



Cochise County, Planning and Zoning Commission

MEETING MINUTES

March 14, 2012 at 4:00

Cochise County Complex
Board of Supervisors, Hearing Room
1415 W. Melody Lane, Building G
Bisbee, Arizona 85603

CALL TO ORDER

The regular meeting of the Cochise County Planning & Zoning Commission was called to order at 4:05 p.m. by Chair Lynch at the Cochise County Complex, 1415 Melody Lane Building G, Bisbee, Arizona in the Board of Supervisors Board Room.

Mr. Lynch admonished the public to turn off cell phones, use the speaker request forms provided, and to address the Commission from the podium using the microphone. He explained the time allotted to speakers when at the podium. He then explained the composition of the Commission.

ROLLCALL

Chair Lynch noted the presence of a quorum, and called the roll; seven Commissioners (Martzke, Cervantes, Lynch, Sanger, Bemis, Brauchla and Edie) indicated their attendance.

Mr. Lynch then explained the appeal process for Special Use Dockets, and that rezoning hearings would be heard by the Board of Supervisors.

APPROVAL OF PREVIOUS MONTH'S MINUTES

Mr. Lynch offered one correction.

Motion: Approve the minutes of the February 8, 2012 meeting as corrected.

Action: Approve **Moved by:** Mr. Martzke, **Seconded by:** Mr. Brauchla

Vote: Motion passed (**Summary:** Yes = 5, No = 0, Abstain = 2)

Yes: Mr. Martzke, Mr. Bemis, Ms. Edie, Mr. Lynch, Mr. Brauchla

No: 0

Abstain: Mr. Sanger and Mr. Cervantes

CALL TO THE PUBLIC

Chair Lynch opened the “Call to the Public.” Jack Cook spoke about various matters. Chair Lynch closed the “Call to the Public”

NEW BUSINESS

Item 1 – Docket S-05-05 (La Marquesa Conservation Subdivision Tentative Plat and Waiver Extension)

This item is a request for approval of an additional one-year time extension for the La Marquesa Subdivision Tentative Plat and consideration of a tabled Waiver from the Residential Conservation Subdivision Requirement for a water company. The Tentative Plat was approved by the Board of Supervisors on February, 5, 2007, and has been extended three times. The current Tentative Plat extension expired on February 5, 2012. The Developer is Mr. Patrick Kirk and the Project Engineer is Mr. Blaine Reely of Monsoon Consultants in Tucson. The subdivision is a 103-lot Residential Conservation subdivision located on 317 acres zoned RU-4 (Rural; one home per 4 acres).

The parcel is located on the north side of Three Canyons Road in Hereford, about one mile east of Highway 92.

Senior Planner Beverly Wilson presented the Docket, explaining that the Docket consists of a tentative plat extension request, and also a request for a waiver which had been previously tabled. She explained that the tentative plat was approved with 103 lots, a 40% density bonus for 103 rather than 79 lots. The TP was approved with the density bonus on the condition that the subdivision would be served by the Bella Vista Water Company. She explained that this would be the 4th extension request, and the history of the waiver request. The Commission did not support the waiver request, but did originally agree to table the waiver request to provide the developer time to provide information demonstrating that individual wells on the lots would conserve water as effectively as would water company service. She noted that this information has not been provided, and that staff does not support the request. She recommended that Commission un-table and deny the waiver request, but recommended the Commission approve the tentative plat extension request.

Developer Patrick Kirk then took the podium and offered a powerpoint presentation. He spoke about the impact of the Monument Fire on the land subject to the request. He also spoke about the economic downturn and how this has effected the real estate market. He concluded by stating that he remains open to using a water company if the price point of the lots climbs high enough, but short of that, he asked that the Commission support the waiver, which would keep the lots economically viable in the shorter term.

Mr. Lynch asked if the Commission had any questions of the developer. Mr. Bemis asked Mr. Kirk to verify the number of wells, and also the number of septic systems on the property. Mr.

Kirk said he intended to provide 102 wells on 317 acres. Mr. Bemis then asked if he intended to allow for 102 septic systems on the same land as well. Mr. Kirk said yes, that was his intention. He also said that he had been told by ADWR that there is a lack of data supporting the conventional wisdom that water consumption through individual wells is greater than the rate at which water is used through a water company. He said he had consistent well water at 150 feet and that wells would be very affordable under those circumstances.

Mr. Sanger asked Mr. Kirk what the average water use would be for the average family, and also asked what his well volumes were. Mr. Kirk answered that he had one well that pumped about 30gal per min, and the second was 40 gallons per minute. A third reserve well flows at about 30 gallons per minute.

Mr. Lynch asked for the staff recommendation. Ms. Wilson repeated her recommendation.

Jim Martzke then moved to remove the waiver request from the table. Mr. Bemis seconded, and the motion passed 7 – 0.

Motion: Motioned to remove La Marquesa Waiver Request from table

Action: Approve **Moved by:** Mr. Martzke, **Seconded by:** Mr. Bemis

Vote: Motion passed unanimously (**Summary:** Yes = 7, No = 0, Abstain = 0)

Yes: Mr. Martzke, Chair Lynch, Mr. Bemis, Ms. Edie, Mr. Cervantes, Mr. Sanger, Mr. Brauchla.

Mr. Lynch offered his understanding of the situation, which was that the water conservation measures are part of the approved subdivision. He asked for clarification from staff. Ms. Wilson explained that the water company is required because it is a condition of the conservation subdivision type, as well as a requirement per the Sierra Vista Sub-Watershed plan, which requires water company service for subdivisions with greater than 28 lots.

Mr. Kirk stated that the project had started before Ms. Wilson was with the County. He re-stated that ADWR staff had told him that there was no difference in water consumption between water company versus well service. He stated that wells were allowed when he originally platted the project. He said that the regulations had changed since then, that “97 percent” of the work on the plat had taken place when individual wells were allowed.

Mr. Britt Hansen then spoke and said that he remembered the history of this project, and that it was his understanding that water companies which charge per amount of water do reduce water consumption, and that individual wells do not typically have a conserving effect on consumers. He stated that the Commission debated the issue at length when adopting the Sierra Vista Sub Watershed Plan. He concurred with Mr. Kirk’s relation as to ADWR’s position that data for water consumption on water company service vs. individual wells is lacking, but that this has more to do with the fact that most individual wells are not monitored.

Mr. Lynch reiterated that regardless of the merits of the debate, the subdivision regulations stipulate that water company service is required for this project.

Mr. Bemis asked again about the issue of wells and septic systems at the density proposed, and Ms. Wilson replied that this issue was addressed at the time of tentative plat approval, but that the assumption was at that time that a water company would provide service. Mr. Bemis explained that his concern was that with 103 wells “sucking water” out of the same ground where there was a concentration of septic systems, this could be problematic.

Mr. Kirk stated that initial tests were positive with regard to septic system viability in the development.

Community Development Director Carlos De La Torre offered the Commission some figures as to a typical water budget for a single family residence, and also reminded the Commission of the 100-foot required separation between wells and septic leach fields. He stated that rate-payers on a per-rate basis do indeed consume less water than those on unmetered wells.

Mr. Martzke concurred with those who said measured per-rate water consumption led to lower water consumption, and offered a personal example of this. He stated he was against the waiver, and that the developer ought to abide by the stipulations or develop the property as a conventional subdivision.

Jim Lynch reminded the Commission that motions are to be made in the affirmative and called for a motion. Mr. Martzke moved to approve the waiver, Mr. Bemis seconded and the motion received no votes, resulting in a unanimous (7 – 0) denial.

Motion: Approve La Marquesa Water Company Requirement Waiver

Action: Approve **Moved by:** Mr. Martzke, **Seconded by:** Mr. Bemis

Vote: Motion failed unanimously (**Summary:** Yes = 7, No = 0, Abstain = 0)

Yes: 0

No: Mr. Martzke, Chair Lynch, Mr. Bemis, Ms. Edie, Mr. Cervantes, Mr. Sanger, Mr. Brauchla.

Mr. Martzke sympathized with the developer in that the Monument Fire had posed a serious setback, along with the unfavorable economic climate. He stated that he might not otherwise support the extension, but that under the circumstances he would, and moved to approve the extension. Ms. Edie seconded, and the motion passed (7 – 0).

Motion: Approve La Marquesa Tentative Plat Extension

Action: Approve **Moved by:** Mr. Martzke, **Seconded by:** Ms. Edie

Vote: Motion passed unanimously (**Summary:** Yes = 7, No = 0, Abstain = 0)

Yes: Mr. Martzke, Chair Lynch, Mr. Bemis, Ms. Edie, Mr. Cervantes, Mr. Sanger, Mr. Brauchla.

Item 2 – PUBLIC HEARING, Docket Z-12-01 (Hodai): Chairman Lynch called for the presentation on this Docket. Senior Planner Keith Dennis presented the Docket, which is a request to downzone two parcels of land from TR-36 (Residential, 1 dwelling per 36,000 square feet) to RU-4 (Rural, 1 dwelling per 4 acres) in order to qualify for the Owner-Builder amendment to the County Building Code.

The property subject to the request (Parcel Nos. 401-37-262 and 263), which are undeveloped and unaddressed, are located generally ¼ mile East of Rancho Del Sol Road and ¾ mile South of Austin Henley Road, near Elfrida, AZ. The Applicant is Bo Hodai.

Mr. Dennis stated this Docket would be heard by the Board of Supervisors on March 27, 2012 at 10:00 a.m.

He stated that the Applicant lives in a temporary shelter at this time pending the outcome of these proceedings. Among the factors for and against approval, he stated that two neighboring property owners had supported, and two had opposed the request.

Mr. Lynch invited questions from the Commission, and asked staff how this property had been zoned TR-36 originally. Mr. Dennis explained that in the 1960s surveyors broke up large ranches into small tracts and that land companies sold these to people around the country, often sight-unseen. When the County adopted Zoning Regulations, the staff looked at existing conditions and lot sizes to determine the best zoning district.

Mr. Martzke stated that he was present when such zoning took place, and that much of the land that was subdivided and sold during the 1960s was the result of land fraud.

Mr. Lynch opened the public hearing and invited the Applicant to speak. Mr. Hodai stated that he had nothing to add to the staff presentation. Mr. Martzke asked how soon the Applicant intended to build, and Mr. Hodai stated he would like to complete his home before monsoon season.

Mr. Sanger then spoke and asked what size the home would be. Mr. Hodai estimated about 200 square feet for the home but said that may change.

Mr. Lynch then invited the public to speak. Seeing none, he closed the public hearing and asked staff as to the nature of opposition. Staff explained the nature of opposition, whereupon the Chairman called for the staff recommendation. Staff recommendation was for conditional approval.

Mr. Martzke moved to forward a recommendation of approval to the Board of Supervisors. Mr. Bemis seconded the motion and it passed (7 – 0).

Motion: Forward Docket Z-12-02 to BOS with a recommendation of conditional approval

Action: Approve **Moved by:** Mr. Martzke, **Seconded by:** Mr. Bemis

Vote: Motion passed unanimously (**Summary:** Yes = 7, No = 0, Abstain = 0)

Yes: Mr. Martzke, Chair Lynch, Mr. Bemis, Ms. Edie, Mr. Cervantes, Mr. Sanger, Mr. Brauchla.

Item 3 – PUBLIC HEARING, Docket SU-12-02 (Casanova): The Chairman called for the Docket, which was presented by Senior Planner Keith Dennis. The Applicant for this case seeks Special Use authorization from the Planning and Zoning Commission in order to establish a Motion Picture Studio, allowed as a Special Use in the Rural (RU-4) District per Section 607.19 of the Zoning Regulations. The proposal is for a full-sized, professional movie production operation on the 135-acre parcel, and would include an old west town site, other outdoor set areas, a commercial parking area, staging areas for equipment and production trailers. The subject property (Parcel No. 130-91-00F) is located at 5031 W. Althaus Lane in Double Adobe, AZ. The Applicants, Chris Poulos and Tony Casanova, were both present. He showed maps and photos of the site, and explained some of the issues with the proposal, which included the lack of a phasing plan, the provision of adequate services and infrastructure, legal access and road issues. He spent some time explaining the road access issue along the portion of Frontier Road South of the

Frontier/Prince intersection. Throughout the presentation, he spoke of approval conditions which staff would recommend, which would address some of the issues presented.

He noted that few objections were received until earlier this week, but that there were a large number of local residents present to speak on the Docket. He provided the factors in favor of and against the Docket and he closed the presentation.

Mr. Martzke inquired about three parcels in the immediate vicinity to the property. Mr. Dennis said he was not aware of who the owners of those properties were.

Chairman Lynch opened the public hearing and invited the Applicant to speak. Anthony Casanova introduced himself as a man with a dream of making independent films. He said he intends to be a good neighbor, and said he wants to hear what the public has to say, and that he may have a rebuttal.

Mr. Sanger asked as to the proposed build out plan, when it would begin, what the phases would be, etc. Mr. Casanova said he hoped to get approval first, then would try to begin construction of phase 1, the “cow town” movie set, within one year of approval.

Mr. Lynch spoke about a recent Docket before the Board of Supervisors, and related Ann English’s comments on the zoning regulations requiring concept plans for special use authorization, and that concept plans at the Commission need not be exactly the same as the subsequent site plan for a building permit. Details, he said, were to be worked out at the commercial permit phase.

Mr. Bemis asked about electric power provisions. Mr. Casanova said they would bring their own power on-site, as well as water and other provisions. Mr. Bemis asked if the Applicant actually wanted to have the parking areas unsurfaced, and he said yes. He then asked the Applicant to confirm that there would be no dust abatement, and Mr. Casanova said that was correct, if they could avoid it, due to the cost of pavement. Mr. Bemis reminded the Applicant that gravel surfacing could be used instead. Mr. Bemis then asked about hours of operation and whether or not live ammunition would be used. He was told that filming could take place during any hours of the day, and that no live ammunition would be used. Mr. Bemis also asked about generator power and possible noise impacts, and Mr. Casanova said that the generators would be silent. Mr. Bemis asked about pyrotechnics and was told that no pyrotechnics would be used.

Mr. Lynch asked about the light pollution code and how this would apply to the operation. Mr. Dennis answered that the light pollution code applies at all times to all uses, but that direct oversight is more achievable when dealing with permitted structure-mounted lights rather than portable lights not requiring a permit.

Mr. Brauchla asked about the road conditions and how heavy trucks would impact the property. Mr. Casanova said that they would comply with all conditions and improve the roads as recommended by staff.

Mr. Bemis asked if the facility would be open to the public and was told it would not be.

Mr. Brauchla asked if the facility would be similar to a production site on Mescal Road and was told yes.

Mr. Lynch asked if anyone came to speak in favor of the Docket. One neighboring property owner, Gene Clinton of Sierra Vista, spoke in favor of the Docket, stating that the project might create jobs and would be a clean business. He said there was power infrastructure in the immediate area. He also said he would grant an easement to the Applicant if necessary, since he owns property adjacent to the proposed development.

Chairman Lynch then called for a 10-minute recess. Mr. Lynch called the meeting back to order at 6:45 p.m.

Karen Kulik stated she had looked for land with the goal of achieving a rural lifestyle in a quiet area with dark night skies. She stated that the area was special due to the natural state of the area, and wildlife. She was concerned that generators running would spoil the quiet of the area, the lights would spoil the dark night skies, and the business as a whole would mean a loss of privacy.

Chairman Lynch admonished the audience not to applaud or otherwise disturb the proceedings. He then told those assembled that the Rural District was not a residential district, and listed some of the non-residential uses permitted in the Rural District.

Joel Harris spoke next. He runs cattle in the neighborhood and described his relationship to the land and the neighbors in the area. If the Commission grants the use, he said there has to be a fence put up because it is gone. He said if you own a piece of property you should be able to do what you want on it - but not if you annoy all your neighbors. The area is a floodplain with sandy loam soil, so dust will be an issue. His main concern was the neighborhood will be upset with him because of loose cattle.

John Hicks stated he had lived n Althaus Lane for five years, but works in Sierra Vista. He enjoys coming home to the wildlife, the quiet, and the dark night skies. He has concerns about dust abatement, and said more than a dozen homes lie in the path of the prevailing winds directly from the site. He did not believe that there would be no pyrotechnics on the property, and expressed concerns about increased wildfire danger.

Josh Owens expressed dust, fire and traffic concerns.

James Waal – lives directly north of the parcel. He agreed with other neighbors about quality of life issues, and is similarly concerned about floods and erosion. He gardens and has seen washes erode deeply around his house. He is concerned with dirt parking lots – and erosion that may result. He also mentioned the possibility of groundwater depletion, and echoed concerns about noise and lights. He said there seemed to be a lack of a plan on the part of the Applicant to address these issues.

Leona Owens said her family moved to this area for the rural life style, that there was little traffic and it was safe for her children. She was worried that the neighborhood would have to give it all up

if this project goes through. She said Prince Road could not handle the traffic. She said she didn't want the noise, dust, lights and she was not happy about this.

Nancy Weaver recently purchased 30 acres on Althouse Road. She said her decision to build a home on her new land will depend on whether this project goes through. She has lived in Old Bisbee for 30 years and has dealt with encroachment issues, noise and dust. The 30 acres has dark skies, quiet, peace, wildlife. It is the American dream to own a piece of land, but a peaceful neighborhood shouldn't be invaded with this business. She hoped that this time the interests of business would not trump the needs and desires of the people.

John E. Hicks read a letter which he had sent in to staff. He is upset about what he said was a lack of contact with the Applicants. Trash, fire, dust, lights, and traffic were among his issues. He said this would be of no value to the neighborhood.

James Altease stated he and his partner just bought property in the neighborhood, and would be repeating everything everyone else said. He supports his neighbors.

Jim Morrison explained that he enjoys the wildlife and echoed the concerns of neighbors. He is worried the wildlife will be driven away by the proposed business. He enjoys the quiet country life. He asked if the use would produce any jobs for local residents. He said the roads in the area turn into rivers during monsoon season. He was concerned about dust and drainage.

Kelly Savage lives two miles downstream and has a concern about the floodwaters. She is neutral about the project, but concerned about the water diversion plan and asked that the plan be subject to a public process. If approved, she asked that the Commission add a condition specifying they hire local people.

George Morhan said he had made a lot of improvements to his land. He said he did not want water diverted towards his property. He said one cannot pull a horse trailer down Frontier Road. He said the roads would be ruined by large truck traffic. He said the Border Patrol would chase illegals across the property as needed regardless of whether a movie shoot was taking place. He said the film industry employs unions and this might preclude them from hiring locals. He agreed with what had been said by neighbors already.

Kenneth Tyler has lived in the neighborhood for 25 years, and is totally against this.

Jefferson Harrison expressed his opinion on the possible effects on area views, wildlife, and stormwater drainage. He said he had mixed feelings at first but had only recently seen the concept plan and is now opposed to the project.

Benny Scott owns property in the area, which he bought from Walter Althouse some 30 years ago. He said he met the two gentlemen at the Pizza House and understood that they were going to build a small movie set; now, he says he has recently seen the concept plan and, he said, "I am in the middle of Disneyland." A sand wash goes through his property, and one can find owls, quail, other birds, black-tail deer and fan-tailed deer. A Dike runs where they want to build the parking lot.

After a rain it is “turtle city.” He said his property was his sanctuary. He said he was opposed to the project and asked the Commission to listen to the neighbors.

Mr. Casanova took the podium for a rebuttal, but mostly declined to do so. He said they were not here “to step on anybody’s toes.” He said he meant no disrespect to any of the neighbors, and that he would abide by the Commissions ruling.

Mr. Martzke said that dust is part of living in Arizona. He said he didn’t like the word ‘fight’ – we aren’t here to have a fight, he said. He also said that the only way to keep the land around you the same is to purchase it. He said Arizona is not an open range law state. He said that he and his neighbors had visited the chief cattle inspector for the state couldn’t show them where there is an open range law in Arizona. He said it was the opposite, and that it was incumbent on the rancher to keep the cattle off others’ land. If one hits a cow on public property it is the ranchers’ liability. He said we should allow people to do what they want on their property.

Mr. Bemis stated that he had some real issues with flooding on the property and dust problems as well. He differed with Mr. Martzke on the issue as to whether Arizona was an open range state.

Mr. Lynch then called for the staff recommendation. Mr. Dennis read a section of the Zoning Regulations regarding public input, which states that in the event of major public opposition a recommendation of denial may be appropriate. He stated that staff had recommended approval with a number of conditions but was changing that recommendation based on new information.

Mr. Martzke moved to approve the use. Mr. Bemis seconded, and the motion failed on a 6 – 1 vote, with Martzke voting in favor of the proposal. The Special Use was thus denied.

Mr. Lynch reminded the Applicant of their right of appeal, and called for the next Docket.

Motion: Conditional Approval of Docket SU-12-02

Action: Approve **Moved by:** Mr. Martzke, **Seconded by:** Mr. Bemis

Vote: Motion passed unanimously (**Summary:** Yes = 1, No = 6, Abstain = 0)

Yes: Mr. Martzke

No: Chair Lynch, Mr. Bemis, Ms. Edie, Mr. Cervantes, Mr. Sanger, Mr. Brauchla.

Item 4 – PUBLIC HEARING, Docket Z-12-02 (Jones): This is a request to rezone a parcel of land from TR-18 (Transitional Residential, one dwelling per 18,000 square feet) to GB (General Business). The subject property (Parcel# 403-23-008) is approximately 24,786.34 square feet (.057 acres) in size. It is located at 10391 North Highway 191, Elfrida, AZ. The Applicant is Mary Jones.

The Chairman called for the Planning Directors report. Beverly Wilson delivered the staff report on behalf of the Director. She presented the case utilizing photos and other visual aids, stating that the rezoning request was intended to allow the Applicant to legitimize a number of existing non-conforming uses such as a tire repair operation, a UHAUL rental business as well as a proposed coffee shop. She concluded by offering the factors in favor of approval, and cited no apparent factors against approval.

Mr. Bemis asked if the Applicant was amenable to opening up both properties for access, and was told that staff was unaware of the answer.

The Chairman opened the public hearing and invited the Applicant to speak. Mary Jones explained her business and the reasons for her request.

Mr. Lynch invited the public to speak. Hearing none, he closed the public hearing and called for Commission discussion. Seeing none, he asked for the staff recommendation. Ms. Wilson recommended conditional approval, with a waiver request concerning the screening standard, which staff supports. She concluded by saying that ADOT and other permit requirements would be the responsibility of the Applicant.

Mr. Lynch called for a Motion. Mr. Martzke moved to approve as recommended, and Mr. Brauchla seconded. The motion passed unanimously (7 – 0). Ms. Wilson reminded the Commission that this item would appear before the Board of Supervisors on March 27, 2012.

Motion: Forward Docket Z-12-02 to the BOS with a recommendation of conditional approval

Action: Approve **Moved by:** Mr. Martzke, **Seconded by:** Mr. Brauchla

Vote: Motion passed unanimously (**Summary:** Yes = 7, No = 0, Abstain = 0)

Yes: Mr. Martzke, Chair Lynch, Mr. Bemis, Ms. Edie, Mr. Cervantes, Mr. Sanger, Mr. Brauchla.

Mr. Turisk asked the Chairman to call a 5-minute recess. Mr. Lynch granted the request, after which he called for the final Docket.

Item 5 – PUBLIC HEARING, Docket SU-12-01 (Ritenour): The Applicant seeks Special Use authorization to establish and operate a powder coating business in a General Business Zoning District, per Section 1205.01 (Manufacturing) of the Cochise County Zoning Regulations. The Applicant proposes to use an existing 1,500 sq.-ft. tenant space on a half-acre parcel (parcel no. 106-70-111) located at 689 W. Fry Blvd. in Sierra Vista. The Applicant is Mr. Zane Ritenour.

Planning Division Manager Michael Turisk presented the Docket, using photos, maps and other visual aids to illustrate the facts of the case. He offered the Commission a brief explanation of the Enterprise Redevelopment Plan Designation, and presented the Special Use factor analysis for this case. He then presented a number of modifications to site development standards owing to the existing conditions on the site, all of which are supported by staff. He concluded by offering the factors in favor and against the proposal.

Commissioner Lynch then invited the Commission to question staff. None wished to speak, whereupon the Chairman called for the Applicant's statement. Mr. Ritenour concurred with the staff presentation, and stated that powder-coating is a safe, non-toxic alternative to conventional painting.

Mr. Lynch then invited the Commission to question the Applicant. Mr. Bemis asked the Applicant to address possible noise impacts. The Applicant stated that noise would not be an issue. Mr. Lynch asked for other comments from the public. Seeing none, he closed the public

hearing and asked for discussion from the Commission. Mr. Martzke indicated this was in his view a good use for this neighborhood.

Mr. Lynch asked for the staff recommendation, which Mr. Turisk offered as one of conditional approval. He listed the conditions recommended by staff and stated that staff supports the requested modifications to development standards.

Mr. Martzke moved to approve, Mr. Bemis seconded and the motion passed unanimously 7 -0.

Motion: Conditionally Approve Docket SU-12-01

Action: Approve **Moved by:** Mr. Martzke, **Seconded by:** Mr. Brauchla

Vote: Motion passed unanimously (**Summary:** Yes = 7, No = 0, Abstain = 0)

Yes: Mr. Martzke, Chair Lynch, Mr. Bemis, Ms. Edie, Mr. Cervantes, Mr. Sanger, Mr. Brauchla.

Item 6 – PLANNING DIRECTOR'S REPORT: Mr. Turisk welcomed the new commissioners, and stated that the rainbow solar plant appeal and the update to the Commission Bylaws had been heard by the Board of Supervisors on the previous day. The Board upheld the Commission's ruling regarding the solar plant. He also briefly listed the four Dockets that would be heard by the Commission at the regular meeting of April 11, 2012.

Mr. Martzke asked for a copy of the new bylaws. Mr. Turisk said that copies of these would be provided to the Commission.

Item 7 – CALL TO COMMISSIONERS: Mr. Lynch said the Commissioners all had County email addresses and asked if the Commissioners were able to use theirs. He is concerned that we are presenting the message to the public that email is the way to communicate with the Commission but that the method does not work.

He assigned staff to follow up and make sure all Commissioners can use their County email accounts.

Mr. Lynch then stated that there will be one absence (Bemis) next month.

Finally, he suggested a work session to discuss just how detailed a concept plan for a special use should be, and whether concept plans should be more robust. Mr. Bemis suggested that the County Engineer should be involved in any such discussion.

Item 8 – ADJOURNMENT: Bemis moved to adjourn, Mr. Brauchla seconded, and the meeting was adjourned at 8:05 p.m.