



“The mission of the City of Safford is to make Safford  
a great place to live, work, and visit”

**CITY OF SAFFORD JOINT PLANNING & ZONING COMMISSION  
WORK SESSION MEETING MINUTES  
MONDAY, September 24, 2012 @ 6:00 PM  
PHELPS DODGE ROOM - LIBRARY**

**CITY COUNCIL PRESENT:** Wyn “Chris” Gibbs, Mayor; Mary Bingham, Vice Mayor; Council Member’s, Gene Seale, and Richard Ortega.

**CITY COUNCIL ABSENT:** Councilman Howes, Councilman Malloque and Councilman Lopez.

**PLANNING AND ZONING COMMISSION PRESENT:** Gene Fowler, Chairman; Diane Junion, Vice Chair; and, Commissioners Dalton Overstreet; James F. Moser P.E.; Gherald L. Hoopes, Jr.; and Chad Crockett.

**PLANNING AND ZONING COMMISSION ABSENT:** E.C. “Buff” Cunningham, III

**STAFF PRESENT:** David Kincaid, City Manager; Dustin Welker, City Planner & Downtown Manager, Richard Turner, Consultant, Sandra Findley, Executive Secretary; Christine Fisher, Personnel Director; John Griffin, Police Chief; Ann Waite, Finance Director; Randy Petty, City Engineer; Jaime M. Holguin, Building Compliance; Brenda Blake, Community Development Administrative Assistant; and Georgia Luster, City Clerk. Dale Clark, I.T. Assistant assisted with the audio/video recording of the meeting.

**OTHERS PRESENT:** Steve McGaughey.

- 1. WELCOME AND CALL TO ORDER:** Mayor Gibbs called the meeting to order at 6:01:07 p.m.
- 2. ROLL CALL:** A quorum of the Council was present (4 present, 3 absent). A quorum of the Planning and Zoning Commission was present (6 present, 1 absent).
- 3. PLEDGE OF ALLEGIANCE TO THE FLAG:** Mayor Gibbs led the Pledge of Allegiance to the Flag.
- 4. OPENING PRAYER:** Pastor Ann Johnson offered the Opening Prayer.
- 5. PROPOSED SUBDIVISION AND ZONING CODE REWRITE:** Review of the proposed subdivision and zoning code rewrite. Review chapter 16, ‘Subdivisions’

(pages 1-31) and Chapter 17, 'Zoning' Section 17.04 - Section 17.12 (pages 1-56). This is the first of three work sessions.

City Manager Kincaid thanked the Planning and Zoning Commission and Council for attending the meeting. This is the first of three meetings to discuss the proposed rewrite of the Subdivision and Zoning Codes. Dustin Welker and Richard Turner will provide highlights to discuss, but, at any point and time, questions may be asked. At this time he turned the meeting over to Dustin Welker and Richard Turner to present and review Chapter 16, 'Subdivision' (Pages 1-31) and Chapter 17, 'Zoning' Section 17.04 - Section 17.12 (Pages 1-56).

Dustin Welker provided a brief background about the process. He introduced Mr. Turner who has over 30 years of experience in the planning and zoning development arena. He is retired and works as a contract employee for projects like this. We are very happy to have his expertise and help through this process. Mr. Welker stated they will review certain major points of the rewrite. He reviewed the following Sections and encouraged questions/comments of the proposed rewrite during the discussion.

Pg. 2) Defined Development Review Committee

Pg. 3) Defined Land Split, Master Street Map, and Neighborhood Meeting. He noted a new revised Master Street Map is provided for review.

Pg. 6) Added Land Splits. A land split is basically anything that is not a subdivision. (Per Arizona Revised Statutes, municipalities can split a parcel two times or into three different parcels). In the past, recordings have occurred at the County with the City having no knowledge of the split. The ordinance lays out guidelines for individuals wishing to split property. Individuals splitting property will initially apply with the City and then record the property through the County if an affidavit is presented.

Mayor Gibbs questioned the format of the definition of "City Plan" and "Plat" (Pg.4). Why are they different from Section 17, Pg. 20? They should read the same. Page 20 of Section 17 defines the "City Plan" as the "General Plan". Mr. Turner responded that there are locations in Section 16 that refer to "City Plan" and rather than change all of those to General Plan, it defines the "City Plan" as the "General Plan".

Amend all **“City Plan” language to read “General Plan” throughout Section 16 and 17.**

Commissioner Crockett: Preliminary Plat and Final Plat definition does not include the requirement of being signed by or sealed by a registered engineer or surveyor, but was defined in the actual section.

Pg. 7) Add to Definitions Section - (ARS) **Arizona Revised Statutes**

Commissioner Hoopes: Pg. 7) Asked for clarification relating to violation for failure to record affidavit. Definition is clarified on Pg.157.

Add to Section B, last sentence: violation of the City Code, **per Chapter 17**

Mayor Gibbs: Definition of **“Arterial route,”** questioned arterial routes normally being on the section lines. Response: Not a requirement, but preferred.

Councilman Ortega: Pg. 7) Section B, 5<sup>th</sup> line, add **Certified** mail

Pg. 8) Added requirement of developer to host neighborhood meeting at the beginning of the Plat process. Procedures follow ARS guidelines.

Pg. 10) Deleted fees because fees change. Fees are required as approved by the City Council.

Pg. 10) Commissioner Hoopes: Section 16.08.030, #3. Add **Licensed, P.E.** engineer

Mayor Gibbs: Revise numbering by precedence: **Move #9** by order of precedence

Commissioner Crockett: Pg. 11) #6. USGA should read **(U.S.G.S.) United States Geological Survey.**

Mayor Gibbs: **“Note** that all Utilities will be **underground”.** All new developments will be required to install underground utilities.

Pg. 12 & 13) Deals with improvements of subdivisions. City will no longer own retention ponds but will require the sub-divider to develop mechanism(s) to **manage/maintain retention ponds by forming Home Owner’s Association (HOA).**

Pg. 12) Mayor Gibbs: last paragraph, first sentence. He questioned “may be” formed for. . .

Mr. Welker noted the language was provided by the City Attorney.

Mr. Turner responded that “may be” refers to the things that follow for some of the things listed in the paragraph. **Will discuss with the City Attorney the appropriate language.**

Pg. 13) Councilman Ortega: First paragraph, fifth sentence: The City “may” - should it read “shall”? Change to “**shall**”

Mr. Welker explained an HOA Bond is required until the HOA is turned over to the homeowner.

Pg. 12 & 13) Commissioner Hoopes: Does I.2 refer to an HOA? Combine 1 & 2?

I.1 is referring to improvements and I.2 identifies retention area standards. Require retention areas to be low maintenance.

Pg. 13) Mayor Gibbs: Item 2, second sentence should read **City of Safford** instead of City’s. . .

Mr. Welker and Mr. Turner will **review Pg. 12 & 13, Sections I.1 & I.2.**

Pg. 13) J. Fire Hydrants. Added: Fire hydrants shall be set every five hundred feet or closer as determined by the Fire Chief.

Pg. 13) Added K. A Street Lighting Plan indicating . . . Not to exceed, you **can’t** have more **lumen’s** than what the Code says. Street lighting reduces crime; however, once street lights are installed City maintains and pays for light source. Believe Safford citizens want street lights.

Discussed the need for a minimum for lumens - need to include a minimum. City Manager Kincaid believes it should be negotiable based on the development, height, terrain, and variety of other factors, rather than including a minimum. As approved by the Utility Department.

Mr. Welker stated the Outdoor Lighting Code is strictly maximum. **They will**

**review and address a minimum on lumens.**

Pg. 18) Commissioner Hoopes: What is the impact of striking 16.08.090 Abandonment of a recorded subdivision? Mr. Welker replied it's duplicated - also on Pg. 29.

Pg. 15) Mayor Gibbs: **Item G by syntax should be moved down after Item K.**

Pg. 19) Every subdivision shall have two access points unless it's a cul-de-sac.

Pg. 21) Commissioner Hoopes: 16.12.040 Street standards, C. - What is "good engineering practices"?

Rewrite sentence to read: **All grading and subgrading preparations shall be done in accordance per the current standards established by the City as well as the following:**

Pg. 21) Mayor Gibbs: Item No. 1 - Arterial ~~or major~~ streets- Strike **or major** and Item 7. Arterial, ~~major~~ and collector streets - Strike **major**.

Pg. 22) Developed cross sections for standards for right-of-way and pavement width and deleted Table.

Pg. 26) Commissioner Hoopes: Item G. Define "adequate usable area" - Mr. Welker responded that they will **reference to the section in Chapter 17.**

Pg. 25) Mayor Gibbs: 16.12.060 Lots: Section A. What is "shall be appropriate"?

"The lot area, width, depth, shape and position **shall be appropriate** for the location and shall. . ." Mr. Turner explained Item 1 and 2 under Section A. sets standards on how you design lots. Those standards make lots appropriate. Mr. Welker stated that Chapter 16 is on subdivision and Chapter 17 is on zoning. Zoning is what dictates lot size and setbacks. **Will review.**

Pg. 28) Mayor Gibbs: Section J. When **plausible** streets shall. . . **Add comma after plausible ,**

Pg. 29) 16.20.010 The Council **may** shall hold a public hearing. . .

Pg. 30) Mayor Gibbs: Section E. The office **department** of planning and zoning.

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**CHAPTER 17:**

Pg. 3) Chairman Fowler: Last paragraph - **“Agricultural use”** Deleted swine. Mr. Welker explained the Animal Ordinance of the Municipal Code (Chapter 6) because it states **“there** shall be no swine in the City Limits which conflicts with this section.” Mr. Welker also asked for direction regarding chickens in the city limits. There was discussion in regards to allowing or eliminating swine and chickens in the city limits.

City Manager Kincaid reminded everyone that the Commission and Council have two additional meetings and several public meetings will be held before the Code revisions are adopted. He said a decision does not need to be made tonight. He encouraged everyone to talk to the public (FAA leaders, 4-H leaders) about allowing or eliminating swine and chickens within the city limits. Maybe a decision can be made after receiving public input.

Councilman Seale asked for a list of concerns that the Council and Commission can have to review. Mr. Kincaid stated a **consolidated list of “undecided” could be provided to the Council and Commission at the last meeting.**

Commissioner Overstreet commented **“what** are we trying to become? “Here we are Safford, Arizona, an agricultural community. We are concerned with the health conditions, but all these other little dinky things, to me I **don’t** think they are not a big concern. Who cares if someone has chickens? We are an agricultural community. What do we want to be in Safford, Arizona?” Commissioner Overstreet has questions and does not support the restrictions.

City Manager Kincaid stated the City addresses the Code in an attempt to protect the interest of the individual citizen living in the community.

Mr. Welker pointed out that livestock (including swine) is only allowed in an A-R zone (Agricultural Residential).

Chief Griffin stated that Policy needs to be consistent, but, currently part of Code does not allow swine and the other part of the Code addresses livestock which allows swine. He believes the zoning is maybe the bigger issue. The intent of the City is to be consistent between the two.

Pg.5) Commissioner Hoopes: Definition of apartment for occupancy by three or more families. Why is it three or more families instead of two? Are there differences on how you deal with duplexes or apartments? Mr. Turner responded the intent is to impose a Duplex Zoning District for single family homes or duplex. Occupancy for duplexes is two.

Pg. 10 & 11) Chairman Fowler: **What's** the difference between a dwelling two family (known as the duplex) and dwelling attached which means one-family dwelling attached to one more family dwelling?

Mr. Turner defined a two-family attached is a duplex; single family, attached to a single-family attached to a single family is a townhouse (like row-housing) zero lot-line. A duplex will be owned by one person and but on separate lots.

Pg. 11) Mayor Gibbs: Multi-family dwelling - Why **can't** it be two or more? **"A duplex is a multi-family dwelling."**

Mr. Turner replied that a new zoning district for duplexes was created, but the zoning can be changed back to the way it was. The new zoning district allows for single family zones with different lot sizes; duplex zone that allows duplexes and single family homes; and multi-family that allows three or more families (apartment building or condominiums).

**Pg.13) Added "Group Home" with ten elderly people.**

Pg. 17) Terms/language for **"modular homes," "mobile homes"** and manufactured homes has changed.

Pg. 14) Chairman Fowler: Third Paragraph, **"Home Occupation"** - 'means a lawful . . . thereof, only said use being secondary to the **principle**'. Delete ~~only~~ and add **the** said use being secondary to the principal use . . .

Pg. 15) Chairman Fowler: Explain the difference of a Lot, Double Frontage and Lot, through on Pg. 16. **Will review.**

Pg. 20) Mayor Gibbs: Be consistent with language: **Plan, General and Plat.**

Pg. 21) Mayor Gibbs: **"Restaurant"** means an establishment where meals are

prepared and served to the public for consumption on the premises ~~entirely~~.  
**Delete entirely.**

Pg. 20) Jaime Holguin: PLOT PLAN - Second sentence - add **PLAN** to PLOT

Pg. 23) Second Paragraph Street Arterial. "Arterial Street: means and includes freeways, expressways and ~~Arterial Streets~~; **Delete arterial streets**: Make consistent with subdivision section.

Pg. 28) C. Swimming Pool Protection: Section 1 Typo on third line - 'installations are to be ~~located~~ **located**

Pg. 28) C. Swimming Pool Protection: Refers to all **new** swimming pools (per A.R.S.).

Pg. 29) First Paragraph: second to last line - E.G. Gates, Latching **Latching**.

Pg. 30) Commissioner Hoopes: Why include Section 17.12.040 'Abandoned or junk **vehicles**' and 17.12.055 'Accumulation of junk and debris in residential zones **prohibited**' - if they are not enforced? If the intent is not to enforce why include in the Code? There was discussion about having "**teeth**" in the Code to **address non-compliance. Need to define violation and enforce. Will bring back and review.**

Chairman Fowler recommended including violation language in the ordinance - **violation of ordinance.**

Mr. Welker stated this is definitely a statewide issue.

Jaime Holguin stated that approximately 60-75% of the people comply.

Pg. 30) E. Portable Carports. Propose permitting process by the Zoning Administrator.

Pg. 32) Lot Access Requirements: Consolidated lot access and broke out into three sections: A) adequate frontage upon a public street; B) through large scale development or subdivision platting process; and C) Dwelling may be built on lot which does not front upon a public street with regulations; D) Standards for access points.

Pg. 34) Condensed temporary use permits for carnival, circus, etc.

Pg. 35) C. Permitted Temporary Use: Mobile Food vendor, farmers market, (TYPO)-Temporary **temporary** retail sales.

Pg. 36) D. Commissioner Hoopes: Storage of Motor Homes. . . Will this section be enforced? Enforce when City is notified. It is a safety concern.

Pg. 35 & 37) Deleted Section 17.12.190 Home Occupations. Will address in October work session.

Pg. 39) Conditional Use Permits. Identified standards. Will address later. There a uses in zoning districts that are not permitted by right, but are permitted with the issuance of a conditional use permit.

Pg. 42) Section 17.12.230 Parking Regulations. Included a parking comparison chart to review. Parking is very comparable to other areas, if not have less parking requirements. Proposing two parking spaces for single family homes.

Pg. 45) Proposing Parking size requirements and landscaping for parking lots.

Pg. 44) Chairman Fowler: Q Handicapped parking - No requirements between 20 and 49 parking places. **Will review.**

Pg. 47) G.4: ~~Fifty~~ **Five hundred** (500)

Pg. 47) Added Section 17.12.250 Regulating metal storage container boxes. Cannot live in metal storage container box.

Pg. 50) Added Section 17.12.260 Telecommunications Towers and Antennas. Encourage location of towers on public properties rather than locations esthetic pleasing. Any location on private land is subject to Conditional Use Permit.

B.1 Amateur Radio Station Operators / **or** Receive Only Antennas. **Will review**  
**"Receive Only Antennas.**

**6. ADJOURN JOINT CITY COUNCIL/PLANNING AND ZONING COMMISSION WORK SESSION**

It was moved by Vice Mayor Bingham, seconded by Commissioner Crockett and carried unanimously to adjourn the Work Session at 8:14:02 p.m.

**MOTION**

**ADOPTED**

APPROVED:

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Wyn "Chris" Gibbs, Mayor  
City of Safford

ATTEST:

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Georgia Luster, MMC  
City Clerk

CERTIFICATION

STATE OF ARIZONA     )  
                                  )    ss  
County of Graham    )

I hereby certify that the foregoing minutes are a true and correct copy of the Joint Planning & Zoning Commission/City Council Meeting and City Council Work Session of the City of Safford, Graham County, Arizona held Monday, September 24, 2012, and approved at a Regular Council Meeting on October 8, 2012. I further certify the meeting was duly called, held and that a quorum was present.

Dated: October 8, 2012

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Georgia Luster, MMC, City Clerk