applicant, Mr. Graves, states that he has supplied the paving plan, and park rules that were requested by the Commission at the last meeting. He stated that this will be a nice, green park for hardworking families with a good quality of life for a rental. Chairwoman Shove asks if he would rent space or just have homes put on property? Mr. Graves replies that if it is a brand-new home he would consider renting a space. He went on to explain that it will not be low-income units. He also stated that he understands the concerns, but there are also issues with drugs in apartments and other types of housing. He asks the Commission if they have had a chance to review the rules he provided; Chairwoman Shove states they have. Mr. Graves states these rules are a standard to keep the park nice, and that he does plan on relocating to Springerville. Chairwoman Shove asks about Mr. Graves experience with managing another area mobile home park; Mr. Graves states that he did help manage the Cedar Court mobile home park last year for about 7 months, and that it is about the management enforcing the rules, not having junk around, to have a nice clean park. He added that this applies not only to mobile home parks but RV parks too. Chairwoman Shove states that she rented a mobile home in her younger years, because it was the choice she had. She also stated that there is a lot of need for rentals, and we just don't have them, it is a problem in the community. She stated that we recently lost a teacher because there was no place to rent.

Councilman Don Scott who was in the audience asked if Mr. Graves was going to consider (rules) the same level as Sun City? Because they seem pretty strict. Mr. Graves replied yes that he will have landscaping, and everything will be kept clean. Mr. Graves stated that he will have nothing over 10-years brought in. Ms. Palmer reminds him that is what is in code as well, nothing more than 10 years old can be moved into town.

Councilman Doug Henderson who was also in audience inquired if the submitted rules can be included in the conditional use permit as an additional condition? Chairwoman Shove tells him yes, they can. Mr. Graves adds that rules can and will change to be in compliance with town codes to remain in compliance. Councilman Henderson states that he thinks it would be best to have the rules on file, to be enforced by the Town. Ms. Palmer reminds the audience that extra conditions can be placed on a conditional use permit; if these conditions, or the permit, are violated, notice will be made to correct, and if not corrected permits can be revoked.

Councilman Henderson asks if Ms. Palmer, the Zoning Administrator goes to inspect? Ms. Palmer responds that yes, they do, the first inspection is usually done at 6 months, and she is trying to implement annual inspections. She adds though, if someone comes in in the interim and says that there is a possible violation, it will be investigated and necessary action taken. She states that each building will require a separate building permit, which also requires inspections, with each building being inspected under the Town's rules and in accordance with our contract with ADOH (Arizona Department of Housing) and their regulations. Any other concerns will be treated like any other code enforcement complaint, with notices to correct and time limits.

Chairwoman Shove asks Mr. Graves about what type of fencing he will have; Mr. Graves responds with he doesn't really like the look of chain-link, he is thinking split-rail cedar and juniper trees for green fencing.

Chairwoman Shove asks about a permanent enclosure for the dumpster; Mr. Graves states he will follow code for an enclosure. There is brief discussion on this matter and Ms. Palmer confirms with Mr. Rasmussen that trash enclosures are required by code.

Mayor Shelly Reidhead, who is in the audience, inquires about what is in the park rules and regulations. Chairwoman Shove asks Ms. Palmer to read the rules and regulations for the record and the audience. Ms. Palmer read the full list which included tenants and their guests and included, but not limited to, quiet hours, parking regulations, cleanliness and maintenance of outdoor spaces and homes, as well as the responsibilities of tenants. Mayor Reidhead asks about landlord tenant law and the crime free addendum being added.
Commissioner Becker asks about lighting for the area; Mr. Graves states that he is not sure what the requirements are. Ms. Palmer states that the lighting requirements are usually more for parking lots and not usually required in residential areas. Chairwoman Shove comments that there are a lot of dark streets in Town.
Commissioner Hayes asks about the consequences if the rules are broken. Ms. Palmer states that would be more along the lines of landlord/tenant law. Town Attorney, Brandon Kavanagh, agrees with Ms. Palmer, stating that the Town does not to try to get into being a substitute landlord. He further states that State law will apply, if additional concerns are not repeating what State law requires the Commission with want to communicate those.
Chairwoman Shove states that she would entertain a motion on the matter then discussion can continue.

Motioned by: Commissioner Becker; seconded by: Commissioner Hayes to approve the Conditional Use Permit application with the additional conditions that the rules and regulations are followed as written, and that they follow the State's crime-free addendum.

AYE: Chairwoman Shove, Commissioner Becker, Commissioner Hayes

3-0 Passed – Unanimously

10. Continued discussion and direction to Staff regarding clarification of Springerville Municipal Town Code Title 17:

a. Chapter 17.28-General Provisions Section 17.28.170-Travel Trailers and Recreational Vehicles-Chairwoman Shove opened up the discussion, stating that what needed to be discussed was Ordinance 2022-007; Ms. Palmer stated that the ordinance was attached because it was listed at the bottom of the section but it matched section 170. Commissioner Becker stated that she had no issues with the section. Chairwoman Shove stated that her concern is with part 'D'; she reads it and stated that it (staying in a travel trailer) is allowed with a conditional use permit and a building permit. She then states that is not actually the part that is being looked at, Ms. Palmer states it would be part 'E'. Chairwoman Shove states that this is the only place we discuss a conditional use permit for travel trailers or RVs, every other place in code we don't allow it and so it should state two weeks period. Commissioner Becker asks if the code isn't saying the same thing; Chairwoman Shove states it isn't, without a conditional use permit implies that you can have a conditional use permit, and that no where else do we say you can do that with a conditional use permit. Commissioner Becker inquires if that means it is unnecessary; Chairwoman Shove responds no, that it is a "wormhole" that we need to close, and just eliminate the issue. Ms. Palmer asks for clarification, that they don't want

them at all longer than two weeks; Chairwoman Shove states that is correct. Commissioner Becker agrees, stating that will clear up a whole lot of problems that were had in the past. Ms. Palmer states that she can do a draft and bring it to the Commission, however she does have concerns about the current housing crisis (and removing the permitting process). Chairwoman Shove states that she thinks it's possible, but we are a long way from being in that position and at that point we will all be in old age homes, there is going to have to be a lot of other changes. She stated that when this was all cleaned up in February of 2023, this one "skipped us" and she just wants to get rid of this one and then it becomes a non-issue; Commissioner Becker agrees. Commissioner Hayes states that in he disagrees, and that we never know what set of circumstances P&Z may be approached with, and in his opinion, it is a necessary tool, and that things can be evaluated on an as needed basis. Chairwoman Shove says then the problem is that we end up with everybody has a need and we have to compare people's needs, and how do you decide who's got a greater need, and as a Commission decide who is worthy. Commissioner Hayes says he understands, but that if we had a set of general circumstances; Chairwoman Shove states that once we start making a list of stuff if we make it too general it's useless. Commissioner Hayes says but then again to a degree there is a housing crisis everywhere, and it's something that may need to be considered for the future. Chairwoman Shove says that when the issue cam up last fall, we had quite a few people coming that spoke to the Commission, and their biggest concern was they didn't want to be a town with travel trailers in the back. Everyone living in travel trailers is a code enforcement problem, a sewer problem, and a water problem because there is no control over it if you allow it. Commissioner Hayes asks Ms. Palmer if she could see this as getting out of hand, in an inspections point of view; Ms. Palmer states that anything is possible. Currently there is trash in front of homes and apartments, she had a call today about trash bags piled up in front of a home, and is sending a letter to correct. She stated from an inspection point of view, and in her personal opinion, as with other conditional use permits, extra conditions can be placed on them such as time limits. Commissioner Hays says like controlling the environment; Ms. Palmer replies correct, if that is something that the Town, and she as code enforcement, could do; if there is a CUP and there is a violation there is more teeth. Chairwoman Shove states yes but do we want to spend more time, spent four months discussing the last one; Ms. Palmer replies that has been the only one (application) in almost a year. Chairwoman Shove responds yes, but that is because we started trying to do code enforcement. Town Manager Rasmussen says to add to the history that he's seen a lot of problems with RVs, with people setting them up with a kitchen and an open pit fire, or RVs being set up on the side of a house running sewer into a hole in the ground. He further stated that a man approached the Town a few weeks ago with a records request to see how the Hightowers did this. There is a fifth-wheel parked on his (the man's) property, and while we don't think anyone is living there, his intention clearly stated that he would like to do that. Chairwoman Shove agrees and thinks it could really get out of hand. Mayor Reidhead says as a homeowner it could devalue property; Chairwoman Shove agrees and says she would not want one in her neighborhood. Manager Rasmussen stated that it was discussed that they would be in

the backyards, but what if there is no home at all, or an empty lot. Chairwoman Shove states that she calls part of her yard the backyard, but it actually faces Pima, and if an RV were stuck back there it would be where we start having trashy looking lots. Manager Rasmussen states is that where we would start throwing more terms and conditions? That someone could buy an empty lot and put it smack dab in the middle between two houses. Commissioner Hayes inquires if there would be any legal ramifications removing this part; Chairwoman Shove says no. Ms. Palmer asks Town Attorney Kavanagh if there are any legal concerns taking this section out; Mr. Kavanagh says that the only issue is that he doesn't think they want him to give legal advice in open session. An unknown audience member asks if people currently living in RVs would be in immediate violation; Chairwoman Shove says they currently are if they do not have a conditional use permit, and have been. Chairwoman Shove said we just haven't done much code enforcement, and that was one of the directives from Council at the first part of this year, more code enforcement, and that has been the goal of that office (Planning & Zoning Dept.) is to do more code enforcement so we can clean things up. She further stated that she thinks that working on the old furniture store is amazing, and it has been a blight on Main Street, but it's not the only blight on Main Street, we now have a building with a hole in it. She says that with regards to situations in the future, like a house bill where everyone has to be allowed to have a casita in the backyard, we will have to deal with a whole lot of different codes, where this is one blurb in code we can fix, that we didn't catch and fix in February 2023. Ms. Palmer states she will draft an ordinance for the Commission's review, discussion on this matter ends at this time.

NEW BUSINESS

11. Discussion and possible action regarding Conditional Use Permit application for 1642 Becker Lane (Parcel #104-03-068A). Applicant is requesting to allow a 5-foot fence along the front of the property. Chairwoman Shove introduces the item, discussion was held. Commissioner Becker stated that it is a rail fence so is see-through. Commissioner Becker made the motion to approve. Chairwoman Shove asked if any further discussion or additional conditions; none were stated.

Motioned by: Commissioner Becker; seconded by: Commissioner Hayes to approve the conditional use permit to allow a 5-foot fence on the front of the property.

AYE: Chairwoman Shove, Commissioner Becker, Commissioner Hayes

3-0 Passed – Unanimously

12. Discussion and possible action regarding Conditional Use Permit application for 1642 Becker Lane (Parcel #104-03-068A). Applicant is requesting to allow a second Connex box/shipping container on the property. Chairwoman Shove introduces the item, and asks Ms. Palmer to clarify the first conditional use permit. Ms. Palmer explains that the applicant is wanting a

second connex/shipping container, he has a conditional use permit for the first one that is valid. The applicant is planning on building a shop, the containers will be an extension of the shop so it will look like one building. Chairwoman Shove states that she thinks that will be good and look like one building, especially with the price of materials right now.

Motioned by: Commissioner Becker; seconded by: Commissioner Hayes to approve the conditional use permit to allow a second Connex box on the property with the added condition that it be attached to the shop, with an extended roof, to look like one cohesive building.

AYE: Chairwoman Shove, Commissioner Becker, Commissioner Hayes

3-0 Passed – Unanimously

13. Discussion and possible action regarding Conditional Use Permit application for 63 US Highway 180 (Parcel #105-22-033A). Applicant is requesting to utilize the property under the RMH-7, Single-Family Residential and Mobile/Manufactured Homes zoning regulations, the property is zoned as C-1, General Commercial. Chairwoman Shove introduces the item. Ms. Palmer gives background, stating that property is south of Highway 60 on Highway 180, and the majority of the properties surrounding this one are used as residential. She believes zoning was changed to C-1, General Commercial around 2007, but the majority of the residences were there before 2007. She further states that while the applicant is not here his letter of intent states that he bought the property believing he could put a home on it, it is unclear if the purchase was through a real estate agent or just person to person. The area is more residential than traditional commercial, and not many businesses in the area, and placing a house there would be continuing with the surrounding properties. While RMH-7 is not a specific conditional use, letter 'X' under Conditional Uses allows other uses as determined by the Planning and Zoning Commission to be similar to those listed. After the motion, brief discussion is held regarding taxes and businesses, and residences in the area with the majority being mobile/manufactured. Ms. Palmer advises the Commission that the applicant has picked up a building permit for a mobile or manufactured home and knows the regulations on year of home he can bring into Town. She also says it should be noted that even if this CUP was not approved, or if the applicant was wanting to site-build a home, he would still need a conditional use permit to reside on commercial property, and that the property does have electric, water and sewer hooked up.

Motioned by: Commissioner Becker; seconded by: Commissioner Hayes to approve the conditional use permit to allow RMH-7 zoning regulations on this property.

AYE: Chairwoman Shove, Commissioner Becker, Commissioner Hayes

3-0 Passed – Unanimously

14. Discussion and direction to staff regarding HB2325, signed by the Governor on May 2, 2024, regarding backyard fowl regulations in single-family residential zones. Chairwoman Shove

introduced the item. She then stated that she understands that there are things in the code about chickens, she wishes she knew what it was. Ms. Palmer states that there are some things in the animal ordinance, as well as agricultural zones saying they are allowed but it is not listed as a permitted or conditional use in the residential zones that would be affected. Chairwoman Shove swears that there is something in R1-7, because it was talked about a lot; Ms. Palmer replies that it was talked about, but an ordinance was not submitted to Council. Chairwoman Shove states that she has a long history with chickens when she moved into her house, everyone had chickens and roosters, she has no problem with people having chickens. Ms. Palmer states that with HB2325, municipalities cannot prohibit chickens in single-family residential zones, but they can place regulations on things, like the amount, size of the coops, or whether or not to allow roosters. She also states that this would not be changing the animal ordinance, only the single-family residential zoning codes. There is a question from the audience regarding CC&Rs or HOAs, Ms. Palmer states that those would be a different matter and the town does not enforce those types of regulations. There is further discussion regarding how many chickens are allowed in agricultural zones, and a few other general questions. Ms. Palmer is directed to draft an ordinance with the minimum requirements of HB2325 for the Commission to review and discuss further.

15. ADJOURNMENT:

Meeting adjourned at 7:34 PM

Terry Shove Chairperson

ATTEST:

Planning & Zoning Administrator

I hereby certify that the foregoing is a true copy of the minutes of the Springerville Planning and Zoning Commission in a regular meeting held on ~~May 14, 2024~~ June 11, 2024. I further certify that the meeting was duly called, and a quorum was present.

Dated this 9 day of July, 2024

Planning & Zoning Administrator