



**City Of Bisbee
Planning and Zoning Commission Meeting
118 Arizona Street
Bisbee, Arizona 85603
March 20, 2014, 6:00 pm**

Agenda

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

6:00 pm Call To Order

Roll Call - Commission Members

	Present	Absent	Excused
Mark Apel - Chairman			
Judy Anderson			
vacant			
Keith Dennis			
vacant			
Jenny Druckman			
Noah Suby			
Douglas Dunn – Council Liaison to the Commission			

CALL TO THE PUBLIC – Ask if any member of the public wishes to speak about Planning and Zoning Issues NOT on this agenda.

New Business

1. Discussion and Possible Recommendations to Staff Regarding Amendments to the Zoning Code for Solar Devices.

We have prepared another revision of this draft amendment for your review and discussion. This version includes a set of threshold “design principles” for the historic district, which, if met, would allow the application to be permitted administratively, by the Building Inspector. The proposed hearing and review processes have been simplified, by authorizing the DRB to hear the historic district applications and P&Z to hear all others. You may still wish to review the size thresholds for area and height which have been previously designated.

2. Discussion and Possible Recommendations to Staff Regarding the Revision or Amendment of the General Plan.

This item will continue to be on the agenda until we have completed this project. We may wish to begin to discuss how the planning and coordination process will proceed.

3. Discussion and Possible Recommendations to Staff Regarding the Regulation of Sandwich Board and Other Portable Signs.

Pursuant to Article 7.2.2.H. of the Zoning Code, sandwich board, A-frame and other free standing signs do not require a sign permit and may be located on the subject property “or in the vicinity of the subject property,” provided that they do not exceed four feet in height and are removed at the close of business each night. Pursuant Article 7.2.6, only traffic control signs, directional signs and other signs approved by a public agency, may be located on public property. We are seeing an increasing number of A-frame and other signs creeping out into the public way, particularly in the Historic District. Your review, comments, and recommendations on the current regulations would be appreciated.

Proposals for Future Agenda Items

Commissioner’s Comments

Planning Directors Report

Adjournment

**DRAFT AMENDMENT TO THE ZONING CODE
SOLAR ENERGY DEVICES**

6.15 Solar Energy Devices

- A. The City of Bisbee supports the use and development of solar energy devices as an important means to make this community more self sustaining, to reduce the amount of non-renewable energy used in this area, and to improve the quality of our environment. There are, however, certain situations in which the use of these beneficial devices must also be balanced with other significant interests in this community and the interests of the owners of the surrounding properties. The purpose of this Code section is to help to achieve the appropriate balance of interests that is necessary for a viable, sustainable community.

- B. Within the City of Bisbee, outside of the designated Bisbee Historic Preservation Overlay District, the installation of solar energy devices on the roofs of existing or permitted buildings, no higher than eight (8) feet above the roof surface, measured from the mounting location, or which do not exceed the limits of the following paragraph E.2, shall be subject to compliance with all applicable building and safety codes, but shall not require any additional form of public review.

- C. Applications for permits to install solar devices within the Bisbee Historic District, which are proposed to be installed in a manner that is consistent with those Design Principles stated below, which can be reasonably met under the particular circumstances, as determined by the Building Inspector, shall be subject to compliance with all applicable building and safety codes, and shall not require any additional form of public review. The following Design Principles are intended to minimize the adverse impact of any such development on the special characteristics that are to be protected by the creation of the Historic District.
 - 1. Locate the solar devices in an inconspicuous location. Can the solar device be located in a rear or side yard, low to the ground, in a manner that limits their visibility, but with due respect to any historic landscape features?

 - 2. Locate the solar device on new construction. Are there areas of new construction or additions where the solar devices could be located, in order to maintain compatibility with the historic building and protect it from alteration?

3. Locate the solar device in an area that minimizes its visibility from the public streets and roads. Can the solar devices be placed on locations other than street-facing walls and roof, or below and behind parapet walls and dormers?
 4. Avoid installations that would result in the permanent loss of significant character-defining features of historic structures. Can the solar devices be installed without altering existing roof lines or obstructing the views of significant architectural features?
 5. Avoid installations that result in the removal or permanent alteration of significant architectural features. Can the solar devices be installed in a manner that is reversible, and that will not result in the permanent alteration of intact historic materials and features?
 6. Require low profiles. Can the solar devices be mounted flush with, or no higher than a few inches above, the existing roof surface, so that they are not visible above the roof line of the primary façade?
 7. On flat roofs, set the solar device back from the edge. Can the solar devices be set back from the roof edge, and adjusted so that they are not visible from below?
 8. Avoid disjointed or multi-roof installations. Can the solar devices be installed at angles that are consistent with the slope and pitch of the supporting roof and on one roof plane, in a manner that matches the general shape and configuration of the roof upon which they are mounted?
 9. Ensure that the solar device, support structures, and conduits blend into the surrounding features of the supporting structure. Can the visibility of the solar devices be reduced by matching them in color and texture to the surrounding historic building?
 10. Do not exceed a height of more than eight (8) feet above the roof surface, measured from the mounting location; or, if the device is not mounted on a roof, have a cumulative foot print or total surface collection area in excess of one thousand two hundred (1200) square feet or a maximum height more than twelve (12) feet above the existing grade
- D. For all building permits authorized pursuant to this Article, installation plans signed and sealed by a licensed engineer or architect shall not be required in connection with the building permit for installation of the device unless, due to the proposed size and shape of the particular device, the Building Inspector has a reasonable belief that this particular device

may pose a hazard to the structure, its occupants, or the surrounding properties, as shall be explained in a written request for any such additional approval. Solar devices shall not be subject to any additional height restrictions in this Zoning Code and their additional height shall not be included in the determination of the maximum height of the building or structure. Roof mounted solar devices shall not extend beyond the perimeter of the supporting building or structure. No solar device shall be constructed or maintained within or over the required set back area for that property.

- E. The following criteria will determine whether or not a particular solar device installation will be subject to additional public notice and review. The public notice process described in the following sections shall be applicable for those proposed solar device installations for which any of the following are true:
 - 1. any part of the solar device installation will be located more than eight (8) feet above the roof surface, as measured from the mounting surface; or
 - 2. the solar device will not be located on a roof surface and will have a cumulative foot print or total surface collection area in excess of one thousand two hundred (1200) square feet or a maximum height more than twelve (12) feet above the existing grade; or
 - 3. for applications for projects within the Bisbee Historic District, the Building Inspector has determined that the application is not consistent with the Design Principles.

- F. If the public notice process is applicable, the applicant must present to the Building Inspector a description of the proposed project with a conceptual drawing or scaled rendering of where the proposed solar devices will be located on the property and the proposed sizes and heights of each such device, together with any additional description of the project and the reasons for its proposed design and location, that the applicant is able to provide. The applicant is not required to present final engineering plans at this stage, but should attempt to provide sufficient information to assist the adjacent property owners in understanding the nature and extent of the project. The applicant is encouraged to provide the most realistic presentation of the exterior elevations and relative heights of the proposed project to the surrounding structures as can be feasibly provided within the time and resources available.

- G. The Building Inspector will send a copy of these materials to the owner, as determined by the available Assessor records, of each property located

within three hundred (300) feet of the subject property, together with a notice indicating that:

1. The applicant may be able to provide additional information about this proposed project, with contact information for the applicant; and
2. The date, time, and location of any neighborhood meeting, if any, that the applicant has scheduled to discuss this project; and
3. The date and time of the public hearing scheduled for this application. For applications for projects located within the Bisbee Historic District, the hearing shall be scheduled before the Design Review Board. For all other applications, the hearing shall be scheduled before the Planning and Zoning Commission.

H. If a public hearing is required at the soonest possible date that is sufficient to allow written notice of not less than ten days to the applicant and adjacent property owners. At the hearing, the designated public body shall consider such information as the applicant, the property owners, and anyone else who may be qualified to offer an informed opinion on the issues may provide. The public body shall review the following issues:

1. Whether the proposed installation is a reasonable facility for that location, given the needs of the applicant and the potential impacts upon the surrounding properties? The potential impacts upon surrounding properties that may be considered include, but are not limited to, whether the installation would shade other properties; block views; reflect glare, light, or heat; cause water run-off; or generate noise that may be heard off-site. Within the Historic District, potential impacts may also include impacts on the protection and preservation of the District, its attributes, and its contributing properties.
2. Whether the proposed location on the subject property is necessary or appropriate for the safe, efficient, and economical installation of this installation, or whether an alternative location with less potential off-site impacts may be suitable for the installation?
3. Whether there are other potential mitigating actions that could be reasonably taken to lessen the potential impacts of the proposed installation upon adjacent properties?

I. At the conclusion of this hearing, the public body may either approve the proposed installation; condition its approval of the installation upon other measures or the use of another suitable location, as necessary to minimize

adverse impacts, without significantly compromising the efficiency of the device; or deny the application and request the applicant to review other means to achieve the desired results, with lesser adverse impacts upon the community.

- J. For purposes of this Article, the term “solar device” means a system or series of mechanisms designed primarily to provide heating, to provide cooling, to produce electrical power, to produce mechanical power, to produce biological sources of combustible fuel, or to provide any combination of the foregoing, by means of collecting and transferring solar generated energy into such uses either by active or passive means. Such systems may also include the capacity of storing energy for future utilization.