

**MINUTES OF THE REGULAR MEETING OF THE SHOW LOW PLANNING AND ZONING COMMISSION HELD ON TUESDAY, MAY 28, 2024, AT 7:00 PM IN THE CITY COUNCIL CHAMBERS, 181 NORTH 9TH STREET, SHOW LOW, NAVAJO COUNTY, ARIZONA**

**1. Call to Order.**

Chairman Barlow called the meeting to order at 7:00 p.m.

**2. Roll Call.**

**COMMISSION MEMBERS PRESENT:** Chairman Barlow, Vice Chairman Roberts, Commissioner Hatch, and Commissioner Wilson

**COMMISSION MEMBERS ABSENT:** Commissioner Schnepf, and Commissioner Adams

**STAFF MEMBERS PRESENT:** Planning and Zoning Director; Justen Tregaskes, Planner; Katie Fechtelkötter, and City Attorney; Anna Atencio

**GUESTS:** Eric Ritz, Brad Whitefield, John Bloom, and Kevin Kugler.

**3. Invocation.**

Vice Chairman Roberts gave the invocation.

**4. Pledge of Allegiance.**

Commissioner Wilson led the Commission and audience in the pledge of allegiance.

**5. NEW BUSINESS:**

**VICE CHAIRMAN BARLOW MOVED TO CONSIDER ITEM B BEFORE ITEM A IN CONSIDERATION OF THE APPLICANT; SECONDED BY COMMISSIONER WILSON; PASSED 4 TO 0 WITH CHAIRMAN BARLOW, VICE CHAIRMAN ROBERTS, COMMISSIONER HATCH, COMMISSIONER WILSON VOTING IN FAVOR.**

- B. Consideration of extension of Conditional Use Permit 602-04-184 submitted by Eric Ritz of Hatch Construction and Paving to allow for excavation, grading and processing of rock related materials at 4701 E. Deuce of Clubs, that being A.P.N. 210-25-008B, 008C, 008D, and 006K. (Justen Tregaskes)**

Director Tregaskes said at its regular meeting of September 8, 2015, the Planning and Zoning Commission unanimously approved Conditional Use Permit 602-04-184 submitted by Eric Ritz of Hatch Construction and Paving to allow for excavation, grading, and processing of rock related materials at 4701 E. Deuce of Clubs, that being A.P.N. 210-25-008B, 008C, 008D, and 006K. The actual grading permit was issued on March 21, 2016. Condition number ten of this conditional use permit states, "This conditional use permit shall be valid for a period of five (5) years and is not transferable. The Planning and Zoning Commission may grant additional two (2) year extensions as requested

by the applicant provided all conditions of approval are met.”

The Planning and Zoning Commission approved extensions to this conditional use permit at its regular meeting of March 8, 2022. These extensions covered the time periods from September 15, 2020 to September 15, 2022 and from September 15, 2022, to September 15, 2024. Staff was recently contacted by Mr. Ritz with a request for an additional five (5) year extension. Per condition ten of CUP 602-04-184, the Commission may grant an additional two (2) year extension. If approved by the Commission, this extension would be valid until September 15, 2026. Additional extensions would be required to continue operations beyond this date.

No complaints from area property owners regarding this conditional use permit have been received. Staff recommends granting an additional two (2) year extension of CUP 602-04-184 for the time periods from September 15, 2024 to September 15, 2026.

The public works director indicated concern regarding wear and tear on the road due to the additional road traffic. Staff has asked applicant to get in contact with public works to address the issues.

Commissioner Wilson said she understood that there have been two extensions granted already and that they are now asking for an additional five years.

Ms. Atencio clarified that although they have requested a five year extension, the Commission is only able to grant a two year extension based on the original approval by the Commission

Chairman Barlow asked if the Commission is able to extend the CUP for more than 2 years.

Director Tregaskes said that under the conditions of approval from the 2015 Commission decision the applicant would have to go through the entire CUP process to change the condition, which would require the property to be posted and all property owners notified of the changes. He said it is an option for the property owner, but it would open the door for additional discussion and new conditions.

Chairman Barlow said in that case he would prefer to leave that decision up to the applicant.

Commissioner Wilson asked the applicant why there have been so many extensions to the CUP.

Eric Ritz of 4701 E Deuce of Clubs explained that it was the way the CUP was approved by the Planning and Zoning Commission eight years ago. The race track was not in operation at that time and they had purchased the property for

rock processing. The neighbors and race track supporters had concerns whether the rock operation would be able to co-exist with the operation of the race track. Mr. Ritz feels that as time has gone on, the two operations are symbiotic with each other.

Vice Chairman Roberts said he understood that they asked for five years and asked the applicant if he thought that two years is sufficient.

Mr. Ritz said that there is enough rock for 30 years of processing.

Chairman Barlow opened the item for public comments, seeing none, he closed the item.

**VICE CHAIRMAN ROBERTS MOVED TO APPROVE AN ADDITIONAL TWO-YEAR EXTENSION OF CONDITIONAL USE PERMIT 602-04-184 SUBMITTED BY ERIC RITZ OF HATCH CONSTRUCTION AND PAVING TO ALLOW FOR EXCAVATION, GRADING AND PROCESSING OF ROCK RELATED MATERIALS AT 4701 E. DEUCE OF CLUBS, THAT BEING A.P.N. 210-25-008B, 008C, 008D, AND 006K.; SECONDED BY COMMISSIONER WILSON; PASSED 4 TO 0 WITH CHAIRMAN BARLOW, COMMISSIONER ROBERTS, COMMISSIONER HATCH, COMMISSIONER WILSON VOTING IN FAVOR.**

A. Public Hearing and Consideration of proposed amendments to Title 19 of the Zoning Ordinance. (Justen Tregaskes)

Director Tregaskes said on April 23, 2024, the Planning and Zoning Commission held a study session to discuss proposed revisions to Chapter 19, Zoning, of City Code. Proposed revisions discussed at this meeting include, but are not limited to the following:

- The addition of a definition of an "Aggrieved Person".
- Allowance for a caretaker's residence in conjunction with a business in commercial zones.
- Clarification of timeline calculations for scheduling of meetings.
- Clarification of requirements for the placement of sea (shipping) containers.
- Clarification of fence height calculation requirements along streets.
- Removal of provision which allows for clearing and grading of property without a valid building permit.
- Moving group homes for the handicapped to permitted uses in all residential zones.
- Reduction in lot size requirements for detached guest houses.
- Allowance for attached guest units to be rented in all residential zones.
- Allowing multifamily dwellings by conditional use permit in the MH (Manufactured Home) zoning district.
- Restaurants serving beer and wine would be considered a permitted

use in commercial zones. Restaurants serving alcohol other than beer and wine would remain as a conditional use.

- Drive-through restaurants not adjacent to residentially zoned property would become a permitted use in the C-2 (General Commercial) zoning district.
- Mini storage facilities would no longer be considered a conditional use in the C-2 (General Commercial) zoning district.
- Temporary business signs would be permitted for a period of sixty (60) days.
- A reduction in time limits for the display of electronic message board signs.
- Clarification of allowances for small wireless facilities.
- Changes to fall zone requirements for setback calculations related to cell towers.
- Changes to allowed hours of operation for marijuana related facilities consistent with recent council action.

Consideration of the changes to Chapter 19 has been scheduled for a public hearing with the Planning and Zoning Commission. Following the public hearing, the Commission may vote to approve the changes as presented and forward this recommendation to the City Council or vote to amend the changes as presented and forward the recommendation to the City Council. Any vote of the commission will be forwarded to the council for final action. This item has been scheduled for a public hearing with the council at their regular meeting of June 4, 2024.

Vice Chairman Roberts clarified whether mini storage would still be a conditional use in the General Commercial zone.

Director Tregaskes said that it would no longer be permitted in General Commercial (C-2 zone) it would only be a permitted use in the Industrial zones.

**CHAIRMAN BARLOW OPENED THE MATTER FOR A PUBLIC HEARING.**

**THERE BEING NO INPUT, CHAIRMAN BARLOW CLOSED THE PUBLIC HEARING.**

**COMMISSIONER WILSON MOVED TO APPROVE THE PROPOSED AMENDMENTS TO TITLE 19 OF THE ZONING ORDINANCE AND FORWARD THIS RECOMMENDATION TO CITY COUNCIL; SECONDED BY VICE CHAIRMAN ROBERTS; PASSED 4 TO 0 WITH CHAIRMAN BARLOW, VICE CHAIRMAN ROBERTS, COMMISSIONER HATCH, COMMISSIONER WILSON VOTING IN FAVOR.**

**6. CALL TO THE PUBLIC:**

Any citizen desiring to speak on a matter that is within the jurisdiction of the Planning and Zoning Commission may do so at this time. Comments may be

limited to three minutes per person and shall be addressed to the Planning and Zoning Commission as a whole, and not to any individual member. Issues raised shall be limited to those within the jurisdiction of the Planning and Zoning Commission. Pursuant to the Arizona Open Meeting Law, the Planning and Zoning Commission cannot discuss or act on items presented at this time. At the conclusion of the call to the public, individual Planning and Zoning Commission members may (1) respond to criticism made by those who have spoken, (2) ask staff to review a matter, and (3) ask that a matter be put on a future agenda.

None.

7. **APPROVAL OF MINUTES:**

- A. Planning and Zoning Commission Regular Meeting of February 27, 2024.

**COMMISSIONER WILSON MOVED TO APPROVE THE PLANNING AND ZONING COMMISSION REGULAR MEETING MINUTES OF FEBRUARY 27, 2024; SECONDED BY VICE CHAIRMAN ROBERTS; PASSED 4 TO 0 WITH CHAIRMAN BARLOW, VICE CHAIRMAN ROBERTS, COMMISSIONER HATCH, COMMISSIONER WILSON VOTING IN FAVOR.**

- B. Planning and Zoning Commission Study Session of April 23, 2024.

**COMMISSIONER WILSON MOVED TO APPROVE THE PLANNING AND ZONING COMMISSION STUDY SESSION MINUTES OF APRIL 23, 2024; SECONDED BY VICE CHAIRMAN ROBERTS; PASSED 4 TO 0 WITH CHAIRMAN BARLOW, VICE CHAIRMAN ROBERTS, COMMISSIONER HATCH, COMMISSIONER WILSON VOTING IN FAVOR.**

8. **SUMMARY OF CURRENT EVENTS:**

- A. Commission Members

Commissioner Hatch said it's a great day in Show Low, he said he is thankful for the people, places, government, Police Department and businesses that make Show Low a great community to live in.

Commissioner Wilson said that Show Low Days will be June 7 & 8th at Frontier Park, she encouraged the public to come out enjoy the vendors and fun.

Vice Chairman Roberts said the week prior to Show Low Days is the car show. On Friday, May 30th at 5:30 PM is the Cruise down the Deuce, from the Stake Center to Hatch Toyota. Pulled pork sandwiches will be served at 5:45 PM, the next day at Frontier Park there will be over 200 cars and everyone is welcome to attend both events.

Chairman Barlow thanked staff for their hard work on putting the agenda together and getting the changes to the Zoning Code done so quickly.

- B. Planning and Zoning Director

Director Tregaskes said he appreciated the Commissioners who were able to attend the meeting tonight the first week of summer right after Memorial Day. He also reminded the public that even though there are no fire restrictions there is still fire danger. He asked people to be aware of red flags days and to be careful of fire, check with the Fire District regarding burn permits, one little mistake with fire could cause a big problem for the community. He also said that the annual Project Clean Sweep is coming up and said to check the City's website regarding the details of bulky item pick up and free days to take items to the dump. He encouraged residents to participate and help make the City look better.

9. **ADJOURNMENT:**

There being no further business to be brought before the Commission, **CHAIRMAN BARLOW ADJOURNED THE REGULAR MEETING OF THE SHOW LOW PLANNING & ZONING COMMISSION MEETING OF MAY 28, 2024, AT 7:28 P.M.**

ATTEST:

  
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Zach Barlow, Chairman

APPROVED:

  
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Planning and Zoning Director

**CERTIFICATION**

I hereby certify that the foregoing minutes are a true and correct copy of the minutes of the Regular Meeting of the Planning and Zoning Commission of Show Low held on May 28, 2024. I further certify that the meeting was duly called and held and that a quorum was present.

Dated this 25<sup>th</sup> day of June, 2024

  
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Katie Fechtelkotter