



Navajo County Public Works
PLANNING & ZONING
P.O. Box 668
Holbrook, Arizona 86025

PUBLIC HEARING
NAVAJO COUNTY
PLANNING & ZONING COMMISSION

March 18, 2021
6:00 P.M.

REGULAR MEETING

AGENDA

Pursuant to ARS §38-431.02, notice is hereby given to the Members of the Planning & Zoning Commission of Navajo County and to the General Public that the Planning and Zoning Commission will hold a Public Hearing January 18, 2021, beginning at 6:00 p.m.

We continue to maintain physical distancing and will conduct Planning and Zoning Commission meetings virtually by zoom. Commissioners, staff, and members of the public may call and participate in the meeting by following these steps:

Join Zoom Meeting:

<https://zoom.us/j/98332721846?pwd=cmNoQTM0M3hteU5nYTE5bmtuVTk4UT09>

Dial by your location

+1 253 215 8782 US (Tacoma)

+1 669 900 9128 US (San Jose)

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+1 312 626 6799 US (Chicago)

Meeting ID: 944 0221 0326

Passcode: 841643

As indicated in the following agenda, the Commission may vote to go into executive session on any item, which will not be open to the public.

FOR THIS MEETING: *If you would like to speak during the meeting, please call 24 hours ahead 928-535-7155 and follow the directions.*

ITEM #1 – PLEDGE OF ALLEGIANCE

ITEM #2 – REVIEW OF AGENDA BY COMMISSIONERS

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

ITEM #4 – CONSIDERATION OF APPROVAL OF MINUTES FROM THE COMMISSION HEARING ON January 21, 2021.

ITEM #5 – CONSIDERATION OF APPROVAL OF MINUTES FROM THE COMMISSION HEARING ON February 18, 2021.

ITEM #6 – ZO-21-001 AMENDMENTS TO ARTICLE VI, SUBDIVISION REGULATIONS ADDITION OF SECTION 6.17 – MODIFICATIONS TO FINAL PLATTED SUBDIVISION -Consideration of Subdivision Regulations text amendment, addition of Section 6.17 to Article VI. **(TABLED from February 18, 2021 Meeting)**

ITEM # 7– 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.

ITEM #8– REPORT FROM STAFF TO THE COMMISSION:

The Commission reserves the right to change the order of any Agenda item.

The Commission reserves the right to adjourn into executive session when needed pursuant to ARS §38-431.03(A) (3) for legal consultation on the above-described agenda items.

ADJOURN MEETING

NOTE: A copy of the agenda background material provided to the Commission Members (with exception of material relating to possible executive sessions) is available for public inspection at the Public Works/Planning & Zoning Office, Navajo County Complex, Holbrook, Arizona. This agenda is also posted on the Navajo County Web Site at www.navajocountyaz.gov If you need further information on the agenda items, please call (928) 535-7155 or by e-mail: planning@navajocountyaz.gov

Posted: March 12, 2021

**Signed: Berrin Nejad
Community Development Director**



NAVAJO COUNTY
COMMUNITY DEVELOPMENT DEPARTMENT
PLANNING and ZONING COMMISSION

STAFF REPORT

TO: Planning and Zoning Commission

FROM: Berrin Nejad, Community Development Director

HEARING DATE: March 18, 2021

PROJECT NUMBER: **ZO-21-001 AMENDMENTS TO ARTICLE VI, SUBDIVISION REGULATIONS ADDITION OF SECTION 6.17 – MODIFICATIONS TO FINAL PLATTED SUBDIVISION**
Consideration of Subdivision Regulations text amendment, addition of Section 6.17 to Article VI.

BACKGROUND

The Navajo County Subdivision Ordinance was adopted in January 1969. It has not been amended or revised since 2007. In Article VI, the FINAL PLATS process is explained, but does not address modifications if needed.

STAFF ANALYSIS

Staff occasionally encounter situations in which property owners cannot comply with certain zoning requirements, requiring minor modifications to a previously approved subdivision plat, to resolve the issue. Due to a lack of a “Modification” section in the Subdivision Ordinance, staff could not provide answers/solutions to the residents. By adding a section to the existing Subdivision Ordinance, staff will be able to work with the property owners and have a process in hand to follow. These newly proposed additions will give County residents the flexibility to make minor changes/corrections to their plat in order to move forward with their plans and still meet the Zoning Ordinance requirements.

The following additions are proposed:

SECTION 6.16 MODIFICATIONS TO FINAL PLATTED SUBDIVISION

- A. **Corrective Replat:** Upon receiving a Corrective Plat application, staff shall process it in accordance with Article VI. The following may be administratively corrected to any recorded

subdivision plat:

1. Correct an error in any course or distance or other necessary item that was omitted
2. Correct a drafting, graphic, technical or similar type of error
3. Reduce a platted setback which exceeds Zoning Ordinance setback requirements. The proposed setback reduction shall not be less than the Zoning Ordinance minimum required setback for the Zoning District.
4. Combine or reconfigure ten or fewer parcels so long as the lot line adjustment does not:
 - a) Change the external subdivision boundaries,
 - b) Increase the number of parcel(s)
 - c) Create a substandard parcel(s).
 - d) Create changes to utility easements, right of ways, open space, or the access thereto from the reconfigured parcels.

B. Minor Replat: Upon receiving a Minor Replat application, staff shall process it in accordance with this article. The following may be administratively corrected to any recorded subdivision plat: The following changes to a recorded final subdivision constitute a Minor Replat:

1. Combine or reconfigure more than ten parcels so long as the lot line adjustment(s) does not:
 - a. Change the external subdivision boundaries,
 - b. Increase the number of parcels,
 - c. Create a substandard parcel
 - d. Create changes to utility easement, right of ways, open space, or the access thereto from reconfigured parcels.
2. Minor Replats will be processed as outlined in Article VI and will be included on the consent item agenda on the next available Board of Supervisor's meeting.
3. Minor Replats, processed in compliance with this Ordinance and approved by the Board, upon recordation, shall thereafter be titled "Minor Replat of -----_." Subsequently, if additional replats are proposed, the successive replats shall be titled in numerical sequence.

REVIEWING AGENCY COMMENTS and RECOMMENDATIONS

Proposed text amendment was distributed to the following department for their review and comments: text amendment

COUNTY ATTORNEY:

Deputy County Attorney has reviewed the proposed Text Amendment and supports Staff's recommendations. Initial: B.S.C. Date: 03/10/2021

ENGINEERING AND TRAFFIC:

The County Engineer has reviewed the proposed Text Amendment and supports Staff's recommendations. Initial: W.B. Date: 03/10/2021

PLANNING AND ZONING:

The Planning and Zoning Staff has reviewed the proposed Text Amendment and supports Staff's recommendations. Initial: B.N. Date: 03/10/2021

STAFF RECOMMENDATION:

Consider the proposed amendments to the Subdivision Ordinance to provide a recommendation to the Board of Supervisors to:

1. Add Section 6. 17 to Article VI of the Subdivision Ordinance.

Attachments:

- 1- Article VI of Navajo County Subdivision Ordinance

ARTICLE VI

FINAL PLATS

SECTION 6.1 FINAL PLAT

A. After approval of a Tentative Plat by the Commission, the subdivider may, within one year, cause a Final Plat of the subdivision or any part thereof to be prepared in accordance with a complete survey of the subdivision and in compliance with the approved Tentative Plat within the provisions of these Regulations.

B. The survey and Final Plat shall be made by a licensed Land Surveyor who shall set sufficient durable monuments to conform with the Construction Standards Nos. 25 through 25E, so that another Engineer or Surveyor may readily retrace the survey. He shall also set such additional monuments as may be required by the County Engineer.

SECTION 6.2 CONFORMANCE TO STANDARDS OF DESIGN

A. The Final Plat shall conform in all respects to the Standards of Design set forth in Article III of these Regulations, unless any non-conformance has been specifically shown on the approved Tentative Plat and approved in the conditions of approval attached.

SECTION 6.3 STREET NAMES

A. Streets shown on the Tentative Plat shall be named as approved by the Planning Commission with Tentative Plat Approval.

SECTION 6.4 REQUIREMENTS

A. The Final Plat shall be clearly and legibly delineated upon tracing material of acceptable quality. All lines, letters, figures, dedications, certificates, acknowledgments, and signatures shall be made in black, water-proof India Ink or equal. The net size of each sheet shall be 24 by 36 inches. A marginal line shall be drawn completely around each sheet, leaving an entirely blank margin of one-half inch, except the left margin which shall be two inches. The scale of the Plat shall be large enough to show all details of the subdivision or part thereof to be recorded and enough sheets shall be used to accomplish this end.

B. If more than one sheet is required, each sheet shall be numbered, the relation of one sheet to another clearly shown and the number of sheets shall be set forth on each sheet.

C. The scale, north point and sheet number shall be shown on each sheet of the Final Plat. The scale shall be 20, 40, or 50, feet to the inch.

D. A statement labeled "Plat Notes" shall be shown on one sheet of the Final Plat. Such statements shall include the basis of bearings, what monuments were found, what monuments and points were set, a key to symbols and abbreviations and such other information deemed by the County Engineering Division to be necessary.

E. Surveys made in preparation of Final Plats shall be made in accordance with standard practices and principles of surveying, as defined by the Arizona Board of Technical Registration. A traverse of the boundaries of the subdivision and all lots and blocks shall close within a limit of error of one foot in 25,000 feet.

SECTION 6.5 DATA REQUIRED

- A. The following additional data shall be shown on each Final Plat.
1. Dates of survey and preparation of Plat.
 2. Locations and names, without abbreviation, of all proposed streets and alleys; proposed public area and easements; adjoining street.
 3. Dimensions of all lots. Lots containing one acre, or more shall show net acreage to the nearest one hundredth of an acre. Ditto marks shall not be used. A typical lot with appropriate front, rear and side yard setbacks shall be provided on the plat.
 4. Center lines of all streets and lengths, tangent radius and central angle or radial bearings of all curves; and the bearings of radial lines to each lot corner of a curve; the width of each street, the width of the portion being dedicated and the width of existing dedication.
 5. Sufficient data to determine readily the bearing and length of each line.
 6. Suitable primary survey control points.
 7. Ties to and recording references to adjacent subdivisions as appropriate.
 8. Centerline data, width and side lines of all easements to which the subdivision is subject. Distances and bearings on the side lines of lots which are cut by an easement shall be shown as to indicate clearly the actual lengths of lot lines. The width of the easements and the lengths and bearings of the lines thereof and sufficient ties to locate the easements definitely with respect to the subdivisions shall be shown. The easement shall be clearly labeled and identified and, if already of record, proper reference to the records given. Easements being dedicated shall be so indicated in the certification of dedication. Easements shall be shown on the Plat by broken lines.
 9. Clear indication of stakes, monuments or other evidence on the ground to determine the boundaries of the subdivision.

SECTION 6.6 CENTER LINES AND BOUNDARIES

- A. Wherever the surveyor has established the centerline of a street or alley, that data shall be considered in making the surveys and in preparing the Final Plat, and all monuments found shall be indicated and proper reference made to field books or Plats of public record relating to the monuments. If the points were reset by ties, that fact shall be stated. The Final Plat shall show City and County or State boundaries adjoining the subdivision.

SECTION 6.7 LOTS

- A. Lots shall be numbered consecutively on each Final Plat with no omissions or duplications. Each lot shall be shown in its entirety on one sheet. Lots used for streets, alleys or recreational purposes shall be lettered.
- B. All lot corners shall be marked with pipe or iron rods and marked with the Surveyor's number before presentation of Final Plat.
- C. All lots shall be consistent with zoning requirements.

SECTION 6.8 - SUPPLEMENTARY DATA

- A. The Final Plat shall be filed for final review in the office of the County Public Works Department, and shall be accompanied by the following:
1. Five positive prints thereof, which shall be distributed as follows:
 - a. Two to the County Engineering Division, on one of which shall be shown all structures above and below the ground.
 - b. Two to the Deputy Public Works Director, Planning and Zoning
 - c. One to the Health Officer.
 2. Plans and specifications of the proposed improvements, including street, sewer, electric and water utilities, drainage, flood control and improvements meeting adopted County and State Construction Standards and Specifications.
 3. A copy of the protective covenants (C C & R's) to be recorded with the Final Plat. Said covenants shall provide for the raising and expenditure of funds necessary for the maintenance of any private streets shown on the Plat. Said covenants shall also provide for the enforcement of yard and private land use regulations as set forth in the Navajo County Zoning Regulations.
 4. A copy of the completed "Subdivision Improvement Plan Check List", of which there is a prepared list available from the County Engineer.
 5. Original and three positive prints of a plan showing the proposed water distribution system, signed by an executive of the Water Company or companies which will supply and deliver the water. The distribution system shall comply with all applicable State and County regulations.

SECTION 6.9 CHECKING

A. After issuance of a receipt for the Final Plat and accompanying supplemental data, the County Engineering Division shall examine it as to sufficiency of affidavits and acknowledgments, correctness of surveying data, mathematical data and computations and such other matters as require checking to insure compliance with the provisions of the Subdivision Regulations.

SECTION 6.10 TAXES AND ASSESSMENTS

A. Prior to the filing of the Final Plat with the County Engineer, the subdivider shall file with the Clerk of the Board of the County in which any part of the subdivision is located, a letter from the County Treasurer computing redemptions in the County or any municipal corporation in which any part of the subdivision is located, showing that, according to the records of his office, there are, or are no liens against the subdivision or any part thereof for unpaid State, County, Municipal or Local taxes or special assessments collected as taxes, except taxes or special assessments not yet due and payable. The subdivider shall also transmit a copy of said letter to the Deputy Public Works Director, Planning and Zoning.

SECTION 6.11 CERTIFICATES AND ACKNOWLEDGMENTS OF FINAL PLATS

A. The Final Plat shall show all certificates and acknowledgments. They shall appear on the Final Plat or they may be combined on a separate Mylar sheet of the same size on the Final Plat.

SECTION 6.12 EXTENSION OF TIME

- A. Upon application by the subdivider, an extension for submission of the Final Plat of up to 24- months may be granted by the Commission. In the event the Commission denies a subdivider's application for extension, the subdivider may appeal to the Board.
- B. Failure to record a Final Plat within 24-months from the approval or conditional approval of the Tentative Plat, or any extension of approval of the Final Plat granted by the Board or Commission, shall terminate all proceedings. The Board or Commission may approve an additional extension of time for recording the Final Plat if circumstances exist beyond the control of the subdivider.

SECTION 6.13 EXTENSION OF PLAT APPROVAL

- A. Any application of a Subdivider for such extension of time for the recording of a Final Plat shall be made in writing to the Deputy Public Works Director, Planning and Zoning not less than thirty (30) days prior to the expiration of the one year allowed. All persons appearing as owners of the subdivision shall execute the request for extension.

SECTION 6.14 RE-SUBDIVISION PLAT

- A. A Final Plat showing data required by Section 6.5 shall be submitted when the re-subdivision or portion of a subdivision results in six or more additional tracts or parcels. When in the opinion of the Planning and Zoning Commission and concurred by the County Engineering Division the requirement for a Final Plat Checking Fee may be reduced.

SECTION 6.15 REVERSION TO ACREAGE PLAT

- A. Plats filed for the purpose of reverting subdivided lands to acreage shall be conspicuously marked under the number, "The Purpose of this Plat is a Reversion to Acreage."
- B. Procedures and certificates for the purpose of Reversion to Acreage may be obtained from the County Engineering Division or the Planning Division.

SECTION 6.16 APPROVAL

- A. When the Final Plat is found to be in the correct form and the certificates and acknowledgments are sufficient, and the improvements certified as complete (See Section 8.10), the County Engineering Division shall endorse their approval thereon and transmit it, together with the plan for maintenance of any private streets, ways and easements, to the Director, or return the Final Plat to the Subdivider together with a statement setting forth the reasons for its return.
- B. The Director shall transmit the Final Plat to the Board of Supervisors for their approval.

MINUTES

P & Z COMMISSION HEARING

1/21/2021

ATTENDANCE

P & Z Commissioners

ATTENDED

1. Chuck Teetsel
2. Ruth Ann Smith
3. Randy Murph
4. George John
5. Chuck Howe

ABSENT

1. Rodger Rhoades
2. Nick McVicker

STAFF ATTENDANCE

1. Berrin Nejad
2. Cody Cooper
3. John Osgood
4. Bill Bess
5. Sandra Phillips
6. Jeanine Carruthers
7. Kristyn Saunders

Meeting held Online using Zoom.us – Time: 6:01 PM to 7:46 PM

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

ITEM #1 – PLEDGE OF ALLEGIANCE.

ITEM #2 – REVIEW OF AGENDA BY COMMISSIONERS.

Chairman Teetsel made a motion to approve the agenda, **Commissioner DeCross** motioned to approve, **Commissioner Murph** seconded, motion passed unanimously.

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

ITEM #4 – CONSIDERATION OF APPROVAL OF MINUTES FROM THE COMMISSION HEARING OF 12/17/2020.

Chairman Teetsel called for a motion to approve. **Commissioner Murph** made a motion to recommend Approval to the Board. **Commissioner Howe** seconded the motion. Motion carried unanimously.

ITEM #5 – ELECTION OF OFFICERS

Chairman Teetsel called for nominations, starting with Chairman.

Commissioner Smith motioned to nominate Chuck Howe, **Commissioner Murph** seconded the nomination. Motion carried Unanimously.
No further nominations were given.

Commissioner Howe accepted the nomination as Chairman.

Chairman Teetsel called for Vice Chairman nominations

Commissioner Murph nominated Ruth Ann Smith, **Commissioner Howe** seconded the nomination. Motion carried Unanimously.

Commissioner Smith accepted the nomination as Vice Chairman.

ITEM #6 – APPROVING THE SCHEDULE FOR 2021

The Chairman called for a motion.

Commissioner Decross made a motion to approve, **Commissioner Murph** to second, Motion passed unanimously.

ITEM #7 -- SUP 21-001 AZTEC WIND PROJECT – MET TOWER #1, SPECIAL USE PERMIT, DISTRICT III: A request for a Special Use Permit to allow for the construction and operation of a 60 meter (approx. 197') meteorological tower located on **APN#** 201-05-001B, T13N, R19E, S09 of the GSRM. **Owner:** Aztec Land and Cattle Company Ltd. **Agent:** Nick Boyd.

Mr. Cooper presented the item to the Commission. He showed the area of the project and the letter of intent from the applicant; The applicant is requesting a Special Use Permit to allow for the construction and operation of a 60 meter (approximately 197 foot) meteorological tower for a period of 24 months. According to the applicant, "The MET tower will be outfitted with instrumentation at varying heights for the temporary purpose of resource assessment, to support the development of the Aztec Wind Project." None of the structures and equipment on the site will be permanent and will be removed from the site once usage has terminated. The site will be required to be restored to the pre-disturbed/native state to the greatest extent possible upon completion of the usage of the meteorological tower. Both the applicant and Navajo County Planning and Zoning have reached out to Arizona Game and Fish Department regarding this proposal. In a letter dated December 17th, 2020 the Game and Fish Department asked that the applicant install Bird Flight Diverters, Install Aircraft Warning Markers, paint the tops of all met towers orange and white to increase visibility to pilots, provide the Department with GPS coordinates of all final MET towers, and locate MET towers away from wildlife attracting features such as cliffs and water resources as best they can. As a result of the received letter, all the measures have been included as recommended conditions for approval of a Special Use Permit for this proposed project. He then showed the Commission the area of notification, noting they received a request for a vicinity map from a nearby property owner that wished to know how far the project was from his home. Upon receiving the information, he had no concerns.

Commissioner DeCross expressed concerns about the tower's permanence and would not support a permanent structure, or an indefinite one, that would remain in place after

the turbines went up. There was some extensive discussion about the towers, including the Chairman and **Commissioner Decross** requesting data on the current MET towers that exist in the County, and how many had been removed previously. Commissioner Smith also expressed concerns about the MET towers being left up indefinitely. A representative of the applicant, Glenn Isaac from BluEarth, did confirm that the intent was to remove the towers at the end of the 24-month period. No members of the public were present to speak in favor or against the proposal. Mr. Cooper recommended to the Commission that if the conditions for approval were to be changed, that they be changed to include a three-year allowance to fall more in line with previous approvals.

With no further discussion needed, **Chairman Teetsel** called for a motion. **Commissioner DeCross** made a motion to recommend Approval to the Board based on a time limit of 24 months after erection OR three years from the date of approval by the Board of Supervisors. **Commissioner Howe** seconded the motion. Motion carried Unanimously.

ITEM #8 -- SUP 21-002 AZTEC WIND PROJECT -- MET TOWER #2, SPECIAL USE PERMIT, DISTRICT III: A request for a Special Use Permit to allow for the construction and operation of a 60 meter (approx. 197') meteorological tower located on **APN# 201-09-001A, T14N, R17E, S23** of the GSRM. **Owner:** Aztec Land and Cattle Company Ltd. **Agent:** Nick Boyd.

Mr. Cooper presented the item, noting who was contacted in the surrounding area. The only difference to the previous item was the location and the fact that there is a single-family residence a full mile away from where the project is located. As the project was nearly identical to the previous item, there was no further discussion from staff or the Commission. No members of the public were present to speak in favor or against the proposal.

Chairman Teetsel called for a motion. **Commissioner Howe** made a motion to recommend Approval to the Board of Supervisors that the tower be removed in 24 months of erection or 36 months following approval by the board of Supervisors. **Commissioner Smith** seconded the motion. Motion carried Unanimously.

ITEM #9 -- TP 21-001 HIGH PINES ESTATES, TENTATIVE PLAT, DISTRICT IV: A request for a Tentative Plat to allow for a 100-lot single-family residential subdivision to be known as High Pines Estates. The site is zoned Special Development (SD) on two parcels totaling 93.60-acres on **APN# 208-03-002A & 002B, T11N, R18E, S03** of the GSRM in the Aripine area. **Owner:** Travis Barney **Agent:** Painted Sky Engineering & Survey, LLC.

Mrs. Nejad presented the project to the board and listed the project's updates and especially updated the commission on what had changed about this project and noting especially it's ingress and egress. The proposed residential subdivision development is situated on the north side of Arizona State Route 260, east of Heber-Overgaard and west of Pinedale. The site is adjacent to the Sitgreaves National Forest and Day Wash. Forest Service Road 332 is located west of the wash and runs north and south, connecting to Highway 260 on the south end. There is two-track dirt road that runs east and west through the southern portion of the property which connect to FS-332 on the west side. Another two-track dirt road connects the east-west road that runs north, through the north end of the property.

County Engineer Bill Bess said they have worked closely with the developers on this project, noting that Forest Service road 332 was the best access and has been designated a public Right-of-Way (ROW) that is possible for the County to maintain a primitive road that would support a fire truck.

Doug Brimhall spoke to the commission stating that they have been working hard to address the stipulations laid down with the approval of the zone change, including working with ADOT and the Forest Service- and hiring a Geotechnical Engineer to go over the forest service road to get it up to the point where a fire truck could be driven on it. The lots and soil testing have been favorable, and we would like to seek approval for the tentative plat to allow us to move into the next phase.

DeCross said he was looking at the general requirements and said he'd like the verbiage in the resolution to be changed to "shall support heaviest responding HOFD fire apparatus (approx. 80,000 lbs)" in two places instead of just "firetruck".

The Commission then questioned the Applicant and Mr. Brimhall about the fire department's safety concerns, specifically a list of requested stipulations the fire department was asking of them. After some discussion the applicant did not foresee any issues accommodating the stipulations and was looking forward to incorporating with the Heber-Overgaard fire district, as that was the intention from the beginning.

Mr. Bess added that in the time he's been the county engineer this is the first tentative plat has come across his desk and laid out the process for the subdivision process, noting that this was still very early in the project and there would be a variety of small steps in-between getting the tentative plat approved and more changes still to make before it reached the final plat status.

Commissioner Howe asked if there was any correspondence with ADOT,

Bill said ADOT was very particular about the process and that will be addressed for approval with them, but ADOT would not be concerned until a much further stage in the process.

Commissioner Smith proposed that a stipulation be added that the Heber/Overgaard Fire District give their approval to the final plat and confirm that all of the concerns and requirements stated in their letter dated January 13, 2021, have been met to the District's satisfaction.

Commissioner Smith asked about the forest access roads that are showing on the plat at the east and west boundaries of the subject property. In the applicant's report, they are being promoted as forest access roads. Com. Smith had contacted the Forest Service and was advised that these roads were not authorized on forest land but had been created by hunting and firewood activity. In light of the Travel Management Plan, she was advised that these roads would most likely be closed out by the Forest Service. Applicant Mr. Travis Barney noted that they were doing research into the route as it may be a historical route for the Pony Express, and they wished to preserve it if they found that to be the case. If it is not, they will close off those areas but leave them as green space- as well as walk-in forest access just for owners within the subdivision.

There was more discussion about the prices of the cabins, the 100-year flood requirements for access, and questions about bad weather having adverse effects on access- all of these would be determined better at a later stage in development, especially with fluctuating prices on building materials.

The Chairman then called for public comment- Mr. Jason Owens asked if the issue of power had been discussed and how will it be brought to the subdivision, and if there were existing plans for additional easements coming into the subdivision, to make sure there wasn't any additional easements required.

Mr. Brimhall noted that they had already planned for power access and did not foresee any changes, saying that they were excited to get to the phase where they would be installing power.

With there being no further discussion from the commission or public, **Chairman Teetsel** called for a motion. **Commissioner DeCross** made a motion to recommend Approval to the Board, be approved subject to the conditions in the recommendations and the changes to 12 and 14 be included in the approval, with the inclusion of the conditions and concerns of fire department's approval Commissioner Murph seconded the motion. Motion carried Unanimously.

ITEM #10 – 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 Development Services Department staff to study or provide additional information on topics of the Commission's choosing.

ITEM #11 – REPORT FROM STAFF TO THE COMMISSION:

The Commission reserves the right to change the order of any Agenda item. The Commission reserves the right to adjourn into executive session when needed pursuant to ARS §38-431.03(A) (3) for legal consultation on the above-described agenda items.

ADJOURN MEETING

With there being no further business to come before the Planning and Zoning Commission, the meeting was adjourned at 7:46 PM.

A motion was made to adjourn the meeting by **Commissioner DeCross**. **Commissioner Howe** seconded the motion. Motion carried unanimously.

Approved this _____ day of _____, _____

Chairman, Navajo County
Planning & Zoning Commission

ATTEST:

Secretary, Navajo County
Planning & Zoning Department

MINUTES

P&Z COMMISSION HEARING

2/18/2021

ATTENDANCE

P & Z Commissioners

ATTENDED

1. Chuck Howe
2. Ruth Ann Smith
3. Wendell DeCross
4. George John
5. Nick McVicker
6. Randy Murph

ABSENT

1. Chuck Teetsel
2. Rodger Rhoades

STAFF ATTENDANCE

1. Berrin Nejad
2. Cody Cooper
3. John Osgood
4. Bill Bess
5. Kristyn Saunders

Meeting held online through Zoom.us, from: 6:03 PM to 7:58 PM

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

ITEM #1 – PLEDGE OF ALLEGIANCE

ITEM #2 – REVIEW OF AGENDA BY COMMISSIONERS

Commissioner Smith pointed out a date mistake in the agenda's date. Commissioner Smith then motioned to approve the agenda as approved with the amendment of the date. Commissioner Murph seconded, motion carried 5 - 0

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

ITEM #4 – CONSIDERATION OF APPROVAL OF MINUTES FROM THE COMMISSION HEARING ON January 21, 2021.

Item tabled.

ITEM #5 – SUP 21-003 HOT AIR WIND MET TOWERS – MET TOWER #1, SPECIAL USE PERMIT, DISTRICT III: A request for a Special Use Permit to allow for the construction and operation of a 60 meter (approx. 197') meteorological tower located on **APN# 110-07-001H, T16N, R20E, S15** of the GSRM. **Owner:** Aztec Land and Cattle Company Ltd. **Agent:** Pattern Energy.

Mr. Cooper presented the item to the Commission, giving a brief overview of the surrounding areas and noting that the next few items would be identical.

The applicant has requested Special Use Permits to allow for the construction and operation of five (5), 60 meter (approximately 197 foot) meteorological towers.

The applicant is requesting Special Use Permits to allow for the construction and operation of five (5) different, 60 meter (approximately 197 foot) meteorological towers. The location of the meteorological towers ranges from approximately 8.5 miles to 16.5 miles to the southwest of Holbrook. The applicant intends to use these towers to record meteorological conditions to research for a potential future electrical generation project.

As far as construction of the towers, the applicant has described them as, “constructed of a guyed steel monopole structure approximately 60 meters tall. Each structure would be installed within a cleared, approximately 0.03-acre pad, and would occupy approximately 2 acres when including the area encompassing the guywires. For maximum safety, the towers would be painted orange and aviation white and include balls on the guywires. To protect wildlife, bird flight diverters will be installed on all MET tower guywires at spaced intervals and towers are not located near wildlife attracting features (i.e. cliffs, canyons, water sources).”

The applicant is planning to phase their installation of towers over a 2-year period from approval of the Special Use Permits. In the applicant’s narrative, it has been noted that there is a request of a 5-year operation period for these towers.

The applicants will access these tower locations via State Route 377 and existing roadways that branch off to the locations.

None of the structures and equipment on the sites will be permanent and will be removed from the site once usage has terminated. The site will be required to be restored to the pre-disturbed/native state to the greatest extent possible upon completion of the usage of the meteorological tower.

The applicant has reached out to the Arizona Game and Fish Department regarding these projects and Staff has been included within these interactions. The conditions requested from Game and Fish have been included in Staff recommendations.

Terrence Cantorna, a representative, spoke to the Commission with appreciation for staff, and had a few concerns regarding the conditions regarding the fencing and blinking red lights, and after some discussion the applicant was satisfied with the intent of the requirements for the lights, as they were solely based on FAA standards.

Further discussion was had toward the fencing requirements, and it was determined that only the footings and foundations needed to be fenced off.

Last discussed was the length of the permit's application, there was some discussion toward the advantage of leaving them up from the applicant's perspective, but the Commissioners felt that it was too impactful, and could not support indefinite use.

With no further discussion from the public or Commission, **Chairman Howe** called for a motion. **Commissioner DeCross** made a motion to recommend Approval to the Board as presented but not to exceed a period of five years. **Commissioner Murph** seconded the motion. Motion carried, 5-0.

- Later on, in the meeting, The **Chairman** asked the Commission and staff about amending this motion to include the new language for the fencing, John Osgood sought legal counsel on the Commission's behalf. After discussing amending the motion, **Commissioner Decross** withdrew his Motion on Item 5, and Commissioner Murph withdrew his second.

Chairman Howe called for a new motion on Item 5. **Commissioner Murph** made a motion to recommend approval to the Board as presented but not to exceed a period of five years, with an amendment to clarify that the fencing only be around the footings of the guy wires and the foundation of the tower. **Commissioner McVicker** seconded the motion. Motion carried, 5-0.

ITEM #6 – SUP 21-004 HOT AIR WIND MET TOWERS – MET TOWER #2, SPECIAL USE PERMIT, DISTRICT III: A request for a Special Use Permit to allow for the construction and operation of a 60 meter (approx. 197') meteorological tower located on **APN# 110-06-002B, T16N, R19E, S22** of the GSRM. **Owner:** Aztec Land and Cattle Company Ltd. **Agent:** Pattern Energy.

Mr. Cooper noted that the item was the same as the last one, just a different location.

With no comment or questions from staff, applicant, landowner, or public in favor or against, **Chairman Howe** called for a motion. **Commissioner DeCross** made a motion to recommend approval to the Board as presented but not to exceed a period of five years, with an amendment to clarify that the fencing only be around the footings of the guywires and the foundation of the tower. **Commissioner Murph** seconded the motion. Motion carried, 5-0.

ITEM #7 – SUP 21-005 HOT AIR WIND MET TOWERS – MET TOWER #3, SPECIAL USE PERMIT, DISTRICT III: A request for a Special Use Permit to allow for the construction and operation of a 60 meter (approx. 197') meteorological tower located on **APN# 110-01-001C, T15N, R19E, S15** of the GSRM. **Owner:** Aztec Land and Cattle Company Ltd. **Agent:** Pattern Energy.

Mr. Cooper stated that this presentation was the same save for the location.

With no comment or questions from staff, applicant, landowner, or public in favor or against, **the Chairman** called for a motion. **Commissioner Murph** made a motion to recommend approval to the Board as presented but not to exceed a period of five years, with an amendment to clarify that the fencing only be around the footings of the guy wires

and the foundation of the tower. oval to the Board with amending the fencing to only fence the footings. **Commissioner DeCross** seconded the motion. Motion carried, 5-0.

ITEM #8 – SUP 21-006 HOT AIR WIND MET TOWERS – MET TOWER #3, SPECIAL USE PERMIT, DISTRICT III: A request for a Special Use Permit to allow for the construction and operation of a 60 meter (approx. 197') meteorological tower located on **APN#** 110-06-002A, T16N, R19E, S12 of the GSRM. **Owner:** Aztec Land and Cattle Company Ltd. **Agent:** Pattern Energy.

Mr. Cooper stated that this presentation was the same save for the location.

With no comment or questions from staff, applicant, landowner, or public in favor or against, **the Chairman** called for a motion. **Commissioner Murph** made a motion to recommend approval to the Board as presented but not to exceed a period of five years, with an amendment to clarify that the fencing only be around the footings of the guy wires and the foundation of the tower. **Commissioner DeCross** seconded the motion. Motion carried, 5-0.

ITEM #9– SUP 21-007 HOT AIR WIND MET TOWERS – MET TOWER #3, SPECIAL USE PERMIT, DISTRICT III: A request for a Special Use Permit to allow for the construction and operation of a 60 meter (approx. 197') meteorological tower located on **APN#** 110-07-001F, T16N, R20E, S35 of the GSRM. **Owner:** Aztec Land and Cattle Company Ltd. **Agent:** Pattern Energy.

The Chairman called for a motion. **Commissioner Murph** made a motion to recommend approval to the Board as presented but not to exceed a period of five years, with an amendment to clarify that the fencing only be around the footings of the guy wires and the foundation of the tower. **Commissioner DeCross** seconded the motion. Motion carried, 5-0.

ITEM #10 – SUP 21-008 SLEEPY MEADOW MOBILE PARK, DISTRICT IV: A request for a Special Use Permit to build a 28-space manufactured home park, including 5 spaces reserved as RV spaces. The property is 2.16 acres in size, located to the east of Porter Mountain Road, between Amanda Drive and Pederson Road in the Lakeside area. **APN #** 212-26-082E, T09N R22E S24. **Owner:** Vincent W. Davis. **Agent:** Painted Sky Engineering & Surveying, LLC.

Director Nejad presented the project to the Commission. The property is owned by Sleepy Meadow, LLC, located east of Porter Mountain Road, southwest corner of Amanda Drive, and west of Hi Joe Road. The parcel is 2.16 acres in size, zoned R-3 Multi-Family Residential and currently vacant. The area is surrounded mostly with residential and multi-family residential uses, including an existing Mobile Home Park on the North side of Amanda Drive. The site is flat and at grade with the surrounding properties and roads. The proposal is for a 28 space Mobile Home Park, 23 of them for mobile homes, and 5 spaces reserved for RV- Recreational Vehicles. The entire park will be constructed in two phases. The access to the homes is either directly from Hi Joe Road or by three driveways off Hi Joe, each being 20 feet wide. There will be multiple lot sizes, but they all meet the required setbacks within the boundaries of the parcel, as well as between the structures, and does a provide parking area for each unit. The maximum lot coverage for the zoning is 33%. Each Manufactured Home space is a minimum of 3000 square feet or more per Article 14, R-3 zoning regulations. Section 1402 requires a minimum distance

between the Manufactured Homes to be 15 feet, and 17 feet of distance is provided in the plans. Each home has an eight (8) foot setback from the property line. Staff received three comments from neighbors with concerns about drainage, they are addressed in the engineering studies, and the applicant and the engineer are available for questions.

Applicant Vince Davis spoke to the commission with addition to the concerns, we are going to put rules and regulations will not allow sheds larger than 144 sq. feet, one per lot, no outdoor animals allowed, and no dangerous breeds will be allowed. Also, there is a short amount of chain-link fence along the dog park, but the entire perimeter is going to be wood and iron fence. The plan is to bring in brand new manufactured homes, no refurbished or remodeled or older homes. I know there's a lot of demand for clean affordable housing, and I feel this will fulfill the need, also the roads will be addressed in a later phase, we will engineer them to be able to support safety vehicles, and the planning will also have a turn-around included solely for the construction phase.

There was no one from the public to speak for or against the project.

Commissioner DeCross had visited the site for review, noting that the area was densely populated from the Peterson subdivision as well as a neighboring subdivision that specialized in lots for tiny homes, and asked if the fire department had any comment, to which Mrs. Nejad said that there wasn't any concern and read an e-mail she had received in reference to the application.

Bill Bess, County engineer, added that the applicant would be required to gravel a section of road, the county will not be able to maintain them because they do not meet HURF requirements, so these would be solely maintained and the responsibility of the developer. The applicant questioned how much of the road he was responsible for, and Mr. Bess identified which portion of the road should be maintained by which subdivision.

With no further discussion being had, the **Chairman** called for a motion. **Commissioner DeCross** made a motion to recommend Approval to the Board. **Commissioner McVicker** seconded the motion. Motion carried, 4-1.

**ITEM #11 – ZO-21-001 AMENDMENTS TO ARTICLE VI, SUBDIVISION REGULATIONS
ADDITION OF SECTION 6.17 – MODIFICATIONS TO FINAL PLATTED SUBDIVISION**

-Consideration of Subdivision Regulations text amendment, addition of Section 6.17 to Article VI. (TABLE to March 18, 2021 Meeting)

Commissioner Decross made a motion to Table the item, **Commissioner Murph** Seconded the motion. Motion carried, 5 - 0.

ITEM # 12– 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 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, the meeting was adjourned at 7:58 PM by **Chairman Howe**.

Approved this _____ day of _____, _____

Chairman, Navajo County
Planning & Zoning Commission

ATTEST:

Secretary, Navajo County
Planning & Zoning Department

DRAFT