

**MINUTES OF THE REGULAR MEETING AND PUBLIC HEARING
OF THE TOWN OF PINETOP-LAKESIDE PLANNING AND ZONING
COMMISSION, HELD ON THURSDAY, APRIL 28, 2022
AT TOWN OF PINETOP-LAKESIDE COUNCIL CHAMBERS
325 W. WHITE MOUNTAIN BOULEVARD, LAKESIDE, AZ 85929**

A. Call to Order

Chairman Staley called the meeting to order at 6:00 p.m.

Roll Call:

The following Members were present:

Adam Staley	Chairman
John Salskov	Vice Chairman
Richard Smith	Commission Member
Tim Williams	Commission Member
Allison Stewart	Commission Member
Tim Kendzlic	Commission Member

The Following Member Participated Telephonically:

James Brimhall	Commission Member
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Also Present:

Jeremiah Loyd	Community Development Director
Kristi Salskov	Town Clerk
Mackenzie Valichnac	Deputy Clerk

B. Call to the Public

Chairman Staley called for public comments. No comments were offered.

C. Minutes

**C.1 Minutes of the Regular Meeting of the Planning and Zoning
Commission held on March 24, 2022.**

Commissioner Smith moved to approve the minutes of the regular meeting of the Planning and Zoning Commission held on March 24, 2022. Chairman Staley seconded the motion and by show of hands the following vote was recorded:

	AYES	NAYS	ABSTAIN
Adam Staley	X		
John Salskov	X		
Richard Smith	X		
Allison Stewart	X		
Tim Williams	X		
Tim Kendzlic	X		
James Brimhall Telephonically	X		

Chairman Staley declared the motion passed with a 7-0 Vote.

D. New Business

**D.1 Discussion and consideration of amending Title 17 Chapter 17.60
(C-R) COMMERCIAL RECREATIONAL ZONING
DISTRICT.**

Director Loyd stated that this is the 3rd time amending Title 17 Chapter 17.60 Commercial Recreational Zoning has come before the Commission. Director Loyd pointed out the list he provided to Commissioners to review for allowed uses in Commercial Recreational Zoning. Director Loyd shared that he pulled these uses from the (APA) American Planning Association as recommended uses for Commercial Recreational Zoning.

Commissioner Smith asked how long this has been an Ordinance.

Director Loyd shared that it was accepted in 1990 and there is one (1) parcel in Town Zoned C-R which is Camp Grace.

Director Loyd shared that he hoped to have Jennifer Brimhall, the owner of Camp Grace, here tonight or attending telephonically adding that he does have minutes with her feed-back as well as Town Council’s feed-back from the Council meeting held

January 6, 2022. Director Loyd pointed out Item D.4 on pages 8-10 of the Town Council minutes for the Commission to review the concerns of the Council from the previous motion that was rejected by the Town Council on January 6, 2022. Director Loyd added that Council expressed appreciation for the efforts of the Planning and Zoning Commission but asked that allowable uses be narrowed down rather than eliminating all possible uses.

Commissioner Richard Smith stated, *“In order to save time, why not just eliminate Commercial Recreational Zoning all together”* adding that he does not see any need for it. Commissioner Smith added that Mrs. Brimhall would still have her current zoning because she would be grandfathered.

Commissioner Stewart stated that she agrees with Commissioner Smith.

Commissioner Smith asked if these uses could go under C-1 and if not C-1 alone, C-1 with a Special Use Permit.

Director Loyd stated that there are some very specific differences, one being hotels, motels, and lodging as allowable uses in C-R but not in C-1.

Director Loyd advised against eliminating C-R Zoning adding that there are property owners interested in expanding and changing their zoning to Commercial Recreation.

Director Loyd addressed the list of possible uses for consideration and added that automobile parts and supplies, banks, taxidermists, and offices typically are not considered recreational activities and suggested eliminating these items.

Chairman Staley asked, *“What advantage would it give a landowner such as Mr. Cote to change to C-R Zoning?”*

Director Loyd shared that he does not know what Mr. Cote’s ideas are, but it would allow him to lease out property to others that may want to enjoy Commercial Recreational activities.

Chairman Staley asked what the current Zoning is for Mr. Cote’s property.

Director Loyd answered, *“R-Low.”*

Commissioner Stewart asked if Mr. Cote could be re-zoned to C-1 or C-2.

Director Loyd said that he could.

Chairman Staley stated that it may be more palatable for the Public and the Commission to accept C-R Zoning rather than C-1 or C-2.

Commissioner Williams stated that he is in favor of keeping Commercial Recreational Zoning and just amending the uses.

Commissioner Stewart shared that she does not want to limit property that could be of good commercial use, such as the ten (10) acre parcel that is on the corner of Wagon Wheel lane next to Camp Grace. Stewart said that she could see a bank, taxidermist or medical facilities utilizing that land.

Director Loyd stated that we would be adding more eligible uses and only eliminating a few uses. The following is a list of recommended uses Director Loyd copied from the APA that the Commission will consider as allowable uses.

- + Hunting Clubs
- + Concert Venues
- + Rock Climbing Venues
- + Campgrounds & Summer Camps
- + Amusement Parks
- + Golf Courses
- + Indoor & Outdoor Sports
- + Dance Studios
- + Music Schools
- + Martial Arts Studios
- + Health & Fitness Clubs
- + Swimming Pools
- + Snack Bars
- + Restaurants
- + Retail Sales of Sports, Health & Fitness Items
- + Other Support Facilities

Director Loyd recommends eliminating the following uses from C-R Zoning

- Automobile parts & supplies
- Banks

- Taxidermists
- offices

Commissioner Kendzlic asked if anyone can apply for a Zone Change.

Director Loyd responded, “yes” adding that even if it is approved by the Planning and Zoning Commission and the Town Council there is still the possibility of a referendum.

Further discussion between Director Loyd and the Commission regarding what is an allowable use for Commercial Recreational Zoning ensued.

Chairman Staley stated that he felt the sentiment from Council is that we give them a clearer list of ideas and allowable uses rather than leaving it so broad.

Director Loyd agreed.

Chairman Staley moved to amend Title 17 Chapter 17.60 Commercial Recreational Zoning District to include item Z from the current Zoning list and adding hunting clubs through other support facilities and removing automobile parts and supplies, banks, taxidermists, and offices from the list provided by Community Development Director Loyd. Commissioner Kendzlic seconded the motion and by show of hands the following vote was recorded:

	AYES	NAYS	ABSTAIN
Adam Staley	X		
John Salskov	X		
Richard Smith		X	
Tim Williams	X		
James Brimhall Telephonically	X		
Allison Stewart		X	
Tim Kendzlic	X		

Chairman Staley declared the motion passed with a 5-2 vote.

D.2 Information and Discussion regarding the General Plan.
a. Review and Discuss the current Zoning and Future Land Use Maps.

Director Loyd shared that the Council has tasked him to start working on the General Plan. Director Loyd stated that after reviewing the General Plan he had

some concern regarding the Land Use element. Loyd said that what we are looking at is not as an update to the General Plan, it is a major amendment to Land Use Map in the General Plan. Loyd asked the Commission to review the Land Use Map included in the packet stating that he feels this is more of an inventory rather than a plan. Loyd added that the current Zoning map matches up perfectly with the current Land Use Map. Loyd said that he feels there was no forethought or forward thinking to the current Land Use Map adding that this is not a plan, rather an inventory of ten (10) years ago. Loyd stated that this does not show where we want to go as a Town. Loyd shared that if you look at the land adjacent to Woodland Lake Park in the Big Springs area, it is designated Open Space and the land near Camp Grace is designated as forest adding that there is no distinction on what types of uses are allowed. Director Loyd stated that one of the requirements of the General Plan is to dictate density for different zones. Director Loyd directed the Commission's attention to a Future Land Use Map that was done by an outside engineering consultant in 2004 and feels it is more forward thinking and that this would be a good place to start.

Commissioner Smith asked when the next revision is due.

Director Loyd answered, 2025, adding that this is a major amendment not a revision.

Chairman Staley shared that the Commission had gone around and around for months trying to define what Open Space is because the perception is that it means "undeveloped" adding that Open Space does not exclude development.

Director Loyd agreed, adding that statute is basically the same as R-Low, a minimum of a one thousand (1,000) square foot home per acre. Loyd said it doesn't exclude building or development, but it does keep things like multi-family units and heavy commercial developments from coming in.

Chairman Staley asked Director Loyd how he would propose to correct the density.

Director Loyd stated that it would need to be identified. Loyd gave the example of forest, asking, what is it? Is it Open-Space? It is unclear of what the thought was when developing this Land Use Map. Director Loyd stated that he would propose to eliminate forest as there is no density to it.

Chairman Staley stated that it was left for future developers to decide on their own what is the best use.

Director Loyd stated that it still should have a density requirement.

Chairman Staley stated if a developer wanted, they could just apply for a Zone Change and the Commission would be able to limit it to the density at that time.

Director Loyd gave an example of a recent re-zoning for an RV park that did not match up with the General Plan and it failed. Loyd added that if he would have been the Community Development Director at the time he would have advised against the re-zoning because it did not match up with the General Plan or the density to allow for an RV park.

Chairman Staley asked, “*why have a General Plan?*”

Director Loyd said it is required by State Statute. Loyd added that it gives us a guiding principle when people come to us for zone changes. He can make sure it matches up with the General Plan before recommending it to the Commission and Town Council.

Chairman Staley stated he wouldn't want a General Plan to control and limit the growth and segregate uses in different areas, adding, it has a great purpose, but it is not easy to implement.

Director Loyd stated that the Town has a loud group that does not want to see any development.

Commissioner Kendzlic stated that maybe there will be a larger group for growth to counter the group that is constantly fighting growth. Kendzlic added that he feels local businesses want the growth.

Commissioner Stewart stated that we just limited growth.

Chairman Staley responded that we did not limit new development, we are trying to guide it to the correct locations.

Commissioner Kendzlic asked if multiple zones could be in a single area and listed as a,b,c,d?

Director Loyd said, *“right, the General Plan doesn’t necessarily have to match up with the zoning, in fact, it shouldn’t, it is not the same document. It is to guide the zoning, but it is not zoning, it should have listed maximum or minimum densities that are allowed in different planned areas and an array of different zonings could go in.”*

Commissioner Kendzlic stated that he would like to see White Mountain Summer Homes and Pinetop Country Club annexed into Town Limits which started annexation discussion among the Commission.

Director Loyd directed attention back to the General Plan and Land Uses, which is the agenda item for this meeting. Loyd asked the Commission what ideas they had for Land Use and what they would like to see projected.

Commissioner Brimhall stated that he was looking at the Future Land Use Map and asked if the light green he was seeing highlighted over Billy Creek meant that it was Open Space or Flood Plain.

Director Loyd stated that in most communities Open Space is considered Flood Plain or parks.

Commissioner Williams shared that many years ago the Commission had talked about going from Buck Springs down to Lakeside and Billy Creek, but there were problems with property owners giving up their property rights.

Director Loyd stated that property owners would have to agree, we couldn’t zone it without their permission.

Commissioner Brimhall asked if there would be a benefit of it being zoned forest.

Director Loyd said he did not know the answer to that question and added that the area Commissioner Brimhall mentioned is zoned forest as well as Open Space and there is no density associated with that. Loyd mentioned that one day there could potentially be a land exchange where that comes into the Town and could be developed.

Chairman Staley stated that the Commission's predecessors along with himself had the opinion that when that time comes, they as a Commission would address the zoning of that parcel.

Director Loyd said the problem with that is, we wouldn't be able to if it is in the General Plan as forest because there is no distinction of what that is.

Chairman Staley asked if bringing Forest Service into private hands meant we could not zone it.

Director Loyd stated that we could not zone it because the Forest Service does not recognize zoning. Loyd added that we can plan for what we would like it to be zoned. Loyd said it would more than likely default to R-Low which is our closest to AG which is the zoning it comes into statewide.

Chairman Staley stated that we need to have the ability to allow private landowners and developers to do forest land exchanges and build feasible projects on the land that they are buying. Staley added that he doesn't see how we can exclude people from doing anything with their land because it once was Forest Service or because the General Plan excludes that.

Chairman Staley suggested that we request a legal opinion from the Town Attorney to determine how we can transfer forest land to private hands in a proper zoning under the General Plan that we have enacted.

Director Loyd stated he believes that is the route that needs to be taken as well as doing a major amendment of the Land Use Map. Loyd added, that if someone were ready, shovel in hand, it could take a year to get it re-zoned.

Chairman Staley stated that he feels this is why the Town is viewed as anti-growth. Staley shared that he feels we have citizens that are anti-growth but as a Commission, they are not. Staley shared that he is in favor of controlled growth that conforms with the General Plan.

Director Loyd asked for any other questions or suggestions.

Chairman Staley asked if there are any future agenda items and noticed it has not been on the agenda lately.

Director Loyd stated that he is always available for Commission to talk about future agenda items. Director Loyd added that the Commission will adjourn from the next Planning and Zoning meeting, then have a more informal study session regarding the General Plan and Major Land Use Amendments.

It was decided the next Planning and Zoning meeting will be held May 26, 2022.

E. Adjournment

There being no further business at this time, the meeting was adjourned at approximately 7:00 p.m.

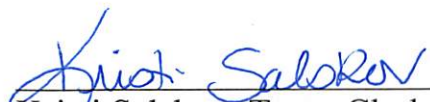


Vice Chairman Salskov

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 the Town of Pinetop-Lakeside, Arizona, held on the 28th day April 2022. I further certify that the meeting was duly called and held and that a quorum was present.

Dated this 28th day of April 2022.



Kristi Salskov, Town Clerk

