

**MINUTE RECORD OF THE JOINT WORK-SESSION MEETING OF THE
MAYOR AND CITY COUNCIL AND THE PLANNING AND ZONING COMMISSION
OF THE CITY OF WILLCOX, COCHISE COUNTY, ARIZONA
HELD ON THE 22nd DAY OF AUGUST, 2011**

CALL TO ORDER - Mayor Gerald W. Lindsey called the joint work-session with the Planning and Zoning Commission to order at 6:32 p.m. on Monday, August 22, 2011. The Mayor welcomed everyone to meeting. He stated that many hours of work have gone into the document being discussed this evening. Upon completion he believes it will serve our community well.

ROLL CALL - Recording Secretary Sandra Thomas called the roll:

PRESENT

Mayor Gerald W. Lindsey
Vice Mayor Monika Cronberg
Councilman Elwood A. Johnson
Councilman Stephen Klump
Councilman Christopher Donahue
Councilman William Holloway
Councilman Robert Irvin

STAFF

City Manager Pat McCourt
City Attorney Hector M. Figueroa

PLANNING & ZONING COMMISSIONERS

PRESENT

Chairman Jim Fusco
Vice Chairman Earl Goolsby
Commissioner Doyle Miller
Commissioner Don Ulses
Commissioner Nancy Guerrero

STAFF

Zoning Administrator Jeff Stoddard
Recording Secretary Sandi Thomas

PLEDGE OF ALLEGIANCE TO THE FLAG

Mayor Lindsey led everyone in the pledge.

DECLARATION ON CONFLICT OF INTEREST

There was no response from the members of the City Council or the members of the Planning & Zoning Commission.

ADOPTION OF THE AGENDA

MOTION: Vice Mayor Cronberg moved to adopt the agenda as presented.

SECONDED: Councilman Johnson seconded the motion. **CARRIED.**

DISCUSSION REGARDING REVIEW OF TITLE 11 "ZONING".

Mr. Stoddard addressed the Mayor and City Council as well as the Chairman and Commissioners of the Planning and Zoning Commission. He said this meeting will cover the first sixty pages of the revision of Title 11, formerly Title 17, which is regarding zoning issues. He asked that all present please ask any questions they may have or make any suggestions they feel would be useful. Everything is open for discussion. Starting with page

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one, just make any comments necessary as the document is gone through.

Mr. Stoddard said that City Manager McCourt had pointed out a couple of items to him that he has corrected. The first is on page five under the definition for "Accessory Use" in E. It states that there can be no non-resident employee. This conflicts with the Home Occupation section. So he changed it to say "no more than one non-resident employee". The second item is on page eleven under "Building, Detached". In the drawing that accompanies the definition it has arrows and says 10 ft. min. but it is not clear what this indicates. He clarified by adding that if the two buildings which are connected by only a roof and are a minimum of ten feet apart, they are deemed to be detached.

Commissioner Ulses suggested removing the word "meat" from the definition of "Livestock". Mr. Stoddard said he would check the State of Arizona definition of livestock. Vice Chairman Goolsby said that would be a good idea.

Mayor Lindsey said he has a question regarding the definition of "Manufactured Home". He said the definition states the exterior dimensions should be not less than twenty four by forty feet. But a single wide is a manufactured home built after 1976 and some are not 24 feet wide. Mr. Stoddard said he used the Arizona Revised Statute definition of a manufactured home, but he will look into the matter further and report back next time.

Commissioner Guerrero stated that on page twenty seven some items are out of alphabetical order. Mr. Stoddard replied that he will correct it.

Commissioner Ulses said on page thirty two the definition for retention basin seems odd. He would think the last thing you would want to do is permanently store runoff water. City Manager McCourt stated there are two types of basins. Retention basins are for temporary storage of runoff water. Detention basins are a more permanent or dedicated storage of runoff water. Mr. Stoddard agreed stating what a rancher would typically use to store runoff water for his livestock is a detention basin. Vice Chairman Goolsby said the basin or pond is permanent, not necessarily the water. Vice Mayor Cronberg suggested replacing the word permanent with dedicated in the definition. Commissioner Guerrero asked if that would alter what Mr. Stoddard was trying to get across with the definition? Mr. Stoddard said either word would serve his purpose. Mr. Stoddard said he will change the word permanent to dedicated.

Commissioner Ulses said in the definition of rooming house, the word more needs to be replaced with the word more. Mr. Stoddard said he will change it.

Commissioner Ulses said in the definition of site plan, it should mention the dedicated storage areas for runoff water and for drainage. Mr. Stoddard said he will add something stating those requirements.

Commissioner Ulses said in the definition of yard sale, should it not state that only so many sales per year are allowed? Mr. Stoddard replied that the rules are in the Supplementary Requirements section. This is just the definition. Commissioner Ulses said that is fine.

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Mr. Stoddard said he has added a definition for through lot. It is a lot that fronts actually on two streets. An example would be the lots on Austin Boulevard which run clear through to Biddle Avenue with no alleyway separating them. When occupied, these lots will have a home that fronts on one street as well as a home that fronts on the other street.

Mr. Stoddard said he and City Manager McCourt discussed 11-4-3 in A1, regarding off-street parking requirements. With most family units having multiple vehicles, he changed the required number of off-street parking spaces from one per dwelling unit to two per dwelling unit.

Commissioner Ulses said under 11-4-23 in A15, it should read drive-in restaurant, not drive-in retain. Mr. Stoddard said he will correct it.

Mayor Lindsey said in 11-4-24 under C, he feels requiring an unlicensed vehicle to be stored in a fully enclosed building at all times is a bit stringent. Mr. Stoddard said he could add that a screened area is acceptable as well. Mayor Lindsey said that would be a good idea, but this item will still create some backlash from the citizens. Mr. Stoddard agreed, but added his objective is to get some of the vehicles out of the yards around town. He wants to be reasonable with people, but some of these vehicles have been in these yards literally for years and years with nothing being done to them in all that time. It just contributes to making our neighborhoods look run down. He does not plan on clearing the city of vehicles in yards in a one month period. He plans to approach people, giving them a time period to comply, and of course he will consider their circumstances.

Mayor Lindsey said he has somewhat of an issue with the entire landscaping section 11-4-26. He understands the need for such a section to some extent, but telling citizens what types of plants to plant in their yards seems severe. Mr. Stoddard replied that this will predominantly be applied to new builds. There is a current landscaping section in Title 17, but it is not very specific. Some developers just dump gravel in the yard and call that landscaping. Mr. Stoddard said he would like to see new builds go to a little more effort than that. It will make the City have a much better appearance in the long run. Councilman Donahue said between the cost of the required landscaping and the required underground irrigation system it will be difficult for most people to afford to build a home in Willcox. Commissioner Ulses said irrigation or sprinkler systems have been a requirement in most metropolitan areas for many years. Vice Mayor Cronberg said Willcox could hardly be considered a metropolitan area. She also noted that these landscaping and irrigation system requirements are not applicable to single family homes. It states in 11-4-26 B1 that these requirements are for new multi-family and nonresidential development. Councilman Donahue said that makes much more sense than expecting single-family homes to meet these requirements. Vice Mayor Cronberg said the entire Title could be more clearly worded. When only commercial properties are affected by a requirement, it should be stated clearly. These requirements should not have to be "deciphered" to be understood. Commissioner Guerrero agreed saying items that can be clarified or be stated more directly should be so, to eliminate confusion.

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Mayor Lindsey said at the top of page fifty eight under A2, it reads "No sign, nor any portion of a sign, shall rotate, move or simulate movement by means of fluttering, spinning, or reflection devices, nor shall it contain an electronic message device except for time and temperature signs" and so on. Mr. Stoddard thanked Mayor Lindsey adding that definitely must be removed or the sign the City plans to place at the Public Safety Complex will be illegal. Mr. Stoddard said he will remove all of A2.

Vice Mayor Cronberg asked for clarification on page fifty nine, number twelve. She said many business owners have a company logo on a company vehicle that they park at their place of business or sometimes even at their residence. Mr. Stoddard stated this would only apply to vehicles parked in the City of Willcox right-of-way for a period longer than seventy two consecutive hours. If they are in a parking lot space in their business parking lot or in a residential driveway, this would not apply to them. Vice Mayor Cronberg thanked Mr. Stoddard for the clarification.

Mayor Lindsey said he has an issue with C1, a1, on page sixty regarding Special Purpose Signs. In C1, a1, it states "this sign shall contain no advertising copy". Even just the name of a business on a sign is in some sense advertising copy. Vice Mayor Cronberg stated she agreed. Mr. Stoddard said he will remove C1, a1. Commissioner Guerrero said most businesses in a small town can use all of the help they can get.

Mr. Stoddard said he believes the next discussion on the updating of Title 11 Zoning will be held on September 12, 2011, at 6:30 p.m. and the Mayor, Council members and Commissioners will all receive Agendas and the next chunk of pages for review.

ADJOURN

There being no further business before the Mayor and Council, Mayor Lindsey adjourned the joint work-session meeting with the Planning and Zoning Commission at 7:45 p.m.

CERTIFICATION:

I hereby certify that the foregoing minutes are a true and correct copy of the minutes of the joint work-session meeting of the Mayor and City Council and the Planning and Zoning Commission of the City of Willcox held on the 22nd day of August 2011. I further certify that the meeting was duly called and held, and that a quorum was present.

Dated this 1st day of September 2011

/s/Sandra Thomas
Recording Secretary Sandra Thomas

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PASSED AND ADOPTED THIS 19th DAY OF September, 2011

/S/ Gerald W. Lindsey
MAYOR GERALD W. LINDSEY
Signed: 09-20-2011

ATTEST:

/s/Pat McCourt
~~City Clerk Cristina G. Whelan, CMC~~
City Manager Pat McCourt, Acting City Clerk