

**TOWN OF PATAGONIA
PLANNING AND ZONING COMMITTEE
SPECIAL MEETING MINUTES
SEPTEMBER 10TH, 2012
6:00 P.M.**

1. CALL TO ORDER. Chairman Budd called the meeting to order at 6:03 p.m. Members present were Chairman Budd and members Gilbert, Stabile, Pendleton and Murrietta. Members absent Munroe. Staff present: Teel and Van Nest.

2. CORRECTION AND/OR APPROVAL OF MINUTES OF THE PLANNING AND ZONING MEETING.

A) SPECIAL MEETING AUGUST 20, 2012 – 6:00 PM

MOTION BY MEMBER STABILE TO APPROVE THE MINIUTES OF THE SPECIAL MEETING OF AUGUST 20, 2012

Seconded by Member MURRIETTA

Vote: Motion was approved by a vote of 4-0-1 with the members voting as follows:

Ayes: Budd, Pendleton, Murrietta, Stabile

Nays, None

Absent: Munroe (excused)

Abstained: Gilbert

3. REQUESTS FROM THE TOWN COUNCIL. NONE

4. COMMUNITY INPUT: SUBJECT TO REASONABLE TIME AND MANNER RESTRICTIONS, AT THIS TIME MEMBERS OF THE PUBLIC MAY COMMENT ON ANYTHING UNDER THE PURVIEW OF THE PLANNING AND ZONING COMMITTEE. PURSUANT TO THE ARIZONA OPEN MEETING LAW, AT THE CONCLUSION OF THIS AGENDA ITEM, INDIVIDUAL MEMBERS OF THE COMMITTEE MAY RESPOND TO CRITICISM MADE BY THOSE WHO HAVE ADDRESSED THE COMMITTEE, MAY ASK STAFF TO REVIEW THE MATTER, OR MAY ASK THE MATTER BE PLACED ON A FUTURE AGENDA. Mrs. King asked a question about the impact of the proposals being considered on existing businesses and whether they would be required to reapply or relocate? It was explained that existing businesses would be "grandfathered" and not impacted by the regulations.

Chairman Budd moved directly to Item 7 on the agenda.

7. REVIEW, DISCUSSION AND POSSIBLE ACTION ON HOME BUSINESS AND OTHER NON-RESIDENTIAL USES OF PROPERTIES WITHIN TOWN.

Chairman Budd reviewed the history of the discussion concerning cottage businesses and professional practices and the desire to simplify and separate them from the use permit requirement. He distributed copies of a draft he had prepared (attached) with three paragraphs for possible consideration.

Walter Andrew spoke several times reiterating his belief that town residents wanted less regulation, not more.

Abbie Zeltzer expressed an opposite opinion pointing out the need for regulation to preserve the Patagonia quality of life with peace and tranquility.

Jeff Evans commented that a lot of things are starting to happen in town and we should be prepared with clear provisions as to what is allowed.

Kathleen James spoke on the need for clarity and simplicity so that buyers could understand what they were permitted to do in Patagonia.

Mike Stabile explained that the committee was trying to simplify the process by giving the Manager a tool to work with so that the process could be smooth and simple where there was clearly no nuisance.

Adrian Halpert recounted several past instances where there was concern and/or opposition to proposed businesses but no tools to use in the regulatory process.

There was a general discussion about businesses that grow from simple beginnings to the level where they may create a nuisance to their neighbors.

Frank West inquired as to whether there was a complaint resolution process to address reported nuisances and resolve disputes and it was generally agreed that such a process was desirable.

As Chairman Budd was wrapping up the discussion Melissa Murrietta commented that she liked Mike's final draft but felt that there were some things to be added and some to be deleted for a final document.

Chairman Budd stated that the next meeting (October 8) would devote time to finalizing a draft as Melissa had suggested.

5. REVIEW, DISCUSSION AND POSSIBLE ACTION ON THE SIGNAGE PROVISIONS OF CHAPTER 14 (14-5), WITH SPECIAL EMPHASIS ON CURRENT REALITIES AND COMPLIANCE, AND SIGNAGE STANDARDS FOR HOME BUSINESSES.

There was a brief discussion of signs and their regulation with no conclusions.

6. DISCUSSION AND POSSIBLE ACTION ON CONTROL OF NEW USES OF PROPERTIES (WITHIN THE TOWN) THAT POSE POTENTIAL FOR NUISANCE, AND POSSIBLE RECOMMENDATION OF STANDARDS FOR DEFINING A "NUISANCE." NOT COVERED.

8. SUGGESTIONS FOR FUTURE AGENDA. Only as indicated in Item 7

9. FUTURE AGENDA ITEMS: AT THIS TIME MEMBERS OF THE COMMITTEE MAY BRING FORTH TOPICS OF AGENDA ITEMS FOR THE NEXT SPECIAL MEETING. THE COMMITTEE MAY NOT DISCUSS, DELIBERATE OR TAKE ANY ACTION ON THE SUBSTANCE OF THE TOPICS OTHER THAN TO INCLUDE THEM ON A FUTURE AGENDA. A.R.S. §38-431.02(H). None

10. ADJOURNMENT.

MOTION BY MEMBER STABILE TO ADJOURN THE MEETING

Seconded by Member Gilbert

Vote: Motion was approved by a vote of 5-0 with the members voting as follows:

Ayes: Budd, Pendleton, Gilbert, Murrietta, Stabile

Nays, None

Absent: Munroe

The meeting was adjourned at 7:37 p.m.

I hereby certify that the foregoing minutes are a true and accurate copy of the minutes of a Patagonia Planning and Zoning Committee meeting held on September 10, 2012 at 6:00 p.m. I further certify that the meeting was duly called, held and that a quorum was present.

Attest: Town Manager

Approved: Chairman

