

MINUTES

P & Z COMMISSION HEARING

5/19/2022

ATTENDANCE

P & Z Commissioners

ATTENDED

1. Chuck Howe
2. Ruth Ann Smith
3. Wendell DeCross
4. Sadie Lister
5. Logan Rogers
6. Jack Latham
7. George John (Via Zoom)

STAFF ATTENDANCE

1. John Osgood
2. Berrin Nejad
3. Cody Cooper
4. Kristyn Saunders
5. Kathleen Outland

ABSENT

1. Randy Murph
2. Nick McVicker

Meeting held at the Navajo County Board of Supervisors Chambers, Holbrook, Arizona –
Time: 6:00 PM to 7:42 PM.

Chairman Howe called the meeting of the Navajo County Planning & Zoning Commission to order and explained the meeting procedures to the public. **Chairman Howe** then led the pledge of Allegiance.

ITEM #1 – PLEDGE OF ALLEGIANCE

ITEM #2 – REVIEW OF AGENDA BY COMMISSIONERS

ITEM #3 – CALL TO PUBLIC FOR ITEMS NOT ON THE AGENDA

Chairman Howe called for a motion. **Commissioner Latham** made a motion to approve the agenda. **Commissioner Smith** seconded the motion. Motion carried, 6-0.

ITEM #4 – CONSIDERATION OF APPROVAL OF MINUTES FROM THE COMMISSION HEARING ON APRIL 21st 2022

Chairman Howe called for a motion. **Vice-Chair Smith** made a motion to approve the minutes. **Commissioner Lister** seconded the motion. Motion carried, 6-0.

ITEM #5 – CONSENT ITEM: January 2022 P&Z Mtg Woodland Ridge Tentative Plat – Resolution

Chairman Howe stated that the intent of this item was due to the January meeting not meeting the technical quorum as **Commissioner Rogers** had not been properly sworn-in, despite being appointed by the Board of Supervisors.

Community Development Director, Berrin Nejad, explained that after the question of legality was brought up, research was done into the past seven years' worth of Planning & Zoning Commission Meetings. It was found that there were a few items brought before the Planning & Zoning Commission that had not met quorum, but they were recommendations, passed on to the Board of Supervisors before being approved or denied. This item is the only one that would not go before the Board of Supervisors and would need the previous vote to be legally ratified.

Director Nejad further noted that the project in question, being a Tentative Plat, would be required to go before the Board of Supervisors for their Final plat, so the item will be heard again, regardless.

Chairman Howe recognized the unique situation presented to Staff with the challenge of making sure that every Commissioner was represented and that the decisions made by them were legally compliant, all while balancing the Public's best interest and providing developers a timely and smooth process to move forward with. **Chairman Howe** further asked the Commission if they were okay with moving forward on a vote without hearing the details of the item over again, given that there were new Commission members that had not heard this item before. A brief explanation on the details of the project, an amendment to the Master Development Plan, which would allow Manufactured housing in the CC&R's as well as site-built housing, was given.

Commissioner Rogers pointed out that there was nothing that would change his vote, as the vote in question still stands and just needs ratification.

Vice-Chair Smith said that she felt this was appropriate and that the Commission had acted in good faith that there was a quorum, and only found out afterward that **Commissioner Rogers'** vote was not legally viable.

Chairman Howe called for a motion. **Vice-Chair Smith** made a motion to approve the resolution. **Commissioner Rogers** seconded the motion. Motion carried unanimously.

ITEM #6 – SUP 22-004 OLD WEST RV and BOAT STORAGE, DISTRICT IV: A request for a Special Use Permit to construct an RV and boat storage facility with 113 spaces. The property is 4.58 acres in size, located east of Highway 260 in Overgaard. **APN#** 206-15-025, T12N, R17E, S29. **Owner:** Mark Dahl.

Director Nejad presented the item to the Commission, detailing the project site. The project was located on a vacant lot. Director Nejad described features and landmarks, pointing out access to the property off Highway 260, and the zoning of the surrounding properties. She further noted the hours of operation, which would be 7:00 am through 5:00 pm, and closed on Sundays with a gate that is coded for after hours. The lighting would all point inward, and drainage water would be used for watering landscaping and trees.

The south and north side fences will be a metal and rail combination, with the west fence being a solid steel privacy wall, and the frontage fencing would have trees and landscaping

for beautification and privacy. Staff had only received one letter in support of the project, and no comments against the project.

The Applicant was present for further questions from the Commission.

Vice-Chair Smith asked about the zoning on the application. Director Nejad noted that the zoning was incorrect, and stated that the actual zoning was R1-10.

Commissioner DeCross asked about this item being presented previously. Planner II, Cody Cooper, explained that it had been approved by the Board of Supervisors in 2019. Due to the pandemic, the project's privileges had expired so the applicant is resubmitting with a different configuration and better landscaping.

The applicant, Mark Dahl, approached to speak to the Commission.

Commissioner DeCross asked what changes were made to the project. The applicant stated that the original proposal was to build a recreational vehicle resort. Due to a failed perc test, the property would not support a septic system. As a result, the plan was altered to a recreational vehicle storage facility with alternate septic system for dumping.

The decision to have two entrances to the property was discussed. **Commissioner DeCross** asked if this was required by the Arizona Department of Transportation. It was clarified by the applicant that the Fire Department requested a second entrance for emergency access. An engineer from ADOT was consulted by the applicant. The applicant read out a letter from the engineer. No land surrounding the property uses a code that matches, but similar projects were assigned code 115 for warehouse use. The site would also receive, at most, 15 people per day putting it well below ADOT's threshold. The setback for the entrance is set at 70 feet to accommodate the large vehicles and visitors to prevent blocking traffic.

Chairman Howe asked if there would be any further development on the property upon which the emergency access was located. The applicant advised there would not, as the back of the property contained his residence.

Chairman Howe called for anyone from the public speaking in favor or against the project. No one stepped forward to comment. **Chairman Howe** asked the Commission to speak on the project.

Vice-Chair Smith said that in past projects a condition was included for applicants to have 12 months to move forward, however this one was lacking this condition. Director Nejad advised that the condition can be added before presentation to the Board of Supervisors.

Commissioner Latham asked to clarify if the condition meant the project had to start and finish in that 12-month period. **Vice Chairman Smith** clarified that it only would need to commence within the 12-month period. If the project is not started within the time frame, the permit becomes void at that time. Director Nejad included that, depending on the circumstances, an extension can be filed if the applicant is unable to meet the requirement.

Chairman Howe called for a motion. **Commissioner DeCross** made a motion to recommend Approval to the Board, as well as the added condition of a 12-month

development period be included. **Commissioner Smith** seconded the motion. Motion carried, 6-0.

ITEM #7 – ZO 22-003 AMENDMENTS TO ARTICLES 3, 4, 25, AND 28 NAVAJO COUNTY ZONING ORDINANCE – USE PERMITS AND GUEST HOUSES:

Consideration of text amendment to Articles 3, 4, 25, and 28 of the Navajo County Zoning Ordinance, regarding Use Permits and Guest Houses, addition of section to Article 25.

Planner Cooper presented the item to the Commission. This item is presented to bring the Zoning Ordinance into compliance with State Law as well as reduce the expected approval time per project. The current approval process for Use Permits and Guest Houses requires a meeting of the Board of Adjustment. Due to the factors of setting up said meeting, this has a time frame of six (6) to eight (8) weeks before approval or denial. The new proposal is to eliminate the meeting, reducing it to having the Planning and Zoning Staff review all aspects of the proposals for compliance to the most current criteria, as they do now. He also noted that this would speed up the wait time. Given the current climate for housing, this could prove beneficial.

Chairman Howe asked for comments from the Commission.

Vice-Chair Smith asked if there was a difference between a guest house and a bunk house.

Planner Cooper said that the guest house would have to be only up to 70% of the primary dwelling and preferably located behind the main house.

Chairman Howe asked if there are any criteria for occupancy. Planner Cooper said there were none and that it would be up to the homeowner or HOA, if applicable, to regulate.

Vice-Chair Smith brought up bunk houses that have no septic or other criteria and how that would be handled. Planner Cooper clarified that the applicant could come forward to apply for a permit, however they will be made to come into compliance.

Vice-Chair Smith asked about non-compliant housing; if the applicant wished to add in an accessory building. It was confirmed that no further non-conformity would be allowed, but each proposal would be taken on a case-by-case basis to bring into compliance.

Commissioner Rogers asked about the differences between the old process and the new process. Planner Cooper advised that only the Board of Adjustment hearing was removed, reducing the timeframe from six (6) to eight (8) weeks down to approximately two (2) weeks.

Vice-Chair Smith asked about HOAs and subdivisions that allow guest houses but do not have the zoning indicated in this proposal. Planner Cooper said that these would be allowable with a letter from their HOA and a building permit, as is currently the case.

Chairman Howe asked for further comments. **Vice-Chair Smith** said that she was impressed with how streamlined the new process would be and commended staff. **Chairman Howe** agreed and said that he saw value in the makeup of the timeline.

Chairman Howe called for a motion. **Commissioner Latham** made a motion to recommend approval to the Board. **Commissioner Rogers** seconded the motion. Motion carried, 6-0.

ITEM #9 – REPORT FROM STAFF TO THE COMMISSION:

ITEM #11 – WORK SESSION: Livestock & Wireless Communication Facilities – Staff & Froke Urban Planning

Commissioners Comments and 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 Development Services Department staff to study or provide additional information on topics of the Commissions' choosing.

With there being no further business to come before the Planning and Zoning Commission, a motion was made to adjourn the meeting by **Commissioner DeCross**. **Commissioner Rogers** seconded the motion. Motion carried unanimously. The meeting was adjourned at 7:42 PM.

Approved this _____ day of _____,

Chairman, Navajo County
Planning & Zoning Commission

ATTEST:

Planning Assistant, Navajo County
Planning & Zoning Department