

MINUTES

P & Z COMMISSION HEARING

Date

9/20/2018

ATTENDANCE

P & Z Commissioners

ATTENDED

1. Chuck Teetsel
2. Chuck Howe
3. Nick McVicker
4. Ruth Ann Smith
5. Rick Slone
6. Wendell DeCross (Telephonically)

ABSENT

Staff Attendance

1. Bill Bess
2. Sandra Phillips
3. Jeanine Carruthers
4. Kristyn Saunders

Meeting held at the Navajo County Board of Supervisors Chambers, Holbrook, Arizona – Time: 6:00 to 7:54.

Chairman Chuck Teetsel called the meeting of the Navajo County Planning & Zoning Commission to order and explained the meeting procedures to the public. Mr. DeCross then led the pledge of Allegiance.

ITEM #1 – CASE #18-06 SPECIAL USE PERMIT, DISTRICT IV: Discussion and possible action on a request by Markin Allen Investments, LLC to construct a 199' wireless communication facility on APN 208-03-001B, a portion of Township 11 North, Range 18 East, Section 11 of the Gila and Salt River Meridian in the Aripine area.

Staff noted that the item was heard by the commission, the applicant made changes to try and give the project more thought than last time. Sandra then showed where the project property was in relation to everything else, they moved the project as far back on the lot as possible from the road. She also noted that the applicant has provided materials for the commissioner's analysis and updated plans. The applicant also met with the neighbors and would update the board on how that went when they were giving their presentation. She showed the area of notification and noted where the postings were located.

Chairman Teetsel asked the applicant to come forward for comment. The applicant, Chad Ward, he provided materials including the RF analysis and noted their engineer was also present for questions.

He provided for the board explanation as to why the site was chosen and the logistics of having coverage in the area, Chairman Teetsel asked about the coverage, the applicant explained that the coverage was not meeting the standards of Verizon. The tower site was needed to fill in gaps in the coverage and noted the challenges of the topography.

Chad then stepped aside to allow his engineer to better explain a few things about the coverage, how moving the site to far in any direction would negatively impact the "chain" of coverage and cause strain on the network.

The applicant then stepped forward and showed the commission some mock-ups of what the tower would look like from various areas, they had both a Monopole and a tripod tower, noting the tripod tower was the larger of the two, as well as presenting a choice to paint the pole to match the terrain better. They also noted they were going to be making the tower 190 feet tall to avoid putting lights on the tower, to further lessen the impact visually. They also noted that the pole could be engineered either way to provide for all the carriers they needed to, whether it was a tripod or a monopole.

He also wanted to add that the tower was going to be independently owned, even though the tower was going in to benefit Verizon's network, and compared it to building a shopping mall- there would be slots and different carriers would buy in to put their equipment into those slots, but no one carrier would have complete control over the pole, and Verizon had no say as to whom else could use the pole.

Commissioner Slone voiced his displeasure at the lack of contact the applicant had with the residents from Camperland, and Commissioner Smith also voiced her disappointment in the lack of research done for other properties, to which the applicant noted they had poured a lot of money into the project already and were doing the best with the resources available.

Chairman Teetsel then asked if anyone in the audience would like to speak in favor or opposition of the project; none stood to speak in favor.

John Franke came to speak in opposition of the tower, and spoke about the historical importance of the area, noting there have been artifacts discovered in the area and wished to not disturb them. He also wanted to note that any lights put on the tower are going to be an issue for him, and he also complained that there was plenty of coverage in the area and did not see a need to add in the tower. He also asked how close the tower would be from the wash, to which the applicant replied 170 feet on either side, and that there would not be any utilities on the tower other than a small shed to house equipment.

Chairman Teetsel asked about the light Mr. Franke claimed was going to be on the tower, applicant replied that there would be no light, and that they had already checked with the FCC to ensure they would not need a light on the tower and were capable of providing documentation to corroborate this.

Kelley Vellez spoke against the tower, noting she had plenty of cell service and she had moved there to get away from the technology of the larger cities.

Commissioner Slone noted that the property values would go down, and that was his major concern, to which Commissioner Smith agreed, and noted a lack of presence to support the tower.

Chairman Teetsel replied that he had to look at things like this with private property rights in mind, and with the need that towers have to go somewhere, noting that it would provide a service to the greater good of the whole community, and that there would always be protests to development projects.

The Chairman then called for a motion, **Commissioner Howe** Made a motion to approve with stipulations to color the tower to blend in and no lighting outside of FCC regulations, motion was seconded by **Commissioner DeCross**. The vote was (4 Howe, DeCross, McVicker, Teetsel – 2 Slone, Smith.) to recommend approval to the Board of Supervisors.

ITEM #2 – REVERSION OF ZONE CHANGE, DISTRICT V: Discussion and possible action on a reversion of Zone Change, from existing R1-10 zoning on a 14.58 acre parcel to A-General zoning due to not meeting Board of Supervisors Resolution stipulations on APN 212-37-096H, a portion of Township 9 North, Range 22 East, Section 35 of the Gila and Salt River Meridian in the Lakeside area.

Chairman Teetsel wanted to note that the rest of the items of the night were very similar, and Sandra explained what a reversion was, and why they were addressing it now:

The cases before the commission were found by an intern Planning and Zoning had during the summer, all these properties had been granted zone changes by the Board of Supervisors with time limit stipulations for the projects requested. None of them ever completed the projects, but the zoning had not been returned to its original state.

If the board approves the reversion, the zoning returns to its original state, a denial would mean the land retains its current zoning, and they remove the time limit stipulation, and to table the item means the zoning will remain in question until another time.

For the property in question, Staff supports the reversion as the area was prone to flooding, and under R1-10 they would have to put in drainage tracts. The current owner wants to support the reversion, and Sandra noted the area of notification, and staff has received one letter in support of the reversion.

Chairman Teetsel asked if the previous owner intended to subdivide, Sandra responded that yes, the previous owner had indeed intended to.

The Chairman then asked if anyone in the audience wished to speak in favor or against the reversion and finding no one he called for a motion. **Commissioner Howe** Made a motion to approve, motion was seconded from **Commissioner McVickers**. The vote was (6 – 0) to recommend approval to the Board of Supervisors.

ITEM #3 – REVERSION OF ZONE CHANGE, DISTRICT I: Discussion and possible action on a reversion of Zone Change, from existing C-R zoning on a 40.4-acre parcel to A-General zoning due to not meeting Board of Supervisors Resolution stipulations on

APN 106-84-011, a portion of Township 19 North, Range 23 East, Section 34 of the Gila and Salt River Meridian in the Goodwater area.

Staff noted they had not had contact with the property owner, Staff sent a letter and it was not returned as undeliverable and the area is ideal for C-R zoning.

Chairman Teetsel asked if there was an impact on property tax for if the zoning was changed, Staff had no reason to believe there would be an impact on taxes while it's vacant, as the zoning does not factor in to how the Assessors assess the land.

Commissioner Howe Made a motion to approve, motion was seconded from **Commissioner McVickers**. The vote was (5 – 1 DeCross) to recommend approval to the Board of Supervisors.

ITEM #4 – REVERSION OF ZONE CHANGE, DISTRICT III: Discussion and possible action on a reversion of Zone Change, from existing RU-1 zoning on 11.25 & 68.13 acre parcels to A-General zoning due to not meeting Board of Supervisors Resolution stipulations on APN 107-19-001 and APN 107-19-002A, a portion of Township 18 North, Range 19 East, Section 18 of the Gila and Salt River Meridian in the Joseph City area.

Staff noted this was near the edge of Joseph City, this is reverting to A-General, and noted it was flipped from the surrounding zoning.

Both owners wish to keep the zoning as is, no one has spoken for or against the reversion from the public.

Commissioner Slone Made a motion to deny, and remove the time stipulation. motion was seconded from **Commissioner Smith**. The vote was (6 – 0) to recommend denial to the Board of Supervisors.

ITEM #5 – REVERSION OF ZONE CHANGE, DISTRICT II: Discussion and possible action on a reversion of Zone Change, from existing RU-5 zoning on parcels ranging in size from 4.99 to 5.77 acres to A-General and C-R zoning due to not meeting Board of Supervisors Resolution stipulations on APN 103-57-001 through APN 103-57-047, a portion of Township 19 North, Range 16 East, Section 7 of the Gila and Salt River Meridian in the Winslow area.

Staff noted that this area is known as cottonwood ranch, this zone change was granted, and some streets were planned out, but they have not been improved. The applicant was present to answer any questions, and that staff recommended the lots remain RU-5 as there is a flood plain area. There no objections from the public, and the owners prefer that this remain RU-5.

Commissioner Howe Made a motion to deny the reversion, without a time stipulation motion was seconded from **Commissioner McVickers**. The vote was (6 – 0) to recommend denial to the Board of Supervisors.

ITEM #6 – REVERSION OF ZONE CHANGE, DISTRICT II: Discussion and possible action on a reversion of Zone Change, from existing RU-1 zoning on 31.19, 30.89, &

120.49 acre parcels to A-General zoning due to not meeting Board of Supervisors Resolution stipulations on APN 103-01-018, APN 103-01-020, and APN 103-01-022, a portion of Township 19 North, Range 15 East, Section 1 of the Gila and Salt River Meridian in the Winslow area.

Staff noted this is just to the north of the previous item, currently vacant land outside of the flood plain, staff has no objections to it remaining as is because it fits the neighborhood, and applicant Jim O'Haco Introduced his corporation, and said he'd like to keep the zoning as it was as they intended to develop it within a few years.

Commissioner Howe Made a motion to deny the reversion with removal of time stipulation. Motion was seconded from **Commissioner DeCross**. The vote was (6 – 0) to recommend denial to the Board of Supervisors.

ITEM #7 – REVERSION OF ZONE CHANGE, DISTRICT IV: Discussion and possible action on a reversion of Zone Change, from existing S.D. zoning on a 72.12 acre parcel to A-General due to not meeting Board of Supervisors Resolution stipulations on APN 207-04-006A, a portion of Township 12 North, Range 16 East, Section 15 of the Gila and Salt River Meridian in the Heber area.

Sandra noted the location of the parcel, and staff notes that this is an excellent place for SD, but they wished to recommend reversion to ensure that the planning process meets requirements.

Staff has not heard from the applicant and the letter sent was not returned.

Commissioner Smith Made a motion to approve the reversion, motion was seconded from **Commissioner Slone**. The vote was (6 – 0) to recommend approval to the Board of Supervisors.

ITEM #8 – APPROVAL OF MINUTES FROM THE COMMISSION HEARING OF 6/21/18.

Tabled

ITEM #9 – COMMISSIONER'S COMMENTS AND/OR DIRECTIONS TO STAFF:

Commissioners may use this time to offer additional comments regarding any item on this agenda, or any other topic; and the Commission may direct staff to study or provide additional information on topics of the Commissions' choosing.

Commission requested that Staff have contact with current owners of properties being viewed for reversions.

ITEM #10 – REPORT FROM STAFF TO THE COMMISSION:

Possible noise ordinance to be looked over,
Commissioner Howe wanted to note that staff should proceed with caution concerning complaints and legal advice should be taken.

Commissioner Slone wasn't really in favor of this.

Staff noted that Sheriff's office was requesting this and wanted some support to put something enforceable into the ordinance.

ADJOURN MEETING

With there being no further business to come before the Planning and Zoning Commission, the meeting was adjourned at, 7:54 a motion was made to adjourn the meeting by < Com Name>. < Com Name > seconded the motion. Motion carried.

Approved this _____ day of _____, _____

Chairman, Navajo County
Planning & Zoning Commission

ATTEST:

Secretary, Navajo County
Planning & Zoning Department