

**City of Bisbee  
 Planning and Zoning Commission Meeting  
 Via Zoom Meeting Platform  
 76 Erie Street, Bisbee, Arizona 85603  
 October 21, 2021, @ 5:30 pm**

**Action Agenda**

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

**Call to Order: 5:35PM**

**Roll Call - Commission Members**

	Present	Absent	Excused
John Balas			X
Douglas Dunn, Chair	X		
Sandy Heusman	X		
Nancy Parana, Vice Chair	X		
Jennifer Ryan			X
Michael Schmitzer	5:33PM		
Mike Ablin		X	
Louis Pawlik – Council Liaison		X	
Doug Taylor – Staff Liaison	X		

**CALL TO THE PUBLIC – NONE**

**AGENDA ITEM 1.**

**Public Hearing to consider a rezoning application at 100 Clawson Avenue.  
 Discussion and Possible Recommendation to the Mayor and City Council.**

Consideration of a request for a rezoning application APN # 103-62-025, 103-62-027 and 103-62-025B located at 100 Clawson Avenue from R-1 to CM-2 to permit the applicant to change to a more appropriate zoning to meet the use of a 45,000 Square foot Building. The applicant is Cochise County. All public notice requirements have been met.

Call for the Staff Report **MR. TAYLOR SPOKE**

Applicant presentation **MS. CHRISTINE MCLACHLAN, AICP PLANNER II, COCHISE COUNTY, DEVELOPMENT SERVICES DEPARTMENT**

Declare the Public Hearing open and receive public comment

**COMMISSIONER PARANA DECLARED THE PUBLIC HEARING OPEN**

**DOUG AND ANNE REINIGER ASKED QUESTIONS**

**SPOKE IN OPPOSITION:**

**JAY MATCHETT  
 SARAH NEUBAUM  
 KATHY MCFADDEN  
 DINA HERRINGTON**

**NO ONE SPOKE IN FAVOR**

Declare the Public Hearing closed

**COMMISSIONER PARANA DECLEARED THE PUBLIC HEARING CLOSED**

Call for Commission discussion **THE BOARD DISCUSSED**

Call for any additional staff recommendations. **NONE**

Call for a motion

Call for discussion of motion

Call for vote

**A possible motion:** I move the Planning and Zoning Commission recommend to Mayor and City Council the rezoning of APN # 103-62-025, 103-62-027 and 103-62-025B from R-1 to CM-2; located at 100 Clawson Avenue.

**The board asked about making a different motion than the one listed.**

**Mr. Taylor, staff liaison and Ms. Nina Williams stated that if the motion didn't receive a second then another motion could be made.**

**MOTION:** Ms. Heusman moved that the Planning and Zoning Commission recommend to Mayor and City Council the rezoning of APN # 103-62-025, 103-62-027 and 103-62-025b from R-1 to CM-2; located at 100 Clawson Avenue.

**SECOND:** Mr. Schmitzer

**Roll call vote:**

**Ayes:** Heusman and Schmitzer

**Nays:** Dunn and Parana

**MOTION FAILED: TIE VOTE**

**After the tie vote, the planning and zoning commission voted to change it to R-3 and then to table the matter.**

**However, the motion to change to R-3 and to table the matter was not proper procedure because immediately upon a tie vote the motion is lost, which is equivalent of a no vote.**

## **AGENDA ITEM 2.**

**Public Hearing on a proposed amendment to the Zoning Code.**

**Possible Recommendation to the Mayor and Council.**

Consideration of a proposed amendment to the Zoning Code to establish Mobile Food Vendors: the purpose of this Code section is to allow for Mobile Food Vendors (food trucks) to conduct business within the city limits of Bisbee and reasonably accommodate new businesses, enhance street vitality, and support entrepreneurship. All public notice requirements have been met.

Call for the Staff Report **MR. TAYLOR**

Applicant presentation **MR. TAYLOR**

Declare the Public Hearing open and receive public comment

**MS. PARANA DECLARED THE PUBLIC HEARING OPEN**

**NO ONE SPOKE IN OPPOSITION OR IN FAVOR**

Declare the Public Hearing closed

**MS. PARANA DECLARED THE PUBLIC HEARING OPEN**

Call for Commission discussion **THE BOARD DISCUSSED**

Call for any additional staff recommendations. **NONE**

Call for a motion

Call for discussion of motion

Call for vote

**THE BOARD THANKED MS HEUSMAN FOR TAKING ON THIS PROJECT.**

**A possible motion:** I move that the Planning and Zoning Commission recommend to Mayor and Council a proposed amendment to the Bisbee Zoning Code to establish Mobile Food Vendors: the purpose of this Code section is to allow for Mobile Food Vendors (food trucks) to conduct business within the city limits of Bisbee and reasonably accommodate new businesses, enhance street vitality, and support entrepreneurship.

**MOTION:** Mr. Dunn moved that the planning and zoning commission recommend to mayor and council a proposed amendment to the Bisbee zoning code to establish mobile food vendors: the purpose of this code section is to allow for mobile food vendors (food trucks) to conduct business within the city limits of Bisbee and reasonably accommodate new businesses, enhance street vitality, and support entrepreneurship.

**Second:** Mr. Schmitzer

**MOTION PASSED: UNANIMOUSLY**

**AGENDA ITEM 3.**

Discussion and Possible Action regarding the way the Planning and Zoning Commission will conduct their meetings.

- **Zoom meetings until the end of the year and then in January 2022 resume meetings in person (as long as all of the board is in agreement)**

**A possible motion:** Move to approve, deny or table that the Planning and Zoning Commission hold zoom meetings until the end of the year 2021 and in January 2022 go to in person meetings (as long as the board is in agreement).

**MOTION:** Ms. Parana moved to approve that the planning and zoning commission hold zoom meetings until the end of the year 2021 and in January 2022 go to in person meetings.

**SECOND:** Mr. Dunn

**MOTION PASSED: UNANIMOUSLY**

**AGENDA ITEM 4.**

REVIEW, DISCUSSION AND UPDATE THE LANGUAGE FOR ACCESSORY DWELLING UNITS (ADU'S).

**The board reviewed the draft and discussed the language for accessory dwelling units (ADU'S).**

- **Include in the purpose to increase supply of affordable housing. (work on wording).**
- **Requirements board asked Mr. Taylor to check state statute regarding accessory dwellings.**
- **Include an amnesty section**

**STAFF COMMENTS:**

PLEASE REFRAIN FROM ANY DISCUSSION, COMMENTS ONLY.

- **Transfer of City property on an unaddressed, vacant parcel described without an APN- Property is zoned R-1, the applicant is Mr. Tauch- Mr. Taylor has informed Mr. Tauch the lot in question is to be reviewed in its entirety that dividing the lot is not in the best interest of the City. It is Mr. Taylor's understanding that he is working with his surveyor and will be coming before the commission when he has the information required to proceed.**
- **OK STREET APN 103-99-034C: City's Application – Ms. Deets has since submitted an application for the entire property Ms. Deets informed Mr. Taylor that in addition to use for her needs, she will work with neighbors to provide additional parking.**
- **Regarding when the auctions will happen for the properties to be sold- Tentatively it is looking like the end of November.**

**COMMISSIONER COMMENTS:**

PLEASE REFRAIN FROM ANY DISCUSSION, COMMENTS ONLY.

**FUTURE AGENDA ITEM SUGGESTIONS** (BOARD MEMBERS MAY SUGGEST TOPICS FOR FUTURE MEETING AGENDAS, BUT BOARD WILL NOT HERE DISCUSS, DELIBERATE OR TAKE ANY ACTION ON THESE TOPICS.)

**ADJOURNMENT: 7:03PM**