

TUSAYAN PLANNING AND ZONING COMMISSION

PURSUANT TO A.R.S. § 38-431.02 & §38-431.03

Tuesday, June 26, 2012 @ 6:00 P.M.

TUSAYAN TOWN HALL

845 Mustang Drive, Tusayan, Arizona

PLANNING AND ZONING COMMISSION SUMMARIZED MINUTES

1. CALL TO ORDER AND PLEDGE OF ALLEGIANCE

Chair Gossard called the meeting to order at 6:00 p.m. and the Pledge of Allegiance was recited.

2. ROLL CALL

On roll call, the following were present:

**CHAIR GOSSARD
COMMISSIONER ANGAT
COMMISSIONER COOK**

**COMMISSIONER HEARNE
COUNCILMEMBER SANDERSON**

Also present were:

Tami Ryall, Interim Town Manager
Richard Turner, Professional Planner
Laura Matthews, Interim Town Clerk

3. SWEARING IN OF NEW COMMISSIONERS

Mayor Bryan presided over the swearing in of Commissioners Cook, Gossard, and Hearne. Each Commissioner signed their Oath of Office. Commissioner Angat arrived at 6:03 p.m., was sworn in and signed her Oath of Office.

4. SELECTION OF A VICE CHAIR

Chair Gossard moved to appoint Commissioner Hearne as Vice Chair. Commissioner Herne, being the nominee, recused herself from discussion and voting on the matter. The motion was seconded by Commissioner Cook and passed on unanimous vote. Vice Chair Hearne returned to the meeting.

5. CALL TO THE PUBLIC FOR ITEMS NOT ON THE AGENDA

Councilmember Fitzgerald asked the Commission to always consider the applicant's information and background when considering conditional use permits. Ask questions of the applicant such as, 1) have they applied in the past; and 2) have they followed up with all the conditions that applied to their past permits, etc.

Robert Petzoldt, South Grand Canyon Sanitary District, informed the Commission that he currently has to obtain a new conditional use permit for every aspect of his projects. He believes that a more streamlined policy or procedure should be adopted.

6. ACTION ITEMS

A. Consideration and possible action on an application by Robert Petzoldt of the South Grand Canyon Sanitary District for approval of a shed in the Design Review Overlay Zone, DRO 2012-03, Assessor's Parcel No. 502-17-020B.

Richard Turner, Professional Planner, highlighted the important aspects of the application for the Commission. He informed the Commission that Staff is recommending approval of the application.

Vice Chair Hearne moved to approve the application with any conditions outlined in the Staff Summary. The motion was seconded by Commissioner Cook and passed on unanimous vote.

B. Consideration and possible action on an application by Clayann Cook of Wild West Restaurants, LLC for approval of a sign in the Design Review Overlay Zone, DRO 2012-02; Assessor's Parcel No. 502-17-028.

Chair Gossard recused himself and did not discuss or vote on the matter as he is employed by the applicant. Likewise, Commissioner Cook, being the applicant, recused herself. Vice Chair Hearne stepped in for the Chair.

Richard Turner, Professional Planner, reported that the proposed sign will face Highway 64 and be mounted above the main entrance below the roof. The applicant is allowed a 75 square foot wall sign; the proposed sign is 73 square feet and is permitted. Staff is recommending approval of the application.

Clarinda Vail, citizen participant, said she supports the approval of this application. However, there is an illegal banner in Town that needs to come down.

Councilmember Fitzgerald asked if the Town has the ability to enforce lights on signs to be kept in good order. Mr. Turner noted that this would be covered in a general provision for maintenance in the Sign Code.

Commissioner Sanderson moved to approve the application for Wild West Restaurants, LLC with any conditions stated in the Staff Summary. The motion was seconded by Commissioner Angat and passed on unanimous vote.

Chair Gossard and Commissioner Cook returned to the meeting.

C. Consideration and possible action regarding a request by RobbCo Construction for a determination of eligibility for banners to be allowed with a Temporary Use Permit in the CG-10,000 Zoning District.

D. Consideration and possible action on application by RobbCo Construction for a Temporary Use Permit for banner signs in the CG-10,000 Zoning District, TUP 2012-03, Assessor's Parcel No. 502-17-012E.

Being related, Items 6C and 6D were reviewed and discussed at the same time. Mr. Turner explained that Item 6C is to determine whether a banner sign can be allowed as a temporary use by means of a temporary use permit. The Commission was asked to consider; 1) is a banner sign similar to other temporary uses, and,

therefore, could be allowed by a temporary use permit in CG-10,000 Zoning; and 2) should Staff or the Planning and Zoning Commission issue the temporary use permits for banner signs.

If the Commission determines that banner signs are eligible for approval as a temporary use, and determines that the Commission will be the body that issues the temporary use permits for banner signs, then Item 6D is a request to permit two temporary banner signs in the CG-10,000 Zoning District at National Geographic Visitors Center.

Mr. Turner remarked that the Town would apply the square foot requirements from the sign code regulations to the size of banners.

Rob Baldosky, the applicant, specified the purpose of the temporary signs is to test visibility and readability through the end of this tourist season, which he said will be the end of October, 2012. The signs are vinyl wrapped around a rigid frame.

Clarinda Vail, citizen speaker, commented that Tusayan, having the main corridor to the Grand Canyon National Park, should not be a largely banner sign town. More banners will add to the visual clutter. She asked the Commission not to approve a sign that is twice the size of all the other allowable signs in town. It puts all the other businesses in town at a competitive disadvantage.

Mr. Turner said that the current Zoning Ordinance does not have provisions for short-term temporary banners to advertise, for instance, "Grand Opening", or "Under New Management", etc. The use of Temporary Use Permits for banner signs will be on-going until it is superseded by an update to the Zoning Ordinance. (The Zoning Code updates should be enacted sometime in October, 2012.)

Staff is recommending that banner signs be allowed as a temporary use by means of a temporary use permit, and that the specific application by RobbCo be approved subject to the conditions set forth in the Staff Summary.

Commissioner Cook expressed concern that by allowing banner signs by means of a temporary use permit, lots of temporary banner signs could be put up without ever being replaced with permanent signs.

Chair Gossard moved to approve Item 6C, with the Commission maintaining control over the issuance of Temporary Use Permits for banner signs. Vice Chair Hearne seconded the motion, which passed on unanimous vote.

A discussion ensued regarding the request for specific banner signs at the National Geographic Visitors Center, Item 6D. Mr. Turner affirmed that the first banner under consideration will cover the existing sign and meets the guidelines of the Zoning Code. The second banner sign on the south side of the building is proposed at 150 square feet; too large under the existing Code. While the Commission is considering changing the allowable size of a sign from a total of 75 square feet to a total of 150 square feet, it has not yet been adopted, and the current Zoning Code (Chapter 16) still applies.

Due to the 15-day appeal period, the effective date of the permit, if approved at this meeting, would be July 11, 2012, and expire on October 31, 2012.

Robb Baldosky, responding to questions, said they would comply with the all the guidelines in the current Zoning Code, including the size restrictions.

Janet Rosener, General Manager of the National Geographic Visitor's Center, spoke in favor of the application, and clarified the overall plan for the signage and their intention to stimulate public interest for the center's movie.

Commissioner Cook moved to approve the application by RobbCo Construction for a Temporary Use Permit for banner signs with the following conditions: 1) the property owner shall demonstrate the total square feet of signage on the property; 2) the permit shall expire in 45 days; and 3) the applicant shall comply with the current sign code and any conditions stated in the staff summary. The motion was seconded by Vice Chair Hearne.

Commissioner Sanderson moved to amend the motion to extend the expiration of the permit to 90 days, seconded by Commissioner Angat.

Commissioner Cook expressed concern that allowing 90 days for this permit could set an unwanted precedent with businesses who don't have the expertise and resources that this applicant has.

The Commission was reminded that they will be reviewing each application at least until the Zoning Code is updated, and can set different restrictions for each unique scenario.

The motion to amend passed on unanimous vote.

The motion to approve the action as amended passed unanimously.

7. FUTURE AGENDA ITEMS

Interim Manager Ryall announced that she will be giving an Open Meeting Law Training to the Commissioners at their next meeting.

8. MOTION TO ADJOURN

Vice Chair Hearn moved to adjourn. The motion was seconded by Commissioner Sanderson and passed on unanimous vote. Chair Gossard called for a 15 minute break.

9. RECONVENE INTO WORKSHOP ON PROPOSED UPDATE TO THE TUSAYAN ZONING CODE

Chair Gossard called the workshop to order at 7:47 p.m. He stated his goal is to end each Planning and Zoning meeting at 9:00 p.m. and to hold over any additional business to the next meeting.

Due to internet/server capacity issues, several of the Commissioners did not receive the latest revisions to the Zoning Code that were e-mailed to them. Copies of the proposed Zoning Code were placed on disks for the Commissioners.

Richard Turner reviewed section-by-section each proposed revision to the Zoning Code as detailed in the Staff Report provided. It was expected that a "clean version" of the proposed updates would be available on the Town's web page the following day.

Mr. Turner explained that when the Commission adopts the Zoning Code, the Design Review Overlay will go away. It is recommended that Staff move the standards and requirements from the Design Review Overlay and fold them into the updated Zoning Code. Those standards and requirements can be amended once they are a part of the Zoning Code.

Chair Gossard requested that the proposed plan move on to the next step. Interim Manager Ryall stated she would map out the public hearing process.

Councilmember Fitzgerald added he would like to see standards regarding noise, particularly music noise, tightened up in the Zoning Code. He also suggested that the Commission review some of the approval rights that currently reside with the Town Manager and return them to the Planning and Zoning Commission, now that there is an active Commission.

Interim Manager Ryall asked the Commission to consider addressing music noise with the adoption of a Municipal Code under a section dealing with nuisance noise. These restrictions would be easier to enforce.

Chair Gossard requested that Staff schedule one more workshop and bring back recommendations regarding the use of banners; when they are appropriate, different uses, how long they can be displayed, etc. Also, Commissioners would like to review signs in general, lighting, parking and landscaping.

Commissioner Cook and Chair Gossard asked to move the next workshop forward from July 24, 2012 to July 10, 2012. Interim Manager Ryall said Mr. Turner will need to research the notice requirements for the public hearing process. She noted she would provide an update to the Commission by Tuesday, July 3, 2012 with proposed dates for the final workshop and the public hearings.

The workshop adjourned at 8:35 p.m.



CHAIR ROBERT GOSSARD

ATTEST:



INTERIM TOWN CLERK

