



**CITY OF COTTONWOOD
PLANNING & ZONING COMMISSION
RIVERFRONT COUNCIL CHAMBERS**

1086 Riverfront Dr.
Cottonwood, Arizona 86326

**SUMMARY MINUTES & ACTION REPORT
REGULAR MEETING**

Wednesday, June 17, 2024
6:00 p.m.

I. CALL TO ORDER

Chairwoman Masten called the meeting to order 6:01 p.m.

1. Roll Call

Commission Members Present

Commissioner Gehlert
Commissioner Rothrock
Vice Chairman Garrison
Chairwoman Masten

Commission Members Absent

Commissioner DuVernay
Commissioner Glascott

Staff Members Present

Scott Ellis, Community Development Director
Gary Davis, Community Development Senior Planner
Tami Mayes, City Clerk
Darlene Foster, Administrative Assistant for Comm. Development
Mike Goodman, City Attorney

2. Approval of Minutes: May 20, 2024, Regular Meeting.

Chairwoman Masten asked if there were any corrections or additions to the May minutes. There were none.

Motion: Move to approve the minutes from the May 20th, 2024 meeting.

Made by: Chairwoman Masten

Second: Vice Chairman Gehlert

Unanimously carried

II. INFORMATIONAL REPORTS AND UPDATES:

Director Ellis stated I know everybody is used to doing rollcall vote. We no longer need to do that, so we will not be doing roll call vote on every action item that the Commission takes. It will just be all those in favor and all those against to save a little time. Also, I do want to introduce Darlene Foster, our new Community Development Administrative Assistant. Charlotte Page retired and went on to greener pastures. She is out there enjoying what she can. Darlene started today.

Ms. Foster stated good evening, everyone. Nice to be here and nice to meet you.

Chairwoman Masten stated welcome, Darlene. We're glad to have you.

Director Ellis said the only other item I have is that on June 4th the City Council adopted the General Plan update and set the General Plan to be on the November 5, 2024 ballot.

III. OLD BUSINESS: NONE

IV. NEW BUSINESS:

1. ZONING ORDINANCE AMENDMENT REGARDING ACCESSORY DWELLING UNITS AND RESIDENTIAL DEVELOPMENT STANDARDS

Consideration of amendments to the Cottonwood Zoning Ordinance Sections 201 Definitions, 404 General Provisions, 406 Parking Requirements, 410 GA Zone (General Agricultural), 411 AR-43 Zone (Agricultural Residential), 412 AR-20 Zone (Agricultural Residential), 413 R-1 Zone (Single Family Residential), 414 R-2 Zone (Single Family/Multiple Family Residential), 415 R-3 Zone (Multiple Family Residential), 416 R-4 Zone (Single Family/Multiple Family/Manufactured Home), 418 C-1 Zone (Light Commercial), 425 AR-70 Zone (Agricultural Residential), 427 Old Town Special Planning Area, and 428 AR-87 Zone (Agricultural Residential); allowing accessory dwelling units in all residential zones that permit single-family dwellings, and amending requirements for building setbacks, building heights, accessory buildings, minimum dwelling size, lot coverage, installation of manufactured homes, and parking.

Senior Planner Davis gave a presentation on the proposed amendment to the Zoning Ordinance regarding the allowance of accessory dwelling units on residential lots in place of a guesthouse, which is currently allowed in the Zoning Ordinance but contains a lot of restrictions. This would also include other changes to reduce some standards in the Development Standards that may be unnecessary, maybe extra barriers to providing more units on a property or

providing more flexibility to build the kind of units people want to build. We have also found several typographic, clarity issues that we've taken care of.

The General Plan supports housing availability, improving the economic viability of potential housing units, and helping the City keep pace with supply, especially multifamily and smaller single-family units, which are in short supply. The options include flexibility in development standards, reducing development fees, and some other things.

The General Plan, which was adopted by the City Council but not yet ratified by the voters, supports accessory dwelling units; specifically, consider adding flexibility in development regulations and allow additional housing units providing they are consistent with the neighborhood's established care.

We had a discussion item on this on the May 20th agenda of the Planning and Zoning Commission. On May 21st, the Governor signed legislation that changed around some of the things that we had proposed to you; hence, some things changed in the draft since you saw it last. House Bill 2720 states that cities over 75,000 population must permit ADUs. That doesn't affect us, obviously. We have the choice of whether to allow ADUs or not, but the legislation goes on to say that any city, not just those over 75,000 population, cannot do the following:

- Prohibit people from renting out ADUs for people who are not relatives of the people in the main dwelling;
- Require additional parking;
- Require ADUs to match the exterior design of the principal house;
- Require more restrictive heights, setbacks, or lot size for an ADU than required of the principal house;
- Require side or rear setbacks any greater than five feet;
- Require offsite improvements to permit ADUs; or
- Attach a requirement that they adopt a restrictive covenant.

It does permit, for cities that allow ADUs, to say if you are using the ADU for a short-term rental, you can require the owner to live on site. An absentee owner cannot rent out a main building and an ADU on the site. That is one stipulation we can and have put in the draft. With our new ADU draft, we start out with a definition of a new housing type, and we do have an option for an attached and a detached ADU. This is something the City of Phoenix did and it is a good idea because somebody can come in and say I can put an ADU over here and it can be

ten feet from the house but I can't put one that is attached to the house. I don't have room for a detached unit and still make the setbacks. We do allow for that and the City of Phoenix allowed for that.

The ADU is a permitted use in the AR (agricultural/residential) zones and in the R (residential) zone with a principal dwelling. The maximum size of the ADU is 75 percent of the principal dwelling. That is capped at 1200 square feet. It allows for five-foot side and rear setbacks as stipulated in State statute. The maximum height would be the same as the main dwelling. Again, that is a restriction that the State just placed on this. We were going to take it to 12 feet. State law says you can't make it more restrictive than the main dwelling on the lot. If the ADU is used as a short-term rental, the owner must live on the same lot. We don't have the restrictive covenant, but we do have this on-site ownership requirement in the draft.

Some of the other things we have allowed in this draft include:

- Covered porches or patios to extend ten feet into the required front-yard setback rather than six feet;
- Increase the height of accessory buildings that encroach on side and rear setbacks from eight feet to ten feet;
- Clarifying the wording of the subsection that allows the Community Development Director to reduce the required number of parking spaces where it is justified;
- Delete a maximum lot coverage limit in the R-1, R-2, R-3, R-4 zones.

For some reason, in our R-2, R-3, and R-4 multifamily zones, there is a table in our Code that says if you have a studio apartment, it must be at least X number square feet. If you have a one-bedroom apartment, it must be X number square feet. We have a Building Code that says how big rooms need to be to meet Code. For safety reasons, we think this is probably sufficient. Again, it is another restriction that we don't see a need for. In R-2, a front-yard setback is 20 feet right now. We would propose reducing it to 10 feet. The rear-yard setback would be reduced from 20 feet to 5 feet. Again, more flexibility for placing buildings on a lot. A lot of the R-2 properties in town are in Old Town where the lots are much smaller than is anticipated by the R-2 zone. In R-3 and R-4, rear-yard setback would be reduced from 15 feet to 5 feet. Somebody at the last meeting asked about the provision for measuring the distance from half of the alley. When you go to five feet, that's not needed anymore.

Multifamily building heights was discussed a little bit during our last meeting. This is the one thing that makes it a little more restrictive, and that's when you have a multifamily-zoned parcel right next to a single-family zone. We're proposing to reduce the side-yard and rear-yard setbacks, but we don't want that to mean somebody's big, tall multifamily building is going to be looming over the property line. We are proposing a buffered setback. If the building is up to the setback, it can be no higher than 15 feet. The number was 16 feet last time. We asked about that and said 15 feet will absolutely prevent it from being a two-story building. The height can be twice the distance to the lot line shared with R-1. If you want a 35-foot tall building, then you have to be 70 feet from the lot line. It tapers up as you go away from the single-family residence. We think that will help reduce impacts on existing single-family residential neighborhoods.

Chairwoman Masten said, Commissioners, feel free to ask questions of the City staff.

Commissioner Rothrock said I live in Old Town and there is a lot of on-street parking already. With the addition of more ADUs, are people going to be able to get around? On the other hand, maybe it will slow down traffic. I'm a little bit worried, in some of the tighter areas, that it will be difficult to get around.

Senior Planner Davis said State law, as of May 21 or whenever it will take effect, prohibits us from requiring an off-street parking space for an ADU. We did require that in the original that we brought to you in May. Our hands are tied on that one. As you say, on-street parking can be a problem in some areas; in other places, it is a traffic-calming device. We don't have much control over that one.

Commissioner Rothrock asked would there be a way to get the angle-in parking on streets? An issue that we have where I live is that people are avoiding the 15-mile-an-hour curve at the top of Old Town, and dodging up 3rd, 4th, and 5th Streets.

Senior Planner Davis said this is kind of getting away from housing in this instance, but in the future, there might be an Old Town master plan. Certainly, a parking plan is being discussed, and at some point there might be other plans looking at the streets and how they work in Old Town.

Attorney Goodman said this was signed recently and it will go into effect on

September 14, 2024. These requirements, should they apply, have to be in place by January 1st of next year. The League is taking a position that they are still interpreting some of these requirements. Some of the other municipalities are similarly withholding a strong stance on whether things are required or not. However, these things all do comply with the new law when it does come into effect. As some of these interpretations are coming out we'll learn more, but this is very good for now and is perfectly workable. Things like parking requirements, again, it is very difficult to say, but there are differing opinions on how it is being interpreted and how it will ultimately be interpreted. In the plain text of it, we can't, as far as we know, do it. Again, those things may change.

Chairwoman Masten said I appreciate that input. Commissioner Rothrock is relatively newer on the Commission, but the City staff is very responsive in terms of amendments. We see them frequently. As things pop up, there is a possibility to massage. Are there any other questions regarding the proposed text amendment?

Vice Chairman Garrison said reading through the legislation and the League's comments, I don't see anything in here about fire sprinklers. If I remember right, fire sprinklers were also removed from the requirements on an ADU, but I don't see that on what was brought to us.

Senior Planner Davis said fire sprinklers are a Fire and Building Code issue. We haven't mentioned them in the Zoning Ordinance one way or another.

Vice Chairman Garrison asked where will they be?

Senior Planner Davis said my understanding is that the new law prohibits cities from requiring sprinklers in ADUs.

Director Ellis stated that is exactly right. That is the way the Bill reads, that we cannot require fire sprinklers. Right now, our Fire Sprinkler Ordinance is in the Fire and Building Codes. Those are due for an update later this year, to probably take effect January 1st, and there would be specific mention in there that states they are not applicable to the ADUs. We have to word it just right so we can maintain that requirement for everything else that we can. It is not something that we would put in the Zoning Ordinance because those Fire and Building Codes change every couple of years, and it is up to our Fire Chief and Fire Marshall to determine what that looks like.

Chairwoman Masten asked where would it be appropriate and is it legal to require, in lieu of fire sprinklers since those can't be required, other fire suppression systems or even an extinguisher on site in each ADU?

Director Ellis stated that would be stuff that we look at with the Fire and Building Codes. I don't want to get too far into it and give wrong information, but there are mechanisms they have with building types, noncombustible materials, fire-rated walls, and all that stuff. They could look at incorporating those into their Codes when it comes time to update them, if it is possible.

Chairwoman Masten asked is there anyone here from the public this evening who would like to speak regarding this proposed Zoning Ordinance amendment?

There were no questions or comments from the public.

Chairwoman Masten said this is the Commissioners' opportunity for final thoughts on this amendment.

Commissioner Gehlert asked to what degree are we allowed to impose design standards on these ADUs? What does it look like? Does it have overhangs? Does it have gingerbread stuff on the front of it? Is it a cargo container with a roof?

Senior Planner Davis stated that's one of the other things that State law is prohibiting us from doing is requiring it to be like the house. That might be one of those issues that there could be some interpretation on. If something in Old Town, for example, goes through the Historic Preservation Commission and wants to opt into the Old Town Special Planning Area rules, there might be some leeway there for review. Other than that, I don't know that there would be any other

Commissioner Gehlert stated if you had residential design standards applicable to everybody, they might be applicable to the ADUs also. We don't have anything like that.

Senior Planner Davis stated we do not. Single-family residential is exempt from our Design Review.

Vice Chairman Garrison stated my opinion hasn't changed since the last meeting on the necessity of the overreach that this State has taken in this. I actually testified to the Legislature when they were doing their around-the-State trip, and they presented and asked for comments in Sedona. Sedona and Flagstaff are some of the primary reasons this whole thing came about, and it is just like where we're at with short-term rentals. They didn't just open the gate; they abolished the gate. They just have removed any ability for a community to define itself and decide what it wants. You read through all this and you wonder to what extent that this body, the P&Z Commission, is actually necessary when the State continues to take away more and more of our ability to self-govern and to decide how we want our community to look. There are so many requirements in this whole proposal, and I appreciate what Legal Counsel is telling us, and it would be my preference that we wait until the absolute 11th hour to take any form of decision on how we incorporate this into our rules. It is a Pandora's Box the minute we make this modification. We can't go backwards. We can't change it. We can, but it doesn't change anything that happened and you are stuck with that in that moment in time. While I understand exactly why this is being done, and there are some things in here that are going to definitely make your life a lot easier and the public's life a lot easier, it is going to go exactly the opposite direction of the reason this whole thing came about, which was to try to put some Band-Aids on workforce housing and such. What it is really is going to do at the end of the day is open up a new industry in our community where people can take and purchase single-family homes and turn them into duplexes. I think that's what you're going to end up seeing. While there is some good that can come of this, overall, at the end of the day, is it going to be a good thing for our community? I'm not in favor of any of these changes, but I do understand why you're doing it.

Commissioner Gehlert stated I agree.

Commissioner Rothrock stated I like that we're trying to do something that will, hopefully, create more affordable housing, on one hand, but on the other hand it could be a real Pandora's Box. I have to agree with that.

Chairwoman Masten stated I find that I disagree with my fellow Commissioners just a little bit. I understand their concerns. I totally get it. I don't think any of us want to see all of our single-family residential turn into duplexes. It really changes the character of the place. Even though I am Captain Duplex, not everything should be a duplex. Beauty is variety, but I also think that the one

stipulation we have left -- that the owner live on site --we can use that to the City's benefit. While I would have loved to have kept the ability to do deed restrictions to help to limit the use of STRs on these ADUs, I still think that they are a much-needed resource for our community. I also think that, at this point, given the speed of construction we're currently experiencing and the interest rates, which are slowing down larger developments, we have to embrace inroads to smaller developments. Otherwise, there is just not enough housing. I get it. I am looking forward to finessing this. I meant it earlier. The staff is great about being responsive to legal changes and City needs. I do believe that we'll change it if needed when we have a better understanding of the impact of the changes at the State level.

At this point, I feel like everyone has said their piece. We're going to have a vote, and it is going to go one way or the other. The voting is different, as Mr. Director stated during his announcements, so please bear with me as I get used to it.

Motion: Move to recommend approval to the City Council of the proposed amendments to Sections 201, 404, 406, 410, 411, 412, 415, 416, 418, 426, 427, and 428.

***Made by: Chairwoman Masten
Second: Commissioner Rothrock***

The motion carried by a vote of three to one, with a dissenting vote from Vice Chairman Garrison.

2. ZONING ORDINANCE AMENDMENT ON AFFORDABLE HOUSING

Consideration of an amendment to the Cottonwood Zoning Ordinance Section 201 Definitions, and the addition of Section 312 Affordable Housing, authorizing incentives for development of affordable housing.

Senior Planner Davis presented on the proposed Zoning Ordinance amendment on affordable housing. This is a related, but different, topic. We separated out the proposal for the allowances for affordable housing. We're putting together some sort of a design incentive guidelines for affordable housing (DIGAH) program allowing for agreements to be made to incentivize affordable housing. What we mean by affordable housing and what would be defined in the Zoning Ordinance is something that is specifically proposed to be offered at a level that is tied to the average median income over the period of time, 30 years or whatever. Somebody wouldn't be able to come in and say this is affordable housing. We would say if it was affordable housing, you would have a

development agreement. The development agreement, right now, wouldn't have the authority to remove certain requirements of the Zoning Ordinance, and that is what would be authorized with these proposals.

The General Plan that has been adopted, but subject to ratification, supports housing affordability and incentivizing development of dwelling units that are affordable to households with low or moderate incomes. Potential affordable housing incentives include modification of development standards and fees for developments in which specified portions of affordable units are guaranteed through a development agreement and insure that the Zoning Ordinance allows for implementation of these incentives, and that's what we're doing here. Incentives would apply to development standards, which are the requirements in the Zoning Ordinance for each particular zone. Development fees could be incentivized and off-site improvement adjustments – in other words, do you have to build a sidewalk, do you have to build half a street, that sort of thing. The development agreement would be required. It could be a for-rent or for-sale housing development. The set price would be tied to the average median income over a specified time period. In this case, we can record a covenant prohibiting short-term rentals. There's no prohibition on that as of this moment.

In your packet is a very short section on the proposed changes to Section 201, which provides the affordable housing definition, and also a new Section 312, which is affordable housing. That talks about that development agreements are authorized to reduce fees and make changes to the development standards. Section C, on Page 48 of your packet, "City may enter into a development agreement with the developer for for-rent, multifamily development to adjust required development standards or reduce some or all of the City's adopted development fees, or required offsite improvements, if a specified percentage of units are to be rented at or below thresholds for a period of not less than 30 years." Number 2 is similar to that, only for a single-family, for-sale development. Section C is really pretty much the heart of it. It just allows for a development agreement to make changes to the development standards, to the offsite improvement standards, and development fees.

Chairwoman Masten stated floor is open for Commissioners to ask staff your questions.

Commissioner Rothrock asked what might this allow that is not allowed now?

Senior Planner Davis stated, for example, maybe a building height increase to get more units into a particular project. We have a building height limit of 35 feet, two-and-a-half stories. If somebody wanted to go three stories, or even maybe four stories in some

locations, that is an example of what could be allowed. Some parking requirements might be reduced, things like that. Those are development standards that could be changed. Those would be subject to an agreement with the City that would go through the whole process as they go forward through the development process. As far as offsite improvements, it could be you don't need to build the sidewalk right now. The sidewalk is pretty much the most common offsite improvement that we require. Fees, of course, you could get a break on building permit fees.

Chairwoman Masten asked would fast-tracking permits fall under development standard adjustments?

Senior Planner Davis stated our development standards do not specify the time that it would take for us to process development projects. We could look at that. I don't think that's anything that needs to be authorized with a Code amendment, because there is nothing in the Code that would require us to review a project in a certain amount of time. We do our best to turnaround projects as quickly as we possibly can. We've done a pretty good job of that, especially when you compare us with other jurisdictions. It is something that could be addressed outside of what we're talking about here on a Zoning Ordinance amendment.

Director Ellis stated one problem we could potentially run into, if we did, and not very likely but it could happen, some of the rezone projects we bring through, they have notification requirements dictated by State law that we can't get around. Even if we tried to make that fast-track agreement, there's nothing we can do about those. It is possible, but it could interrupt something like that.

Chairwoman Masten stated the reason I ask – and I know you guys are really fast – is just we're setting precedent for years in the future. We just don't know. Maybe everyone gets backlogged in 20 years.

Commissioner Gehlert asked, as part of the negotiation with the developer, is this something that will provide us with the ability to waive certain required improvements, like open space, sidewalks, stuff like that?

Senior Planner Davis stated open space is one of those development standards. We already made some changes to our open space requirements for multifamily. We reduced it from 30 percent to 20 percent in a lot of cases. That 20 percent could further be reduced by the Planning and Zoning Commission if they came through the Planning and Zoning Commission for a Design Review or rezone, so forth. There is a provision now

for that to be reduced. Sidewalks, that's exactly what I'm talking about for the offsite improvements.

Commissioner Gehlert asked we would consider waiving sidewalks given the right proposal?

Senior Planner Davis stated that would be on the table with this proposal.

Commissioner Gehlert stated the reduction of open space, I can understand that if you're like within walking distance of a park. In some parts of the community that makes sense. Other places maybe not so much. I don't know how you draw those boundaries.

Senior Planner Davis stated all of the development agreements are done on a case-by-case basis. If there is something that the City just won't go that far, then that's part of the negotiation process.

Commissioner Gehlert stated I would hope the City takes that into consideration as part of that process.

Vice Chairman Garrison stated the one bullet point you have here is set rent and price tied to AMI. Say we're talking about the units behind the old Cavalier Market, Birch and 17th, if they were to ask for affordability incentives, would you have to make that entire development partial to that agreement, or could you say 20 percent or 10 percent or 15 percent of your units would have to be set back at that appropriate fee for X number of years? You're saying 30 years. That seems long.

Senior Planner Davis stated normally those do apply to a certain percentage of units in a development; not the whole development. It would be pretty rare if the whole development would be set to that level. The amount of negotiating points that the City would be able to offer would depend on, first of all, what percentage of the units would be subject to this affordability agreement and, number 2, how big of a discount that would be. Is it tied to affordability for people at the 80 percent AMI or 50 percent, or 120 percent AMI? That could make a difference, too. We don't have a set formula for that because these are case-by-case basis based on all the conditions; the market, the particular property, the location, what the proposal is. We would anticipate that it is not a large percentage, necessarily, of the number of units that would be subject to this.

Vice Chairman Garrison asked that is part of your negotiation, right? That gives you the grounds to do that?

Senior Planner Davis stated exactly.

Vice Chairman Garrison asked would these negotiations happen before this body or would that be handled by administration?

Director Ellis stated it would be handled at the staff level using the Departments that are affected by it, and legal Counsel, and ultimately it would be approved by City Council.

Commissioner Rothrock asked if Senior Planner Davis could provide a definition of AMI.

Senior Planner Davis stated it is the area median income. That is a number that is set by Housing and Urban Development on a Federal level and comes through the State Department of Housing. That shows for Yavapai County the area median income is X amount. So that's a level that you can start a calculation from and say, for instance, 30 percent of that number is considered the level at which you are housing burdened. If you're paying more than 30 percent of your income, you are burdened by the cost of housing. If, for instance, a developer comes in and says we're going to set 20 percent of our units at a rent that is tied to 30 percent of the AMI, the AMI is, say, 50,000, you figure 30 percent of that is what your annual rent would be. As HUD and the Department of Housing changed that number as prices change, then it would be tied to that number; not a set static number. That is why it is tied to the AMI.

Commissioner Rothrock asked that starts with a number that is County wide?

Senior Planner Davis stated it is area wide. I don't know if it gets more specific than County. We may be able to get more granular than that, but, generally, the Department of Housing issues AMIs for counties, as I understand it.

Director Ellis stated let me backup to my answer on what you asked regarding the development agreement. That's not to say that the project itself wouldn't come to you for review and approval.

Vice Chairman Garrison stated the reason I asked that is we just went round-and-round with a developer off of 16th and Aspen that is reworking the affordable housing that is there now, and then adding on to it. One of the sticking points with this group was the sidewalk, and in that specific example, if it was something that this body helped, preferably, to needing out of that developer even though that developer desperately did

not want to do that. I just wasn't sure to what point this body would have any type of say and what it was willing to give up in lieu of trying to support affordability. That is where my question stemmed from. I just wasn't sure to what point we were going to have some say into those requests and the Administration would ultimately make that decision.

Chairwoman Masten stated, for what it is worth, I want to really support what the Vice Chair is saying because it is important that, when concessions are being made – and I am wholly in favor of them – there are times when it is appropriate to come back to the Commission so that those are seen by the body. That is really important, partially just for public representation, because some of these projects are small and it doesn't impact the public, but sometimes the projects are large and there is a lot of public impact. In order to achieve transparency, it has to come before the body rather than just getting permitted and going up; although, I do think our staff do an excellent job.

Commissioner Gehlert asked, Section B, development agreements, Number 3 talks about becoming subject to enhanced monitoring by the City during this specific time period. Who does that?

Senior Planner Davis stated that would be a staff member, and that is something that is an issue. There would need to be some portion of a full-time employee that monitors these things, that probably takes the lead on negotiating these things, and is making sure that these agreements actually work and are adhered to.

Commissioner Gehlert asked are the penalties for noncompliance something that needs to be invented or is that going to be like pull your permit or something?

Senior Planner Davis stated I imagine that would be in the development agreement.

Attorney Goodman stated one of the reasons that is there is so that, potentially, we are able to treat someone differently than we treat everyone else. Typically, we can't enforce things against people that we don't enforce against everyone. We already do some level of monitoring with everything that goes on in the City. Enhanced monitoring just allows us to say we also need to do these regular check-ins, or whatever works best for this situation and for the City. That is what this allows us to do, is, if they came later and stated you're picking on me, or you're making me do something that other people aren't, that is largely what a development agreement does in many ways. That is one of them, and that is why it is there. It doesn't outline exactly what we do or how; it's just that we can.

Director Ellis stated all of the development agreements I've seen have provisions in them on what happens if there is a violation of it. What that looks like is really a case-by-case basis.

There were no further questions from the Commission.

Chairwoman Masten stated now is the opportunity for the public to come forward, if there is anyone here from the public who would like to speak regarding this issue.

Phil Terbell stated I live in Clarkdale and do a lot of business in Cottonwood. I assume that this is looking at a uniform set of standards for an agreement such as what was made in the apartment complex on 7th Street that is currently under construction. The City loaned them \$100,000 to match a grant, and they deferred or abated some building fees and made some concessions to encourage affordable workforce housing. I didn't know what the rules were. I asked about it and nobody could tell me what the rules were. It just happened is what I understood. I'm assuming they are trying to get some definitive guidelines together, and then the Housing Director could go out and market those two developers, hopefully, to try to incentivize builders to get into that market. I think that's a good deal. I think it probably needs some sort of uniform box that people know what the box looks like so that they know if they can get into it or not. It has not been publicized too well that that occurred, and I think that this would maybe help publicize the act that there is some incentives available for some affordable housing to be constructed.

There were no further questions or comments from the public.

Chairman Masten stated this is now the time for the Commissioners to give their final thoughts on this text amendment.

Vice Chairman Garrison stated this is a great thing. I have lobbied on behalf of a developer in the past, angling to get some affordability built into their project, and it is a great thing for our community. This body takes a lot of heat, as the City does, over all of these different units that are being proposed and put through our system, and yet the public continues to cry that they are not affordable or they are not low income. Usually, they can't tell the difference between those two terms. Giving the City the ability to step back and look at what's to be gained in a proposal -- and we mentioned two different apartment complexes that are under development right now that could benefit from this exact proposal to the Council. What we're doing is great. I don't know if it goes far enough, but it leaves the door open for some pretty substantial negotiating on both parts.

At the end of the day, like anything else, the more you do it, the more you learn what does and doesn't work when it comes to providing some type of benefit back to the community, and especially our lower-income housing segments. This is great. I really do appreciate you putting the time and effort into this, and putting some teeth into it or some boundaries on what that means and what it looks like so that when people talk about it, they actually have an idea of what it stands for instead of just that magic that happens behind the curtains in a back room with the Director of Community Development.

Chairwoman Masten stated my Vice Chair just said a lot of it for me. I echo all of that, and I want to add that, speaking of transparency, which I brought up earlier, this goes a long way in that direction. There is clarity not just in terms of working with developers, but also for the public. Being able to look up and see an exact set of guidelines for what affordable housing is so important so that people know what they're talking about. It sets expectations, and it is a really important thing for our community.

Motion: Move to recommend approval to the City Council the proposed amendments to Section 201, Definitions, and addition of Sections 312, Affordable Housing.

Made by: Vice Chair Garrison Second: Commissioner Gehlert

Unanimously carried.

V. CALL TO THE PUBLIC: NONE

VI. DISCUSSION ITEMS: NONE

VII. ADJOURNMENT: 7:01 p.m.

Notice is hereby given that pursuant to A.R.S. subject to certain specified statutory exceptions, parents have a right to consent before the State or any of its political subdivisions make a video or audio recording of a minor child. Meetings of the Planning and Zoning Commission are audio and/or video recorded, and, as a result, proceedings in which children are present may be subject to such recording. Parents in order to exercise their rights may either file written consent with the City Clerk to such recording, or take personal action to ensure that their child or children are not present when a recording may be made. If a child is present at the time a recording is made, the City will assume that the rights afforded parents pursuant to A.R.S. have been waived.

Information on the above agenda items may be obtained in person from the Community Development Department, 111 N. Main Street in Cottonwood, or by calling (928) 634-5505.

A verbal comment period will be provided during each hearing item. The Chair may impose a time limit on each speaker. The Commission will not consider written materials submitted less than three working days before the meeting.

Pursuant to A.R.S. § 38-431.02(B) the Commission may vote to go into executive session on any agenda item pursuant to A.R.S. § 38-431.03(A)(3) and (4) for discussion and consultation for legal advice with the City Attorney.

The Cottonwood Council Chambers and Cottonwood Recreation Center are accessible to the handicapped in accordance with Federal "504" and "ADA" laws. Those with needs for special typeface print or hearing devices may request these from the Planning Technician at 634-5505 (TDD 634-5526). All requests must be made at least 24 hours before the meeting.

Members of the Historic Preservation Commission will attend either in person or by telephone conference call.