

**MEETING MINUTES OF
THE CITY OF ELOY
PLANNING AND ZONING COMMISSION
Regular Meeting
Wednesday, June 16, 2021
6:00 p.m.**

I. CALL TO ORDER

Vice-Chairperson Larry Brown called the meeting to order at 6:00 p.m.

II. ROLL CALL

*One or more members of the Planning and Zoning Commission may attend by telephonic means.

Members present:

- Vice-Chairperson Larry Brown
- Commissioner Allen Crawford
- Ex-Officio Sara Curtis
- Commissioner John Peterson
- Commissioner Steven Paulson

Members Absent:

- None.

Staff present:

- Jon Vlaming, Community Development Director
- Belinda Lopez, Planner
- Jose Martinez, Chief Building Official

Others present:

- Chairperson Marlo Schuh
- Council member Daniel Snyder

III. INVOCATION

Vice-Chairperson Brown led the Invocation and requested a moment of silence.

IV. PLEDGE OF ALLEGIANCE

Vice-Chairperson Brown led the recitation of the Pledge of Allegiance.

V. MOTION TO APPROVE THE APRIL 21, 2021 MEETING MINUTES OF THE PLANNING AND ZONING COMMISSION.

Vice-Chairperson Brown asked for a motion to approve the meeting minutes of the Planning and Zoning Commission. Commissioner Peterson made a motion to approve the April 21, 2021 meeting minutes as presented. Commissioner Crawford seconded the motion. The motion was approved with a vote 4-0.

VI. OLD BUSINESS: POSSIBLE DISCUSSION AND/OR ACTION ON THE FOLLOWING:

None.

VII. NEW BUSINESS: POSSIBLE DISCUSSION AND/OR ACTION ON THE FOLLOWING:

A. PUBLIC HEARING TO ALLOW COMMENT FROM THE PUBLIC AND INTERESTED PARTIES ON PROPOSED CASE NO. : CUP2021-012. APPLICATION SUBMITTED BY TYLER JOHANNSEN WITH PINNACLE CONSULTING INC. FOR A CONDITINAL USE PERMIT TO ALLOW THE CONSTRUCTION OF A NEW 120-FOOT HIGH MONOPOLE WIRELESS COMMUNICATION ANTENNA AND GROUND EQUIPMENT TO BE LOCATED AND LEASED ON A PORTION OF THE PARCEL OWNED BY CBB HOLDINGS, LLC(ALSO KNOWN AS BALLARD TRUSS). SUBJECT PROPERTY IS LOCATED AT 1175 W. ALSDORF ROAD, ELOY, ARIZONA, PINAL COUNTY ASSESSOR'S PARCEL NUMBER: 408-26-032 IN A PORTION OF SECTION 12, TOWNSHIP 8 SOUTH, RANGE 7 EAST OF THE GILA & SALT RIVER BASE & MERIDIAN, PINAL COUNTY, ARIZONA (PROJECT NAME: AZ03-091 FRONTIER).

Vice-Chairperson Brown opened up the Public Hearing. Mr. Vlaming commented that the applicant sent an email to Ms. Belinda Lopez (dated 06/16/2021, 11:04 AM) from Tyler Johannsen with Pinnacle Consulting, Inc. requesting this agenda item to be pulled this evening.

Mr. Vlaming indicated that the Commission will be having a meeting in July with a couple of items on that agenda. He indicated that the applicant can let staff know if they want to move forward to be heard at that meeting.

Hearing no other comments, Vice-Chairperson Brown closed the Public Hearing.

B. CONSIDERATION, DISCUSSION, AND RECOMMENDATON TO THE ELOY CITY COUNCIL FOR APPROVAL, DISAPPROVAL OR OTHER ACTION ON CASE NO. : CUP2021-012 (PROJECT NAME: AZ03-091 FRONTIER).

Agenda item was pulled from the Agenda at the request of the applicant. *Mr. Vlaming commented that the applicant sent an email to Ms. Belinda Lopez (dated 06/16/2021, 11:04 AM) requesting this agenda item to be pulled.*

C. PUBLIC HEARING TO ALLOW COMMENT FROM THE PUBLIC AND INTERESTED PARTIES ON PROPOSED CASE NO. : TA2021-018 STAFF INITIATED TEXT AMENDMENT TO THE ELOY CITY CODE, CHAPTER 21-ZONING PERTAINING TO THE PROVISION OF TINY HOUSES IN THE CITY LIMITS AND REVISING PORTIONS OF ARTICLE II. ZONING DISTRICTS, ARTICLE III. SUPPLEMENTAL USE STANDARDS AND ARTICLE IX. DEFINITIONS AND ACRONYMS (PROJECT NAME: TINY HOUSES ZONING CODE TEXT AMENDMENT)

Vice-Chairperson Brown opened up the Public Hearing. Mr. Vlaming commented that it is a Staff initiated request. The existing provisions for tiny houses in the Code have caused a significant amount of confusion between Community Development and Building Safety Departments. Mr. Vlaming introduced City Chief Building Official, Jose “Joey” Martinez and invited him to this meeting to discuss this particular issue to give the Commission a good characterization of what is going on out in the field. Tiny houses are currently allowed to be permitted in different residential zoning districts. Due to the mixing of product types, it has the potential to create some incompatibilities. Staff didn’t realize that these conditions would present themselves and has received numerous inquiries about installing/building tiny houses at different locations where the existing pattern of detached and larger site built residential development was the predominant use. As such, it appeared that staff needed to amend the text with a different approach. With that, the Commission reviewed each subject article (i.e. II, III and IX). Mr. Vlaming indicated that what was prepared in draft before them is in a legislative format- Belinda identified and cut out the original text of the Code, which was then modified in text with a color. Anything on the proposed text (whether it is blue or red in color) represented draft changes recommended by Staff. City staff and the Commission members went over the text on an article-by-article basis.

Mr. Martinez commented that a few inquiries were submitted, so the amended text separates a tiny home from a residential area that has a much larger square foot home.

Mr. Brown commented that there are currently some homes in Eloy that do not have a foundation. He asked what is the difference between a tiny house not having a foundation and some of the smaller houses not having a foundation that would not pass code. Mr. Martinez responded that those homes Vice-chairperson Brown is referring to are pre-existing homes that are “grandfathered”-these homes were built many years ago. That is why Staff makes sure that any building permit request to build a home complies with adopted City Codes. The plan is to weed those older homes out over time. Vice-chairperson Brown asked if an axle is removed from a manufactured home and it was set on piers would that make it a tiny home? Mr. Martinez explained that manufactured homes “mobile homes” are regulated through HUD standards which means the state has control of those, and it is a whole section that does not apply to the

building code. He added that just because the axles are removed that would not meet the definition of a manufactured home. Commissioner Crawford commented that to be a manufactured home it must be over 400 square feet.

Commissioner Peterson asked how would staff be able to tell if it was an approved foundation. Mr. Martinez commented that those individuals who came in to the Community Development Department who were not able to show that their tiny house had been approved or built by an approved agency. What Staff was asking for the applicant to comply with was to provide that the tiny home met the requirements. He noted that many of those customers that had requested to install a tiny house were having a hard time complying with that requirement. Mr. Martinez responded those that are tiny homes manufactured and brought on site would need to bring a certification only by approved tiny home agencies as they are factory built homes.

Hearing no other comments, Vice-Chairperson Brown closed the Public Hearing.

D. CONSIDERATION, DISCUSSION, AND RECOMMENDATION TO THE ELOY CITY COUNCIL FOR APPROVAL, DISAPPROVAL OR OTHER ACTION ON CASE NO. : TA20021-018. PROJECT NAME: TINY HOUSES ZONING CODE TEXT AMENDMENT.

Vice-Chairperson Brown asked for a recommendation for approval, approval with conditions, or denial of Case No. : TA2021-018 to the City Council. Commissioner Crawford made a motion to approve the proposed amendments with Staff recommendations. Commissioner Peterson seconded the motion. The motion passed 4-0.

VIII. INFORMATIONAL ITEMS:

A. EX-OFFICIO MEMBER ANNOUNCEMENTS

Ex-officio Curtis communicated the following:

- Ribbon cutting for the second phase of the new Eloy Police Department will be held on Friday, June 18, 2021 at 8:00 am.
- City Council approved the disposition of 21 single-family residential lots in the Toltec area through the submittal of proposals by interested parties to purchase and build single-family homes on each lot.
- The City Budget for fifty-two million (\$52,000,000.00) has been approved by council.
- Frontier Street Community Tree Program is happening.
- The City will go out for bids for a new project on Shedd Road between Giles Road to Estrella Road in the Toltec area to landscape and hardscape and put irrigation in the median.
- The City continues to work on the Downtown Vision Plan.

B. COMMUNITY DEVELOPMENT DIRECTOR ANNOUNCEMENTS

Mr. Vlaming communicated the following:

- The deadline is approaching for the 2021 Major General Plan amendments and mentioned that the Community Development Department has not received any application but, Staff has one to include for this calendar year and that is to add Aggregate (Sand and Gravel) to the City's General Plan. It is State law that requires cities to include the topic of aggregate resources in the General Plan and staff wants to comply with this law.
- Staff has received multiple inquiries about locating Solar Generating Facilities within the City.

IX. COMMUNICATIONS:

A. COMMISSIONERS MAY SHARE INFORMATION OR INQUIRE ABOUT CITY RELATED ACTIVITIES.

- Chairperson Marlo Schuh commented about the new Boards and Commission process and communicated her reason for not sitting on the dais or participating at the Planning and Zoning meeting this evening.

X. MOTION TO ADJOURN.

Vice-Chairperson Brown asked for a motion to adjourn. Commissioner Peterson made a motion to adjourn and was seconded by Commissioner Allen. The adjournment passed 4-0 and the meeting adjourned at approximately 6:30 p.m.