

**TOWN OF PATAGONIA**  
**SPECIAL COUNCIL AND PLANNING AND ZONING COMMITTEE JOINT MEETING MINUTES**  
**AUGUST 11, 2012**  
**9:00 A.M.**

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1. CALL TO ORDER: Mayor Isakson called the meeting to order at 9:00 a.m.  
Council members present included: Mayor Isakson, Vice-mayor Wood, Council members Gilbert and Coleman.  
Absent: Council member Quiroga.  
Planning and Zoning Committee members present included: Chairman Budd, Vice-chairman Pendleton and members Munroe and Stabile.  
Staff present included Town Manager Teel and Town Attorney Masee.,
2. PLEDGE OF ALLEGIANCE: Mayor Isakson led the recitation of the pledge of allegiance.
3. DISCUSSION AND POSSIBLE ACTION TO AMEND THE TOWN CODE BY THE ADDITION OF REGULATIONS PERTAINING TO MOTOR VEHICLE WEIGHTS, ROUTES AND THE TRANSPORTATION OF HAZARDOUS MATERIALS.

It was agreed that no formal votes would be taken on any item considered or recommended for amendment until a revised draft was completed so that all items could be viewed in their proper context.

Mr. Masee described the various federal and state regulations pertaining to overweight vehicles and hazardous materials and the inconsistencies in definitions and provisions. Making it very difficult to identify clearly those regulations that the town might impose.

There was then a review of the draft regulations he had prepared. The following are suggested modifications:

Section 11-4-2 A Town Streets to replace Highways.

Section 11-4-2 C add the phrase "within the Town" for both items 1 and 2.

Section 11-4-4 A delete "or combination of vehicles".

Section 11-4-4 C 4 change Public right of way to "Town Streets".

Section 11-4-4-C-6 add . . . five hundred dollars per vehicle in order to . . .

Section 11-4-4D add- . . . necessary to assure against risk to public safety or undue damage . . .

Section 11-5 Prohibitions et seq. several suggestions were made for rethinking provisions including possible reference to Federal and ADOT placarding requirements and also the inclusion of restrictions on the time when materials could be transported.

The Mayor declared a brief recess in the meeting from 10:25 to 10:40. The meeting then resumed. Chairman Budd requested that the meeting skip to Item 5, addressing Chapter 14 as the more pressing requirement for modification. Mayor Isakson then opened discussion of Item 5.

4. REVIEW, DISCUSSION AND POSSIBLE ACTION TO UPDATE AND AMEND CHAPTER SEVEN, BUILDING, OF THE TOWN CODE OF THE TOWN OF PATAGONIA. This was deferred to be considered after item 5.
5. REVIEW, DISCUSSION AND POSSIBLE ACTION TO UPDATE AND AMEND CHAPTER FOURTEEN, PLANNING AND ZONING COMMITTEE, OF THE TOWN CODE OF THE TOWN OF PATAGONIA. POSSIBLE EXECUTIVE SESSION IN ACCORDANCE WITH A.R.S. §38-431.03(A)(3) TO CONSULT WITH THE TOWN ATTORNEY AND SEEK LEGAL ADVICE REGARDING USE PERMITS PURSUANT TO CHAPTER 14.

The discussion followed the minutes of the 4/23/12 meeting of P&Z which recommended a series of changes to Chapter 14.

Section 14-1-2-D Suggested modification was to change the recommended language from "without notifying the chairman" to "without advance notification" to permit a broader array of notification possibilities.

Section 14-1-5-B change "shall" to "May"

Section 14-1-5 C approve recommended language A majority of the Committee shall constitute a quorum and a majority vote of the Committee members present shall be required for any official action.

Section 14—1-7-B-2 approve recommended language: "Recommend to the Council the adoption or amendment of zoning regulations or other land use regulations and maps as the committee may deem appropriate..

Section 14-2-A **Needs to be redrafted to** include language requiring a use permit for any New Construction or major revisions to any structure other than a single family residence and also from Mr. Masee's draft item g. requiring a review by the Town Manager whenever the ownership or use of an existing parcel that has been operating pursuant to a use permit changes to determine whether or not it will be materially different.

Section 14-2-B approve recommended language . . ."applications shall be made by the property owner or equitable owner, with the concurrence of the owner, intending to complete the plans as tendered in ithe application."

Section 14-2-C-3 approve recommended language " . . . in recommending a use permit be approved, the Committee, in consultation with the Town Manager, may attach requirements and conditions with respect to location, construction, architecture . . ."

Section 14-2-E Change language to provide : If said development is not commenced within one year of the issuance of the use permit, permittee may request a one year extension to said permit. If said development is not commenced within that time period the use permit shall expire without further notice.. "

Section 14-3- A and B approved replacing "General oning Regulations" with "General Land Use Recommendations"

6. DISCUSSION AND POSSIBLE ACTION TO IDENTIFY OTHER CODE AMENDMENTS FOR THE PURPOSE OF CARRYING OUT THE PROVISIONS OF THE GENERAL PLAN OF THE TOWN OF PATAGONIA. No action
7. FUTURE AGENDA ITEMS: AT THIS TIME THE COUNCIL MAY BRING FORTH TOPICS FOR FUTURE AGENDAS, AND IF PREVIOUSLY REJECTED BY THE MAYOR, THE COUNCIL MAY VOTE ON CODE WHETHER TO PLACE THAT ITEM ON A FUTURE AGENDA PURSUANT TO SECTION 2-5-5 OF THE CODE OF THE TOWN OF PATAGONIA, ARIZONA. THE COUNCIL MAY NOT DISCUSS, DELIBERATE OR TAKE ANY ACTION ON THE SUBSTANCE OF THE TOPICS OTHER THAN TO VOTE TO INCLUDE THEM ON A FUTURE AGENDA. A.R.S. § 38-431.02(H).No Items were raised.
7. ADJOURN. The meeting was adjourned by acclamation at 11:55 a.m.

I hereby confirm the foregoing minutes are a true and accurate copy of the minutes of a Special Council Meeting held on August 11, 2012 at 9:00 A..M. I further certify that the meeting was duly called, held, and that a quorum was present.

Dated this \_\_\_ Day of August, 2012.

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Attest: Town Manager

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Approved: Mayor

