

**TOWN OF PAYSON
PLANNING AND ZONING COMMISSION
MINUTES OF THE PUBLIC MEETING
September 21, 2015**

Chairman Clark Jones called the duly posted public meeting of the Planning Zoning Commission to order at 3:00 p.m.

While a moment of silence was observed for Commissioner Scheidt, Sheila DeSchaaf, Planning and Development Director, read a letter from his wife B J Scheidt.

PLEDGE OF ALLEGIANCE

ROLL CALL

PRESENT: Barbara Underwood, Clark Jones, Dan Jaeger, Eric Martindale, and Jennifer Smith.

ABSENT: Lori Meyers

STAFF PRESENT: Sheila DeSchaaf, Planning & Development Director, LaRon Garrett, Assistant Town Manager, Doni Wilbanks, Planning Specialist, Trever Fleetham, Planning Technician, Bobby Davis, Economic Development Specialist, and Chris Floyd, Executive Assistant.

A. ELECTION OF OFFICER

Commissioner Underwood nominated Commissioner Smith for Vice-Chairman, seconded by Commissioner Martindale. There were no other nominations.

Motion carried 5-0.

B. APPROVAL OF MINUTES

1. Public Meeting 8-3-15 Pages 1-6

The minutes were approved as submitted.

- C. PUBLIC COMMENTS - Comments concerning items not on the agenda. Note: Those wishing to address the Planning and Zoning Commission during this time need not request permission in advance. Action taken as a result of public questions and comments shall be limited to directing staff to study the matter or rescheduling the matter and decision at a later date. There shall be no discussion regarding any issues presented.**

Chairman Jones will allow comments regarding the subdivision listed under item E.1. (Chaparral Vista - 1103 North Karen Way)

Several members of the audience voiced concerns with the proposed subdivision regarding size of proposed lots, traffic, access for the whole area which currently is one way in and out, and the emergency access way.

D. SCHEDULED HEARING(S)

1. A15-004 Abandonment Request
Filed by: Town of Payson
Location: 1501 West Bravo Taxiway
Purpose: To abandon a public water line easement.

Sheila DeSchaaf, Planning and Development Director, summarized the staff report.

Chairman Jones opened the public hearing.

Chairman Jones closed the public hearing.

Commissioner Smith moved, seconded by Commissioner Martindale, to accept the proposed easement abandonment.

Motion carried 5-0.

2. P15-007 Unified Development Code Amendment
Filed by: Town of Payson
Location: Could affect all of Payson
Purpose: To amend the Unified Development Code (UDC) to create provisions for the use of Recreational Vehicles for temporary lodging in conjunction with residential uses/residential zoning districts.

Sheila DeSchaaf, Planning and Development Director, summarized the revised staff report that was based on previous discussion with the Commission.

Chairman Jones opened the public hearing.

Rebecca Fillerup asked if it would still be subject to the residential CCR's. Chairman Jones replied if a homeowners association existed and were more restrictive that would take precedence.

Sheila DeSchaaf, Planning and Development Director, noted that a letter was submitted today to the Commission from Mr. Graziano.

Chairman Jones closed the public hearing.

Commissioner Underwood stated that she couldn't support these proposed changes especially the 90 day provisions.

Commissioner Smith commented that she didn't see a review process or a sunset clause in the proposed changes.

Sheila DeSchaaf, Planning and Development Director, replied that if the Commission recommended approval to the Council then staff would send it forward with a 60 month review period similar to the mobile storage and temporary signs. The code change was initiated due to a code enforcement issue and the short term use of RV's.

Commissioner Martindale asked for clarification regarding parking the RV in the street. Ms. DeSchaaf replied that it would have to be on private property but could be in a driveway.

Motion: To not recommend approval of P15-007 an amendment to the Residential district uses to allow RVs to be used for temporary dwellings as detailed in Exhibit A of this staff memo.

Moved by Barbara Underwood, seconded by Dan Jaeger.

Vote: Motion carried 5 - 0

Yes: Barbara Underwood, Clark Jones, Dan Jaeger, Eric Martindale, and Jennifer Smith.

3. P15-008 Unified Development Code Amendment
Filed by: Kevin Singer
Location: Could affect all of Payson
Purpose: To amend the Unified Development Code (UDC) provisions pertaining to the hours of operation for medical marijuana dispensaries.

Doni Wilbanks, Planning Specialist, summarized the staff report.

Chairman Jones opened the public hearing.

Chairman Jones stated he had a comment from the Town Attorney which stated that this was a non-profit organization which share profits with other non-profits.

Tanya Phillips commented that she was in favor of the requested change.

Chairman Jones closed the public hearing.

The Commission asked questions which were answered by staff.

Motion: To recommend to the Town Council approval of P15-008, an amendment to Medical Marijuana Uses, Section 154-15 of the Town Code, increase hours of operation for medical marijuana dispensaries as drafted by staff.

Moved by Barbara Underwood, seconded by Dan Jaeger.

Vote: Motion carried 5 - 0

Yes: Barbara Underwood, Clark Jones, Dan Jaeger, Eric Martindale, and Jennifer Smith.

4. P15-009 Unified Development Code Amendment

Filed by: Town of Payson

Location: Could affect all of Payson

Purpose: To amend the Unified Development Code (UDC) provisions pertaining to the keeping of poultry hens on properties less than one acre in size.

Sheila DeSchaaf, Planning and Development Director, summarized the current provisions and the proposed revisions.

Chairman Jones opened the public hearing.

Several members of the audience spoke in favor of the proposed change.

Chairman Jones closed the public hearing.

Commissioner Smith stated that she was in favor of allowing poultry in residential areas but did have a concern with multi-family areas.

Sheila DeSchaaf, Planning and Development Director, stated that there was a provision already in place for administrative relief which does require noticing of the neighbors.

Motion: To recommend to the Town Council approval of P15-009, an amendment to the Unified Development Code, Section 154-02-004, Residential Districts, by amending Section 154-02-004B.3 as attached hereto as Exhibit A, with the following change "to add administrative review for multi-family".

Moved by Jennifer Smith, seconded by Eric Martindale.

Vote: Motion carried 4 - 1

Yes: Barbara Underwood, Clark Jones, Eric Martindale, and Jennifer Smith.

No: Dan Jaeger.

5. P15-010 Unified Development Code Amendment

Filed by: Town of Payson

Location: Could affect all of Payson

Purpose: To amend Section 154-02 and other affected Unified

Development Code (UDC) provisions pertaining to mobile storage units, shipping containers, pods, tractor trailer units.

Sheila DeSchaaf, Planning and Development Director, stated that in April 2013 the Council approved Ordinance 830 and Resolution 2707 which enacted the current standards regarding the use of mobile storage containers. These were enacted with a 36 month sunset clause so if the provisions weren't renewed they would revert back to what was in place prior to April 2013. Ms. DeSchaaf then reviewed the prior provisions and the current provisions.

Chairman Jones opened the public hearing.

Margie Oldenkamp stated that she was against pods being placed on the ground without meeting current building standards for the Town of Payson.

Chairman Jones closed the public hearing.

The Commission asked questions which were answered by staff.

Motion: To recommend to the Town Council temporarily extending the Mobile Storage Unit provisions enacted with Ordinance 830/Resolution 2707 for a period of 66 months, with a review within six months prior to expiration.

Moved by Jennifer Smith, seconded by Dan Jaeger.

Vote: Motion carried 5 - 0

Yes: Barbara Underwood, Clark Jones, Dan Jaeger, Eric Martindale, and Jennifer Smith.

The Commission recessed at 4:15 p.m.

The Commission reconvened at 4:28 p.m. with all Commissioners still present.

6. P15-011 Unified Development Code Amendment
Filed by: Town of Payson
Location: Could affect all of Payson
Purpose: To amend Sections 154-05 and affected Unified Development Code (UDC) provisions pertaining to temporary portable and temporary directional signs.

Sheila DeSchaaf, Planning and Development Director, reviewed the current provisions that were established in April 2013 and what the previous provisions allowed. Staff recommendation is to extend the current provision temporarily for another five (5) year period with a review prior to expiration.

Chairman Jones opened the public hearing.

Chairman Jones closed the public hearing.

Motion: To recommend to the Town Council temporarily extending the banner and temporary portable/directional sign provisions enacted with Ordinance 829/Resolution 2706 for a period of 66 months, with a review within six months prior to expiration.

Moved by Barbara Underwood, seconded by Eric Martindale.

Vote: Motion carried 5 - 0

Yes: Barbara Underwood, Clark Jones, Dan Jaeger, Eric Martindale, and Jennifer Smith.

7. P15-012 Unified Development Code Amendment
Filed by: Town of Payson
Location: Could affect all of Payson
Purpose: To amend Sections 154-05 and other affected Unified Development Code (UDC) provisions pertaining to electronic message center signs.

Doni Wilbanks, Planning Specialist, summarized the staff report.

Chairman Jones opened the public hearing.

Father Lucero, of St. Phillips Catholic Church, stated that he would like to see this move forward because they have existing signage that they would like to convert to an electronic message center sign. He commented that he would like to see a provision for using an existing sign location.

Margie Oldenkamp asked that the Town consider provisions for dark sky in the proposed updates to the electronic message center signs (EMC's).

Sheila DeSchaaf, Planning and Development Director, stated that the Town does have provisions for dark sky. The current provisions for the electronic message center requires that the message display area dim automatically as it gets dark and it is more friendly than an illuminated sign.

Michael Fillerup spoke in favor of protecting the dark sky.

Commissioner Underwood stated that she felt the electronic message center signs were less obtrusive than the existing signs.

Commissioner Smith clarified that the proposed amendment was only changing the maximum signage percentage for the electronic message center.

Chairman Jones stated that he agreed with the protection of the skyline.

Chairman Jones closed the public hearing.

Motion: To recommend to the Town Council approval of P15-012, an amendment to the Unified Development Code provisions governing Electronic Message Centers as outlined in the staff report.

Moved by Jennifer Smith, seconded by Dan Jaeger.

Vote: Motion carried 5 - 0

Yes: Barbara Underwood, Clark Jones, Dan Jaeger, Eric Martindale, and Jennifer Smith.

E. SCHEDULED DISCUSSION/POSSIBLE ACTION

1. Preliminary plat for a 16 lot subdivision (Chaparral Vista) at 1103 North Karen Way.

Sheila DeSchaaf, Planning and Development Director, explained why this was not a hearing item but under scheduled discussion. Then Ms. DeSchaaf summarized the staff report. Staff recommends approval of this plat subject to the following conditions:

1. The final plat shall be in substantial conformance with the preliminary plat submitted, sealed 9-4-15 and 9-8-15, and shall not exceed a total of 16 lots.
2. A final plat shall be submitted within 12 months of Planning and Zoning Commission approval of this preliminary plat.
3. The property shall be annexed into the Northern Gila County Sanitary District and shall design adequate sanitary facilities in accordance with the District standards prior to submittal of the Final Plat.
4. An additional drainage pipe shall be installed under the emergency access roadway on the south side of Lot 16 to accommodate the concentrated drainage flows being dumped onto the North side of Lot 16 by the new cul de sac.
5. The abandonment of the existing roadway turnaround on this lot shall be identified and noted on the Final Plat.
6. The Final Plat shall include acceptable names for the two (2) new proposed cul de sac roadways shown as road "A" and Road "B".
7. All subdivision improvements proposed for each phase shall be installed concurrently with the respective phase.
8. Storm water detention/retention shall be provided in accordance with the Town of Payson requirements.
9. A landscape plan/tree preservation plan shall be submitted with the final plat improvement plans.
10. All other provisions of the Unified Development Code shall be met.

The Commission asked questions which were answered by the applicant.

Motion: To approve S15-003, a preliminary plat request for a 16 lot single family residential subdivision on 4.99 acres at 1103 North Karen Way subject to the conditions listed in the staff report.

Moved by Barbara Underwood, seconded by Jennifer Smith.

Vote: Motion carried 5 - 0

Yes: Barbara Underwood, Clark Jones, Dan Jaeger, Eric Martindale, and Jennifer Smith.

F. REQUESTS TO STAFF FOR THE PLACEMENT OF ITEMS ON FUTURE PLANNING & ZONING COMMISSION AGENDAS

G. INFORMATION TO COMMISSION (Not for Discussion)

Sheila DeSchaaf, Planning and Development Director, commented that there would not be a meeting in October. Also at the last meeting Council did approve the community garden provisions.

Adjournment - 5:07 p.m.

Clark Jones, Chairman

Approved

Chris Floyd, Executive Assistant