

PURSUANT TO A.R.S. §38-431.01, THE GILA COUNTY BOARD OF SUPERVISORS WILL HOLD AN OPEN MEETING IN THE SUPERVISORS' AUDITORIUM, 1400 EAST ASH STREET, GLOBE, ARIZONA. ONE OR MORE BOARD MEMBERS MAY PARTICIPATE IN THE MEETING BY TELEPHONE CONFERENCE CALL OR BY INTERACTIVE TELEVISION VIDEO (ITV). **ANY MEMBER OF THE PUBLIC IS WELCOME TO ATTEND THE MEETING VIA ITV WHICH IS HELD AT 610 E. HIGHWAY 260, BOARD OF SUPERVISORS' CONFERENCE ROOM, PAYSON, ARIZONA.** THE AGENDA IS AS FOLLOWS:

WORK SESSION - TUESDAY, OCTOBER 27, 2015 - 10:00 A.M.

1. **CALL TO ORDER - PLEDGE OF ALLEGIANCE**
2. **PUBLIC HEARINGS:**
 - A. Information/Discussion/Action to adopt Ordinance No. 2015-05 amending the Zoning Map for Unincorporated Areas of Gila County for the rezoning of Assessor's parcel number 205-08-005 (1451 E. Highway 188, Globe, AZ) from a C3 (Commercial Three District) and R1-D8 (Residence One District with a minimum 8,000 square foot lot size) zoning to R1-D8 zoning. **(Bob Gould)**
3. **REGULAR AGENDA ITEMS:**
 - A. Information/Discussion/Action to approve the Amended Landfill User Fee Schedule dated October 27, 2015, which specifies a 50% waiver of the standard "All Other Waste" category for qualifying religious organizations that have obtained an approved Landfill Fee Waiver Permit. **(Mike Pastor)**
4. **CALL TO THE PUBLIC:** Call to the Public is held for public benefit to allow individuals to address the Board of Supervisors on any issue within the jurisdiction of the Board of Supervisors. Board members may not discuss items that are not specifically identified on the agenda. Therefore, pursuant to Arizona Revised Statute §38-431.01(H), at the conclusion of an open call to the public, individual members of the Board of Supervisors may

respond to criticism made by those who have addressed the Board, may ask staff to review a matter or may ask that a matter be put on a future agenda for further discussion and decision at a future date.

5. At any time during this meeting pursuant to A.R.S. §38-431.02(K), members of the Board of Supervisors and the County Manager may present a brief summary of current events. No action may be taken on issues presented.

IF SPECIAL ACCOMMODATIONS ARE NEEDED, PLEASE CONTACT THE RECEPTIONIST AT (928) 425-3231 AS EARLY AS POSSIBLE TO ARRANGE THE ACCOMMODATIONS. FOR TTY, PLEASE DIAL 7-1-1 TO REACH THE ARIZONA RELAY SERVICE AND ASK THE OPERATOR TO CONNECT YOU TO (928) 425-3231.

THE BOARD MAY VOTE TO HOLD AN EXECUTIVE SESSION FOR THE PURPOSE OF OBTAINING LEGAL ADVICE FROM THE BOARD'S ATTORNEY ON ANY MATTER LISTED ON THE AGENDA PURSUANT TO A.R.S. §38-431.03(A)((3).

THE ORDER OR DELETION OF ANY ITEM ON THIS AGENDA IS SUBJECT TO MODIFICATION AT THE MEETING.

ARF-3425

2. A.

Work Session

Meeting Date: 10/27/2015
Submitted For: Robert Gould, Community Development Division Director
Submitted By: Robert Gould, Community Development Division Director, Community Development Division
Department: Community Development Division Division: Community Development Administration

Information

Request/Subject

Adoption of Ordinance No. 2015-05 to Rezone Assessor's Parcel No. 205-08-005.

Background Information

In 1980, the Board of Supervisors approved a request to rezone a 400 foot wide strip of land along Highway 188 to C3 (Commercial Three District) zoning. Parcel number 205-08-005 became a multi-zoned parcel with C3 and R1-D8 (Residence One District with a minimum 8,000 square foot lot size) zoning. At that time there was a home situated on the parcel. The home was located within the C3 portion of the parcel. This created a very difficult situation for obtaining financing for this parcel as a residential property. The Gila County Comprehensive Master Plan, which was adopted in 2003, has designated this property as residential. This home was permitted in 1948. It appears from a review of the records that a permit was issued for commercial development on residentially zoned property and this was being done in reaction to that error.

Earlier on this date, the Gila County Planning and Zoning Commission reviewed this application and voted to recommend the Board of Supervisors' approval of the zoning change.

Evaluation

At the time this property was rezoned in 1980, County staff had asked that the Planning and Zoning Commission not do this but instead simply rezone the two parcels that had been permitted for commercial development in error. This is not the only residential property within this strip of commercial zoning. There are several more parcels in this situation.

Conclusion

Staff are in agreement with this application to rezone to the current usage.

Recommendation

Staff recommends that the Board of Supervisors rezone Parcel No. 205-08-005 from C3 and R1-D8 to R1-D8 to place the property's zoning back to its initial status and current usage as a residential property.

Suggested Motion

Information/Discussion/Action to adopt Ordinance No. 2015-05 amending the Zoning Map for Unincorporated Areas of Gila County for the rezoning of Assessor's parcel number 205-08-005 (1451 E. Highway 188, Globe, AZ) from a C3 (Commercial Three District) and R1-D8 (Residence One District with a minimum 8,000 square foot lot size) zoning to R1-D8 zoning. **(Bob Gould)**

Attachments

Ordinance No. 2015-05 - Shellenberger

Staff Report

Public Hearing Notice



ORDINANCE NO. 2015-05

AN ORDINANCE OF THE GILA COUNTY BOARD OF SUPERVISORS MODIFYING THE ZONING MAP FOR THE UNINCORPORATED AREAS OF GILA COUNTY TO CHANGE THE ZONING OF ASSESSOR'S PARCEL NUMBER 205-08-005 FROM COMMERCIAL THREE DISTRICT (C3) AND RESIDENCE ONE DISTRICT WITH A MINIMUM 8,000 SQUARE FOOT LOT SIZE (R1-D8) TO R1-D8 TO ALLOW FOR THE SALE OF A SINGLE FAMILY RESIDENTIAL UNIT.

WHEREAS, an application was filed by Mark Shellenberger (applicant/owner), Gila County Planning and Zoning Case No. Z-15-05, to modify the Zoning Map for Unincorporated Areas of Gila County located at 1451 East Highway 188, Globe and identified as Assessor's parcel number 205-08-005; and

WHEREAS, the Gila County Board of Supervisors adopted the Gila County Planning and Zoning Ordinance on September 8, 1959; and

WHEREAS, the Planning and Zoning Commission held a duly noticed public hearing on October 27, 2015, and unanimously recommended approval of the modification listed; and

WHEREAS, the Board of Supervisors has held a public hearing on October 27, 2015; and

WHEREAS, the Board of Supervisors has determined that the findings for a zone change (as listed below) from the Gila County Planning and Zoning Ordinance Section 104.1-Zoning Map, have been met.

1. The change is consistent with the goals, objectives and policies of the Gila County Planning and Zoning Ordinance and the Comprehensive Master Plan.
2. The change is in the interest of or will further the public health, safety, comfort, convenience and welfare of Gila County residents.
3. The change will not adversely affect the established character of the surrounding neighborhood nor be detrimental to adjacent properties.

NOW, THEREFORE, BE IT RESOLVED that the Gila County Board of Supervisors has approved the application submitted by Mark Shellenberger to modify the Zoning Map for Unincorporated Areas of Gila County with regard to Assessor's parcel number 205-08-005 whereby the zoning will be changed from Commercial Three District (C3) and Residence One District with a minimum 8,000 square foot lot size (R1-D8) to R1-D8 with the following conditions:

1. If this proposed project is not permitted within 6 months, the Board of Supervisors has the discretion to revert this zoning to C3 and R1-D8.

PASSED AND ADOPTED this 27th day of October 2015.

Attest:

GILA COUNTY BOARD OF SUPERVISORS

Marian Sheppard, Clerk

Michael A. Pastor, Chairman

Approved as to form:

Bradley D. Beauchamp,
Gila County Attorney



**STAFF REPORT
TO THE
PLANNING AND ZONING COMMISSION**



**Z-15-05
Planning & Zoning Commission Hearing
October 27, 2015**

I Application

Applicant Name	Mark Shellenberger
Applicant Address	9112 Ice House Canyon Rd. Globe, AZ 85501
Site Address	1451 East Highway 188, Globe, AZ 85501
APN Number	205-08-005
Current Zoning	C3 and R1-D8
Current Comprehensive Plan Designation	Residential 3.5 to 5.0 du/acre: The Residential 2.0-3.5 category denotes the areas of the county where low-density detached residential suburban development is preferred. The Residential 2.0-3.5 land use designation includes private lands where adequate community facilities, access and emergency response services are available to allow the division of land into smaller individual lots or parcels. Additional uses permitted within the Residential 2.0-3.5 category shall include farming, ranching and those uses otherwise permitted by state statute. Other non-residential land uses may be permitted if allowed in the zoning district designated for the parcel, if located on a cumulative total of less than two acres and if separated and buffered from adjacent existing residential uses and adjacent residentially-designated (on the Land Use Plan) uses.
Application Number	Z-15-05

II Purpose & Description

The applicant has submitted an application to rezone a 2 ½ acre parcel from C3 & R1-D8 to R1-D8. At the current time the front 400 feet of this parcel is zoned C3 and the remaining 14 feet is zoned R1-D8

III Background

In 1980 this entire parcel was zoned R1-D8 until a Commission initiative was approved to zone the front 400 feet to C3. That left a 14 foot section toward the rear of the parcel at R1-D8.

This Commission initiative was requested by the Board of Supervisors. At the Commission hearing staff had recommended that only the two parcels of concern should be rezoned and not the entire area. It is not clear why the 2 parcels were of concern other than permits had been issued for commercial development on residentially zoned property.

IV Project Description

This 2 ½ acre parcel is located on a busy state highway. To the north of this parcel is residential development and to the south is commercial development. Across the State Highway is the Country Club and behind the property is vacant undeveloped hillside land.



Septic is provided to the existing onsite home from a private system. Electric is provided by APS and water is provided by a private water well on the property. Gas is also provided by propane.

A floodplain report showed no FEMA floodplain issues with this property. See Attachment “C”.

The problem of rezoning from residential to commercial occurs when the owner goes to sell the property, as is the case here, and financing becomes difficult or impossible to obtain. There are many residential properties within this area that were rezoned to commercial.

There are actually two residences on this property. A one bedroom apartment is situated over the garage. This is permissible under R1 zoning.



IV Zoning Regulations

Regulations for rezoning property are found in Section 105 of the Gila County Zoning Ordinance. The Arizona Revised Statutes, 11-813 and 11-814 also contain laws that must be adhered too. See Attachment “A” for information from the Arizona Revised Statutes. See Attachment “B” for our zoning regulations.

V Summary

Staff believe that more data was needed by the commission and board back in 1980 before the decision was made to zone this property to commercial. They should have been told about the financing issue and even provided an inventory on how many residential properties would be affected.

VI Recommendation

Staff would recommend that the Commission recommends approval of this application.

VIII Recommended motion

I move to approve the request to rezone parcel 205-08-005 from C3 and R1-D8 to R1-D8

11-813. Zoning ordinance; adoption; amendments; notice; hearing

- A. The commission shall formulate and draft the zoning ordinance. Before recommending the zoning ordinance to the board of supervisors for adoption, the commission shall hold at least one public hearing, after giving at least fifteen days' notice of the hearing by one publication in a newspaper of general circulation in the county seat.
- B. After the commission recommends the zoning ordinance, the zoning ordinance shall be submitted to the board of supervisors for its consideration and official action. After the board considers the commission's recommendation, the board shall hold at least one public hearing at which residents of the county shall be heard concerning the zoning ordinance. At least fifteen days' notice of the hearing shall be given by one publication in a newspaper of general circulation in the county seat. The board shall consider protests and objections to the zoning ordinance and may change or alter any portion of the zoning ordinance.
- C. A property owner or authorized agent of a property owner desiring a zoning regulations amendment shall file an application for the amendment.
- D. The commission, on its own motion, may propose a zoning regulations amendment and, after holding a public hearing as required by this chapter, may transmit the proposal to the board, which shall proceed as prescribed in this chapter for any other amendment.
- E. On receipt of the application the board shall submit the application to the commission for a report. Before reporting to the board, the commission shall hold at least one public hearing after giving at least fifteen days' notice of the hearing by one publication in a newspaper of general circulation in the county seat. The following specific notice provisions also apply:
 - 1. In proceedings involving one or more of the following proposed changes or related series of changes in the standards governing land uses, notice shall be provided in the manner prescribed by paragraph 2 of this subsection:
 - (a) A ten per cent or more increase or decrease in the number of square feet or units that may be developed.
 - (b) A ten per cent or more increase or reduction in the allowable height of buildings.
 - (c) An increase or reduction in the allowable number of stories of buildings.
 - (d) A ten per cent or more increase or decrease in setback or open space requirements.
 - (e) An increase or reduction in permitted uses.

2. In proceedings governed by paragraph 1 of this subsection, the county shall provide notice to real property owners pursuant to at least one of the following notification procedures:
 - (a) Notice shall be sent by first class mail to each real property owner, as shown on the last assessment, whose real property is directly affected by the changes.
 - (b) If the county issues utility bills or other mass mailings that periodically include notices or other informational or advertising materials, the county shall include notice of the changes with the utility bills or other mailings.
 - (c) The county shall publish the changes before the first hearing on the changes in a newspaper of general circulation in the county. The changes shall be published in a display advertisement covering not less than one-eighth of a full page.
 3. If notice is provided pursuant to paragraph 2, subdivision (b) or (c) of this subsection, the county shall also send notice by first class mail to persons who register their names and addresses with the county as being interested in receiving the notice. The county may charge a fee not to exceed five dollars per year for providing this service and may adopt procedures to implement this paragraph.
 4. Notwithstanding the notice requirements prescribed in paragraph 2 of this subsection, the failure of any person or entity to receive notice does not constitute grounds for any court to invalidate the actions of a county for which the notice was given.
- F. After the commission has held a public hearing, the board shall hold a public hearing on the proposed amendment at least fifteen days' notice of which shall be given by one publication in a newspaper of general circulation in the county seat. After holding the hearing, the board may adopt the amendment.
- G. Notwithstanding title 19, chapter 1, article 4, a decision by the governing body that changes the zoning standards of land that is not owned by the county as prescribed in subsection E, paragraph 1 of this section may not be enacted as an emergency measure and such a change shall not be effective for at least thirty days after final approval of the change in classification by the board. Unless a resident files a written objection with the board of supervisors, the change may be enacted as an emergency measure that becomes effective immediately by a four-fifths majority vote of the board for those counties with five or more supervisors or a two-thirds majority vote of the board for those counties with fewer than five supervisors.

11-814. Rezoning; conditional zoning change; notice; hearing; citizen review; definition

- A. All rezonings adopted under this article shall be consistent with and conform to the adopted comprehensive plan. In the case of uncertainty in constructing or applying the conformity of any part of a proposed rezoning to the adopted comprehensive plan, the rezoning shall be construed in a manner that will further the implementation of, and not be contrary to, the goals, policies and applicable elements of the comprehensive plan. A rezoning conforms with the comprehensive plan if it proposes land uses, densities or intensities within the range of identified uses, densities and intensities of the comprehensive plan.
- B. A property owner or authorized agent of a property owner desiring a rezoning shall file an application for the rezoning.
- C. The commission, on its own motion, may propose a rezoning and, after holding a public hearing as required by this chapter, may transmit the proposal to the board, which shall proceed as prescribed in this chapter for any other rezoning.
- D. On receipt of the application the board shall submit the application to the commission for a report. Before reporting to the board, the commission shall hold at least one public hearing after giving at least fifteen days' notice of the hearing by one publication in a newspaper of general circulation in the county seat and by posting of the area included in the proposed rezoning. If the matter to be considered applies to territory in a high noise or accident potential zone as defined in section 28-8461, the notice shall include a general statement that the matter applies to property located in the high noise or accident potential zone. The posting shall be in no less than two places with at least one notice for each quarter mile of frontage along perimeter public rights-of-way so that the notices are visible from the nearest public right-of-way. The commission shall also send notice by first class mail to each real property owner as shown on the last assessment of the property within three hundred feet of the proposed rezoning and each county and municipality that is contiguous to the area of the proposed rezoning. In proceedings involving rezoning of land that is located within territory in the vicinity of a military airport or ancillary military facility as defined in section 28-8461, the commission shall send copies of the notice of public hearing by first class mail to the military airport. The notice sent by mail shall include, at a minimum, the date, time and place of the hearing on the proposed rezoning including a general explanation of the matter to be considered and a general description of the area of the proposed rezoning. For those counties with five or more supervisors, the notice must include a general description of how the real property owners within the zoning area may file approvals or protests of the proposed rezoning, and notification that

if twenty per cent of the property owners by area and number within the zoning area file protests, an affirmative vote of three-fourths of all members of the board will be required to approve the rezoning. In proceedings that are initiated by the commission involving rezoning, notice by first class mail shall be sent to each real property owner, as shown on the last assessment of the property, of the area to be rezoned and all property owners, as shown on the last assessment of the property, within three hundred feet of the property to be rezoned.

- E. If the commission or hearing officer has held a public hearing, the board may adopt the recommendations of the commission or hearing officer through use of a consent calendar without holding a second public hearing if there is no objection, request for public hearing or other protest. If there is an objection, a request for public hearing or a protest, the board shall hold a public hearing at least fifteen days' notice of which shall be given by one publication in a newspaper of general circulation in the county seat and by posting the area included in the proposed rezoning. In counties with territory in the vicinity of a military airport or ancillary military facility as defined in section 28-8461, the board shall hold a public hearing if, after notice is mailed to the military airport pursuant to subsection D of this section and before the public hearing, the military airport provides comments or analysis concerning the compatibility of the proposed rezoning with the high noise or accident potential generated by military airport or ancillary military facility operations that may have an adverse impact on public health and safety, and the board shall consider and analyze the comments or analysis before making a final determination. After holding the hearing the board may adopt the rezoning by a majority vote of the board for those counties with fewer than five supervisors, or for those counties with five or more supervisors if a protest has not been filed. If twenty per cent of the owners of property by area and number within the zoning area file a protest to the proposed rezoning, the change shall not be made except by a three-fourths vote of all members of the board for those counties with five or more supervisors. If any members of the board are unable to vote on the question because of a conflict of interest, the required number of votes for the passage of the question is three-fourths of the remaining membership of the board for those counties with five or more supervisors, except that the required number of votes in no event shall be less than a majority of the full membership of the board. In calculating the owners by area, only that portion of a lot or parcel of record situated within three hundred feet of the property to be rezoned shall be included. In calculating the owners by number or area, county property and public rights-of-way shall not be included.
- F. The board of supervisors shall adopt by ordinance a citizen review process that applies to all rezoning and specific zoning plan applications that require a public hearing. The citizen review process shall include at least the following requirements:

1. Adjacent landowners and other potentially affected citizens will be notified of the application.
 2. The county will inform adjacent landowners and other potentially affected citizens of the substance of the proposed rezoning.
 3. Adjacent landowners and other potentially affected citizens will be provided an opportunity to express any issues or concerns that they may have with the proposed rezoning before the public hearing.
- G. The rezoning or subdivision plat of any unincorporated area completely surrounded by a city or town shall use as a guideline the adopted general plan and standards as prescribed in the subdivision and zoning ordinances of the city or town after April 10, 1986.
- H. The board or commission, before taking any action on a rezoning or subdivision plat in an area as prescribed in subsection G of this section, may require the affected city or town to supply information to allow the county to meet the guideline. If an affected city or town objects to any such proposed action the board or commission shall prescribe in the minutes of the meeting specific reasons why in its opinion the guideline is actually being followed or why it is not practicable to follow the guideline of the general plan.
- I. The board may approve a change of zone conditioned on a schedule for development of the specific use or uses for which rezoning is requested. If at the expiration of this period the property has not been improved for the use for which it was conditionally approved, the board after notification by certified mail to the owner and applicant who requested the rezoning shall schedule a public hearing to grant an extension, determine compliance with the schedule for development or cause the property to revert to its former zoning classification.
- J. The legislature finds that a rezoning of land that changes the zoning classification of the land or that restricts the use or reduces the value of the land is a matter of statewide concern. Such a change in zoning that is initiated by the governing body or zoning body shall not be made without the express written consent of the property owner. In applying an open space element or a growth element of a comprehensive plan, a parcel of land shall not be rezoned for open space, recreation, conservation or agriculture unless the owner of the land consents to the rezoning in writing. For the purposes of this subsection, rezoning does not include the creation or expansion of overlay zones solely for the purpose of implementing airport safety and protection. Rezoning also does not include the redesignation of areas of the county to which the residential provisions of the county building codes apply or do not apply. The county shall not adopt any change in a zoning classification to circumvent the purpose of this subsection.
- K. Notwithstanding title 19, chapter 1, article 4, a decision by the governing body involving rezoning of land that is not owned by the county and that changes the zoning classification of the land may not be enacted as an

emergency measure and such a change shall not be effective for at least thirty days after final approval of the change in classification by the board. Unless a resident files a written objection with the board of supervisors, the rezoning may be enacted as an emergency measure that becomes effective immediately by a four-fifths majority vote of the board for those counties with five or more supervisors or a two-thirds majority vote of the board for those counties with fewer than five supervisors.

- L. For the purposes of this section, "zoning area" means the area within three hundred feet of the proposed amendment or change.

AMENDMENT PROCEDURES

105.1

AUTHORITY

The Board of Supervisors may, from time to time (after receiving a report thereupon by the Planning & Zoning Commission, and after public hearings as prescribed herein), amend, supplement, or change the Zoning Map and/or ordinance regulations. Any such proposed change may be initiated by the Commission or by the application of property owners or an authorized agent of a property owner.

105.2

APPLICATION

Application for amendment shall be filed with the Community Development Division on forms provided therefore and shall be accompanied by the appropriate non-refundable fees. Upon submittal of a rezoning or specific plan application and prior to a public hearing, notification will be sent to adjacent landowners and other potentially affected citizens of the substance of the application. The applicant is responsible for written contact of all property owners within the notification area and of affected neighborhood associations, and shall offer to hold a meeting, with a specified date, for review of the proposed request. The applicant shall provide written proof of contact and offer of meeting to the Community Development Division at least thirty days prior to the date of the public hearing by the Commission. The request shall not be set for public hearing without such written proof.

- A. An application to establish or change a zoning classification shall be initiated by a property owner, an agent authorized by the owner. Proof of ownership of the subject property or a notarized authorized agent' form shall be required.
- B. An application to change zoning ordinance regulations initiated by the Gila County Planning and Zoning Commission or Gila County staff shall not require the fee.
- C. A complete application form may require:
 - 1. A detailed narrative justifying the application.
 - 2. A legal description of the subject property.
 - 3. A map showing the particular property or properties for which the change of zone is requested and substantially the adjoining properties and the public streets and ways within a radius of three hundred (300) feet of the exterior boundaries.
 - 4. A true statement revealing any restrictions of record that would affect the requested uses of the property and the applicable dates of expiration.
 - 5. A preliminary site plan, depicting the proposed development or land use which is intended with the proposed amendment.
 - 6. The Director shall determine requirements and may request other property information as he deems necessary to evaluate the proposed changes in land uses. Other information could

include: title reports, records of survey, easements establishing and depicting rights of use, existing topographic maps and similar.

105.3

COMMISSION ACTION

Upon receipt of any proposed amendment, the same shall be submitted to the Commission for a report. Prior to reporting to the Board, the Commission shall hold at least one public hearing thereon, after giving at least fifteen (15) days' notice thereof by publication at least once in a newspaper of general circulation in the County seat, by posting the area included in any proposed Zoning Map change and by noticing property owners according to state law requirements. It shall not be the responsibility of the Board to maintain such posting once erected.

- A. Prior to publishing and posting a petitioned Zoning Map change the Commission may, on its own motion, delimit the extent and boundaries of such area so as to constitute a reasonable zone.
- B. Should the Commission initiate a proposed zoning amendment at the request of a person or persons, notice of such proposed change shall not be processed until the required filing fee has been paid.
- C. In the event an application is denied by the Commission and/or Board, the Commission shall reserve the right of refusal to consider a similar application within a year of the date of application.
- D. Failure of the Commission to report to the Board of Supervisors within sixty (60) days after date of application shall be deemed to be approval.

105.4

SUPERVISORS ACTION

Upon receipt of the Commission's recommendation, the Board may hold at least one public hearing within a reasonable time ~~thereafter~~, after first noticing in the same manner as is required of the Commission, and may thereupon take appropriate action

- A. If twenty percent (20%) or more of the owners of property by area and number within the zoning area file a protest to such change, the change shall not be made except by unanimous vote.



GILA COUNTY, AZ

STANDARD FLOOD HAZARD DETERMINATION

APN:

205-08-005

Vicinity

Globe

SECTION I – PURPOSE

This form provides general flood information for a PARCEL of land, not any particular structure on the parcel. This information is provided for purposes of planning construction projects. If any part of a parcel is within a floodplain, the parcel will be shown to be within the floodplain, and floodplain staff will review permit applications. Gila County has no jurisdiction over insurance, lending, or real estate. (This information may not be appropriate for insurance, lending, or real estate purposes.)

SECTION II – PERMIT-RELATED INFORMATION**A. NATIONAL FLOOD INSURANCE PROGRAM (NFIP) JURISDICTION**1. NFIP Community Name
Gila County2. County
Gila3. State
AZ4. NFIP Community No.
040028**B. NATIONAL FLOOD INSURANCE PROGRAM (NFIP) DATA AFFECTING BUILDING / MOBILE HOME**

1. FIRM Panel

04007C 2112D

2. FIRM Effective Date

12/4/2007

3. LOMA/LOMR

4. Flood Zone

D

C. FEDERAL FLOOD INSURANCE AVAILABILITY (Check all that apply)1. ☒ Federal Flood Insurance is available (Community is in NFIP)☒ Regular Program**D. DETERMINATION**

1a. In SFHA?

N

1b. In Floodway?

<Not Applicable>

1c. BFE (for insurance)

1d. RFE (lowest floor elevation)

2a. Regulated Grading/Drainage?

N

2b. RFE for Grading/Drainage

3. Erosion Setback

3a. If Straight Channel:

<Not Available> feet from nearest top of bank

3b. If On Outside of Bend:

<Not Available> feet from nearest top of bank

E. COMMENTS:

<Not Available> means that the particular information has not been entered into the database from which this report was printed. Such information may be available elsewhere. This information is provided as preliminary information for purposes of planning building projects, and is not intended for other purposes. This is the best available information at the time of the determination. Data is subject to change over time. No guarantee is expressed or implied regarding the accuracy of this data or its suitability for a particular purpose. Official floodplain information is obtained only from the Federal Emergency Management Agency publications.

F. PREPARER'S INFORMATION

Gila County Flood Control District
107 W. Frontier St, Suite A, Payson, AZ 85541
928-425-3231, Ext. 7119

Determination Date

9/8/2015 (not valid if before 4/15/2008)

Prepared by: SFHD Database

PUBLIC NOTICE

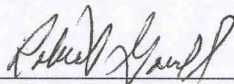
PURSUANT TO A.R.S. §11-813, PUBLIC NOTICE IS HEREBY GIVEN that the Gila County Planning and Zoning Commission and the Gila County Board of Supervisors will each hold public hearings to obtain public comments and ultimately decide upon a rezoning request to rezone parcel number 205-08-005 from C3 (Commercial Three) and R1-D8 (Residence One with a minimum 8,000 square foot lot size) to R1-D8.

The Gila County Planning and Zoning Commission will conduct its hearing on Tuesday, October 27, 2015, beginning at 8:00 a.m. at the County Complex, Board of Supervisors' conference room at 610 E Highway 260, Payson, Arizona; and the hearing will be simultaneously telecast to the Board of Supervisors' hearing room located at the Gila County Courthouse, 1400 E Ash Street, Globe, Arizona.

The Gila County Board of Supervisors will conduct its hearing on Tuesday, October 27, 2015, beginning at 10:00 a.m. at the Board of Supervisors' hearing room located at the Gila County Courthouse, 1400 E Ash Street, Globe, Arizona; and the hearing will be simultaneously telecast to the County Complex, Board of Supervisors' conference room at 610 E Highway 260, Payson, Arizona.

Information on the above-mentioned case is available for review at the Gila County Community Development Division office located at 745 N Rose Mofford Way, Globe.

DATED AND POSTED this 6th day of October 2015.



Robert Gould
Community Development Director

ARF-3426

3. A.

Work Session

Meeting Date: 10/27/2015

Submitted For: Mike Pastor, Member, Board of Supervisors

Submitted By: Sherry Grice, Executive Assistant, Board of Supervisors-District 2

Department: Board of Supervisors-District 2

Information

Request/Subject

Amend the Landfill User Fee Schedule to include a fifty percent (50%) waiver of landfill fees for construction and demolition debris by religious organizations.

Background Information

Local religious organizations have, for many years, paid the usual landfill fees for disposal of construction and demolition debris at the Russell Gulch Landfill in Globe, and the Buckhead Mesa Landfill in Payson.

Construction and demolition debris includes wood, concrete, metal, roofing, fixtures and debris, etc., resulting from new construction, demolition and renovation projects of a church building or property.

Landfill fees are charges levied upon a given quantity of waste received at either of the County's landfills. These fees offset the cost of operation and maintenance of the landfills.

Russell Gulch Landfill and Buckhead Mesa Landfill only accept construction and demolition debris that is generated within the County.

Evaluation

The purpose of this amendment is to allow the County to implement a 50% waiver to religious organizations. Under the amended Fee Schedule, qualifying tax exempt religious organizations would make application for a permit to receive a 50% waiver of the standard "All Other Waste" fee.

Tax exempt religious organizations are currently recognized as a special class with regard to federal and state taxes. A 50% waiver of the landfill fees would be consistent with this distinction and would assist them in achieving their financial goals during demolition and construction

of church facilities.

Conclusion

This proposal to allow qualifying tax exempt religious organizations to obtain a permit for a 50% waiver of the standard "All Other Waste" dumping fee at the two County landfills appears to consistent with other exemptions provided to such organizations.

Recommendation

Staff recommends approval of the attached Amended Landfill User Fee Schedule which includes a 50% Waiver of the standard "All Other Waste" category for qualifying religious organizations who have an approved Landfill Fee Waiver Permit.

Suggested Motion

Information/Discussion/Action to approve the Amended Landfill User Fee Schedule dated October 27, 2015, which specifies a 50% waiver of the standard "All Other Waste" category for qualifying religious organizations that have obtained an approved Landfill Fee Waiver Permit. **(Mike Pastor)**

Attachments

Amended Fee Schedule

Fee Waiver Permit



Recycling and Landfill Management
745 N Rose Mofford Way
Globe, Arizona 85501
Phone: (928)425-3231 Ext 8531 & 8831
FAX: (928)425-8520 TDD: (928)425-0839

Buckhead Mesa Landfill
(928) 476-3350
Russell Gulch Landfill
(928) 425-7470
October 27, 2015

LANDFILL USER FEE SCHEDULE

FOR RUSSELL GULCH AND BUCKHEAD MESA LANDFILLS

Open 8 a.m. to 4 p.m., 6 Days a Week. Closed Sundays and County Holidays

RESIDENTIAL HOUSEHOLD TRASH----- \$39.41 per ton
Kitchen trash only. Minimum charge \$5.00 up to 240 pounds, over 240 pounds .019705 cents per pound additional.

ALL OTHER WASTE: construction, mixed loads, metal and brush ----- \$47.03 per ton
Minimum charge \$5.00 up to 200 pounds, over 200 lbs .023515 per pound additional. Brush rate - any tree limb over 4 inches in diameter, greenwaste loads over 2,500 pounds, stumps and large tree rounds. Mixed rate is charged when your load consists of any mixture of kitchen trash, construction debris, metal, appliances and furniture.

GREENWASTE: residential grass clippings, leaves, limbs and shrubs -----\$34.50 per ton
Minimum charge \$5.00 up to 280 pounds, over 280 pounds .01725 cents per pound additional

WASTE TIRES: Rims must be removed/if rims are not removed there will be a \$5.00 fee for each tire.

Non-Dealer

Passenger Tires off rim -Up to five tires -No Charge - Over 5 tires -\$2.00 each. Off rim semi-tires- \$5.00 each.

Tire Dealers

Dealers must sell tires and pay State tax fee, then be registered with Gila County and bring a manifest each trip.

Penalty Fees

A fee of \$10.00 may be assessed against anyone whose load is not secured sufficiently to prevent trash or debris from blowing or falling from vehicle. This is in addition to any other dumping fees. State littering laws also apply to debris falling from your load.

All fees will be collected at the gate: cash, debit or credit card.

Qualifying tax exempt religious organizations may request a 50% waiver of the standard "All Other Waste" fee by completing a "Landfill Fee Waiver Permit".

Waste Oil

Each individual may bring up to five (5) gallons of used motor oil per trip. There is a sheet to be signed each time.

Recycled Paper/Cardboard

Paper/Cardboard Recycle bins are located various locations though out the County and at both Landfills.

Automobile Batteries

Automobile batteries may be left at the landfill for recycling. Ask at the scale house for the specified area.

Scrap Metal / Appliances

There is a designated area at the landfill for scrap metal. The company that picks up appliances for recycling recovers the fluids, a \$5 fee has been implemented to cover the cost of freon removal.

Yard Clippings

There is a designated area at the landfill for yard clippings. Please ask the scale house for the specified area.



GILA COUNTY PUBLIC WORKS

Recycling and Landfill Management

745 N Rose Moffard Way

Globe, Arizona 85501

PHONE: (928) 425-3231 Ex 8531 & 8831

FAX: (928) 425-8520 TDD: (928) 425-0839

Buckhead Mesa Landfill

(928) 476-3350

Russell Gulch Landfill

(928) 425-7470

GILA COUNTY LANDFILL FEE WAIVER PERMIT

Religious Organization: _____

Project Coordinator: _____ **Phone:** _____

Address: _____ **Email:** _____

City: _____ **State:** **AZ** **Zip:** _____

Location of Project: _____

The undersigned applicant certifies that this project and its subsequent waste disposal meets the criteria established by Gila County.

Proof of Tax Exempt Status Must Be Attached Hereto:

Applicant Signature: _____
(Signature of Project Manager/Coordinator)

Waiver Approved for: _____

Date(s) and Project Start/End Time: _____

Date: _____ **Signed:** _____
(Signature of Authorized Solid Waste Dept. Official)