

SHOW LOW PLANNING AND ZONING COMMISSION
REGULAR MEETING - TUESDAY, JULY 9, 2024

PURSUANT to A.R.S. Section 38-431.02, notice is hereby given to the Show Low Planning and Zoning Commission and to the general public, that a **Regular Meeting** of the Show Low Planning and Zoning Commission will be held on Tuesday, July 9, 2024, at 7:00 PM in the City Council Chambers, 181 North 9th Street, Show Low, Navajo County, Arizona. The agenda for this meeting is as follows:

1. Call to Order.
2. Roll Call.
3. Invocation.
4. Pledge of Allegiance.
5. **OLD BUSINESS:**
 - A. Public hearing and consideration of a zone change request submitted by Joseph Holland of NV Us Investments, LLC to rezone A.P.N. 210-33-040C from AR-43 (Agricultural-Residential 43,000 Square Feet) to C-2 (General Commercial) to allow for multifamily housing. (Moriah Saline)

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.

7. **APPROVAL OF MINUTES:**

- A. Planning and Zoning Commission Regular Meeting of June 25, 2024.

8. **SUMMARY OF CURRENT EVENTS:**

- A. Commission Members
- B. Planning and Zoning Director

9. **ADJOURNMENT:**

NOTICE TO PARENTS AND LEGAL GUARDIANS: Parents and legal guardians have the right to consent before the City of Show Low makes a video or voice recording of a minor child, pursuant to

A.R.S. § 1-602(A)(9). The Show Low Planning and Zoning Commission regular meetings are recorded and may be viewed on the City of Show Low's website. If you permit your child to attend/participate in a televised Planning and Zoning Commission meeting, a recording will be made. You may exercise your right not to consent by not allowing your child to attend/participate in the meeting.

Pursuant to the Americans with Disabilities Act (ADA), the Planning and Zoning Commission endeavors to ensure the accessibility of its meetings to all persons with disabilities. If you need accommodation for a meeting, please call the City Clerk's office at (928) 532-4061 at least 48 hours prior to the meeting for accommodation.

Council Chambers will open at least ten minutes prior to the meeting to allow public access to the room. Council Chambers has a maximum occupancy of 139 people.

Moriah Saline

I, Moriah Saline, do hereby certify that the foregoing notice was posted on Friday, July 5, 2024.

**City of Show Low
STAFF SUMMARY REPORT**

AGENDA TITLE: Public hearing and consideration of a zone change request submitted by Joseph Holland of NV Us Investments, LLC to rezone A.P.N. 210-33-040C from AR-43 (Agricultural-Residential 43,000 Square Feet) to C-2 (General Commercial) to allow for multifamily housing. (Moriah Saline)

RECOMMENDATION

I **MOVE** to APPROVE the zone change request submitted by Joseph Holland of NV Us Investments, LLC to rezone A.P.N. 210-33-040C from AR-43 (Agricultural-Residential 43,000 Square Feet) to C-2 (General Commercial) to allow for multifamily housing and forward this request to City Council.

BACKGROUND

NV Us Investments LLC submitted a request to annex A.P.N. 210-33-040C. On April 23, 2024, a public hearing for the annexation was held. On June 4, 2024, the Show Low City Council approved the annexation of the subject property.

Prior to the annexation, the parcel was zoned A-General in the county. State statute requires an annexed parcel's zoning to be the same or the closest comparable zoning, which would be AR-43 (Agricultural-Residential 43,000 square feet).

Joseph Holland of NV Us Investments LLC has submitted a request to rezone A.P.N. 210-33-040C from AR-43 to C-2 (General Commercial) to allow for the development of multi-family housing on the subject property. The applicant owns the adjacent property and desires to develop the properties concurrently. The site plan provided by the applicant includes five (5) duplex units, for a total of ten (10) units.

On June 25, 2024, a meeting was held with the Planning and Zoning Commission for the public hearing and consideration of the zone change. However, the applicant was not in attendance. City Code requires the applicant to be in attendance. Therefore, the Commission continued the item to the next meeting.

ATTACHMENTS

1. Findings of Fact 7.9.24
2. 605-03-121- Subj. Prop. Maps
3. 605-03-121- Application
4. 2024 3-4 Neighborhood Letter for Re-zone

FISCAL IMPACT

N/A

FINDING OF FACT

1. Joseph Holland of NV Us Investments LLC has submitted a request to rezone A.P.N. 210-33-040C from AR-43 (Agricultural-Residential 43,000 Square Feet) to C-2 (General Commercial) to allow for the development of multi-family housing on the subject property. A conceptual site plan has been included which contains five (5) duplex units, for a total of ten (10) units.
2. The parcel is approximately 0.51 acres in size. The applicant has indicated that they wish to rezone the subject property to the same zoning as the adjacent parcel (210-33-040B) then combine the two parcels for joint development.
3. The annexation of A.P.N 210-33-040C into the City of Show Low was approved by the City Council at their meeting on June 4, 2024, with the passing of Ordinance No. 2024-05.
4. The applicant held a neighborhood meeting, on March 20, 2024, with property owners located within 300 feet of the subject property. No neighbors attended the meeting.
5. On June 25, 2024, a meeting was held with the Planning and Zoning Commission for the public hearing and consideration of the zone change. However, the applicant was not in attendance. City Code requires the applicant to be in attendance. Therefore, the Commission continued the item to the next meeting.
6. One neighboring property owner spoke during the Public Hearing requesting a sixteen (16) foot tall block wall between his property and the proposed project.
7. Current zoning of the surrounding properties include:
 - North: A-General (Residential)
 - South: A-General (Residential)
 - East: A-General (Residential)
 - West: C-2 (General Commercial)
8. The current land uses of the surrounding properties include:
 - North: Residential / County
 - South: Residential / County
 - East: Vacant Residential / County
 - West: Vacant Commercial / City
9. Transmittal memos were sent to all affected agencies, no applicable comments were received.
10. The property was posted, letters were sent to all the neighbors within 300 feet of the subject property and a notice was published in the newspaper in accordance with City Code. Two phone calls from area property owners requesting general information were received.

STAFF RECOMMENDATIONS

After reviewing the Standards for Review, Finding Facts, discussions with the applicant, the City of Show Low Zoning and Land Ordinances, and the City of Show Low General Plan, staff recommends that the Planning and Zoning Commission approve zone change request 605-03-121 submitted by Joseph Holland of NV Us Investments LLC to rezone A.P.N. 210-33-040C from AR-43 (Agricultural-Residential, 43,000 Square Feet) to C-2 (General Commercial) to allow for the development of multi-family housing, subject to staff recommendations and forward this recommendation to the City Council.

1. All development shall comply with all applicable federal, state, and local requirements including ADOT, building code, and fire codes.

STANDARDS FOR REVIEW

General Plan

Land Use

- Goal:** Preserve natural surroundings and the rural, hometown atmosphere
- Objective:** Promote infill and indicate prime growth areas for programmed expansion of service systems to discourage sprawl.
- Objective:** Develop land use regulations that encourage preservation of trees and open space in developments.
- Goal:** Stress compatibility of land uses.
- Objective:** Reduce negative impacts on residential areas.

Housing

- Goal:** Maintain residential consistency, balance and spacious appearance.
- Objective:** Provide a Land Use Plan and zoning that strive to achieve compatibility with dissimilar uses next to each other.
- Goal:** Integrate open space and parks into housing developments.

Zoning Ordinance

Article I. AR-43 Zone – Agricultural-Residential (43,000 Square Feet)

19.45.010 Purpose.

This district is intended to promote and preserve agricultural areas, open spaces, and low-density residential development. Regulations and property development standards are designed to protect the open space character of the district and to prohibit all incompatible activities. Land use is composed chiefly of individual homes on large lots (forty-three thousand (43,000) square feet minimum) and low intensity agricultural. (Ord. No. 2009-01, §§ 1, 2, 1-20-09; Ord. No. 2009-08, §§ 1, 2, 6-2-09. 1976 Code § 15-1-50(A))

19.45.020 Permitted uses.

- (A) One (1) single-family dwelling or one (1) manufactured home.
- (B) Farming and agriculture, including the raising of crops.
- (C) The keeping of animals such as cattle, horses, sheep and goats but not to exceed one
 - (1) head per twenty thousand (20,000) square feet of fenced pasture area, provided such animals are kept no closer than one hundred (100) feet from any zoning district boundary except GA-5 or AR-43 zones.
- (D) The keeping of fowl, provided such animals are kept no closer than one hundred (100) feet from any zoning district boundary except GA-5 or AR-43 zones (refer to Title [5](#), Animals).
- (E) Customary accessory uses and buildings, provided such uses are incidental to the principal use. Accessory buildings shall not be permitted in any required yard setbacks. Any accessory building requiring a building permit shall be of conventional construction or, if metal, shall be architecturally altered to the satisfaction of the planning and zoning director. For properties greater than two (2) acres in area metal buildings shall not require alteration.
- (F) Temporary buildings for uses incidental to construction work, which buildings shall be removed upon completion or abandonment of the construction work.
- (G) Publicly owned and operated schools, parks and recreation uses.
- (H) Home occupations.
- (I) Attached guest units in accordance with Section 19.25.230(A).
- (J) Group home for the handicapped. (Ord. No. 2009-01, §§ 1, 2, 1-20-09; Ord. No. 2009-08, §§ 1, 2, 6-2-09. 1976 Code § 15-1-50(B))

19.45.030 Conditional uses.

- (A) One (1) additional single-family dwelling for use as a guest house not to exceed the total living area of the main dwelling provided the total intensity of land use shall be a minimum of forty-three thousand (43,000) square feet of lot area per dwelling unit.
- (B) Places of worship, fraternal and social facilities, meeting halls and similar uses.
- (C) Public utility buildings, structures, or appurtenances thereto for public service use.
- (D) Public and quasi-public facilities which provide essential services including hospitals, police and fire stations and substations, and cemeteries.
- (E) Private schools.
- (F) Temporary home and land sales offices provided they are located within the same subdivision as the land and homes that are offered for sale.
- (G) Golf, rod and gun, tennis, and country clubs.
- (H) Bed and breakfast. (Ord. No. 2009-01, §§ 1, 2, 1-20-09; Ord. No. 2009-08, §§ 1, 2, 6-2-09. 1976 Code § 15-1-50(C))

19.45.040 Property development standards.

- (A) *Minimum Lot Area*. Forty-three thousand (43,000) square feet.
- (B) *Minimum Average Lot Width*. One hundred (100) feet.
- (C) *Minimum Lot Frontage*. Forty (40) feet.
- (D) *Maximum Lot Coverage*. Forty (40) percent.
- (E) *Maximum Number of Accessory Buildings*. Two (2) for properties less than two (2) acres in area. For properties greater than two (2) acres in total area the number of accessory buildings may be increased through the approval of a conditional use permit.
- (F) *Maximum Accessory Buildings Coverage*. No greater than fifty (50) percent of the primary dwelling unit (unless approved through a conditional use permit).
- (G) *Minimum Street Side Setback*. Thirty (30) feet. Where lots have a double frontage, the thirty (30) foot yard shall be provided on both streets.
- (H) *Minimum Side Yard*. Ten (10) feet, except where a side lot line abuts a street there shall be a side yard of not less than thirty (30) feet.
- (I) *Minimum Rear Yard*. Twenty (20) feet.

(J) *Maximum Building Height.* Not to exceed thirty-five (35) feet.

(K) *Minimum Dwelling Size.* Exclusive of patios, porches and garages, one thousand five hundred (1,500) square feet. (Ord. No. 2009-01, §§ 1, 2, 1-20-09; Ord. No. 2009-08, §§ 1, 2, 6-2-09. 1976 Code § 15-1-50(D))

19.45.050 General provisions.

The provisions of Chapter 19.25 shall apply. (Ord. No. 2009-01, §§ 1, 2, 1-20-09; Ord. No. 2009-08, §§ 1, 2, 6-2-09. 1976 Code § 15-1-50(E))

19.45.060 Signs.

The provisions of Chapter 19.100 shall apply. (Ord. No. 2009-01, §§ 1, 2, 1-20-09; Ord. No. 2009-08, §§ 1, 2, 6-2-09. 1976 Code § 15-1-50(F))

19.45.070 Parking and loading.

The provisions of Chapter 19.105 shall apply. (Ord. No. 2009-01, §§ 1, 2, 1-20-09; Ord. No. 2009-08, §§ 1, 2, 6-2-09. 1976 Code § 15-1-50(G))

19.45.080 Plan review.

The provisions of Chapter 19.15 shall apply to all uses. (Ord. No. 2009-01, §§ 1, 2, 1-20-09; Ord. No. 2009-08, §§ 1, 2, 6-2-09. 1976 Code § 15-1-50(H))

Article II. C-2 Zone – General Commercial

19.70.090 Purpose.

The purpose of this district is to provide for General Commercial uses to serve the community and White Mountain region. Property development standards are designed to encourage orderly, attractive and compatible commercial development in the city. Single-family residential development shall be prohibited in the General Commercial zone. Because no list of uses can be complete, decisions on specific uses not included as examples on the following lists of permitted and conditional uses will be made by the planning and zoning director. (Ord. No. 522, §§ 1 – 4, 1-7-03; Ord. No. 2005-10, § 4, 4-19-05; Ord. No. 2006-07, § 7, 3-7-06; Ord. No. 2006-20, § 3, 8-15-06; Ord. No. 2009-08, §§ 1, 2, 6-2-09; Ord. No. 2010-08, §§ 1, 2, 5-4-10. 1976 Code § 15-1-60(A))

19.70.100 Permitted uses.

(A) All uses identified as “permitted uses” in the Neighborhood Commercial zone.

(B) Merchandise must be sold on site. Uses permitted under this category shall include, but are not limited to, the following:

Aerobics studios;

Artificial limbs and braces, sales and manufacturing;
Assayers;
Assembly halls and auditoriums;
Auction halls with goods stored and auctioned within a building;
Automobile parts and supplies, retail sales;
Automobile sales, licensed franchise dealers;
Automobile rental and leasing;
Awnings, custom, retail sales and fabrication (indoor only);
Balls and bearings, retail sales;
Barber and beauty supply and equipment, retail sales;
Beer, ale and wine distributors (no bottling);
Blood and plasma centers;
Boat sales and service;
Bottled fuel, storage and distribution (no bulk storage, 500-gallon maximum capacity);
Bowling alleys;
Building materials, retail sales;
Burglar alarm equipment, sales, service and monitoring;
Camper sales;
Candy, retail and wholesale sales and distribution;
Carpet, rug, and furniture cleaners;
Cesspool builders and service (offices only);
Charitable institutions;
Christian Science reading rooms;
Cigarette vending service;
Clothing, retail sales and alterations;
Coin machines, rental and service;
Collection agencies;
Contractors' offices;
Cosmetics, retail sales;
Costume rental;
Crockery, retail sales;
Dairies, retail sales of products;
Dental laboratories;
Dental supplies;
Department stores;
Diaper supply services;
Drive through restaurant not adjacent to residentially zoned property;
Electrical contractors' shops;
Electrical equipment, retail sales;
Engravers;
Entertainment bureaus;
Express, messenger and courier companies, office and dispatch only;
Feed, retail sales, office;
Financial institutions, drive through permitted;
Fire protection equipment, retail sales and service;
Floor coverings and refinishing;
Food products, sales and warehousing;
Furnaces, retail sales and repair;

Furniture, retail sales, repair and refinish;
Garage equipment, retail sales;
Garages (parking, public);
Gas appliances, retail sales and service;
Gas companies, offices only;
Gas regulating equipment, sales and service;
Glass and mirror sales, installation and repair;
Groceries, retail sales;
Guns, retail sales and repairs;
Gymnasiums, private and commercial;
Hardware, retail sales;
Hats, retail sales and repair;
Headstone (tombstone) sales and display;
Health clubs;
Health food products, retail sales;
Heating, ventilating and air conditioning equipment, retail sales;
Historical museums;
Hobby shops;
Home appliance sales and service;
Home electronics, general sales and service;
Home improvement sales, within an enclosed building;
Hospital service organizations;
Hotel equipment and supplies, retail sales;
Hotels and motels;
House furnishings, retail sales;
Janitorial supplies, retail sales;
Laboratories, clinical and dental (accessory to medical offices);
Lawnmower repair shops;
Leather goods, custom;
Linen supply, laundry services;
Locksmith shops;
Martial arts studios;
Medical supplies, retail sales and rental;
Mortuaries;
Motion picture equipment, retail sales and display;
Motor freight companies, offices only;
Motorcycles, sales and service;
Musical instruments, repairing, service, retail sales;
Music studios;
News services;
Office furniture, equipment and supplies, retail sales and showroom;
Oil burner, retail sales;
Painting equipment and supplies, retail sales;
Parking lots, commercial;
Pet shops, retail sales;
Pharmaceuticals, distribution and sales;
Photographic developing;
Physical therapy equipment, retail and wholesale;

Playground equipment, retail sales;
 Plumbing fixtures and supplies, display and retail sales;
 Printers;
 Printer's equipment and supplies, sales;
 Public transportation depot;
 Radio and television studios;
 Record retention center;
 Restaurants, beer and wine only;
 Restaurant equipment, retail sales;
 Safes, repair and sales;
 Saw sharpening shops;
 School equipment and supplies, retail and wholesale;
 Second hand goods which do not accept donations;
 Sewing machines, retail sales and repair;
 Shoe repairing equipment and supplies, sales;
 Skating rinks;
 Soaps, retail sales;
 Soda fountain supplies, retail;
 Sound systems and equipment, retail sales and repairs;
 Sporting goods, retail and wholesale;
 Swimming pool supplies;
 Tack shops;
 Theaters;
 Tobacco sales;
 Vacuum cleaners, retail sales and service;
 Variety stores, retail sales;
 Vehicle service;
 Veterinarians, retail sales and supplies;
 Video sales and rental;
 Window cleaning service;
 Window display installation, studio and shop;
 Woodworking equipment, retail sales.

- (C) *Multiple-Family Dwellings*. Up to ten (10) units (must meet the standards of the R2-7 zone). Manufactured homes are excluded. Includes a single, site built residence attached to a business for use as a caretakers residence. (Ord. No. 522, §§ 1 – 4, 1-7-03; Ord. No. 2005-10, § 4, 4-19-05; Ord. No. 2006-07, § 7, 3-7-06; Ord. No. 2006-20, § 3, 8-15-06; Ord. No. 2009-08, §§ 1, 2, 6-2-09; Ord. No. 2010-08, §§ 1, 2, 5-4-10. 1976 Code § 15-1-60(B))

19.70.110 Conditional uses.

- (A) Acoustical material, sales;

Agricultural implements, distributions and display, retail sales;
 Ambulance service;
 Amusement park;
 Automobile, body and fender shops;

Automobile radiator shops;
Automobile sales, used;
Bars, taverns, cocktail lounges;
Cabinetmaker;
Carbide sales and distribution;
Car wash;
Clothing manufacturing;
Cold storage (no slaughtering);
Cosmetics, compounding, packaging and storage;
Crematorium;
Dairy products manufacturing;
Dance halls;
Drive-in theaters;
Drive-through restaurants adjacent to residentially zoned property;
Equipment rental (indoor storage only);
Express companies, warehouses and garages;
Exterminators;
Family game centers;
Farm implements and machinery, retail sales;
Firewood storage;
Food processing;
Frozen foods processing;
Frozen foods, wholesale storage and distribution;
Fuel dispensing (retail only);
Furniture, wholesale and storage;
Golf or baseball driving ranges;
Groceries, wholesale and warehouse;
Heliport (medically related);
Homeless shelters;
Horseshoeing;
Hospitals;
Imported goods, wholesale, warehouse;
Indoor shooting range;
Ink, compounding, packaging, sales and storage;
Laboratories, testing and research;
Liquidators;
Liquor stores;
Lubricating compounds, wholesale, storage;
Lumber, sales;
Machine shops;
Machine tools, sales and storage;
Machinery dealers, retail sales and showrooms;
Manufactured home parks and subdivisions, subject to the property development standards of the MH zone;
Massage establishments;
Material handling;
Microbrewery;
Miniature golf;

Missions, religious;
 Monument works. No outdoor sandblasting;
 Multiple-family dwellings, beyond ten (10) units (must meet the standards of the R2-7 zone). Manufactured homes excluded;
 Newspaper printing;
 Nonchartered financial institutions;
 Nursing homes;
 Oil burners, service and repair;
 Painting equipment and supplies, wholesale storage;
 Paper products, wholesale and storage;
 Pawnbroker, pawnshop;
 Plant nurseries;
 Plumbing fixtures and supplies, wholesale, storage;
 Pool and billiard halls;
 Produce, wholesale, storage;
 Public and civic uses serving alcoholic beverages;
 Public storage garages;
 Public/private utility structures, and appurtenances thereto for public service use;
 Quick freeze plants;
 Radio and television broadcasting stations;
 Recreational vehicle parks or campgrounds subject to the regulations in Section 19.25.200;
 Recreational vehicle sales and service (licensed franchise dealers);
 Recreational vehicle sales (used);
 Refrigerators (wholesale and storage);
 Rehabilitation centers;
 Restaurants serving alcoholic beverages other than beer or wine;
 Secondhand goods which accept donations;
 Sheet metal work;
 Sign shops, fabrication and painting;
 Soaps, compounding, packaging, storage;
 Surplus stores;
 Taxicab garages;
 Taxidermists;
 Tire repairing equipment and supplies;
 Toiletries, compounding, packaging, storage;
 Trailer rental;
 Trailer sales;
 Vehicle repair;
 Veterinary clinics that board animals;
 Wine bottling.

(B) *Manufacturing.* Manufacturing incidental to a permitted sales or service shall be permitted through a conditional use permit subject to the following:

(1) Such manufacturing activity shall be restricted to not over fifty (50) percent of the ground floor area of the building devoted to the permitted use.

- (2) All such manufacturing shall be conducted within a completely enclosed building, and there shall be no external evidence of the activity such as noise, vibration, smoke, odor, dust, gas, glare, etc. (Ord. No. 522, §§ 1 – 4, 1-7-03; Ord. No. 2005-10, § 4, 4-19-05; Ord. No. 2006-07, § 7, 3-7-06; Ord. No. 2006-20, § 3, 8-15-06; Ord. No. 2009-08, §§ 1, 2, 6-2-09; Ord. No. 2010-08, §§ 1, 2, 5-4-10. 1976 Code § 15-1-60(C))

19.70.120 Property development standards.

- (A) *Minimum Lot Area*. Five thousand (5,000) square feet.
- (B) *Minimum Lot Width*. Fifty (50) feet.
- (C) *Minimum Street Side Setback*. Ten (10) feet. Where lots have a double frontage, the ten (10) foot yard shall be provided on both streets.
- (D) *Minimum Side Yard*. None, except where a side lot line adjoins a lot in a residential zone, there shall be a fifteen (15) foot side yard, and where a side lot line abuts a street, there shall be a ten (10) foot side yard. Requirements for separation as outlined in the International Building Code shall be met.
- (E) *Minimum Rear Yard*. Six (6) feet, except where a rear lot line adjoins a lot in a residential zone, there shall be a twenty (20) foot rear yard or the height of the building, whichever is greater. Requirements for separation as outlined in the International Building Code shall be met.
- (F) *Building Design*. Maximum building height shall be forty-five (45) feet, except by conditional use permit. The placement of manufactured homes/buildings is prohibited. All buildings located within the General Commercial zoning district shall comply with the following:
 - (1) A minimum of two-thirds (2/3) of the primary building surface (defined as walls visible from the right-of-way or adjacent properties) exclusive of windows and doorways shall be treated with natural appearing materials such as stone, split face block, siding, brick, or exposed beams. The remaining one-third (1/3) of the primary building surface shall be treated with materials complementary in characteristics to the primary treatment material. Treatment shall be equally distributed on all building sides.
 - (2) Primary facade planes which are visible from the public right-of-way and exceed fifty (50) feet in length shall require the addition of architectural elements such as building offsets, covered porches, or bay windows.
 - (3) All roof overhangs shall be a minimum of twelve (12) inches in width.
 - (4) No metal siding utilizing vertical seams shall be allowed.

(G) *Landscaping.* All development located within the C-2 (General Commercial) zoning district shall be accompanied with a landscaping plan. This landscaping plan shall incorporate the following:

- (1) An average of ten (10) feet of the lot measured from the front property line and the street side property line, extending the developed length of the property (except for driveways) with a minimum distance of three (3) feet from the front property line and the street side property line, extending the developed length of the property (except for driveways), shall be landscaped.
- (2) All open areas not designated and surfaced for parking shall be landscaped with trees, shrubs, ground cover, pedestrian walkways and plazas in a manner acceptable to the planning and zoning director or his/her designee.
- (3) A minimum of thirty (30) percent of the required landscaping area shall consist of vegetative ground cover. The remaining area may be landscaped with rock, gravel or similar landscaping materials. A minimum of one (1) tree per two hundred (200) square feet of required landscaped area shall be provided. In addition, a minimum of one (1) bush or shrub shall be provided for every one hundred (100) square feet of required landscaped area. Trees, bushes and shrubs may be grouped. The use of native or indigenous species is required. A list of approved trees, shrubs, bushes and ground cover is available from the community development department. Deviations from this list may be permitted following written approval from the planning and zoning director. In addition to these landscaped portions, an area equal to at least five (5) percent of the required parking area exceeding twenty thousand (20,000) square feet shall be landscaped. Preservation of existing trees is strongly encouraged.
- (4) All landscaping shall be installed and maintained in substantial conformance to the submitted and approved landscaping plan.

(H) *Screening.*

- (1) Where the lot adjoins a residential zone, dissimilar uses shall be screened from the residential property by a solid material fence six (6) feet in height as defined in Chapter [19.25](#) or as otherwise allowed or required by the planning and zoning commission.
- (2) All outdoor storage must be screened from the public view and from the view of the adjoining property owners. A sight-obscuring fence shall be built, or sight-obscuring landscaping fence shall be planted, and maintained around the perimeter of the outdoor storage area. (Ord. No. 522, §§ 1 – 4, 1-7-03; Ord. No. 2005-10, § 4, 4-19-05; Ord. No. 2006-07, § 7, 3-7-06; Ord. No. 2006-20, § 3, 8-15-06; Ord. No. 2009-08, §§ 1, 2, 6-2-09; Ord. No. 2010-08, §§ 1, 2, 5-4-10. 1976 Code § 15-1-60(D))

19.70.130 General provisions.

The provisions of Chapter 19.25 shall apply. (Ord. No. 522, §§ 1 – 4, 1-7-03; Ord. No. 2005-10, § 4, 4-19-05; Ord. No. 2006-07, § 7, 3-7-06; Ord. No. 2006-20, § 3, 8-15-06; Ord. No. 2009-08, §§ 1, 2, 6-2-09; Ord. No. 2010-08, §§ 1, 2, 5-4-10. 1976 Code § 15-1-60(E))

19.70.140 Signs.

The provisions of Chapter 19.100 shall apply. (Ord. No. 522, §§ 1 – 4, 1-7-03; Ord. No. 2005-10, § 4, 4-19-05; Ord. No. 2006-07, § 7, 3-7-06; Ord. No. 2006-20, § 3, 8-15-06; Ord. No. 2009-08, §§ 1, 2, 6-2-09; Ord. No. 2010-08, §§ 1, 2, 5-4-10. 1976 Code § 15-1-60(F))

19.70.150 Parking and loading.

The provisions of Chapter 19.105 shall apply. (Ord. No. 522, §§ 1 – 4, 1-7-03; Ord. No. 2005-10, § 4, 4-19-05; Ord. No. 2006-07, § 7, 3-7-06; Ord. No. 2006-20, § 3, 8-15-06; Ord. No. 2009-08, §§ 1, 2, 6-2-09; Ord. No. 2010-08, §§ 1, 2, 5-4-10. 1976 Code § 15-1-60(G))

19.70.160 Plan review.

The provisions of Chapter 19.15 shall apply to all uses. (Ord. No. 522, §§ 1 – 4, 1-7-03; Ord. No. 2005-10, § 4, 4-19-05; Ord. No. 2006-07, § 7, 3-7-06; Ord. No. 2006-20, § 3, 8-15-06; Ord. No. 2009-08, §§ 1, 2, 6-2-09; Ord. No. 2010-08, §§ 1, 2, 5-4-10. 1976 Code § 15-1-60(H))

19.10.100 Text amendments and zone changes.

(A) *Purpose.* The purpose of this section is to allow amendments to the text of these zoning regulations or the zoning map so that the city may respond to changing conditions. The provisions of this section are not intended to relieve particular hardships nor to confer special privileges.

(B) *Application Process.*

(1) *Authorized Applicant.* An applicant for an amendment to change the zoning on any property shall be one (1) of the following:

- (a) The owner(s) and/or authorized agent of the property;
- (b) One (1) or more of several joint owners of property who own individually or as a group and hold a majority interest in the property;
- (c) Seventy-five (75) percent, or more, of the owners of property in the area and seventy-five (75) percent, or more, of the land area covered by the application when the application covers more than one (1) property;
- (d) The city council or planning and zoning commission on its own motion at a public meeting.

(2) *Submittal Requirements.* To have a zoning ordinance or zoning map amendment processed the applicant shall submit an application on a form provided by the planning and zoning department and shall comply with each of the following requirements, as deemed applicable by the planning and zoning director:

- (a) A pre-application meeting shall be arranged by the applicant with the planning and zoning director to discuss any proposed amendment prior to any application submittal.
- (b) A neighborhood meeting shall be coordinated through the planning and zoning director but conducted solely by the applicant with city staff attending for observation and general questions only. This neighborhood meeting shall take place prior to the application being deemed complete.
- (c) A narrative of how the proposed amendment is consistent with and conforms to the general plan and with the development plan map of the City of Show Low. Any contemplated uses shall be explained within the narrative, as well as outlining the neighboring land uses adjacent to the property.
- (d) The pre- and post-zoning densities for the particular subject property shall also be calculated and included into the narrative.
- (e) At least one (1) reasonably detailed and legible map no smaller than eight and one-half (8-1/2) inches by eleven (11) inches showing the particular property or properties that are being petitioned for a change and showing the adjoining properties and the public streets within a radius of three hundred (300) feet from the external boundaries of the proposed zoning map amendment. Indicate the location of buildings and parking areas, and the setback of the existing buildings and parking areas.
- (f) A statement revealing any conditions or restrictions of record (if any), such as floodplain, deed restrictions, liens, etc., which would affect the permitted uses of the property if rezoned as requested and the date or dates (if any) of expiration thereof.
- (g) Such conceptual plans, photographs, drawings, building elevations, and other supporting documents (if any) as the applicant may desire to present or deemed necessary by the planning and zoning director.
- (h) Mandatory applicant attendance: Applicants, or their representative with authority to speak for and bind the applicant, shall be present at all meetings and public hearings required under this section.
- (i) *Representations of Applicant Binding.* All representations by the applicant, or by the applicant's authorized representative, made in writing, or during any city public meeting or public hearing, or by any submitted plan, plat, drawing or other graphic depiction in support of the application, and designated in the record by the planning and zoning commission and/or city council, shall be deemed to be conditions of approval.

- (j) Diminution of fair market value waiver required: An executed, notarized waiver by the owner of the subject property of any and all claims for diminution in fair market value as defined by A.R.S. § [12-1134](#) arising out of the subject application shall be submitted.
- (C) *Staff Review.* A completed application for an amendment to the text of these regulations or the zoning map shall be submitted to the planning and zoning director at least twenty-five (25) days prior to the public hearing. The required twenty-five (25) day period shall commence once a complete application has been received and deemed complete by the planning and zoning director or designee and shall not include the day of submittal, nor shall it include the day of the meeting. The recommendation shall be submitted to the planning and zoning commission prior to the scheduled public hearing. The recommendation shall set forth whether the amendment or rezoning should be granted, granted with conditions, or denied, and the grounds for any such recommendations as they relate to the standards and purposes of the zoning district classifications set forth in this chapter.
- (D) *Standards for Reviewing Proposed Amendments.* All proposed amendments shall be evaluated to ensure the application is consistent with and conforms to the general plan and any other adopted plans. The proposed change shall not be detrimental to the majority of the persons or property in the surrounding area, nor to the community in general.
- (E) *Public Hearing.* The planning and zoning commission shall at a minimum give notice and shall conduct a public hearing on the application in accordance with the requirements of A.R.S. § 9-462.04 and amendments thereto. Notwithstanding the notice requirements set forth in this section, the failure of any person or entity to receive notice shall not constitute grounds for any court to invalidate the action for which the notice was given.
- (F) *Commission Action.* The planning and zoning commission shall review the application and the testimony presented in the public hearing and shall render a decision at the conclusion of or within thirty (30) days after the public hearing in the form of a written recommendation to the city council. The recommendation shall include the standards for review, the commission's findings of fact and its recommendation. If more information is requested by the commission, the public hearing may be continued one (1) time to a specific date not to exceed thirty (30) days from the originally scheduled public hearing.
- (G) *Council Action.*
 - (1) Once the commission has held a public hearing, the council may adopt the recommendation of the commission without holding a public hearing if there is no objection, no request for public hearing, or other protest. If requested by any aggrieved party, any member of the public and/or any member of the city council, the council shall give notice and shall conduct a public hearing on the application in accordance with the requirements of A.R.S. § 9-462.04 and amendments thereto. If a public hearing is held by the city council a decision shall be rendered at the conclusion of or within thirty (30) days after the public hearing.

- (2) If the owners of twenty (20) percent or more, either of the area of the parcel(s) of land included in the proposed change, or of those immediately adjacent in the rear or any side thereof extending one hundred fifty (150) feet therefrom, or of those directly opposite thereto extending one hundred fifty (150) feet from the street frontage of the opposite parcels of land, file a protest in writing against a proposed amendment, the amendment shall not become effective except by a favorable vote of three-fourths (3/4) of all members of the city council. If any member of the city council is unable to vote on such a question because of a conflict of interest, then the required number of votes for passage of the question shall be three-fourths (3/4) of the remaining membership of the council; provided, that such required number of votes shall in no event be less than a majority of the full membership of the legally established governing body.
 - (3) A decision of the council involving rezoning of land which is not owned by the city and which changes the zoning classification of such land may not be enacted as an emergency measure and such change shall not be effective for at least thirty (30) days after final approval of the change in classification by the council.
 - (4) The city council may attach conditions to a rezoning request as are necessary to carry out the purposes of the general plan or other adopted plans and ensure compatibility with adjacent land uses. Except as modified by actions of the city council, conditions adopted by ordinance in accordance with prior law shall remain in full force and effect. A violation of any condition shall be considered to be a violation of these regulations. The city council may approve a change of zoning district conditioned upon one (1) or more of the following:
 - (a) A requirement that development proceed in accordance with a specific area plan, site plan, conceptual plan and/or development schedule.
 - (b) A requirement of public dedication of rights-of-way as streets, alleys, public ways, drainage and public utilities, and installation of off-site improvements as are reasonably required by or related to the effect of the rezoning.
- (H) *Reversion.* The city council may approve a change of zoning district conditioned upon a schedule for development of the specific use or uses for which rezoning is requested. If at the expiration of this period the property has not been improved for the use for which it was conditionally approved, the legislative body, after notification by certified mail to the owner and applicant who requested the rezoning, shall schedule a public hearing to take administrative action to extend, remove or determine compliance with the schedule for development or take legislative action to cause the property to revert to its former zoning classification.
- (I) *Reconsideration of Denied Amendments.* In the event that a petition for an amendment is denied by the city council, or is withdrawn after the conclusion of the commission hearing, the commission shall not consider the petition or any other petition for the same or substantially the same amendment as it applies to the same property or zoning ordinance text described in the original petition, or any part thereof, within a period of one (1) year from the date of such denial action or withdrawal, unless the conditions upon which the original denial or withdrawal was based have changed. (Ord. No. 473, §§ 1 – 4, 6-6-00; Ord. No. 2006-07, § 2, 3-7-06; Ord. No. 2007-03, § 1, 1-16-07; Ord. No. 2009-08, §§ 1, 2, 6-2-09. 1976 Code § 15-1-31)

19.10.110 Council to establish fees.

The common council of the City of Show Low may from time to time establish and set by resolution the amount of charges for all planning and zoning applications and statements within the jurisdiction of the City of Show Low. (Ord. No. 214, § 1, 11-28-84. 1976 Code § 15-2-1)

Chapter 19.55
R2-7 zone – Single-Family and Multiple-Family Residential (7,000 square feet)

19.55.010 Purpose.

This district is intended to promote and preserve medium density single-family and multiple-family residential development. Regulations and property development standards are designed to protect the residential character of the district and to prohibit all incompatible activities. Land use is composed chiefly of individual homes and multiple-family dwellings, together with required recreational, religious and educational facilities. (Ord. No. 2009-01, §§ 1, 2, 1-20-09; Ord. No. 2009-08, §§ 1, 2, 6-2-09. 1976 Code § 15-1-56(A))

19.55.020 Permitted uses.

- (A) Single-family dwellings.
- (B) Multiple-family dwellings.
- (C) Customary accessory uses and buildings, provided such uses are incidental to the principal use.
- (D) Temporary buildings for uses incidental to construction work, which buildings shall be removed upon completion or abandonment of the construction work.
- (E) Publicly owned and operated schools, parks and recreation areas and centers.
- (F) Home occupations.
- (G) Manufactured housing not less than twenty (20) feet wide, with axles and tongues removed, placed on a permanent foundation and anchored according to applicable codes. (Ord. No. 2009-01, §§ 1, 2, 1-20-09; Ord. No. 2009-08, §§ 1, 2, 6-2-09. 1976 Code § 15-1-56(B))

19.55.030 Conditional uses.

- (A) Churches and similar places of worship.
- (B) Private schools.
- (C) Public utility buildings, structures, or appurtenances thereto for public service use.

- (D) Temporary home and land sales offices provided they are located within the same subdivision as the land and homes that are offered for sale.
- (E) Medical and dental clinics and offices.
- (F) Nursery schools and day care centers.
- (G) Bed and breakfast.
- (H) Golf courses and associated facilities but not including miniature golf or commercial driving ranges.
- (I) Public and quasi-public facilities which provide essential services including hospitals, police and fire stations and substations and cemeteries.
- (J) Fraternal and social facilities, meeting halls and similar uses; no alcoholic beverages.
- (K) All multifamily uses not specifically addressed in Sections 19.55.040 and 19.55.050.
- (L) Group home for the handicapped. (Ord. No. 2009-01, §§ 1, 2, 1-20-09; Ord. No. 2009-08, §§ 1, 2, 6-2-09. 1976 Code § 15-1-56(C))

19.55.040 Apartments, condominiums, etc. – Property development standards.

Apartments, condominiums, townhouses, or other similar type developments in which no real property other than the footprint of each unit is individually owned, or is under common ownership.

- (A) Minimum Lot Area. Seven thousand (7,000) square feet.
- (B) Minimum Lot Area per Dwelling Unit.

Area of Lot (square feet)	Minimum Lot Average per Dwelling Unit (square feet)
7,000 to 10,500	3,500
10,501 to 15,000	3,000
15,001 and over	2,500

- (C) Minimum Average Lot Width. Sixty (60) feet.
- (D) Minimum Lot Frontage. Thirty (30) feet.
- (E) Maximum Lot Coverage. Forty (40) percent.
- (F) Minimum Front Yard. Twenty (20) feet.
- (G) Minimum Side Yard. One (1) side yard of five (5) feet and one (1) side yard of twelve (12) feet except that where a side lot line abuts a street, there shall be a minimum side yard of twenty (20) feet. Subdivisions that received final plat approval prior to January 7,

2003, may utilize side yard setbacks of either five (5) feet and twelve (12) feet or eight (8) feet and eight (8) feet except where a side lot line abuts a street, there shall be a minimum side yard of twenty (20) feet.

- (H) Minimum Rear Yard. Fifteen (15) feet.
- (I) Maximum Building Height. Not to exceed thirty-five (35) feet.
- (J) Except where the two (2) zones are separated by a city street, where a multifamily development of three (3) units or more adjoins a single-family residential zone, the development shall be screened from the single-family residential property by a solid material fence, six (6) feet in height as defined in Chapter 19.25 or as otherwise allowed or required by the planning and zoning commission.
- (K) Recreation Area.
 - (1) Five hundred (500) square feet of usable open space shall be provided for each dwelling unit. "Usable open space" shall mean space that can be enjoyed by people. This could include landscaped plazas, grass and trees, fountains, sitting areas, etc., which is meant to provide an open garden atmosphere. Usable open space does not include any required yards less than ten (10) feet in width, parking areas, vacant or undeveloped lots or any other space which does not contribute to the quality of the environment.
 - (2) Where a centralized recreation area is provided, the usable open space may be reduced up to two hundred fifty (250) square feet per dwelling unit at the following ratio: For each square foot of recreational area, open space requirements may be reduced by three (3) square feet. Recreational areas may include community use facilities, indoor recreational areas, swimming pools, hobby shops, etc. (Ord. No. 2009-01, §§ 1, 2, 1-20-09; Ord. No. 2009-08, §§ 1, 2, 6-2-09. 1976 Code § 15-1-56(D))

19.55.050 Twin homes, townhouses, etc. – Property development standards.

Twin homes, townhouses, or other similar type developments in which real property other than the footprint of each unit is individually owned.

- (A) Minimum Total Lot Area (Prior to Development). Seven thousand (7,000) square feet.
- (B) Minimum Lot Area (Each Unit). Thirty-five hundred (3,500) square feet.
- (C) Minimum Average Lot Width (Prior to Development). Sixty (60) feet.
- (D) Minimum Average Lot Width (Each Unit). Thirty (30) feet.
- (E) Minimum Total Lot Frontage (Prior to Development). Thirty (30) feet.
- (F) Minimum Lot Frontage (Each Unit). Fifteen (15) feet.
- (G) Maximum Lot Coverage (Each Unit). Forty (40) percent.

- (H) Minimum Front Yard. Twenty (20) feet.
- (I) Minimum Side Yard. Eight (8) feet except that where a side lot line abuts a street, there shall be a minimum side yard of twenty (20) feet. Side yards of zero (0) feet for structures utilizing a common wall may be allowed; provided, that all other property development standards, including required street side setbacks, are met.
- (J) Minimum Rear Yard. Fifteen (15) feet.
- (K) Maximum Building Height. Not to exceed thirty-five (35) feet.
- (L) Except where the two (2) zones are separated by a city street, where a multifamily development of three (3) units or more adjoins a single-family residential zone, the development shall be screened from the single-family residential property by a solid material fence, six (6) feet in height as defined in Chapter 19.25 or as otherwise allowed or required by the planning and zoning commission. (Ord. No. 2009-01, §§ 1, 2, 1-20-09; Ord. No. 2009-08, §§ 1, 2, 6-2-09. 1976 Code § 15-1-56(E))

19.55.060 General provisions.

The provisions of Chapter 19.25 shall apply. (Ord. No. 2009-01, §§ 1, 2, 1-20-09; Ord. No. 2009-08, §§ 1, 2, 6-2-09. 1976 Code § 15-1-56(F))

19.55.070 Signs.

The provisions of Chapter 19.100 shall apply. (Ord. No. 2009-01, §§ 1, 2, 1-20-09; Ord. No. 2009-08, §§ 1, 2, 6-2-09. 1976 Code § 15-1-56(G))

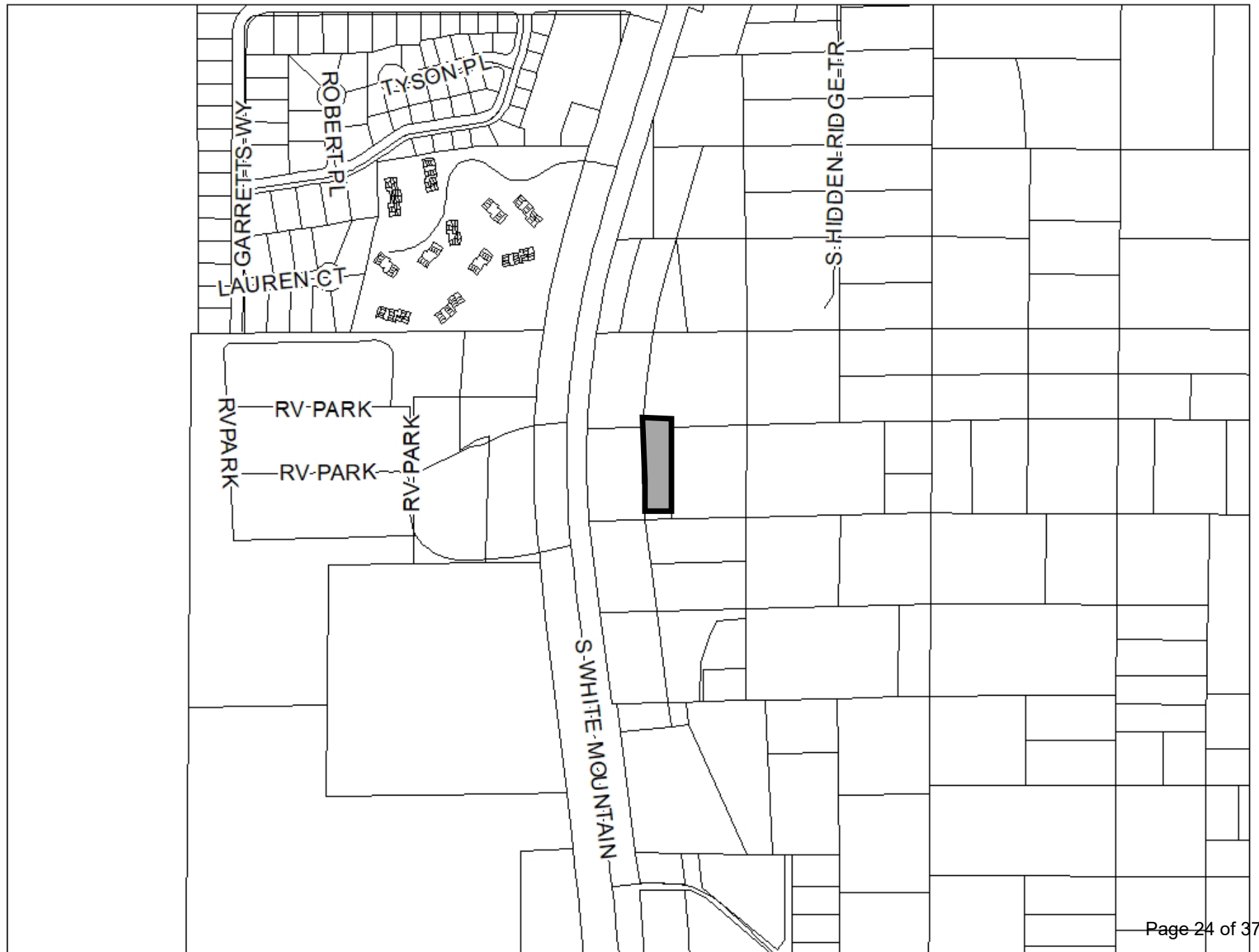
19.55.080 Parking and loading.

The provisions of Chapter 19.105 shall apply. (Ord. No. 2009-01, §§ 1, 2, 1-20-09; Ord. No. 2009-08, §§ 1, 2, 6-2-09. 1976 Code § 15-1-56(H))

19.55.090 Plan review.

The provisions of Chapter 19.15 shall apply to all uses. (Ord. No. 2009-01, §§ 1, 2, 1-20-09; Ord. No. 2009-08, §§ 1, 2, 6-2-09. 1976 Code § 15-1-56(I))

The Show Low City Code is current through Ordinance 2024-02, passed March 19, 2024. Disclaimer: The city clerk's office has the official version of the Show Low City Code. Users should contact the city clerk's office for ordinances passed subsequent to the ordinance cited above.





Subject Property:
A.P.N. 210-33-040C



City of Show Low Planning & Zoning

180 N. 9th Street, Show Low, AZ 85901
(928) 532-4040

Zoning Ordinance & Map Amendment Petition Application

(Filing Fee: \$600.00)

For Office Use Only

Date received: 2.28.24
Time received: 10:15 AM/PM
Received by: ZBF

Owner Information

Name: NV Us Investments LLC

Address: 970 S Main Street
Street Address

Snowflake AZ 85937
City State ZIP Code

Phone: 928-243-8701 Email: joseph@hollandsaline.com

Applicant Information (If different)

Name: _____

Address: _____
Street Address

_____ Apartment/Unit #

_____ City State ZIP Code

Phone: _____ Email: _____

Property Information

Address of Property: S. White Mountain Rd

Legal Description of Property: see attached

Parcel Number: 210-33-040C Current Zoning Classification: A-General

What is the Nature of the Request? Would like to re-zone to same zoning as adjacent parcel

(210-33-040B) and then merge the two parcels for joint development

Application Requirements

To have a zoning ordinance or zoning map amendment processed, the applicant shall comply with each of the following requirements as deemed necessary by the Planning and Zoning Director:

- ☐ A pre-application meeting shall be arranged by the applicant with the Planning and Zoning Director to discuss any proposed amendment prior to the application submittal;
- ☐ A narrative of how the proposed amendment(s) is consistent with the Show Low General Plan and with the Development Plan Map of Show Low. Any contemplated uses shall be explained within the narrative, as well as outlining the neighboring land uses adjacent to the property;
- ☐ The pre- and post-zoning densities for the particular subject property shall also be calculated and included into the narrative;
- ☐ At least one reasonably detailed and legible map no smaller than eight and one-half (8 -1/2) inches by eleven (11) inches showing the particular property or properties that are being petitioned for a change and substantially the adjoining properties and the public streets within a radius of three hundred (300) feet from the external boundaries of the proposed zoning map amendment. Indicate the current ground cover, location of buildings and parking areas, the setback of the existing buildings and parking areas.
- ☐ A statement revealing any conditions or restrictions of record (if any) which would affect the permitted uses of the property if rezoned as requested and the date or dates (if any) of expiration thereof.
- ☐ Such conceptual plans, photographs, drawings, building elevations, and other supporting documents (if any) as the applicant may desire to present or deemed necessary by the Planning and Zoning Director.
- ☐ **A neighborhood meeting, conducted solely by the applicant, shall be coordinated through the Planning and Zoning Director. A staff member will attend the meeting to observe and answer general questions only. Scheduling of the neighborhood meeting is a part of the application process and should be far enough in advance of the public hearing to allow staff and the applicant sufficient time to address possible concerns expressed at the meeting.**

Authorized Representatives

PLEASE NOTE: In accordance with City Code, Title 19.10.100(2) (h) and (i), you or your authorized representative must be present at all Planning and Zoning and/or City Council hearings or public meetings regarding this application. Below please list any person(s) authorized to represent you during this application process. Representations made during those meetings or hearings and designated in the record shall be deemed conditions of approval.

Joseph Holland

Certification

I certify that the information on this application form and attachments are true and correct to the best of my knowledge. I realize that any incorrect information may lead to the cancellation of any proceedings and zoning ordinance and map amendment, if a zoning ordinance and map amendment has been issued.

Signature of
Owner(s):



Date:

2/28/24

Signature of
Owner(s):

Date:

Signature of
Applicant:



Date:

2/28/24

Waiver of Claims Under Arizona Revised Statutes § 12-1134

I, Joseph Holland as Mgr of NV Us Investments LLC, the owner of the property described as A.P.N. 210-33-040C

Show Low, Arizona, hereby waive any and all claims for diminution in value to my property which may arise under A.R.S. § 12-1134 as a result of my request and application for a ZONE CHANGE. Further, I agree to defend, indemnify and hold harmless the City of Show Low, its officers, employees, and agents from and against any and all such claims for diminution in value to my property as defined in A.R.S. § 12-1134 arising out of my application or request for the applicable land use action as described above.

DATED this 28 day of February, 2024.

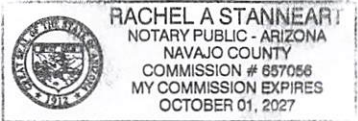

Signature of Property Owner

STATE OF ARIZONA)
) ss.
County of Navajo)

SUBSCRIBED AND SWORN before me this 28 day of February, 2024,
by Joseph Holland.
Name of Signer


Notary Public

[Notary Seal]



LEGAL DESCRIPTION
ASSESSOR'S PARCEL NUMBER 210-33-040C
±0.51 ACRES

A portion of the Southeast-quarter of the Northwest-quarter of the Southeast-quarter of the Northeast-quarter of Section 32, Township 10 North, Range 22 East of the Gila and Salt River Base and Meridian, Navajo County, Arizona, more particularly described as follows:

BEGINNING at a found 1/2" rebar with a #29865 plastic cap marking the Southwest corner of said Southeast-quarter of the Northwest-quarter of the Southeast-quarter of the Northeast-quarter;

Thence North 00°19'03" East, along the West line of said Southeast-quarter of the Northwest-quarter of the Southeast-quarter of the Northeast-quarter a distance of 328.90 feet to a found 1/2" rebar with a #29865 plastic cap marking the Northwest corner of said Southeast-quarter of the Northwest-quarter of the Southeast-quarter of the Northeast-quarter;

Thence North 89°25'19" East, along the North line of said Southeast-quarter of the Northwest-quarter of the Southeast-quarter of the Northeast-quarter, a distance of 66.99 feet to a found 5/8" rebar with a #13005 aluminum cap;

Thence South 00°10'35" West, a distance of 329.28 feet to a found 5/8" rebar with a #13005 aluminum cap lying on the South line of said Southeast-quarter of the Northwest-quarter of the Southeast-quarter of the Northeast-quarter;

Thence South 89°44'52" West, along said South line, a distance of 67.80 feet to **THE POINT OF BEGINNING**.

Containing 0.51 acres, more or less.

RESERVING, SUBJECT TO, AND TOGETHER WITH all easements of record.

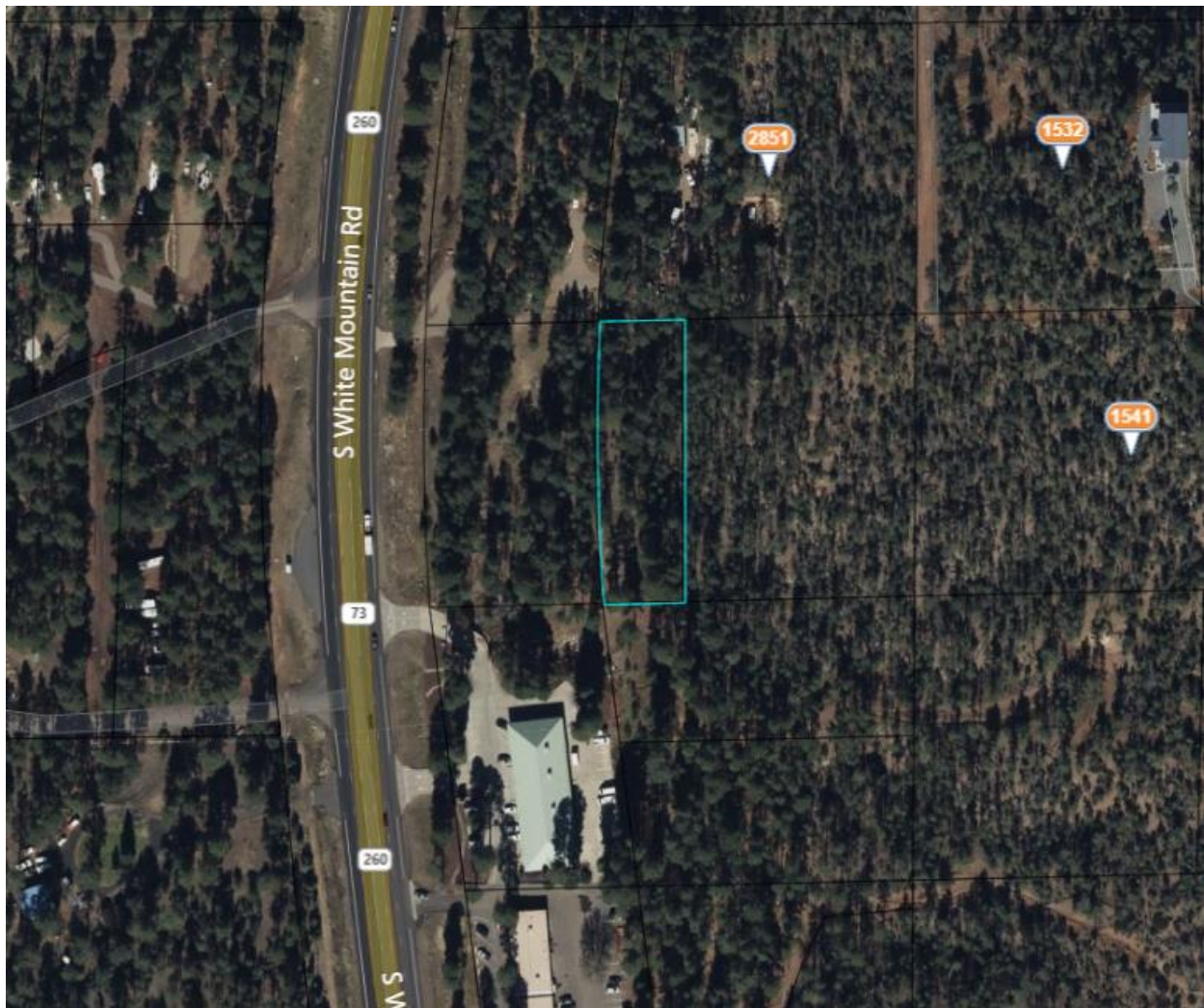
TO: Area Neighbors

FROM: 2 Guys Investments LLC

RE: Neighborhood Meeting to review proposed zone change of APN 210-33-040C
(located at approximately 2951 S White Mountain Rd; Show Low, AZ)

Dear Area Neighbor:

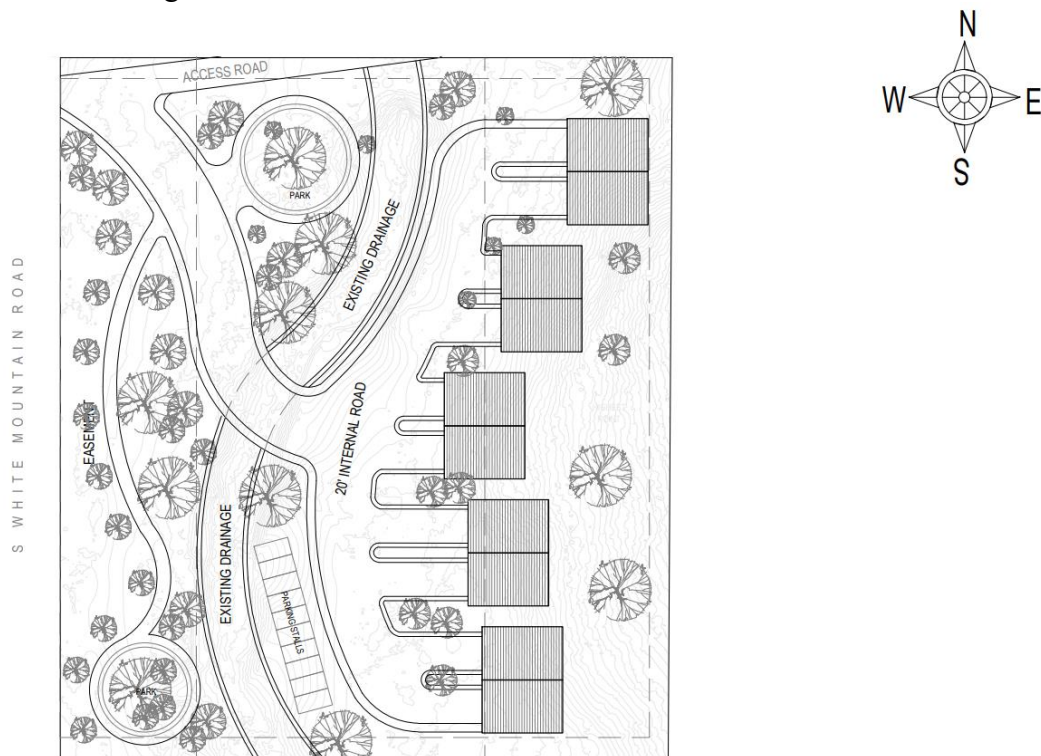
As the owners of the above referenced property, we have requested that the property be annexed into the Show Low City limits. When it was annexed from Navajo County to the City of Show Low, however, it will come into the City limits zoned as the zoning most similar to the county's A-General zoning (which is the AR-43 zone in the City of Show Low). We are, thus, applying for a zone change to re-zone the above-referenced parcel from its current zoning to the zoning of the adjacent parcel to the west (C-2, Commercial) to allow for five duplexes to be built on the site. This letter is being mailed out to invite you and your neighbors to a meeting where you can come and review our proposed zone change and anticipated use.



The Neighborhood Meeting has been scheduled for:

Location: 180 N. 9th Street (Show Low City Hall)
Conference Room, second floor
Show Low, AZ 85901
Time: 5:30 pm
Date: March 20, 2024

The meeting will be an informal gathering in which we will spend approximately 15-20 minutes introducing our plan. The remaining time will be for you to talk to us or ask questions regarding the proposed zone change. We will have copies of our proposed plan available for viewing at the meeting.



We appreciate that everyone has many personal obligations during the week, but we are hopeful you can make time to come to our meeting. Please contact me at (928) 243-8701 if you have any questions regarding this notice.

Sincerely,

Joseph Holland, Manager
2 Guys Investments LLC

Cc: City of Show Low, Katie Blakeslee Fechtelkotter

MINUTES OF THE REGULAR MEETING OF THE SHOW LOW PLANNING AND ZONING COMMISSION HELD ON TUESDAY, JUNE 25, 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.

COMISSION MEMBERS PRESENT: Chairman Barlow, Vice Chairman Roberts, Commissioner Hatch, Commissioner Wilson, Commissioner Adams, Commissioner Schnepf, and Commissioner Whipple.

STAFF MEMBERS PRESENT: Planning and Zoning Director; Justen Tregaskes, Planner; Katie Fechtelkotter, Planner; Moriah Saline and City Attorney; Anna Atencio.

GUESTS: Kevin Kugler, Kurt Gessner and Guests.

3. Invocation.

Commissioner Adams gave the invocation.

4. Pledge of Allegiance.

Vice Chairman Roberts led the Council and audience in the pledge of allegiance.

5. **NEW BUSINESS:**

- A. Public hearing and consideration of a zone change request submitted by Joseph Holland of NV Us Investments, LLC to rezone A.P.N. 210-33-040C from AR-43 (Agricultural-Residential 43,000 Square Feet) to C-2 (General Commercial) to allow for multifamily housing. (Moriah Saline)

Ms. Saline said Joseph Holland of NV Us Investments LLC submitted a request to annex A.P.N. 210-33-040C. On April 23, 2024, a public hearing for the annexation was held. On June 4, 2024, the Show Low City Council approved the annexation of A.P.N 210-33-040C.

The applicant has submitted a request to rezone A.P.N. 210-33-040C from AR-43 (Agricultural-Residential 43,000 Square Feet) to C-2 (General Commercial) to allow for the development of multi-family housing on the subject property. The applicant owns the adjacent property and desires to develop the properties concurrently.

FINDINGS OF FACT

1. Joseph Holland of NV Us Investments LLC has submitted a request to rezone A.P.N. 210-33-040C from AR-43 (Agricultural-Residential 43,000 Square Feet) to C-2 (General Commercial) to allow for the development of multi-family housing on the subject property. A conceptual site plan has been included.
2. The parcel is approximately 0.51 acres in size. The applicant has indicated that they wish to rezone the subject property to the same zoning as the adjacent parcel (210-33-040B) then combine the two parcels for joint development.

3. The annexation of A.P.N 210-33-040C into the City of Show Low was approved by the City Council at their meeting on June 4, 2024, with the passing of Ordinance No. 2024-05.
4. The applicant held a neighborhood meeting, on March 20, 2024, with property owners located within 300 feet of the subject property. No neighbors attended the meeting.
5. Current zoning of the surrounding properties include:
 - North: A-General (Residential)
 - South: A-General (Residential)
 - East: A-General (Residential)
 - West: C-2 (General Commercial)
6. The current land uses of the surrounding properties include:
 - North: Residential / County
 - South: Residential / County
 - East: Vacant Residential / County
 - West: Vacant Commercial / City
7. Transmittal memos were sent to all affected agencies, no applicable comments were received.
8. The property was posted, letters were sent to all the neighbors within 300 feet of the subject property and a notice was published in the newspaper in accordance with City Code. Two phone calls from area property owners requesting general information were received.

STAFF RECOMMENDATIONS

After reviewing the Standards for Review, Finding Facts, discussions with the applicant, the City of Show Low Zoning and Land Ordinances, and the City of Show Low General Plan, staff recommends that the Planning and Zoning Commission approve zone change request 605-03-121 submitted by Joseph Holland of NV Us Investments LLC to rezone A.P.N. 210-33-040C from AR-43 (Agricultural-Residential, 43,000 Square Feet) to C-2 (General Commercial) to allow for the development of multi-family housing, subject to staff recommendations and forward this recommendation to the City Council.

1. All development shall comply with all applicable federal, state, and local requirements including ADOT, building code, and fire codes.

Ms. Saline said Director Tregaskes was available for questions.

Commissioner Wilson asked if the applicant planned to build duplexes on the property.

Director Tregaskes said that was correct, the property in front has a large drainage area, they are proposing to leave the front portion as a natural buffer, the trees would remain other than some minor tree thinning. The back half of the property is where the development would be located, there would be a total of five buildings with two units and a total of 10 units. These would be market rate apartments. The applicant plans to recess the buildings into the hill

and keep the overall roof-lines as low as possible.

Commissioner Wilson asked if the project would fall under the workforce housing program.

Director Tregaskes said he did not believe so as the applicant has not submitted an application to participate in the workforce housing program.

Vice Chairman Roberts asked how the commission could ensure that the trees on the front of the property would remain and asked if they could make a condition of approval that as many of the mature trees are preserved as possible, which would be consistent with some of the other commercial properties in that area.

Director Tregaskes said that the Commission could add a second condition stating that all development would be in substantial conformance of the submitted conceptual plan. This would include the natural buffer at the front of the property as well as the total number of units for the site.

Vice Chairman Roberts clarified that if the applicant wanted to modify the plan as proposed that they would need to apply for another zone change.

Director Tregaskes said that was correct. In the commercial zone up to 10 multi-family use units is a permitted use, so once the zoning is approved as long as the units do not exceed 10 it would just require a building permit. However, anything over 10 units is a conditional use, which would require the property to be posted and letters to be sent to all property owners within 300 feet of the subject property.

Commissioner Wilson asked what the two phone calls were about.

Director Tregaskes said both of the phone calls were from property owners who were not immediately adjacent to the property and had general questions. Director Tregaskes also said there was an additional neighbor who came to City Hall and submitted a public records request for the zone change file earlier today and that individual is present at the meeting.

Chairman Barlow asked if the Commission added a condition that the property was to be developed in conformance with the submitted site plan and the applicant wanted to do something different would they need to hold another neighborhood meeting.

Director Tregaskes said yes, the entire zone change process would need to be followed if they wanted to develop the property differently than the proposed plan.

Chairman Barlow asked if the property was sold, would that mean that the future property owner would be required to develop the property in substantial conformance with the proposed site plan as well.

Director Tregaskes said that was correct.

Commissioner Adams asked how often the Planning and Zoning Commission adds conditions similar to this one.

Director Tregaskes said this is fairly common, according to City Code

representations by the applicant can be considered a conditions of approval of the zone change.

Commissioner Hatch asked that if the condition is really necessary the representation by the applicant is a condition of approval or if that is redundant.

Director Tregaskes said somewhat, but over time, it is much easier to review when it is an actual condition of the ordinance.

Chairman Barlow asked since the applicant was not in attendance did that mean the Commission could not vote on this item.

Director Tregaskes said that was correct as City Code requires that the applicant or representative be in attendance at the meeting and he clarified that the applicant was notified of the meeting.

Director Tregaskes said this item was scheduled for a public hearing and that generally if there is someone in attendance who would like to speak, that they allow them the opportunity to speak on the item.

Chairman Barlow opened the item for a public hearing.

Director Tregaskes clarified that this will not be the only opportunity for the public to speak on the item.

Kurt Gessner said he lives next to the property at 2851 S. White Mountain Rd. Mr. Gessner said that this development will violate his privacy. He said that there were some promises made at another zone change that were not upheld. He asked the commission to add a condition of a 16 foot-high block privacy fence and explained the fence from the other development is now in disrepair. He said that the reason for the tall fence is because the potential for the people in the duplexes to look down onto his property.

Chairman Barlow closed the public hearing.

Chairman Barlow asked when there is a multi-family development like this that does not require a CUP what kind of fencing is required per City Code adjacent to residential zones

Director Tregaskes said that City Code requires a solid six foot fence to screen residential zones. This would be wood or block, but not chain link with slats. He read from chapter 19.25, and said there is a little bit of latitude for the Commission. The Commission could require a fence higher than six feet or they could waive the fence requirement.

Chairman Barlow clarified if that would be done at time the building permit would be applied for.

Director Tregaskes said that according to City Code the Commission could discuss fencing alternatives. He said since the proposed development is 10 units this would not require a CUP, so this would be the most appropriate time for the Commission to determine the type and height of fence they would like to see.

Chairman Barlow asked if there were different building setbacks for a

commercial property that is adjacent to properties located in the county because the property located to the north of the subject property is located in the county.

Director Tregaskes said that multifamily development is based on the R2-7 zoning district. The minimum side yard is one side of five feet and the other is 12 feet, so they could be as close as five feet from the property line. Director Tregaskes said that this is something the applicant could clarify if they were present as there were no setbacks or scale indicated on the site plan.

COMMISSIONER HATCH MOVED TO CONTINUE THE ITEM TO THE NEXT AVAILABLE PLANNING AND ZONING COMMISSION MEETING; SECONDED BY COMMISSIONER ADAMS; PASSED 7 TO 0 WITH CHAIRMAN BARLOW, VICE CHAIRMAN ROBERTS, COMMISSIONER SCHNEPF, COMMISSIONER WHIPPLE, COMMISSIONER HATCH, COMMISSIONER WILSON, AND COMMISSIONER ADAMS VOTING IN FAVOR.

Director Tregaskes said this item has been scheduled for a public hearing with the City Council for the July 16th meeting, this item may be brought back to the Commission at July 9th meeting, provided the applicant is available.

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.

7. **APPROVAL OF MINUTES:**

A. Planning and Zoning Commission Regular Meeting of May 28, 2024.

VICE CHAIRMAN ROBERTS MOVED TO APPROVE THE PLANNING AND ZONING COMMISSION REGULAR MEETING MINUTES OF MAY 28, 2024; SECONDED BY COMMISSIONER WILSON; PASSED 7 TO 0 WITH CHAIRMAN BARLOW, VICE CHAIRMAN ROBERTS, COMMISSIONER SCHNEPF, COMMISSIONER WHIPPLE, COMMISSIONER HATCH, COMMISSIONER WILSON, AND COMMISSIONER ADAMS VOTING IN FAVOR.

8. **SUMMARY OF CURRENT EVENTS:**

A. Commission Members

Commissioner Hatch said it's a good day in Show Low and he is thankful for the recent moisture.

Commissioner Wilson said that with 4th of July coming up it is getting busier, and to be careful. She hopes to see everyone attend the parade for the 4th of July holiday.

Commissioner Whipple said he is new and is excited to be on the Commission and asked everyone to have fun and be safe for the upcoming 4th of July holiday.

Commissioner Schnepf said he's excited for the 4th of July

Commissioner Adams welcomed Commissioner Whipple and said with the upcoming 4th of July to give yourself extra time with all the people here and to be safe.

Vice Chairman Roberts said the weather is great, and asked everyone to have extra patience and kindness.

Chairman Barlow welcomed Commissioner Whipple to the Commission, he said it is nice to have all seven chairs filled and appreciates the participation.

B. Planning and Zoning Director

Director Tregaskes welcomed Commissioner Whipple to the Planning and Zoning Commission. He also welcomed new staff member Moriah Saline. He also reminded the public that despite the rain we are still in Stage 2 fire restrictions, that means no open fires or fireworks. The Fourth of July celebration will be on Thursday, July Fourth, the parade will start at 9:00 AM on the Deuce of Clubs from West Owens and continues to White Mountain Road. There will be a wet zone at 11:00 AM at Frontier Park. Freedom Fest will start at 3:00 PM at the Show Low High School, there is a change due to the reseeding of the football field, they have asked the public to not go on the football field, however the practice field will be open instead. Finally fireworks will be at 9:00 PM at the High School.

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 JUNE 25, 2024, AT 7:36 P.M.**

ATTEST:

APPROVED:

Zach Barlow, Chairman

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 June 25, 2024. I further certify that the meeting was duly called and held and that a quorum was present.

Dated this _____ day of _____, 20____.

Katie Fechtelkötter