

**MINUTES**  
**Planning and Zoning Commission Meeting**  
**July 20, 2017**

**ATTENDANCE**

**Board Members**

**Attended**

1. Ruth Ann Smith
2. Wendell DeCross
3. Don Berry
4. Chuck Howe
5. Randy Murph
6. Chuck Teetsel

**Absent**

Evelyn M. Meadows  
 Jason Hatch  
 Fred Shupla  
 Rick Slone

**Staff Attendance**

1. Sandy Phillips
2. Nick Coussoulis
3. Jeanine Carruthers
4. Bill Bess
5. Chérie Camp

Meeting held at the Navajo County Board of Supervisors Chambers, Holbrook, Arizona. Time: 6:00 p.m.

**Chairman Chuck Teetsel** called the meeting of the Navajo County Planning and Zoning Commission to order and explained the meeting procedures to the public. He then led the Pledge of Allegiance.

**Item #1 – CASE #17-17 FINAL PLAT EXTENSION, DISTRICT III:** Discussion and possible action on a request by Pacific Holt Corp to extend a final plat for the Perkins Valley Mesa Hills estates zoned SD and R1-43 on APN 109-33-039, 040E, 040F, 109-01-005C a portion of Township 18 North, Range 20 East, Section 33 in the Holbrook area. ***Tabled due to lack of quorum as Commissioner Murph had to recuse himself.***

**Item #2 – CASE #17-20 ZONE CHANGE, DISTRICT III & IV:** Chairman Chuck Teetsel read item #2 description: Discussion and possible action on a request by Aztec Land and Cattle Co., Ltd & West Snowflake Land Co., LLC for a Zone Change from A General and RU-20, to IND-1 and IND-2, respectively, to further the development and progress on this industrial corridor on APN 201-01-012, 201-05-007, and 201-05-001B, a portion of Township 13 North, Range 19 East, Section 27, 25, and Township 13 North, Range 20 East, Section 30 in the Clay Springs area. The subject parcels are located west of Snowflake, north of Highway 277. The surrounding area is a mix of rural undeveloped land with some residential homes and parcels varying in size. Miss Sandra Phillips shared that

this item had been discussed at the prior P&Z Meeting of June 22, 2017. This project is 1,533 acres of vacant land. She gave history on the previous uses and zoning of the parcels in this area. The Zoning Ordinance was put in place by the Board of Supervisors in 1974. She displayed the "Navajo County General Plan" and pointed out the subject area is identified as "Community Village". Forest Towne was subdivided in 1961.

Several poster board maps were utilized during her presentation. Light Industrial zoning was defined and staff indicated locations for both light and heavy industrial. It was mentioned that some Heavy Industrial uses would need to go through a public process before allowed to move ahead.

Last month, some residents of Forest Towne expressed concern that a road was proposed adjacent to their subdivision. Staff pointed out that this roadway has been moved on the figure. Staff also pointed out that the building setback has been increased to 300' which will apply to outdoor uses as well. A relative exhibit indicating distances was presented.

Staff received a letter of support from a nearby church. Chairman Teetsel asked if the commission had any questions, there being none he asked Mr. Brophy to come to the podium and provide any further information.

Mr. Steve Brophy spoke regarding the mill closing, how he believes the infrastructure that had been put in place is unrivaled along the northern Arizona I-40 corridor from the California border to New Mexico. He provided information regarding the infrastructure from the electricity, the high pressure natural gas, the 12 million gallons of water, and the Apache Railway. The paper mill was built in 1960, the railway was extended to the paper mill in 1960, and the rail yard has been the subject of almost all of the traffic that occurs on that railroad since 1960. In 2012 there were 9000 rail cars used at the Apache yard and in 2016 when the paper mill closed the number of railcars dropped to 4500. Prospective businesses use "site selectors", which we have not been successful in attracting due to the current zoning. The labor supply is an additional concern mentioned by potential companies. His experience shows that there are an enormous amount of very high skilled laborers who have family members that are forced to drive outside of the area for employment. Currently he does not have any prospects as the right zoning is not in place. He went over some of the projects that came about via the "site selectors". An unidentified company which he believes is Georgia Pacific (GP) wanted to put in a box plant due to the need of Amazon which would have been an additional 300-600+ jobs. Another project would have been a large solar cells Chinese manufacturer and they were talking about 350-1,000 jobs, which will tell you the level of activity, plus the import. He met with some of the neighbors regarding their concerns and has increased the setbacks to minimize the effects on the local residents. He does understand their concern, but wants to reiterate the number of jobs it could produce and gave the comparison of the number of semi-trucks that currently do travel that area now.

He feels it is not a new use in that area.

There were no questions from staff so the Chairman addressed the audience and asked that the comments are limited and not repeated in order to limit the length of the meeting. Chairman Teetsel asked if there was anyone in the audience that would like to speak in favor of this application. There being none, he asked if there was anyone in the audience that would like to speak in opposition of this application. Mark Nielipinski 4668 Vancouver St. He stated that he was voted the representative for Forest Towne and read from a prepared statement. The citizens of Forest Town, an unincorporated district of Navajo County located in Section 27, voted 100% in opposition of the zone change for Section 27 only. They have no opinion on the proposal for Section 25 or 30. He outlined health conditions of several of the residents and discussed what the group had learned about what may come. He gave concerns regarding "chemicals" used in the types of industries that could come to the area and how they could affect the residents. He shared information he obtained regarding concerns on what the chemicals could do to the current resident's health issues. They believe it will destroy their quality of life and that the wildlife and peacefulness of nature will be replaced with noise. Using the maps provided by staff, he pointed out properties that will be surrounded by the district. They believe the soil in their gardens will be poisoned. He read the description of Aztec Ranch and Village, but claimed Section 27 is not designated as a Community Village. He read the planning requirements under Federal law and sections from Navajo County ordinances. The group unanimously requests the Commission deny the request. Commissioner Murph asked for documentation from Mark, yet Mr. Nielipinski did not have anything on hand. Chairman Teetsel asked if there were any health issues in the area due to the catalyst plant, there were none.

The Chairman asked for any further comments from the audience. Warner Walton, 3847 Lewis Avenue mentioned he has lived there longer than the majority of his neighbors. When he learned of this request 5 weeks ago, he was astounded and further learned the county had been researching some sort of industrial park for the past 9 years. He feels it is unfair and that Mr. Brophy has not been forthcoming as to what he wishes to bring in. He believes the cancer rates have increased in the area by a significant amount, due to the previous paper mill. He shared instances of what his neighbors have gone through including several types of cancer and other health issues. He is concerned the types of industry that could possibly be built here could cause the air quality to jump above what is considered safe. He believes the information has not been presented clearly. Chairman Teetsel reminded Mr. Walton and the audience that this hearing is about a Zone change and not which companies will be introduced to the area. Chairman again asked for further comment. Mrs. Nielipinski expressed her concern for the impact on the quality of life. Lacy Frasier, 4736 Lewis Clark Avenue mentioned that his wife is one of the residents who is currently experiencing health issues. He expressed his concern of the loss of nature and tranquility if a large industry is allowed to come in and is concerned

about cancer around paper mills. Fred Gentile, 4686 W AZ Hwy 277 voiced his concern is regarding the light industrial as the list does not show what exactly qualifies as "light industrial". Chairman Teetsel again reiterated that this is about a zone change and the county does not have jurisdiction over the "type" of businesses. Fred asked if the residents will be notified once the zoning is changed and a light industrial company is selected. Chairman Teetsel asked if Staff will notify residents once a company is looking to construct. Miss Phillips said if the proposed use is within those allowed in the zoning category, a public process or notification is not required. There are requirements for safety and control of possible harmful substances the business will be required to meet that is covered by EPA, ADEQ, etc. For example, if a parcel is sold and the new owner is wanting a jewelry manufacturing plant, and it's within the allowed use, they would apply for a building permit, if it's not within the allowed use, they would be required to apply for Special Use Permit and that requires sending notifications out to neighboring residents.

Chairman Teetsel asked Mr. Brophy to reproach the podium for further questions. Chairman Teetsel asked about the road into the parcel and whether it would be completely paved and whether there are any requirements for it to be paved if an industrial park were to come in. Miss Phillips stated it depends on how the plat and the road is split out. Whether the roads are dedicated to the public as right-a-way versus a private ingress/egress. If dedicated to the County, we would require that it be paved and built per County Standards. Another way would be to have a stipulation in a Special Use Permit. Chairman Teetsel asked Mr. Brophy if he knew of the requirements a major manufacturing company would have to comply with should they come into the area. Mr. Brophy understands when a major manufacturing facility is brought in, you have to get an aquifer protection permit and an air quality permit. With regard to the aquifer protection permit, the business must demonstrate that whatever is placed there will not contaminate the underground aquifer. In regards to air quality, you must demonstrate that you won't degrade the air quality by your activity beyond a certain level. A smoke stack must be monitored, and has to meet certain standards, which are tested and reported on periodically. He is aware of cancer and the issues we face as he lost his wife one year ago. The standards that are imposed on manufacturers are night and day from what they once were and the legal liabilities to manufacturers for violating those standards are substantial. Commissioner Howe thanked Mr. Brophy for his descriptions and information, he indicated that there are many requirements in place prior to the industry even going into place.

Commissioner DeCross asked about "Forest Towne" and Mr. Nielipinski indicated that they are unincorporated and are approximately 3 miles SE of the paper mill. Mr. Gentile worked with Motorola and indicated that the gases that were used were so deadly that a computer had to be programmed to do welding. He is concerned with the type of chemicals the potential business will use. He asked Mr. Brophy to explain where the roads will go.

Using the staff's map, Mr. Brophy indicated on the overhead where a previous road was, he was not aware of it until he received a call indicating it was an error by the CAD technician, and it was removed.

With there being no further questions or comments Chairman Teetsel called for a motion. Commissioner Berry believes that ADEQ, EPA, Federal Government, etc. will make sure the regulations required for any industry are followed, Commissioner Berry made a motion to approve, Commissioner Howe seconded. Motion carried 6/0

**Item #3 – CASE #17-22 SPECIAL USE PERMIT, DISTRICT V:** Chairman Teetsel read Item #3: Discussion and possible action on a request by Russel S. Gilliland for a Special Use Permit allowing the construction of four (4) bunkhouses to accommodate family camping on APN 212-45-032C, a portion of Township 9 North, Range 19 East, Section 27 in the Pinetop area. Miss Phillips provided information regarding information on the request and indicated no letters in favor or opposed were received. The construction will be required to meet all County codes etc. Chairman Teetsel asked the applicant if he would like to provide further information. Russel Gilliland, 4337 Pioneer Lane, Lakeside AZ voiced that they will be permanent residents. We have existing snow sheds, and would like to add floors and walls to allow for family sleeping/resting, etc. There will be no plumbing installed, we will utilize the nearby Ramada for their facilities. Chairman Teetsel called for question/comments from the Commission. Commissioner DeCross asked about the 2 to 3 small travel trailers and if they would remain. Mr. Russell indicated they would eventually be removed due to deterioration. Commissioner DeCross visited the property, but did not recall seeing the buildings that are existing. He asked how close the main dwelling is to the set back. Mr. Russell indicated 15 feet. Commissioner Howe asked if there was an existing septic system and Mr. Russell indicate that no, it was connected to sewer. Commissioner Berry asked if the roads will they be paved? Miss Phillips provided information regarding his driveway and indicated that it is not part of the special use permit or something that we have required in the past. Chairman Teetsel asked for any other questions from the Commission, Staff, or the audience? Commissioner DeCross made motion to approve, Commissioner Smith seconded, and motion passed 6/0.

**Item #4 – CASE #17-21 SPECIAL USE PERMIT, DISTRICT IV:** Chairman Teetsel read the Item #4 information: Discussion and possible action on a request by Curtis R. Fernau for a Special Use Permit allowing a self mini-storage facility with a commercial parcel and covered storage spaces for boats/RVs on APN 409-20-015P, a portion of Township 10 North, Range 21 East, Section 4 in the Show Low area. Miss Phillips provided information regarding the request and the parcel which is currently zoned CR. Proposed site plan was shown, it is not a site plan before the commission to be approved, it's a conceptual site plan of what might be placed. Staff researched the conceptual secondary access which ties into Chamberlain Parkway, a private ingress/egress easement, not a public

road. If application is approved, circulation to meet fire code would be required along with permission to use the easement, and coordination with ADOT would be required for access of Hwy 260. Commissioner DeCross asked how deep the parcel is off 260 and is the storage going to occupy the entire parcel? Miss Phillips indicated the front half adjacent to the highway is potentially shown right now as a commercial pad and the back pad is shown as storage. Commissioner DeCross believes commercial goes back 200-300 feet and behind it is residential. Chairman Teetsel inquired as to whether the front zoning is different from the back. When the two parcels were combined if the less restrictive zoning should apply. Miss Phillips was not aware of this until prior to the meeting and questioned if this should be tabled. Chairman Teetsel asked for a motion to table, Commissioner DeCross made motion to table for further research by both the Commission as well as staff, Commissioner Howe seconded indicated the applicant may want/need to look into fire codes, anticipated access (ingress/egress) to make sure that is a vital option when he resumes process. With no further discussion, questions or comments the Motion carried 6/0.

**ITEM #5 – AMEND ADDENDA & ADDITIONS DESIGN CRITERIA WIND**

**LOAD:** Discussion and possible action on a request by Staff to update the Design Load Table, on page 4 of the Addenda & Additions to the International Building Codes, Wind Load that currently reflects value of 80 mph to reflect 2015 IRC wind load of 115 mph for the area. **Tabled with technical information on wind mph from 80 to 115 distributed to the Commission.**

**ITEM #6 – AMEND DEFINITION OF GARAGE IN THE ZONING ORDINANCE:**

Discussion and possible action on a request by Staff to change the definition. Many motor vehicles are in excess of the 1 ton, so that was removed along with the wording “temporary”. Staff is having issues with garages being worded as accessory buildings and the applications try to put garages 2-3’ from the property line. Staff is requesting that the buildings meet the setback lines per zoning category. We are also clarifying that the structure should be enclosed on all four sides. Commissioner’s debated the wording and wanted to make sure it was not too restrictive. Chairman Teetsel asked for further questions, Commissioner Murph asked for clarity on 1 ton, Miss Phillips clarified. Commissioner DeCross moved to approve the wording as is, seconded from Commissioner Berry, motion passed 6/0.

**ITEM #7 – AMEND LANDSCAPE REQUIREMENTS FOR COMMERCIAL (C-R)**

**ZONING IN THE ZONING ORDINANCE:** Discussion and possible action on a request by Staff to include landscape requirements similar to those required by Show Low. **TABLED To next meeting.**

**ITEM #8 – POSSIBLE APPROVAL OF MINUTES FROM THE COMMISSION HEARING OF MAY 25, 2017 AND JUNE 22, 2017.**

May 25, 2017 meeting – Corrections, Commissioner Berry was present as well as Commissioner Smith, Chairman called the meeting of Planning & Zoning, not Board of Adjustments. Commissioner Berry made a motion to approve the minutes as corrected,

Commissioner Murph seconded the motion. Motion passed with a vote of 5/0. June 15, 2017 meeting - Steve Brophy's address was incorrect; Camelback is one word, Chairman Teetsel questioned the "~" symbol and the formation of a sentence on the last page, regarding "Forest Town". Commissioner Sloan not in attendance. Commissioner DeCross moved to approve with corrections, seconded by Commissioner Berry, motion passed 5/0.

**Item #9 – Board Members comments and/or directions to staff.** The Board Members may use this time to offer additional comments regarding any item on this agenda or any other topic; and the board may direct Development Services Department Staff to study or provide additional information on topics of the Boards' choosing. **Commissioner Smith** thanked Staff for getting the packet out early, allows for visitation to actual sites and scheduling within her own schedule. Commissioner Howe also thanked the staff for the early email with the packet. DeCross asked about not previously knowing that a road is actually private. Mr. Bill Bess gave information on road construction and maintenance.

**Item #10**

Miss Phillips provide information on the items in the commissioner's packet.

With there being no further business to come before the Planning and Zoning Commission, a motion was made to adjourn the meeting by Commissioner Berry. Commissioner Decross seconded the motion. Motion passed/denied with a vote of 5/0.

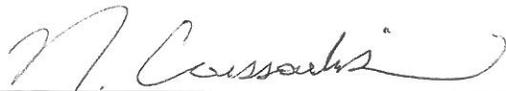
Approved this 17<sup>th</sup> day of AUGUST, 2017.



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Chairman, Navajo County  
Planning & Zoning Commission

ATTEST:



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Secretary, Navajo County  
Planning & Zoning Commission