

**Coconino County Planning and Zoning Commission**  
**Meeting of July 29, 2020**  
**On-Line MS Teams**

**Members Present**

Tammy Ontiveros – Madam Chair  
Don Walters – Vice-Chair  
Sat Best  
Ray Mayer  
John Ruggles  
Tyanna Burton  
Jim Clifford  
Mary Williams

**Members Absent**

**Staff Present**

Jason Christelman, Director  
Jess McNeely, Assistant Director  
Bob Short, Principal. Planner  
Zach Schwartz, Sr. Planner  
Aaron Lumpkin, County Attorney  
Marty Hernandez, Recording Secretary

Madam Chair Ontiveros called the meeting to order at 5:30PM. She noted procedures to the audience.

**I. PLEDGE OF ALLEGIANCE**

**II. APPROVAL OF MINUTES**

**MOTION:** Commissioner Clifford made the motion to approve the minutes from June 24, 2020.

**SECOND:** Commissioner Walters seconded.

**DISCUSSION:** N/A

**VOTE:** The vote was unanimous.

**III. PUBLIC HEARINGS**

1. Case No. CUP-20-031: A request for a Conditional Use Permit for an accessory structure over 3,000 sq. ft. on a 15-acre parcel in the RR-10 (Rural Residential, ten-acre minimum parcel size) Zone. The subject property is located southwest of Highway 180 in Fort Valley on a private street near Red Tail Road and is also identified as Assessor's Parcel Number 300-41-007.

Property Owner/Applicant: Steven and Dianna Carroll, Flagstaff, Arizona  
Representative: Guy Ecklund, Tony Cullum Law Office, Flagstaff, Arizona  
County Supervisor District: 1 (Art Babbott)

**STAFF:** Mr. Short gave a PowerPoint presentation and summarized the staff report. The Commissioners had no questions for Mr. Short.

**APPLICANT:** Steven and Dianna Carroll, Flagstaff, AZ, property owners, were with their representative, Tony Cullum of Tony Cullum Law, Flagstaff, AZ. Mr. Cullum introduced the Carrolls, gave background information on the site. He had read the staff report and agreed with the report along with the one Condition. He stated the plan is to put one garage and one residence on the 40 acres. The RR Zoning is the only zoning that requires a CUP for accessory structures over 3000 sq. ft. A letter was provided from Summit Fire District indicating that the plan for the building was approved by them. All neighbors are in favor of the project except for one. The one neighbor opposed to the project as it is a possible incursion outside the acts of an access easement. A grading permit was obtained from the County for the road improvement. The Carrolls are willing to buy this property, at fair market value, to help with any issues. Mr. Cullum had spoken with the County Attorney and Staff and they are in agreement that this is a private matter and not related to this CUP. A building permit would still need to be obtained and staff would make sure any access issues were resolved before issuing. Ian Braun was available to answer any drainage issues. The road will be built to county standard with safe access. The Forest Service came out to look at the property and they have no issues, as two sides of the property are adjacent to Forest Service land. Mr. Cullum stated there were a number of neighbors wanting to speak.

**PUBLIC:** Nicole Sanders, John Wayne Blvd, Flagstaff, AZ, having met the Carrolls, she thought they would be a great addition to the community. The project will blend well into the environment.

Ray Flag, Parks, AZ, it is a very nice site, and will not interfere with any neighbors. Brent Erdman, and Tom Field, Elk Tank Rd, Flagstaff, AZ, have met the Carrolls and are a great addition and very fond of them. They have been very involved in the neighborhood already. The Carrolls have been very transparent throughout their project. Steven Randazzo, Flagstaff, AZ, had no concerns with the building. The Carrolls are amazing people with a very strong sense of community. He is appalled that a person, that does not live in the neighborhood, is interfering.

Michelle Boyer, Flagstaff, AZ, the Carrolls are an excellent addition to the community, and always helpful.

Mike Furr, Flagstaff, AZ, is the general contractor for the project, and has worked with the Carrolls and their project.

Russ Hamilton, Flagstaff, AZ, has done work for the Carrolls and thinks they are wonderful people and their project is beautiful. No one can see it unless you are on the property.

Ron Hubert, 6800 Virgil Way, Flagstaff, AZ wanted to second everything everyone has said. He is in support of the Carroll's project.

Stephen Saunders, West Antoinette Way, Flagstaff, AZ, owns land near the Carrolls, had met the Carrolls and had reviewed the project. He supported the CUP.

Suzanne Romero, Red Tail Road, Flagstaff, AZ, had built the first home, and supports the Carrolls' project.

Faith Walker, Red Tail Rd, Flagstaff, AZ, the Carrolls are very transparent and fully supports the project.

Chris Huntly, N. Kenan Way, Flagstaff, AZ, owns the parcel across from the Carrolls. The Carrolls fit in perfectly with the neighborhood.

Todd Owen, 1350 N Wakanda, Flagstaff, AZ, fully supports the project.

Paul Conant, attorney for the Mckenna's is in opposition. They are not in opposition of the Carrolls building a home on the property. The accessory structure is oversized and tied to problems with the admitted roadway. The structure is for storing heavy equipment and long wheeled based vehicles. This is a 100-year-old logging road, with switch backs, and 2 hairpin turns. The easement is dedeed. His clients use this road. The easement rights cross several of the properties. Mr. Conant described in detail the road that crossed several properties. Heavy equipment is being driven across these areas. He pointed out the heavy equipment in the pictures.

Chair Ontiveros stated that the easement issue cannot be decided by the Commission and asked Mr. Conant to only speak to the size of the structure and the type of the equipment being stored.

Mr. Conant said he was trying to lay a foundation about the easement, the size of the easement structure, obstruction of the easement is tied to the size of the structure for heavy equipment. If you approve this oversized structure, then it implies that there is a need for this road for heavy equipment.

Mr. Conant concluded the comments directed against his clients were not relevant. The size of the building is a problem thus the size of the road is a problem.

**COMMISSION:** Commissioner Clifford had read everything in the report and the opposition, we can not speak on the road, the easement, and the grading permit. Inspections would occur, and if they do not abide by the conditions, the CUP would not be renewed.

Commissioner Walters had no issues.

Commissioners Williams could make the findings.

Commissioner Mayer thought the building was very nice and could support the project.

Commissioner Ruggles had missed most of the comments due to internet issues but had read everything. The road and easement issues are where they belong, Superior Court. He is in support of the CUP.

Commissioner Best was not comfortable with this because of the easement issues but could support it since the Commission had no say so on the easement issues.

Commissioner Burton supported the CUP.

Chair Ontiveros had read all materials and supported having this building instead of heavy equipment sitting out on the property.

**MOTION:** Commissioner Clifford made a motion to approve CUP-20-031 with the one condition.

**SECOND:** Commissioner Ruggles seconded.

**DISCUSSION:** NA

**VOTE:** The motion passed unanimously.

1. Case No. CUP-20-032: A request for a Conditional Use Permit for a campground on three parcels totaling 120-acres in the G (General, ten-acre minimum parcel size) Zone. The subject parcel is located at 845 E Highgrove Road in Valle and is also identified as Assessor's Parcel Numbers 503-34-013, 014 and 015.  
Property Owner: Greentree Investment, LLC, Scottsdale, Arizona  
Property Owner: The 80 Acres On 347 Partnership, LLC, Scottsdale, Arizona  
Applicant: CD&E Engineering, Inc., Flagstaff, Arizona  
Representatives: Ian Braun, Flagstaff, Arizona  
County Supervisor District: 1 (Art Babbott)

**STAFF:** Mr. Schwartz gave a PowerPoint presentation and summarized the staff report. Commissioner Ruggles asked if the neighborhood concerns about noise were due to construction or a possible sound stage. Mr. Schwartz said the Condition for the music stage was remove. Noise construction should not last too long as these are temporary tents. Commissioner Ruggles stated Condition 5 and 10 addressed lighting. #10 is a more thoroughly written condition, with some modifications. Mr. Schwartz agreed to strike Condition #5.

Commissioner Best thought the landscaping would make a huge different to the area. The applicant is proposing hauling water and irrigate to use on landscaping. Commissioner Best thought using gray water may be an option. Is there going to be a fence with signage to encourage campers to respect private property? Mr. Schwartz thought the applicant may have ideas to present. Firewise stated that cutting 5 feet from grade would be cutting every tree back where you could see under it. Commissioner Best thought the wording should state "keep combustibles back from vegetation that could ignite". These trees grow so slowly. County should be involved in the engineering, because these tents can come down and injury can occur. Mr. Schwartz stated these tents will only stay up about 6 months then they will come down. If longer than that they have to get a building permit.

**APPLICANT:** Ian Braun, E. Route 66, Flagstaff, AZ, is the representative for Greentree Investments. He had read the staff report and agreed with it and the conditions. The neighbors main concern was too much landscaping due to sharing the well. Gray water will be used for landscaping, as well as treated and disinfected black water. Fencing will be done with wildlife friendly fencing. One neighbor, Ronald Newberry, may want a taller fence to keep people out, but we are working with him. The reception tent will be getting a building permit due its size. The onstaff structural engineer, Thomas Nelson, will be doing the design.

Commissioner Ruggles asked about lighting in the Zone 3. Ian Braun had no issues with lighting and hoped to incorporate solar lighting.

**PUBLIC:** Ronald Newberry, had many concerns. Mrs. Newberry stated has several issues with the project, as they live right next to the proposed project. We live here because of the peace and solitude. The concerns are the number of guests, lighting,

construction, traffic, trespassing, noise, and other issues. Commissioner Ontiveros asked if there was a type of fence that help would alleviate some of their concerns. Mr. Braun had spoken with these neighbors to try to come to a come to resolution. The 8pm quite time would help with the noise. Lighting would be a hinderance for the dark sky. The Newberry's have a shooting range in backyard that is legal. Locals come to sight and target shoot.

**COMMISSION:** Commissioner Clifford had no issues in supporting the CUP.

Commissioner Walters was concerned about the shooting range, it is grandfathered in, and has legitimate concerns. He supports the CUP.

Commissioner Williams supports the CUP. The neighbors have recourse if the Conditions are not met.

Commissioner Mayer supports it as long as there is good quality management.

Commissioner Ruggles thinks a condition should be added to 50 dba at the property line for noise levels. He doesn't think the shooting range will cause an issue after dark.

Condition #10 Add the following: "Additionally, all outdoor lighting shall be fully shielded, and narrow spectrum or phosphor converted LED or Amber LED, depending on the availability for the application. A lighting permit shall be obtained prior to installation of any outdoor lighting. Residential standards should be met.

Commissioner Ruggles stated with that lighting it should not interfere with the dark skies for the neighbors, with no glare or scatter.

Commissioner Ruggles can make the findings as long as they work with the neighbors on fencing.

Commissioner Best suggested Condition #11 also state "A weed management plan shall require yearly assessment and removal of non-native invasive plants.

Commissioner best asked that 2 new Conditions be added.

1-A wildlife friendly fence should be constructed around the property and signs shall be installed to discourage campers from crossing onto adjacent private property.

2-Quite hours shall be maintained from 8PM to 8AM.

Commissioner Best stated there needs to be quality management and it fills a need.

Commissioner Burton agreed with her fellow Commissioners.

Commissioner Ontiveros supported the CUP. She told Mr. Braun she looked forward to him working with the Newberry's to help mitigate any issues.

Commissioner Ruggles asked that Commissioner Best to add wording on the Condition regarding quiet hours: "Noise levels shall not exceed 50 dba at the property line at all times."

Commissioner Clifford wanted Condition #8 to include "with signage stating, "No Trespassing". Commissioner Clifford thought that wording should be added regarding the type of fencing on the SE corner for the Newberry's.

Mr. Schwartz suggested adding an additional comment to Condition #8 "except for a privacy fence between the subject property and Parcel # 501-79-001B."

Commissioner Best asked about stray bullets and if a fence to the end of their property would protect it. Mr. Newberry stated the shooting is aimed to the NE. Lowell Rd. is on his property.

Mr. Schwartz thought between the applicant, staff and the Newberry's, they could work together on a satisfactory resolution.

Chair Ontiveros asked to review all the modifications on the Conditions.

**Condition #5 -strike**

Condition #10- "Outdoor lighting shall be substantially consistent with the type and number of lighting fixtures as shown on the applicant's submittal except as modified in the condition: All outdoor lighting shall meet the requirement of Section 4.3 of the Zoning Ordinance. Additionally, all outdoor lighting shall be fully shielded, and narrow spectrum or phosphor converted amber LED, depending on the availability for the application. Residential standards shall be met.

Condition #11 Add- "A weed management plan shall require a yearly assessment and removal of non-native invasive plants."

Add a new Condition: "Quite hours shall be maintained from 8pm and 8am. Noise levels shall be maintained below 50 dba at the property line at all times."

Addition to Condition #8(?) "Signs shall be installed that discourage campers from crossing onto adjacent private property."

Condition # 8 "Fencing at the SE corner of the property may be installed that is not wildlife friendly as approved by staff."

**MOTION:** Commissioner Best made a motion to approve CUP-20-032 with the conditions as written and modified.

**SECOND:** Commissioner Burton seconded.

**DISCUSSION:** NA

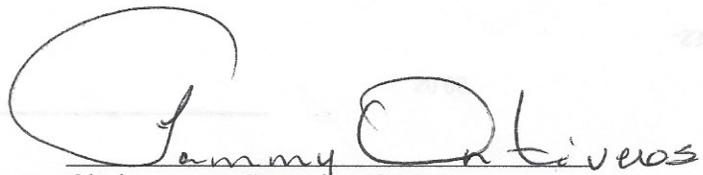
**VOTE:** The motion passed unanimously.

**IV. CALL TO PUBLIC FOR ITEMS NOT ON THE AGENDA**

No one from the public spoke.

Chair Ontiveros adjourned the hearing at 7:53 pm.

**V. CONTINUATION OF STUDY SESSION IF NEEDED**

  
Chairperson, Coconino County  
Planning and Zoning Commission

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**ATTEST:**

*Marty Hernandez*

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Secretary, Coconino County  
Planning and Zoning Commission