

**City Of Bisbee  
Planning and Zoning Commission Meeting  
118 Arizona Street  
Bisbee, Arizona 85603  
August 17th, 2017, @ 5:30 pm**

**Action Agenda**

*THE ORDER OR DELETION OF ANY ITEM ON THIS AGENDA IS SUBJECT TO MODIFICATION AT THE MEETING.*

**5:30 pm Call To Order by Chair Keith Dennis**

**Roll Call - Commission Members**

	<b>Present</b>	<b>Absent</b>	<b>Excused</b>
<b>Keith Dennis – Chair</b>	x		
<b>Mark Apel – Vice Chair</b>	x		
<b>Judy Anderson</b>	x		
<b>Noah Suby</b>	x		
<b>Cynthia Conroy</b>			x
<b>Michael McPartlin</b>	x		
<b>Douglas Dunn – Council Liaison to the Commission</b>			x

**CALL TO THE PUBLIC –**

- 1. Public Hearing, To Consider Rezoning Application 17-02.  
Discussion and Possible Recommendation to the Mayor and City Council.**

**Premier Alliances Inc. has applied to rezone their property at 1556 Naco Highway. This parcel is currently zoned R-1 with a Special Use Permit from the City of Bisbee that allows the group home, business offices and light manufacturing. The Applicant is requesting that the zoning be changed to C-3. The parcel ID numbers are 102-31-0019 & 102-31-002B-0**

1. The Staff Report was presented to the Commission

The Staff Report outlined the past use of the property and possible future uses if this application is approved by the Mayor and Council. Staff recommended approval with certain C-3 uses precluded.

3. Mr. John Charley represented Premier Alliances presented the Rezoning application to the P&Z Commission and answered questions from the Commissioners. Commissioner Anderson recommended Public Works Dept. be consulted regarding the traffic circulation at this site and include a Public Works statement with the packet of documents sent to the City Council. Mr. Charley noted that a City Site Plan Committee approved the existing layout of the site and considered the traffic flow at this time.

2. The Public Hearing was declared open.

Mr. Eric Winter who lives across the street from the proposed rezoning location spoke to the Commission. Mr. Winter wants the facility to prosper but wouldn't want retail sales, lumberyards or hotels on the site.

3. The Public Hearing was declared closed.

4. Call for Commission discussion.

Commissioner Dennis asked Mr Charley if Premier Alliances is agreeable to striking lumberyards and towing yards from the approved uses. Mr. Charley agreed.

Commissioner Dennis had two other recommendations to attach to the possible motion

- a. The Applicant shall provide the City with a signed form accepting the conditions of approval imposed upon them by the City Council, within thirty (30) days of City Council approval of the rezoning.
- b. The Applicant shall provide the City with a "Waiver of Claims" form arising from ARS Section 12-1134 signed by the property owner of the subject property within thirty (30) days of City Council approval of the rezoning;

5. There was a call for any additional staff recommendations. None were made.

Commissioner Suby stated that he would abstain from voting. Mr. Charley asked that Mr. Suby's comments be struck from the record. It was noted that the comments could not be struck from the video record. There was a call for a motion. Commissioner Dennis proposed the following motion:

**"I move that the Planning and Zoning Commission forward rezoning application 17-02 to the Mayor and Council with a recommendation for conditional approval.**

**Condition 1. : A prohibition on towing yard and warehouse uses.**

**Condition 2. : That the Applicant provide the City with a signed form accepting the conditions of approval imposed upon them by the City Council, within thirty (30) days of Council approval, if approved**

**Condition 3. : The applicants shall sign a waiver of any claims arising from ARS 12-1134"**

6. Commissioner Dennis called for discussion of the proposed motion. Commissioner Apel moved to accept the motion. Commissioner McPartlin seconded the motion. The Chair called for a vote.

**Action: The motion to recommend forwarding Rezoning Application 17-02 to the City Council with the conditions noted above, passed 4-0 in favor with one abstention.**

## **2. For Discussion only**

### **The changes needed to align the “City of Bisbee: Uses And Zone Matrix” with the rest of the Zoning Code**

There are a number of instances where the “Matrix” does not properly reflect the body of Bisbee’s Zoning Code. The Commission is working to reconcile the two prior to a public hearing.

Commissioner Anderson has been working on this agenda item. Creating a professional structure for our Zoning Code’s “Uses And Zone Matrix”. Work will continue with the proposed changes detailed for consideration at the September P&Z meeting.

**No action Taken**

## **3. For Discussion only**

### **Discussion of Change recommended by the D.R.B. to Bisbee’s Zoning Code regarding the demolition of structures within the Bisbee Historic District.**

**The Design Review Board voted to recommend enhancing our current regulation of demolition, contained in the Zoning Code.**

Commissioner McPartlin explained how the proposed enhanced requirements for demolition of structures would create criteria for the Design Review Board to use in deciding whether to approve a demolition instead of the existing case by case approval method. The DRB attempted to take the middle ground in proposing these changes and spent several months deliberating the details.

The Commission recommended bringing this item to a Public Hearing.

**No Action Taken**

## **4. For Discussion only**

**Discussion of Change recommended by the D.R.B. to Bisbee's Zoning Code regarding painting murals on commercial buildings within the Bisbee Historic District.**

The Design Review Board has amended their prior version of proposed mural regulations and recommends amending the Zoning Code to regulate murals on **commercial properties within the Historic District.**

This amendment will be heard in a public hearing in September.

**No Action Taken**

**5. Discussion of amending the Special use Permit and Rezoning Procedures.**

The City's procedures and forms used for these two P&Z items are overly simple. It is the Commission's goal to update both. At June's P&Z meeting Keith asked that the Commissioners provide input on where to scale back the list of factors to be considered for rezoning applications.

The Commission has heard increased numbers rezoning and special use permits in the last several years.

Our current zoning regulations contain procedural requirements that have proven inadequate for many of the applications we have received. There is too little in our regulations for the Commission or staff to use in evaluating these applications.

Commission Chair, Mr. Dennis has been working on revising the regulation governing rezoning and Special Use Permits. This will remain on P&Z agendas until completed.

Commissioner Apel reminded the group that only the criteria pertinent to an individual application need be considered.

A checklist of the criteria is needed for Staff and Commission to evaluate an application.

Work continues on this agenda item. It will be on Septembers Agenda as a discussion only item.

**COMMISSIONER COMMENTS: Mr. McPartlin asked about amending the parking regulations for residential existing lot.,**

**Ms Anderson will be out of town at the time of September's P&Z meeting and recommended that the vacant P&Z position be filled by a Ward 3 resident.**

**FUTURE AGENDA ITEM SUGGESTIONS ;**

**R.B., Zoning Matrix, Murals, Demolitions, Residential Parking,**

**Adjournment, 6:43 PM**