

Article 6 Revision Greer Community Survey and Recommendations Greer Resident Group on Article 6

In the past year, two issues related to the enforcement of Greer's zoning ordinance, Article 6, have been the subject of activity by Apache Co. officials.

Following a lengthy Apache County enforcement procedure regarding the unlawful use of multiple Recreation Vehicles for Storage and Habitation, it became apparent that some flexibility in the ordinance regarding RV storage and use might be appropriate for the Greer Community. In addition, in the wake of a dispute over the prohibition of manufactured housing in Article 6, further clarification of these definitions was sought. After lengthy consideration of possible solutions, and an exchange of ideas between the Community Development Department and a Greer Resident Group on Article 6 (Working Group) convened to review these issues. The group included community leaders from residential and business backgrounds. A currently proposed draft of an edited Article 6 is under consideration.

This most current Article 6 draft was received from the Director of Development, Matthew Fish, on 6-13-22 and is attached to this communication. This executive summary and the attached **Article 6 Revision Greer Community Survey and Recommendations** addresses the elements of this Article 6 draft.

The Article 6 draft addresses not only the specific RV and manufactured housing topics, but also adds clarity and detail to the use table and definitions. It also includes a descriptive introduction and purpose of the draft, customary to Apache Co. zoning ordinances, for context to aid in the administration and enforcement of the Ordinance by Apache County administrators and officials.

The prime goal of our Working Group has been to attempt to understand what solutions would be supported by the Greer community. Ideas were developed within the Development Office and Working Group. In addition, a survey of the Greer community was carried out employing an email list used by a number of Greer community organizations and through the 'I Love Greer' FaceBook site.

A total of 164 responses were returned, a representative sample of Greer's estimated 500 properties. Attached to this summary is a full analysis of this survey.

In the following document we will summarize the questions before the community and the results of the community survey we conducted with the encouragement of Matthew Fish.

Who responded to our survey? The vast majority were property owners.

What is your connection with the Greer Community?

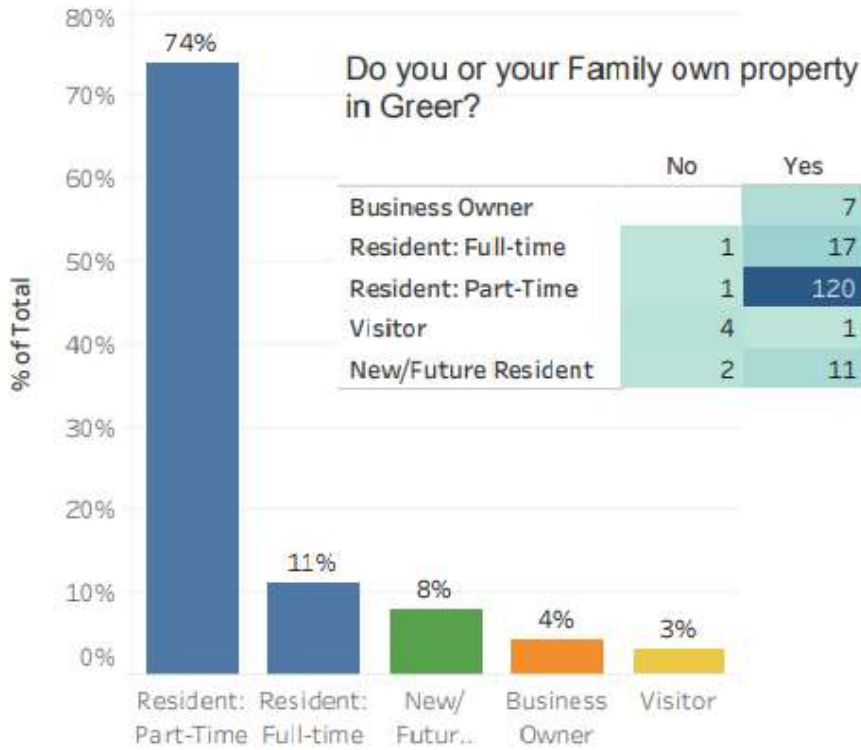


FIGURE 1

Zoning Enforcement: Enforcement of the Greer ordinances has been questioned by some with the opinion that an individual's property rights should carry greater weight than those community protections within our zoning rules. Officials are therefore occasionally asked for exceptions to the zoning rules. The community was asked its expectation regarding enforcement:

1. Timely Enforcement of Ordinances?

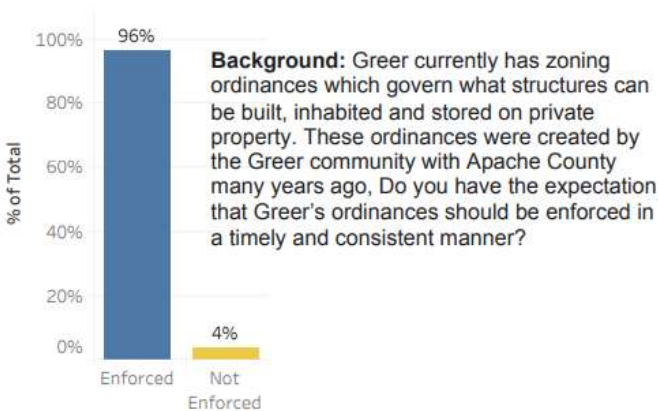


FIGURE 2

Survey Results/Recommendations: The vast majority of respondents express that they expect timely and consistent enforcement. From this survey result and the many comments received from members of the community, it is clear to the Greer Working Group on Article 6 that a large majority does not expect widespread allowance of exceptions to our zoning rules.

ARTICLE 6 ISSUES:

In the past year, two issues related to the enforcement of Greer's zoning ordinance, Article 6, have been the subject of activity by Apache Co. officials.

- 1. Manufactured housing.** 'Manufactured housing' is prohibited under Article 6 and 'modular, manufactured housing and prefabricated construction' were also not allowed under Greer Phase I without a Conditional Use Permit.

In addition, "Site Built Construction" is specifically required under Article 6.

The definitions of these categories of manufactured construction came into question with a proposal to use steel shipping containers for housekeeping units was judged to be a violation of the prohibition of 'manufactured housing' within Article 6. This has created a desire on the part of County officials and the Greer community to further clarify definitions of 'Manufactured Housing'.

To this end, the working group identified 2 industry definitions of manufactured construction defined in the Apache Co. zoning code and the Arizona Revised Statutes 2021, Title 41: “Manufactured home” and “Factory Built Housing”. These definitions were tested in the working group and the Factory Built Housing definition was specified in a formal community survey.

2. Are you in favor of prohibiting factory built housing construction as well as manufactured housing?

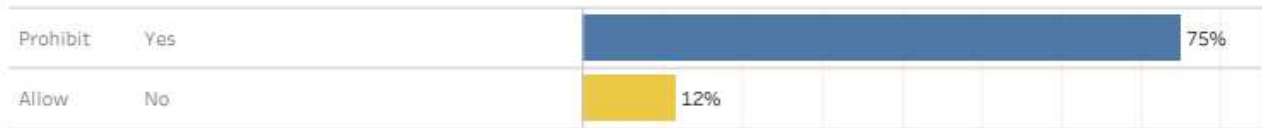


FIGURE 3

Survey Results: The prohibition of Factory Built Housing was approved by 75% of community respondents suggesting strong community support of this definition of manufactured housing.

The Greer Advisory Group on Article 6 recommends that the following definitions be adopted to further clarify the existing prohibition of Manufactured Housing under Article 6:

Manufactured home - A moveable or portable dwelling unit constructed on or after June 15, 1976, to be towed on its own chassis and designed so as to be installed with or without a permanent foundation for residential dwelling. The unit may include one or more components that can be disconnected for towing purposes and subsequently connected for additional capacity, or a portable dwelling composed of a single unit. The Federal Manufactured Housing Construction and Safety Standards Act of 1974 became effective on June 15, 1976.

Factory Built Building: buildings that are either wholly or in substantially in part consisting of manufactured components from a manufacturing facility or factory and transported for installation or assembly, or both, on-site. See ARS 2021 Title 41

2. **Recreational Vehicles:** Recreational Vehicles are prohibited under Article 6. This has prompted a number of proposals for RV possession, use and rental within Greer. There have been formal requests for Conditional Use Permits for RV possession and use in Greer.

Article 6 was adopted in 2010 after a prolonged period of community input and deliberation in cooperation with County officials.

Reflecting the will of the Greer Community, Article 6 specifically prohibits the possession of unenclosed RVs and use of RVs within Greer. No exceptions were approved in the ordinance.

Recently a violation of this requirement was acted on by the Apache Co. planning director with an order to remove 3 RVs from a property. This property owner and others have applied for a special use permit for RVs.

The goal of the Greer working group has been to revisit opinion of the Greer community on this issue.

Several questions were posed to members of the Greer Community as follows:

- ▶ Question #3. Recreational Vehicles (RVs) are generally prohibited in Greer but with some exceptions (e.g. for home construction). However, some Greer residents have an RV parked outdoors on their property when not being used on vacations. Do you think the current prohibition should be changed to allow this?

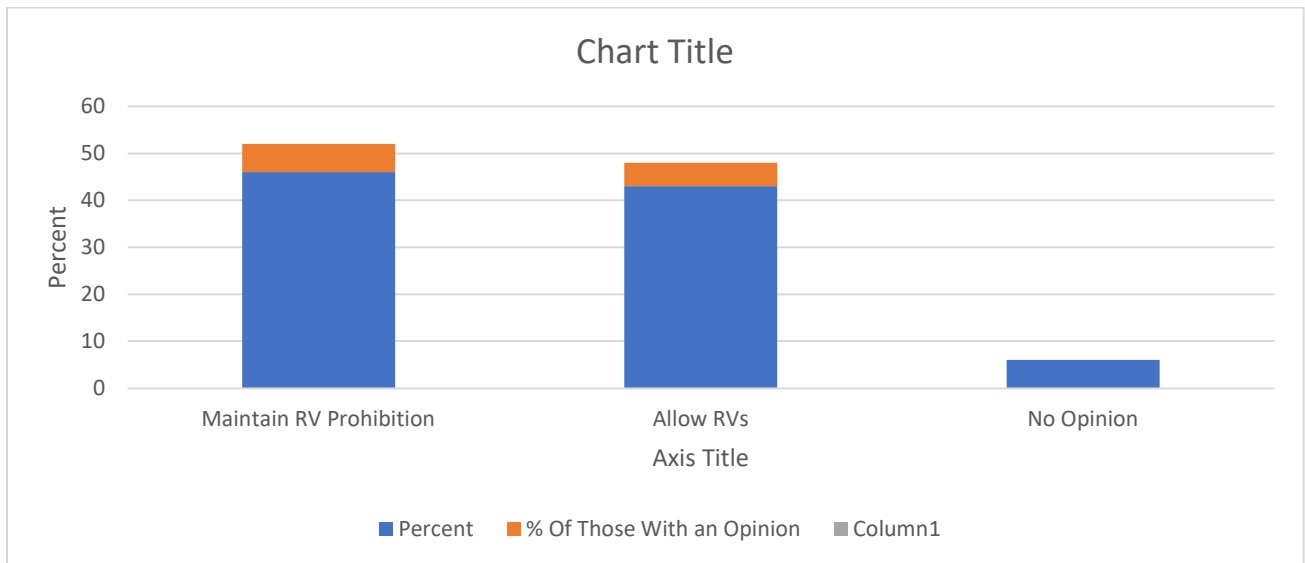


FIGURE 4

3b. If yes to 3, should RVs be sited to minimise visual impact to immediate neighbors?

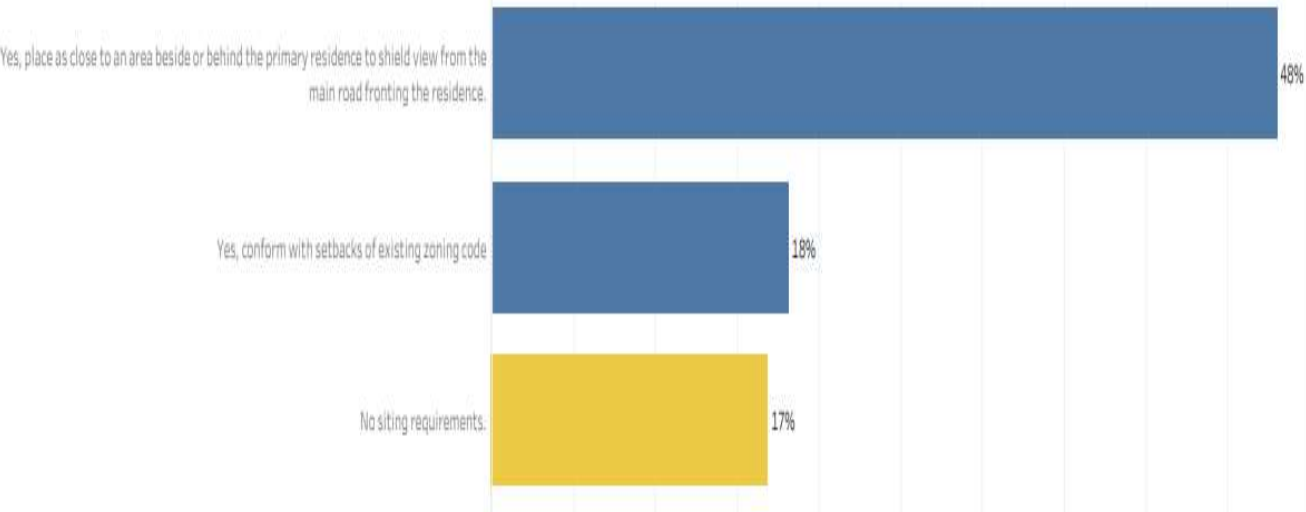


FIGURE 5

3a. If yes to 3, how many RVs should be allowed on each property?

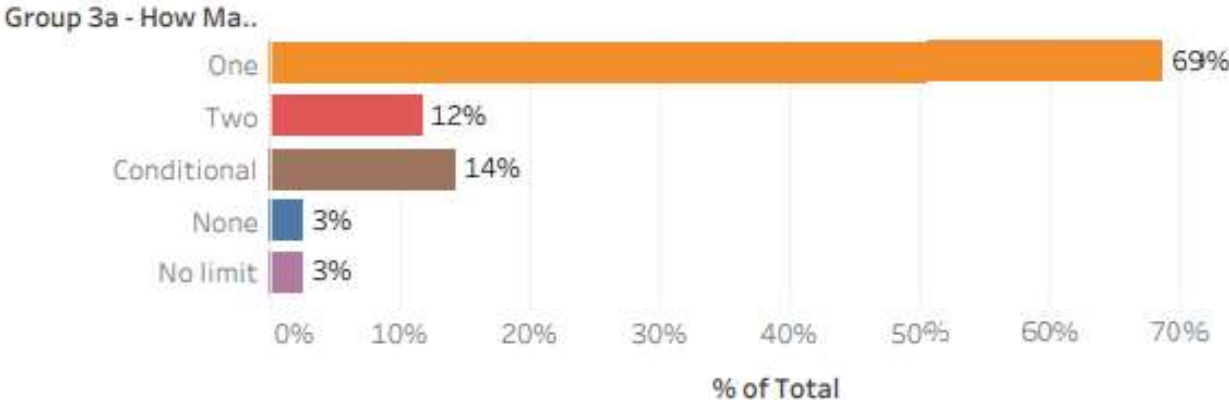


FIGURE 6

3c. Should habitation be allowed (48% of those approving only)?

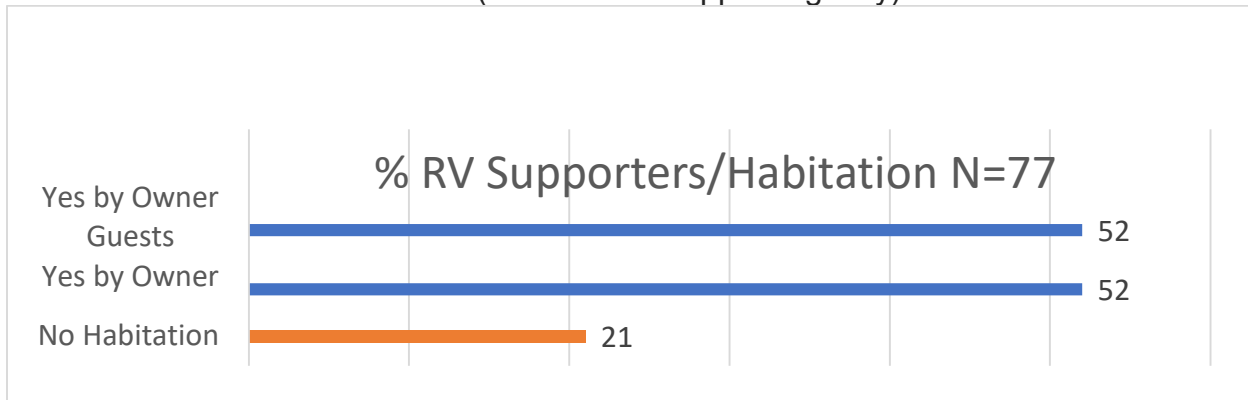


FIGURE 7

3d. Should RVs be rented?

- ▶ **RV rental was supported by a small minority (about 5%) of all who supported RVs. This is clearly not favored by the Greer Community respondents.**

Survey Results:

Based on survey results, the Greer Advisory Group on Article 6 supports the following position based on the collective opinion of the Greer Community:

1. Greer is divided on the question of allowing RV possession exposed on property. 52% of respondents with an opinion selected maintaining the current prohibition of RVs. 48% of respondents with an opinion supported the ability to have an RV on property in Greer. A 2/3 majority of those favoring RVs also approved allowing only a single RV per property. Given the large degree of support for the existing Article 6 RV prohibition, it is fair to say that the Greer community does not support a recommendation to change Article 6 to allow RVs without provisions that offer neighbor protection including a limit of 1 RV per property and visual protections for neighbors.
2. Requirement to place RVs in a “to minimize visual impact to the immediate neighbors?”; This requirement was supported by 80% of those supporting RVs.
 - a. A majority of those in support of siting restrictions selected the specific choice to require placement “... as close to an area beside or behind the primary residence to shield view from the main road fronting the residence”.
 - b. Taken together, those either opposing RVs or supporting siting restrictions total >85% of respondents. This suggests overwhelming support for this siting requirement. 25% of those supporting RVs selected requiring that setback requirements of zoning code be applied

to RV placement. Given this level of support along with the large number of votes to prohibit RVs altogether, it is felt that such a siting requirement is necessary if any allowance of RVs is to be considered.

3. Habitation of RVs: Among those supporting allowance of habitation, 50% supported allowing use limited to the owner and owner's guests and 20% opposed all use of RVs. If all those opposed to RVs also opposed habitation, an estimated 65% would oppose habitation. Based on the large proportion opposing RV possession and the significant support for non-habitation among RV supporters, the community does not support habitation.
4. No rentals or "use for gain": RV rental was supported by a small minority (about 5%) of all who supported RVs. Clearly an overwhelming majority opposes this use.
5. Sanitation: Waste from RVs has been a matter of concern. We recommend a requirement that: "Solid waste (garbage) and sewage shall be disposed of in an approved system and are subject to all applicable Health Department regulations."

Recommendations Recreational Vehicles: The community is divided on allowing RVs. However, the community takes any change in the prohibition within Article 6 seriously. A majority feels that, for there to be any change the long-standing RV prohibition, it would require a strict set of conditions for RV possession. We believe any consensus to accommodate RVs would require the following conditions:

- A. possession be limited to a single RV,
- B. no rentals or use 'for gain',
- C. RVs must be placed in a position that achieves "minimal visual impact on immediate neighbors". Specific criteria that can be applied include:
 - a. Placement of RV as close to an area beside or behind the primary residence to shield view from the main road fronting the residence.
 - b. Placement of RV to conform with setbacks of existing zoning code
- D. RV use limited to the owner and owner guests
- E. RV is used for no more than 7 days of a given month.
- F. RVs may not be used for permanent habitation

3. Trailers: County Officials have asked that possession of trailers on Greer properties be addressed.

Question #4: Many Greer homeowners have trailers (e.g. utility, horse) parked on their property, as well as boats. Current law does not address this. Do you feel that it should do so?

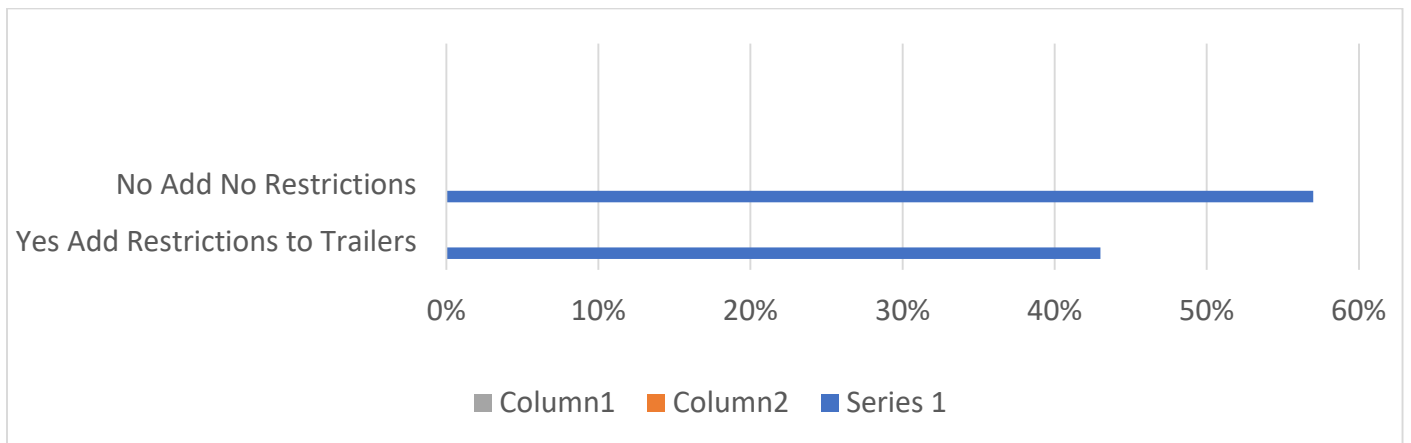


FIGURE 8

4a. If yes to 4, how many trailers and types should be allowed on each property?

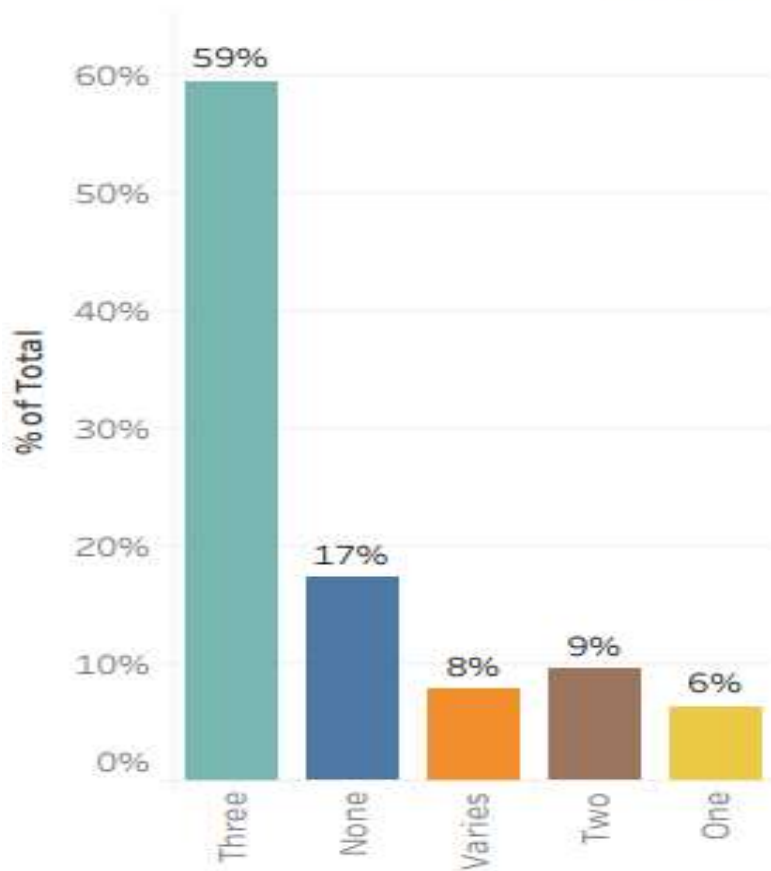


FIGURE 9

4b. If trailers are to be allowed to be placed in the open on Greer properties, should these trailers (e.g. Horse, Utility, Boat) be sited on property to minimize visual impact to the immediate neighbors? Select all that apply.

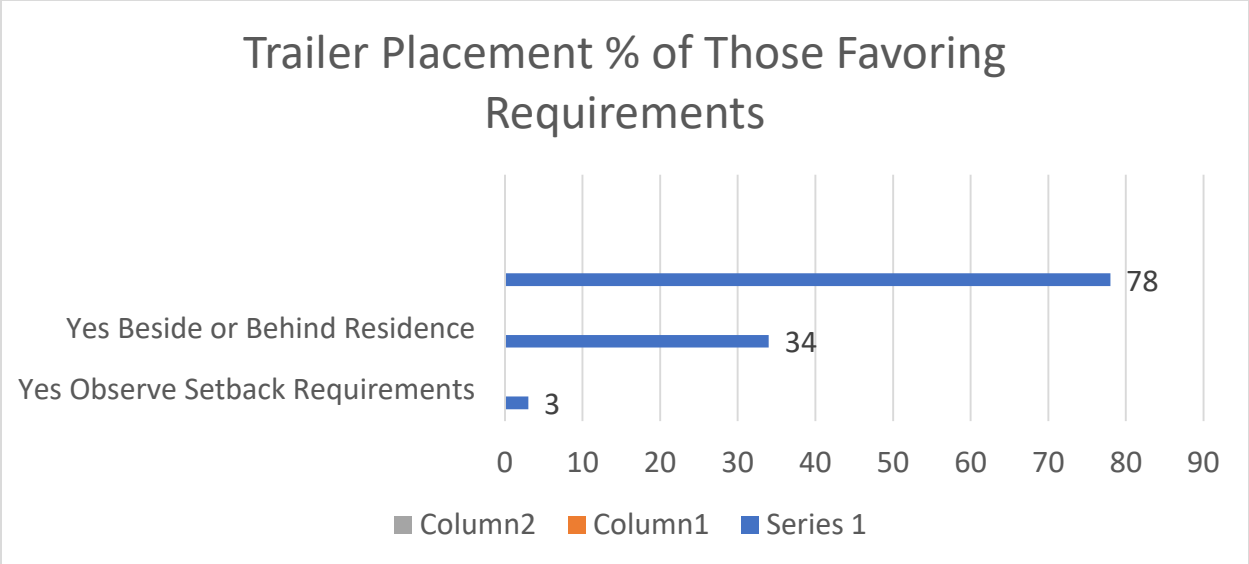


FIGURE 10

Survey Results: A 43% minority of the Greer Community supports restrictions on outdoor trailers in Greer.

Many comments we have received say that the neatness and location of trailers is most important. Of those offering an opinion on placement, most favored limiting trailers to 3 total and 75% chose “Minimizing visual impact on immediate neighbors and “A location as close to an area beside or behind the primary residence.”

Recommendations: If conditions for outdoor trailer storage are desired, the community supports limiting the number of trailers to 3 total per property and a placement that minimizes visual impact on adjacent neighbors as defined above.

4. Special Events/Mass Gatherings: Article 6 has a provision for administrative approval of special events. Representatives of the Fire District and others have favored establishing formal community review process for such events. The survey asked whether community input should be included in administrative approval of special events.

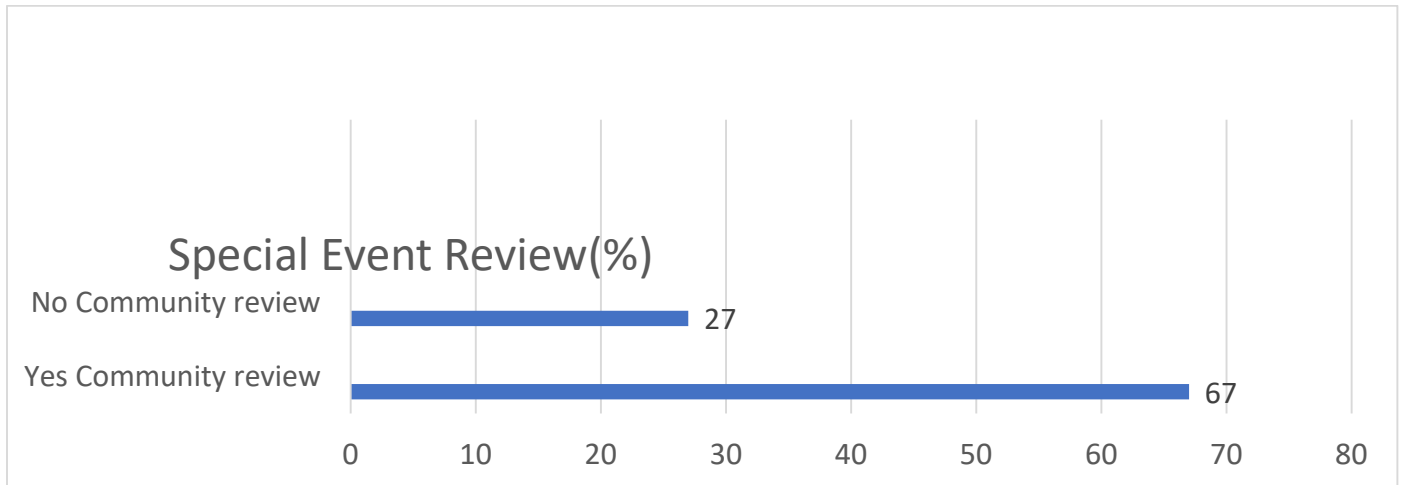


FIGURE 11

A 2/3 majority support a “community review process to help county officials make decisions about granting permits”.

Survey Results/Recommendations: The Greer Community supports a policy to engage a designated representative group of Greer property owners before the granting of administrative approval of special events.

5. Community access to public hearings: A number of suggestions have come forward to correct barriers to community participation in activities of interest to the people of Greer. Currently, important matters to the Greer Community that are on the Planning/Zoning, Board of Adjustment and Appeals or Board of Supervisors agendas are not publicly announced beyond a newspaper post or a posted notice on the property in question. In recent history, many of these key issues are only accessible on County websites dealing with ‘Public Notices’ within 24-48 hours of the hearing, and often in the Winter when many Greer residents are not likely to see the local postings. The survey asked what specific improvements would be desirable to allow timely community input when matters impacting Greer were on County agendas.

10. Many Greer residents have not attended the monthly Apache County Planning & Zoning meetings in St. Johns. What would help you to participate/attend such meeting?

79 responses

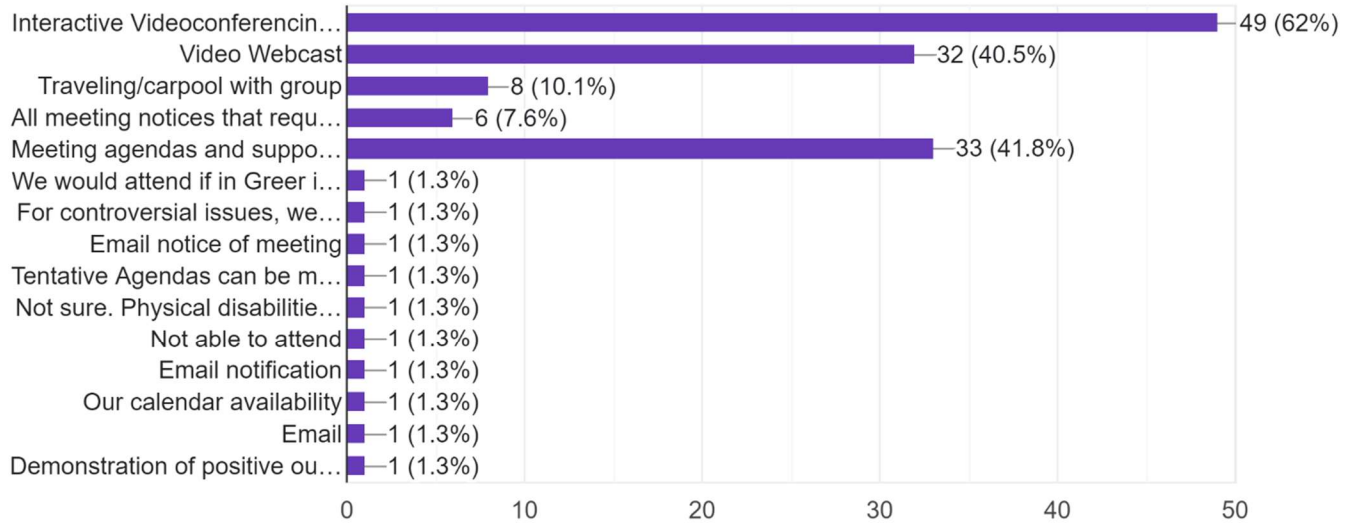


FIGURE 12

1. Meeting notices: 42% supported “Meeting agendas and supporting info on the Apache Co. website 10 days in advance”.
2. By a 2/3 majority, respondents would like ‘Interactive Videoconferencing’ platforms like ‘Microsoft Teams’ or ‘Zoom’.

Survey Results/Recommendations: The community supports improved access to agenda items important to the Greer Community including:

- A. Website posting of these items 10 days in advance and
- B. The adoption of interactive videoconferencing for meetings of P/Z, BOAA, and Board of Supervisor meetings.

6. Use Table Proposals in the June 13 Draft: The following recommendations are from the Working Group after close study of the use table proposals and were not surveyed in the broader community:

- A. Garage and Yard Sales:** this is currently prohibited in the GA-2 zone. There is a "P?" notation in the draft. **The community does not support this change.**
- B. Guest Ranch /10ac:** In the GA-2 zone, this requires a CUP. There is a '?' in this draft. **The community does not support a change of this requirement.**
- C. Temporary Outdoor Events:** For GA-2 zones, the draft suggests changing the CUP requirement the "A" administrative status. **The community supports this ONLY if a community review process is adopted as outlined above.**
- D. Theater (Live Performance and Performing Arts):** For GA-2 zones, the draft suggests changing from prohibited to the CUP requirement. **The community does not support a change of this prohibited status in this zone.**
- E. Youth Camps:** For GA-2 zones, this is a prohibited use. **The community does not support a change to an 'A'(Administrative Approval) status in this zone.**

7. Building Separation: Article 6 Section 604 A, B and C: The change to conform with Apache Co. development standards requires more study by the Greer Fire District. There is the desire that this aligns with current fire code.