

REGULAR MEETING
OCTOBER 14, 2009
6:00 P.M.

PURSUANT TO A.R.S. 39-431.02B NOTICE IS HEREBY GIVEN TO THE MEMBERS OF THE PLANNING AND ZONING COMMISSION AND TO THE GENERAL PUBLIC THAT THE PLANNING AND ZONING COMMISSION WILL HOLD A MEETING OPEN TO THE PUBLIC OCTOBER 14, 2009 AT THE MAMMOTH TOWN LIBRARY LOCATED AT: 125 NORTH CLARK STREET, MAMMOTH, ARIZONA.

1. CALL TO ORDER:

The meeting was called to order by Diane Theobald at 6:12 P.M.

2. PLEDGE OF ALLEGIANCE:

Diane Theobald led the pledge of allegiance .

3. ROLL CALL:

CINDY BLAIR	ABSENT
ERNEST BUSTAMANTE	PRESENT
REBECCA BEISENSTEIN	PRESENT
LARRY RAMIREZ	ABSENT
DIANE THEOBALD	PRESENT

4. STUDY SESSION

NONE

5. APPROVAL OF MINUTES

A. MINUTES OF REGULAR MEETING SEPT. 9, 2009.

MOTION by Rebecca Beisenstein to approve minutes of regular meeting held September 9, 2009. Second by Ernest Bustamante.. MOTION CARRIED.

6. NEW BUSINESS DISCUSSION & OR ACTION ON THE FOLLOWING

A. REVIEW ORDINANCE 14-6-2 & 3

Discussed that Mr. Estrada has a business license that lists; Repair, Towing, and Storage. That the towns attorney Tresa Georgini suggested Planning & Zoning Commission needs to resolve the "storage" according to county its the outside storage that is a problem. The Commission determined we need to add the definition of storage to the definition section and add the word "storage" to ordinance 178, Section 14-6-2 #11. "public or private, garages, towing, storage, and auto repair, but excluding "junk yards" and auto "wrecking salvage yards."

Discussed at length Ernest Bustamante stated that laws have to be uniform, and there needs to be accountability.

Rebecca Beisenstein asked Mr. Estrada when he gets cars prepared for hauling does he have to comply with county and state codes? YES he has regulations and laws he has to comply with. and gets periodic inspections.. his contracts are up for renewal so he now has other regulations he has to comply with before they grant him these contracts.

Ernest Bustamante referred to Planning & Zoning handbook that as situations arise we will have to re define, and be more specific with existing Ordinances.

MOTION: Rebecca Beisenstein to add the word storage to 14-6-2 #11 and add the definition of "storage" to the definitions. That ordinance 178, Section 14-6-2 #11 to read as follows:
"public or private, garages, towing, storage, and auto repair, but excluding "junk yards" and auto "wrecking salvage yards."

Add to Definitions: STORAGE; "Any person, corporation or enterprise engaged in the moving of inoperable motor vehicles and storing in a, fenced area. All such operations shall be in compliance with; Town of Mammoth, Pinal County, and State of Arizona standards." Second by Ernest Bustamante. MOTION CARRIED.

It had been determined in earlier Planning & Zoning meeting that Mammoth Towing did not violate the exception of junk yard, or wrecking salvage yard by definition. (It is the "outside storage" that is in question.)

B. "SPECIAL USE PERMIT"

(The commission requested Mr. Estrada to be present to testify.)

Per attorneys request the commission discussed issuing a "Special Use Permit" specifically, its use and purpose..Ernest Bustamante stated the wording suggested temporary, or one time use.

The question: Is this crushing of vehicles incidental to the business? YES

So would this mean a person would have to get a "Special Use Permit" every time?

Mr. Estrada was asked if he crushes the cars. NO

Mr. Estrada stated it is an outside vendor/ bulk hauler that crushes the cars with his own forklift NOT his and that this vendor is licensed to do this. And that the actual hauler is carrying the liability.

The Commission determined that the burden is not on Mr. Estrada rather, it is the hauler that is responsible.

7. OLD BUSINESS DISCUSION & OR ACTION ON THE FOLLOWING:

NONE

8. ACTIVITY REPORT

Diane Theobald reported on a phone call from Oracle Land and Homes Realty, A client wants to put a single wide manufactured home on a lot in Mammoth. Diane told her that the person is welcome to come to the Planning & Zoning Commission for a variance but that the ordinance reads minimum size of 20' X 40'.

Rebecca Beisenstein reported about the new food bank at the old Redwood Inn will open this month. Also, that the tortilla factory will be opening again.

She has been very active with the tourism group the trails program part is moving right along, and the historical society is being developed.

Ernest Bustamante Talked about the Steam Pump Ranch historical society and federal funding for tourism. He would like to see Mammoth do the same. El Mirage is another that has done the same. He would like to clean up Main st. perhaps get local volunteers.

9. COMMISSION COMMENTS

There should be a thank you in the Miner for those who cleaned up the park above the pool.

10. CALL TO THE PUBLIC

ACCORDING TO ARIZONA LAW, UNLESS AN ACTUAL EMERGENCY EXISTS THE PLANNING AND ZONING COMMISSION CAN ACT ONLY ON THOSE ITEMS THAT APPEAR ON TODAY'S AGENDA. ANYONE WISHING TO ADDRESS THE COMMISSION SHOULD STAND AND BE RECOGNIZED BY THE CHAIRPERSON STATE YOUR NAME SO THAT YOUR COMMENTS MAY BE PROPERLY RECORDED AND LIMIT YOUR COMMENTS TO FIVE (5) MINUTES OR LESS. MATTERS PRESENTED TO THE COMMISSION AT THIS TIME MAY BE REFERRED TO THE TOWN CLERK FOR PLACEMENT ON A FUTURE AGENDA.

Mr. Joe Brewer present. He questioned the sign ordinance 14-9 regarding putting up decorations at his private home. He is under the impression that private residences need a permit to put p decorations. Commission did speak to tell him that this did come up last year the ordinance does not affect private homes.

He also said how someone was told to stop their weed eater, that they needed a permit for it. Commission told him that is not true. He still voiced concerns.

Chair explained to him again we cannot discuss this unless he places it on our formal agenda. But, that this Planning & Zoning Commission is about preserving people's individual freedoms.

11. ADJOURN

MOTION TO ADJOURN by Rebecca Beisenstein second by Ernest Bustamante
MOTION CARRIED MEETING. ADJOURNED AT 7:00 P.M.

I certify that the foregoing is a true and correct copy of the minutes of the Planning & Zoning Commission meeting held October 14, 2009. I further certify that the meeting was duly called and held.

Respectfully,
Diane Theobald
Chairwoman