa suggested we could adopt 75% and if go and apply for funds like South Tucson did they applied for HUD funds for a phase for demolition and the other was for rehab. They used contractors and paid them on bid process to demolish completely and then as some other fund came in then used to build and develop. Infrastructure South Tucson was involved with because they do not run their own utilities. Councilman Klump thinks said 70% and if look at map more like 30% or less. Mr. Stoddard said reason brought it is to help the City and this is something if we want to add to Title 17 Infill Overlay on certain areas. Then bring back areas that meet more of the qualifications and he has used 1-2-4 criteria qualification and wants direction if want to do this or smaller areas, and could include with Title 17 and bring back. Vice Mayor Cronberg said part of the value she sees is we do have mixed bag of what might attract developers to look at various areas for infill. There may be some would want to demolish and start over or rehab something that already exists or start fresh with new. Advantage would be identifying a slightly larger area because we will attract several types of builders. Mr. Stoddard wants to see builders, contractors and we are not seeing lots of Manufactured Homes because have to be licensed by contractor and licensed by the State the Fire Safety Division and meet their qualifications. Due to flood zone have to be set at 3-feet. Infill is in all areas for Commercial and Residential and for Rex Allen Drive because we have a lot of empty land everywhere. Mr. Figueroa encourages the Mayor and Council that this Infill be part of Zoning Title 17. There is going to have to be more housing availability and there will be funds from HUD somewhere down the road. We will have to rationalize it and justify it before applying for grant. They will look at stature, plan and criteria and agrees with the Vice Mayor the bigger the area the more diversity you will have and need to make sure the area meets the criteria. Vice Mayor Cronberg stated that would be the value to make sure it is incorporated in Title 17 as a part of that entire section. One of things with the diversity of use of the land asked if we have a broad spectrum of the zoning Commercial and Residential. Mr. Stoddard, said covers all Residential Zones. Vice Mayor Cronberg asked if allows for potential multi family dwelling, apartment housing, not just low income for people that make just that much that is too much and can not qualify to rent because they make too much. Mr. Stoddard replied in the affirmative and up to the Utilities Department on amount of the waivers for Commercial. Mayor Lindsey said in looking at the map in the wall and has not examined it to see what it

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encompasses he is guessing that probably has the majority of the land where all 3-utilities are available and also will probably have 75-80% of the homes and lots that we would want to target for infill. Although he is not sure if it could be enlarged very much more and still meet the criteria. Mr. Stoddard explained that area outside these areas they do not meet the criteria or qualifications. Vice Mayor Cronberg stated they need to follow up with actual survey to work with real numbers. Mr. Stoddard has numbers from SSVEC on the vacant lots and the vacant houses survey.

Vice Mayor Cronberg thinks it is a good idea and time to start is now so that can be wrapped up in conjunction with Title 17. Mayor Lindsey said there are certainly some advantages in working this program if it will truly be deciding factor if builder will build on one of these lots. The incentives are not really great but there is that incentive. Have to look at the builders whether it is enough to attract them to this area. Mr. Stoddard said that is a problem and larger cities have done the Impact Fee and Marana is \$3,300 and it is good initial. He can talk with P&Z and talk about Title 17, the Plan Review and other areas to cut on the permits. City Manager McCourt strongly discouraged Mr. Stoddard in reducing income to General Fund. Impact Fee there is procedure and need to follows and it is fairly long and relatively expensive process to put Impact Fees in place. It is worth it if you have large growth which our community has not seen that type of growth and questionable how much sense for us to do it. Most incentive is from Utility Fund and not the General Fund.

Mayor Lindsey asked any other comments from P&Z and Council. He appreciates P&Z Commissioners being here tonight and looks forward to working with them in the future.

ADJOURN

There being no further business before the Mayor and Council, Mayor Lindsey adjourned the meeting at 6:44 p.m.

CERTIFICATION

I hereby certify that the foregoing minutes are a true and correct copy of the minutes of the work session meeting of the City Council of the City of Willcox held on the 16th day of August 2011. I further certify that the meeting was duly called and held, and that a quorum was present.

Dated this 2nd day of January 2011

/s/ Cristina G. Whelan, CMC
City Clerk Cristina G. Whelan, CMC

PASSED, APPROVED AND ADOPTED this 7th day of FEBRUARY 2011.

/S/ GERALD W. LINDSEY
MAYOR GERALD W. LINDSEY
Signed: 02-08-2011,

ATTEST:

/s/ Cristina G. Whelan, CMC
City Clerk Cristina G. Whelan, CMC