

**THE PLANNING & ZONING ADVISORY COMMISSION
FOR THE TOWN OF DEWEY-HUMBOLDT
REGULAR MEETING NOTICE
Thursday, April 4, 2019 6:00 P.M.**

**P&Z MEETING
2735 S. HWY 69**

**COUNCIL CHAMBERS, TOWN HALL
DEWEY-HUMBOLDT, ARIZONA**

AGENDA

The issues that come before the Planning & Zoning Advisory Commission are often challenging and potentially divisive. In order to make sure we benefit from the diverse views to be presented, the Commission believes that the meeting be a safe place for people to speak. With this in mind, the Commission asks that everyone refrain from clapping, heckling and any other expressions of approval or disapproval. Agenda items may be taken out of order. Please turn off all cell phones. The Commission meeting may be broadcast via live streaming video on the internet in both audio and visual formats. A quorum of Council may be present. One or more members of the Commission may attend either in person or by telephone, video or internet conferencing. **NOTICE TO PARENTS:** Parents and legal guardians have the right to consent before the Town of Dewey-Humboldt makes a video or voice recording of a minor child. A.R.S. § 1-602.A.9. Dewey-Humboldt Council Meetings are recorded and may be viewed on the Dewey-Humboldt website. If you permit your child to participate in the Council Meeting, a recording will be made. You may exercise your right not to consent by not permitting your child to participate or by submitting your request to the Town Clerk that your child not be recorded.

1. Call To Order

2. Opening Ceremonies

A. Pledge of Allegiance

3. Roll Call Commissioners Lori Crofutt, Victor Hambrick, Ken Murphy, Jeff Siereveld and Lon Ullmann.

4. Swearing In of Possible New Members

5. Election of Officers

6. Informational Reports

Individual members of the Commission and public may provide brief summaries of current events and activities. These summaries are strictly for the purpose of informing the Commission and public of such events, actions or activities. The Commission will take no discussion, consideration, or action on any such item except that an individual member of the Commission may request an item be placed on a future agenda.

7. Town Manager's Update on Current Events and Activities

No discussion, deliberation or legal action can occur.

8. Consent Agenda

All matters listed under the Consent Agenda are considered to be routine by the Commission and will be enacted by one motion. Any item may be removed from the Consent Agenda for separate consideration at a Commissioner's request. If a citizen desires separate consideration of an item, he or she should approach a Commissioner prior to the meeting and ask that the Commissioner request that the item be removed.

9. Public Comment on Non-agendized Items

The Commission wishes to hear from Citizens at each meeting. Those wishing to address the Commission need not request permission or give notice in advance. For the official record, individuals are asked to state their name. Public comments may appear on any video or audio record of this meeting. Please direct your comments to the Commission. Individuals may address the Commission on any issue within its jurisdiction. At the conclusion of Comments from the Public, Commissioners may respond to criticism made by those who have addressed the public body, may ask Town staff to review a matter, or may ask that a matter be put on a future agenda; however, Commissioners are forbidden by law from discussing or taking legal action on matters raised during the Comments from the Public unless the matters are properly noticed for discussion and legal action. The total time for Comments from the Public is **20** minutes. A 3-minute time limit may be imposed on individuals within this total. The audience is asked to please be courteous and silent while others are speaking.

10. Unfinished Business

Discussion and Possible Action on any issue which was not concluded, was postponed, or was tabled during a prior meeting.

A. Discussion and possible action on Council-referred analysis of Section 153.086 (13) (a-g) Outdoor Storage, Steel Storage Containers.

11. New Business

Discussion and Possible Action on matters not previously presented to the Commission.

A. Discussion of Commission Potential Work List Request of Council.

12. Public Hearing Agenda

None

13. Adjourn

Persons with a disability may request reasonable accommodations by contacting the Town Hall at 632-7362 at least 24 hours in advance of the meeting.

Certification of Posting

The undersigned hereby certifies that a copy of the attached notice was duly posted at the following locations: Dewey-Humboldt Town Hall, 2735 South Highway 69, Humboldt, Arizona, Chevron Station, 2735 South Highway 69, Humboldt, Arizona, Blue Ridge Market, Highway 69 and Kachina Drive, Dewey, Arizona, on the 28th day of March, 2019, at _____ a.m./p.m. in accordance with the statement filed by the Town of Dewey-Humboldt with the Town Clerk, Town of Dewey-Humboldt.

By: _____, Town Clerk's Office.

For Your Information:

Next Town Council Work Session: Tuesday, May 7, 2019 at 6:30 p.m.

Next Town Council Meeting: Tuesday, April 16, 2019 at 6:30 p.m.

Next Planning & Zoning Commission Meeting: Thursday, May 2, 2019 at 6:00 p.m.

If you would like to receive Town Council agendas via email, please sign up at AgendaList@dhaz.gov and type Subscribe in the subject line, or call 928-632-7362 and speak with Julie Gibson, Town Clerk.



TOWN OF DEWEY-HUMBOLDT
P.O. BOX 69
HUMBOLDT, AZ 86329
Phone 928-632-7362
Fax 928-632-7365

Staff Report

Planning and Zoning Advisory Commission Meeting

April 4, 2019

Date: March 28, 2019

To: Planning and Zoning Commission

From: Ed Hanks, Interim Town Manager

10.A. Review and Possible Recommendation to Town Council on Amendments to Town Code Section 153.086.13 - The Outside Storage of Steel Containers

BACKGROUND:

On February 19, 2019, the Town Council had on its Agenda, the following item:

E. Discuss amending outside storage 153.086 (13) (a) to (g) Steel Cargo Containers, discuss as a possible emergency measure, allow on 25,000 s/f lot (CAARF – CM Collins)

At the conclusion of their discussion, the Council voted unanimously to direct further consideration of possible amendments to Town Code Section 153.086.13 to the Planning and Zoning Advisory Commission (P&Z). The Commission, at its March 7, 2019 Regular Meeting, discussed the direction from Council, and voted to direct staff to bring it back when greater detail could be provided on the background of the permission of this use in the Town of Dewey-Humboldt and throughout the region.

As discussed at the March meeting of the P&Z, the concerns of the Council were:

- The restriction on steel storage containers as accessory uses, to properties of 2 acres or greater.
- The restriction on steel storage containers as accessory uses to one per residential property.
- The requirement that steel storage containers, as accessory uses be subject to setbacks in effect for the underlying zoning district.

An issue not addressed by the Council, that should be, is the limitation of steel storage containers as accessory uses only in the RMM and less restrictive zoning districts. The more restrictive R1L zoning districts, which make up approximately 75% of the Town, are by virtue of this requirement, not eligible for the siting of steel storage containers as accessory uses.

Section 153.086.13 reads as follows (**Staff comments and attempts at providing possible rationale, added in bold, underline and italic**):

§ 153.086 OUTSIDE STORAGE.

(13) *The outside storage of steel storage containers is allowed as an accessory use, solely for the storage of personal items owned by the property owner, occupant or business (in appropriate commercially designated areas in the RMM or less restrictive use districts provided as follows:*

- (a) *An approval letter from the Zoning Administrator is obtained prior to placement of the unit.*

The purpose of the approval letter is to assure that a review of the proposed location and installation complies with the Town Building Code and meets setbacks.

The approval letter also provides a registry of the units to serve in the event of complaints and possible enforcement actions subsequently.

- (b) *Containers shall meet the minimum yard requirements of the primary structure in the applicable density district as well as building separation and lot coverage requirements.*

The purpose of minimum yard requirements for containers is the same as for any accessory structure, safety.

- (c) *All containers shall be painted and maintained either the primary structure color or an earth tone consistent with the surrounding terrain prior to placement.*

This requirement appears to arise out of a concern for aesthetics of the neighborhoods, and likely preservation of property values.

- (d) *Any electrical service to comply with applicable adopted building codes and other town codes.*

Like the electrical service provided to any primary or accessory structure, there is a safety need to require compliance with the Town Building Code.

- (e) *No residential unit to exceed eight feet by 20 feet.*

This would appear to be an appeal to aesthetics in controlling the proliferation of numerous containers across the neighborhood landscape.

- (f) *Minimum residential use parcel size is two acres.*

Larger lots can more readily absorb the visual clutter that could attend the permission of containers on much smaller lots.

- (g) *Only one unit per residential parcel.*

Also appears to be arise as a concern to avoid visual clutter.

- (h) *Any unit not able to meet the foregoing performance criteria will require a use permit prior to permitting and installation. Temporary uses of such containers (up to two years) can be administratively approved in conjunction with approved construction/remodeling projects.*

ASSESSMENT OF MANAGEMENT OF STEEL STORAGE CONTAINERS IN SURROUNDING JURISDICTIONS:

The following is an assessment of the manner in which jurisdictions surrounding Dewey-Humboldt provide for the control of steel storage containers.

Prescott Valley:

13-02-010 Definitions

B. The following definitions apply:

3. Accessory Building: A subordinate building containing an accessory use which is customarily incidental to that of the main building and situated on the same lot as the main building. An accessory building attached to the main building shall be considered to be a part of the main building, and shall maintain any setbacks or yards required for a main building. **Prohibited from use as accessory buildings are** truck and bus bodies, **sea cargo containers**, railroad cars, untreated metal buildings, all towers, antennae and wireless telecommunications facilities and their accessory structures [except those used solely for transmissions and receipt by a single use and not otherwise restricted within that district (including, but not limited to, amateur radio and devices necessary for a subscription to a commercial wireless provider service)], and any enclosure not originally intended for permanent occupation or use. Any accessory building shall blend into the surrounding neighborhood by use of building form, height, material, color and landscaping. All accessory buildings are restricted to one story except as provided in Section 13-21-060 for towers, antennae, and wireless telecommunications facilities.

Yavapai County:

SECTION 411 RMM DISTRICT

RMM (Residential; Single Family; site built, factory built and Multi-Sectional Manufactured Homes, no single-wide manufactured homes) Permitted Uses: Where no Zoning/Density District has been combined, then all provisions of Density District 10 shall prevail. (See Section 516 (Density Districts), most common ones shown in attached chart.) A. All principal and accessory uses and structures permitted in the R1L Zoning District. B. Multi-Sectional Manufactured Homes, as defined under Section 301 (Definitions). To be permitted, Multi-Sectional Manufactured Homes must conform to all provisions set out in Section 301 (Definitions) and Section 552 (Manufactured Housing/Multi-Sectional Manufactured Housing Standards). C. Factory Built dwelling as defined under Section 301 (Definitions). D. Steel storage containers to meet the minimum requirements as provided under Section 564 (Outside Storage). E

SECTION 564 OUTSIDE STORAGE

13. The outside storage of steel storage containers is allowed as an accessory use with an established primary use, solely for the storage of personal items owned by the property owner, occupant or business in the RMM or less restrictive Use Districts provided as follows:

- a. A Zoning Clearance is obtained prior to placement of the unit.
- b. Containers shall meet the minimum yard requirements of the primary structure in the applicable Density District as well as building separation and lot coverage requirements.
- c. All containers shall be painted and maintained either the primary structure color or an earth tone consistent with the surrounding terrain prior to placement.
- d. Any electrical service to comply with applicable County Codes.
- e. The sum of all Steel Storage Containers to be 400 square feet or less on any one (1) property subject to Flood Control and Building Safety requirements.
- f. Minimum residential use parcel size is two (2) acres.
- g. On commercial parcels steel storage containers not to exceed lot coverage percentage. Any unit not able to meet the foregoing performance criteria will require a Use Permit prior to permitting and installation. Temporary uses of such containers (up to two (2) years) can be administratively approved in conjunction with approved construction/remodeling projects as referenced in Section 410.G.4. R1L District.

STAFF RECOMMENDATION:

Staff recommends that the Commission, following their deliberation and consideration of public comments, forward a recommendation to the Council as follows:

- The requirement for an approval letter should be retained to assure that a review of the proposed location and installation complies with the Town Building Code and meets setbacks.

The approval letter also provides a registry of the units to serve in the event of complaints and possible enforcement actions subsequently.

- The requirement to meet setbacks should also be retained out of an abundance of concern for safety in an area prone to wildfire.
- The requirement for any electrical installation to meet building codes should be retained for safety.
- An issue not addressed by the Council, that should be, is the limitation of steel storage containers as accessory uses only in the RMM and less restrictive zoning districts. The more restrictive R1L zoning districts, which make up approximately 25% of the Town, are by virtue of this requirement, not eligible for the siting of steel storage containers as accessory uses. The Council should amend Town Code to add a new Section 153.036(B)(7)(k) to read:

(k) Steel Storage Containers to meet the minimum requirements as provided under §153.086.