

**Gila County Planning and Zoning Commission**  
**June 21, 2007**  
**Approved July 19, 2007**

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**1. Call to order/Pledge of Allegiance**

Planning and Zoning Commission meeting was called to order by the Chairman, Don Ascoli at 10: 05 am. The Pledge of Allegiance was lead by Chairman Ascoli.

**2. Roll Call**

Commission Present:	Chairman:	Don Ascoli
	Vice Chairman:	Lori Brown
	Members:	Jay Spehar
		Travis Williams
		Jack Larimore
		Mickie Nye
		Renee Zeising
	Absent:	Mark Famusa
		Ron Christensen

**3. Review and Approval of Minutes**

Commissioner Rene Zeising motioned to approve the minutes of May 17th, 2007 with the change that she had abstained due to her absence of the March meeting; seconded by Commissioner Travis Williams, motion passed.

**4. Director/Commission Communications**

Bob Gould, Director of Community Development, reported that the Board of Supervisors on June 19<sup>th</sup>, recommended the Stodghill amendment to the Comprehensive Plan come back to the Commission. It will be on the Planning and Zoning Commission agenda for July.

Chairman Ascoli asked if the meeting will be held in Payson. Bob Gould, Director, told the commission that a conditional use permit located in Lower Miami would be on the agenda also. He further stated that there will be approximately twenty eight (28) notices going out; the conditional use permit came to us through a complaint.

After several minutes of discussion between the commissioners, it was determined that the July meeting will be held in Payson.

Bob Gould, Director of Community Development, reported that Mark Famusa is not interested in serving any longer and that the Planning and Zoning Commission now has a vacancy.

5. Tabled Item from the May 17, 2007 meeting: AGCHO-07-01 Amendment to the Gila County Hearing Officer Rules of Procedure which was originally adopted by the Gila County Board of Supervisors on December 6, 2007.

Commissioner Jay Spehar moved to remove this item from the table, it was seconded by Mickie Nye; motion passed.

Bob Gould, Director, introduced Margie Chapman who is the Code Compliance Supervisor. Margie and the commission reviewed the changes that were recommended at the May 17<sup>th</sup>, 2007 meeting.

After some discussion between the commission and the Code Compliance Supervisor regarding changes to the code, it was determined that "constitutes a waiver of the right of counsel or designated representative and" needs to be removed.

9.2 (page 7) will read "Absent extraordinary circumstances, failure of the defendant to notify the Supervisor of an election to be represented by counsel or designated representative at least ten (10) days prior to the hearing for testimony and presentation of evidence may cause a postponement of these proceedings." It was determined that any place that that verbiage exists will be changed.

Commissioner Jay Spehar motioned to approve the revisions to Hearing Officer Rules of Procedure subject to revisions to 2.11 to send letters to interested parties and notices of violations only to offending parties and revision throughout the document that clarifies that no right to counsel or representation would be waived due to a failure to notify within the ten (10) day time frame but the county would have the right to postpone the hearing so that it would have an equal opportunity to have representation. Commissioner Renee Zeising seconded the motion, motion unanimously passed.

Chairman Ascoli asked for clarification, that these amendments will be sent to the Board of Supervisors. Both Bob Gould and Margie Chapman assured him that the changes will be made prior to going to the Board of Supervisors.

Bob Gould stated that most items have to go to the Board of Supervisors for final approval.

Margie Chapman stated that the position for position of Hearing Officer has been filed. Mr. Steve Johnson, a retired police officer has agreed to fill the position. This will go before the Board of Supervisors also.

6. S-07-03 Chamberlain Trail Subdivision:

Preliminary Plat for Chamberlain Ranch (Tierra Este Trust). Project will have forty four (44) lots. Property is zoned R1L-D20 w/PAD (Z-06-06 rezoning). Property is located on Colcord Road in Payson, AZ. Gila County Assessor Parcel 303-15-003A, B & C (out of 303-15-001G).

Robert Gould, Director of Community Development, introduced this item to the commission. He stated that this project is a subdivision located off Colcord Road which is approximately 10 miles east of Christopher Creek and south of Highway 260.

The subdivision is approximately 30 acres and zoning will allow up to two residential units per acre. The streets within the subdivision will be private streets. The applicant is proposing a public water and sewer system; ADWR and ADEQ will handle that end. Some issues of concern:

Building envelopes being defined per flood plain and topography not setbacks. Eight or nine of the lots might not even have an adequate building envelope after you get the floodplain defined. That will come with the final plat.

Secondary access has not been resolved. This needs to be resolved at the time of the final plat.

Correct errors (acreage), legal description and stated that there were so many issues that he referred the commission to the exhibits provided in his report.

ROS 1870, Record of Survey/Minor Land Division shows a thirty (30') easement; probably needs to show that it will be abandoned.

NAO's needs to be clearly defined and established.

All tracts need to be defined prior to the final plat.

Staff recommends approval with the following:

1. That an eight foot easement be provided on the fronts of each lot in accordance with letter from APS
2. The applicant will provide building envelopes as required in the application to rezone on the final plat.
3. The applicant will provide a note on the final plat requiring individual grading and erosion control plans being required for lots with 15% or greater slope on 50% or more of the lot.
4. Need to clearly depict the Natural Area Open Space easement (NAOS) and not allow any construction or vertical development to occur within this area.
5. Address all issues identified in Exhibit "B" (memo from Floodplain Administrator, dated May 14, 2007)
6. Address all issues identified in Exhibit "C" showing all concerns with the plat by staff.

Several questions were asked of Mr. Gould regarding sewage disposal, acreage, etc. Commissioner Renee Zeising was concerned with the building envelopes.

Jason Lollar representing Chamberlain Ranch spoke. He stated that the engineer will address all the issues on the final plat.

Bob Gould stated that the preliminary plat would come back to them only if the final plat has significant deviations, otherwise it goes directly to the Board of Supervisors for final plat approval.

Commissioner Mickie Nye stated his concern is water. Robert Gould stated that probably every plat that has been recorded in Gila County has a paragraph that this subdivision does not have an adequate water supply. We are not within an active management area.

After some discussion between the commission, Mr. Gould and Jason Lollar, the representative from Chamberlain, regarding easements and road standards, Vice-Chairperson Lori Brown motioned to approved the preliminary plat with staff recommendations (listed above) with Exhibits B & C; Commissioner Travis Willliams seconded the motion, motion passed 7 in favor and 1 against (Commissioner Zeising opposed).

Commissioner Williams asked, for personal reasons, why she opposed. Commissioner Zeising stated that the plat did not show diligent work in progress and they should have had more accomplished. Darde DeRoulacs comments on flood plain are a real concern. She stated that she wants to see the subdivision done right.

Commissioner Travis Williams stated staff will have to make sure that these items are addressed during the final plat.

7. Board of Supervisors/Planning and Zoning Commission work study preparation:

Bob Gould stated that the Planning and Zoning Commission has requested a meeting with the Board of Supervisors to get direction on priorities. He went over the memo that was sent to the commission in their packets.

Bob Gould stated that Proposition 207 has created a major stumbling block and some real serious discussion needs to occur on how to proceed with any kind of amendment to our regulatory program.

Commissioner Spehar stated that the commission needs to have a consensus before meeting with the Board of Supervisors.

Vice Chairperson Lori Brown suggested that the commission have a work study to discuss the items to be discussed with the Board.

The commission decided to have a work session after the regularly scheduled meeting of July 19<sup>th</sup>, 2007 and to begin at 9 am.

8. Adjournment

Motion to adjourn made by Commissioner Mickie Nye; seconded by Renee Zeising, meeting ended at 12:01 pm.

