



MINUTES¹

TUSAYAN TOWN COUNCIL SPECIAL MEETING

PURSUANT TO A.R.S. § 38-431.02 & §38-431 .03

Wednesday, August 24, 2022 at 3:00 p.m.

TUSAYAN TOWN HALL BUILDING

845 Mustang Drive, Tusayan Arizona

Pursuant to A.R.S. § 38-431 .02, notice is hereby given to the members of the Tusayan Town Council and to the public that the Tusayan Town Council will hold a meeting open to the public on Wednesday, August 24, 2022, at the Tusayan Town Hall Building. If authorized by a majority vote of the Tusayan Town Council, an executive session may be held immediately after the vote and will not be open to the public. The Council may vote to go into executive session pursuant to A.R.S. § 38-431.03. A.3 for legal advice concerning any matter on the agenda, including those items set forth in the consent and regular agenda sections. The Town Council may change, in its discussion, the order in which any agenda items are discussed during the meeting. Persons with a disability may request a reasonable accommodation by contacting the Town Manager at (928) 638-9909 as soon as possible.

As a reminder, if you are carrying a cell phone, electronic pager, computer, two-way radio, or other sound devices, we ask that you silence it to minimize disruption of today's meeting.

TOWN COUNCIL SPECIAL MEETING MINUTES²

1. CALL TO ORDER AND PLEDGE OF ALLEGIANCE

Mayor Vail called the meeting to order at 3:00 pm and led Council and members of the public in the Pledge of Allegiance.

2. ROLL CALL *One or two Council Members may attend by telephone*

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| MAYOR CLARINDA VAIL - Present | COUNCILMEMBER BECKY WIRTH - Present Via Zoom |
| VICE MAYOR BRADY HARRIS - Present | COUNCILMEMBER ROBB BALDOSKY - Absent |

¹ For economy of space and ease of reading the minutes have been organized according to the agenda language. Items as they appear on the agenda have been italicized with the actual minute entries entered in plain type for reader convenience.

² Minutes are organized by agenda item in the order in which they were discussed.

COUNCILMEMBER GREG BRUSH - Present

2. ADOPT THE AGENDA

Motion to adopt the agenda as presented. First by Mayor Vail and seconded by Vice Mayor Harris. Motion carries 4-0, in favor. Councilmember Baldosky was not present.

4. CONSENT AGENDA

Items on the consent agenda are routine in nature and will be acted on with one motion and one vote. Members of the council or staff may ask the mayor to remove any item from the consent agenda to be discussed and acted upon separately.

A. Ratification of Claims Payment

No items to ratify.

5. WORKSHOP ITEMS

A. Discussion regarding Amended Draft Town of Tusayan Planning and Zoning Ordinances. (60 min)

Town Manager Hendrix briefed Mayor and members of Council on the purpose of this meeting and refreshed their memory on what was discussed at the previous meeting regarding this subject. The draft version incorporated the consultant, Wildan, staff memo into a workable planning and zoning document. This meeting will be for document review regarding uses and the next meeting will be for review of the document for purposes and processes. This document will then need to be harmonized with other laws that the Town has, specifically, the general plan, subdivision, and other ordinances and resolutions that have been passed. She additionally advised that there is a memo attached that outlines the differences between the draft and current adopted zoning ordinances. Town Attorney and his paralegal are here to answer any questions that Council may have regarding the document.

Mayor Vail requested and suggested that page numbers be added to the document for ease of use. She also inquired about definition similarity of access or access way and access rights.

Direction to staff is to reconcile this issue.

Mayor Vail commented on page 20 convenience market and the definition lacking the term "souvenirs" and the desire to incorporate this. She additionally commented on the definition of the term drive-thru based on the percentage of business that is actually drive-thru. She also brought up concerns regarding the term easement and its inconsistency throughout the document.

Direction to staff is to clarify ingress and egress in definition of easement.

Mayor Vail requested modernization of the definition for "family" to be more inclusive. She also inquired about the term "housing secondary" and should be less limiting.

Direction to staff is to make sure definitions agree and updates to terms "family" and "housing secondary".

Page 25 definition of lot – direction to staff to remove "determined by the commission to be adequate" because this is the incorrect authority for determination.

Mayor Vail spoke on concerns of the terminology "the front-line lot" designating the edge of the easement. Does this include waterline/powerline or is this ingress/egress? Direction to staff is to seek clarification on this term.

Direction to staff is to create a definition for metal storage container – are shipping containers permissible – how do they differ?

Mayor Vail addressed park trailer/park model on page 27 and her lack of understanding of the definition.

Direction to staff is to look into these definitions, so that they comport with all potential structures.

Direction to staff that definition of structure on page 29 be expanded upon to be more inclusive. Mayor Vail expressed concern regarding trailer park or port and how the definitions could be used against the Town, specifically, "storage" and not addressing overnight stays. Does not want trailer park to be construed as strictly storage.

Vice Mayor Harris addressed the definition of truck yard and expressed concern that a maintenance bay being built may only allow for one commercial vehicle.

Carolyn Oberholtzer spoke on clarification of definition of dwelling unit in relation to definition of hotel unit and section 7.4 regarding enforcement.

Town Manager Hendrix advised that Ms. Oberholtzer's concerns are procedural and will be addressed at upcoming meetings.

Direction to staff that section 9 be updated to comport and include definitions that have been discussed at this meeting.

Page 33 9.2 C2 guest house to have definitions be updated if they are applicable for residential usage.

Page 34 section 9.2 D4 limits detached guest house to one story – Mayor Vail and Vice Mayor Harris are concerned that this will unnecessarily limit the amount of housing available given the limited amount of usable land.

Direction to staff is to review the section to comport with definition as well as point out potential implications of the ordinance.

Councilmember Brush left the meeting.

Mayor Vail spoke on issues she saw on page 36 – number 3 she is concerned about setbacks because the definition of easements needs to be clarified.

Section 10 table 10a E is blank and on advise of Counsel should be conditional use "C".

Page 44 - Direction to staff is to insert definition for Temporary land use permits, if needed.

10.3 B 3 space inserted between 3&4.

Carolyn Oberholtzer - 10.3 A spoke on the appropriateness of access requirements located in residential development.

Vice Mayor Harris advised that this is not the only place where the access requirements are outlined.

Page 45 table 10.C requested that the definition of a knuckle lot because it is not clear within the code.

Section 11 table 11.A 2 direction to staff to revisit the coding of drive-in theaters and day care centers and pre-schools.

11.3 A 1 direction to staff is to review to ensure that the access requirements are consistent.

11.2 B Carolyn Oberholtzer recommended analogous use determination to be made by zoning administrator instead of similar uses to be addressed by the planning & zoning commission.

Zoning Commission Comment regarding the commercial usage of land for day care centers: 11.2 2. day care centers are eliminated from general commercial uses retained under public and semipublic uses - "X'd" due to need for public parking requirements.

11.4.C. direction to staff to review and define design review committee also mentioned in 20.5.

11.6.E. ensure that metal storage containers are the only allowable accessory and make that clear. Mayor is concerned how this relates to what people are already using to make this section clearer.

Vice Mayor advised that this section is in reference to 14.1 and 14.7 so it's difficult to know if this concern is already addressed.

Section 12 Table 12.A wireless communication facility refers to 14.5 of this code. Staff will review to ensure this is correct.

Section 12 table 12.A medical marijuana off-site is blank and should be addressed accordingly.

Section 13 table 13.2.A staff needs direction in order to clarify intent.

Vice Mayor Harris is concerned that some uses may have been eliminated and they are not afforded for in other sections.

Town Manager Hendrix advised Mayor and Council that by addressing some of the concerns brought to staff attention may allow for a better foundation to be set in order to alleviate some of Council's concerns further into the document.

Carolyn Oberholtzer recommends pre-application process for all zones and not just the PC zones so that the foundation is laid out at the beginning of the document.

6. EXECUTIVE SESSION

If authorized by a majority vote of the Town Council, an executive session may be held immediately after the vote and will not be open to the public. The Town Council may vote to go into executive session.

No items addressed.

7. REPORTS

A. Town Manager Report.

Town Manager Hendrix advised that the priority list for NACOG is due. The projects previously approved by Council will be submitted - highway 64 project and Long Jim Loop project are on the list for. Due August 26th.

8. CALL TO THE PUBLIC

No items addressed.

9. MOTION TO ADJOURN

Motion to adjourn, First by Mayor Vail and seconded by Vice Mayor Harris. Motion carries 3-0, in favor. Councilmembers Baldosky and Brush were not present to vote.

Clarinda Vail 10/12/22
Clarinda Vail, Mayor Date

ATTEST:

Logan Keel
Logan Keel, Town Clerk

THIS PAGE BELONGS TO MEETING MINUTES FOR AUGUST 24, 2022

CERTIFICATION

STATE OF ARIZONA

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COCONINO COUNTY

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I, Logan Keel, do hereby certify that I am the Town clerk of Town of Tusayan, County of Coconino, State of Arizona, and that the above minutes are a true and correct summary of the meeting of the Council held on August 24, 2022. I further certify that the meeting was duly called and held, and that a quorum was present.

Logan Keel

Town Clerk

Oct. 14, 2022

Date