

**CITY OF KINGMAN  
PLANNING AND ZONING COMMISSION  
Council Chambers  
310 N. 4<sup>th</sup> Street  
Kingman, Arizona**

**5:30 P.M.**

**SPECIAL WORKSHOP MINUTES**

**Tuesday June 28, 2016**

<b>Members Present:</b>	<b>Staff Present:</b>	<b>Visitors Signing In:</b>
Allen Mossberg, Commission Chair	Gary Jeppson, Staff Liaison	See attached list
Mike Blair, Commission Vice-Chair	Carl Cooper, City Attorney	
Mark Bailey, Commission Member	Sandi Fellows, Recording Secretary	
Gary Fredrickson, Commission Member		
Vickie Kress, Commission Member		
Dustin Lewis, Commission Member		
Thomas Schulte, Commission Member		

**CALL TO ORDER & ROLL CALL**

Chair Mossberg called the meeting to order at 5:30:44 P.M. The Pledge of Allegiance was led by Chair Mossberg and recited in unison. The Recording Secretary called the roll. All Commission members were present.

**NEW BUSINESS:**

**A. DISCUSSION CONCERNING THE PLACEMENT OF CARGO STORAGE CONTAINERS IN THE CITY OF KINGMAN:**

Chair Mossberg thanked staff, members of the public and Planning and Zoning Commission members for taking the time to attend the workshop.

Staff Liaison Gary Jeppson addressed the Commission and members of the public, stating that the City Council initiated a text amendment to permit cargo storage containers in the C-2: Commercial Community Business zoning district. He stated that the storage containers are not currently allowed in any residential areas, unless they are being used as temporary storage while a home is under construction. He noted that if the cargo containers are properly stamped by an engineer or an architect they can be utilized as building material purposes for residential or commercial buildings.

Vice-Chair Blair stated that the existing storage containers may have to be 'grandfathered' in. He suggested giving residents a 90 day time period to paint the containers to correspond with existing structures on the property.

Commissioner Bailey noted that there were a lot of storage containers in violation within the City. He suggested that standards should be set, and units currently in violation should not be 'grandfathered' in, but should be required to be brought up to the same standard.

Kingman resident Blake Schritter stated that the City of Kingman is one of the biggest violators regarding out of compliance storage containers.

Commissioner Schulte stated that it appears many of the residents who currently have the storage containers did not research the City Ordinance regarding them, or did not care. He felt this was a zoning and code enforcement issue. Mr. Schulte went on to state that although the permanent stick-built storage sheds did look nice, and did give residents in the construction industry jobs, the fact that the metal cargo containers were cheaper would make an economic alternative to many people.

Commissioner Kress stated that the downtown area had just begun to enjoy some revitalization. She noted that downtown merchants have put a lot of hard work and money into this effort, and she did not want to see the growth stopped or slowed down.

Commissioner Lewis agreed that Kingman's downtown business district was doing better. He was concerned that without regulations regarding the storage containers, downtown would not continue to develop in a positive direction. Commissioner Lewis stated that if a permit from the City was required in order to place a storage container, there could be some control over where they were dropped and what would be allowed. Proper permitting would allow the City to be certain that any electric, plumbing, or other modifications regarding the containers would be performed up to Code.

Commissioner Bailey acknowledged that the Commission needs to consider what is the most beneficial to the C-2 Zoning District, and will not inhibit downtown development. Commissioner Bailey stated that his understanding was that the sight-obscuring fencing would not be required for C-2 Zoning, but that the outside of the containers would have to be brought up to certain standards using paint or some sort of siding. He went on to state that perhaps the existing containers could be required to be brought up to at least C-3 and Industrial Zoning standards.

Gary Jeppson acknowledged that storage containers in C-3 and Industrial Zones are required to be behind a sight-obscuring fence. Mr. Jeppson went on to state that he has spoken with the City Manager and the Parks and Recreation Department Director regarding the storage containers on City property that are currently in violation, and they are aware that the containers must be brought into compliance or removed.

Mr. Schritter acknowledged that he had hired a licensed commercial electrician to do the work to the storage containers he was using at his business on Beale Street. He stated that he could not find an architect doing business in Kingman to certify the storage containers for a commercial business use other than storage.

Gary Jeppson noted that a structural engineer would also be able to inspect and certify a cargo container for commercial use. Mr. Jeppson stated that the building codes would require the storage containers used for commercial occupancy purposes to have an architect/engineer if they were altered in any way, such as adding electricity.

Kingman resident Terry Thomson suggested that the City could specify a certain size of storage container and adopt an architect's stamp for a container meeting those specifications. He went on to state that the storage containers located in C-3 Zoning Districts should all be required to come into compliance before another zoning district is approved.

Mr. Jeppson explained that the City has a Code Enforcement/Neighborhood Services Department through the City Police Department that addresses these issues. The direction is on a complaint basis, so as violations are reported to the department, officers address the issues.

Commissioner Bailey suggested that members of the Planning and Zoning Commission could report to the Neighborhood Services Department any storage containers found in violation. Commissioner Lewis acknowledged that he would not feel comfortable being an enforcement officer or an inspector, and noted that the City already had employees for those jobs.

Chair Mossberg asked if a Conditional Use Permit could be required before a container was permitted, to allow the City to have more control. Mr. Jeppson stated that the application fee for a Conditional Use Permit was \$1,000, and the process could take up to two months to go through the public hearings. He went on to state that a commercial lot could have 100 percent coverage.

Mr. Schritter noted that there should be some sort of minor permit so the City could regulate the containers.

Mr. Thomson stated that there should be guidelines as to if the containers may be used only for storage, or if a business may be run out of a converted cargo container. Mr. Thomson stated that while a few business owners in the C-2 districts may apply for permits for containers, a lot more containers would just appear, and the situation was already so out of control it would be almost impossible to enforce. He stated that the cargo containers should not be allowed in the C-2 Zoning Districts.

City Attorney Carl Cooper suggested that the Planning and Zoning Commission draft a letter to be submitted to the City Manager and Council requesting stricter enforcement and compliance regarding the cargo containers. Mr. Cooper went on to state that he was part of the enforcement issue, and he would prosecute each and every case brought before him, but it was also a matter of resources and priority. He noted that if containers are allowed in C-2, it would just add to the enforcement burden.

Commissioner Bailey suggested notifying the property owners in violation of non-compliance with a letter, and making them aware of what they would have to do and how long they would

have to come into compliance. He acknowledged that this option would give the property owners a chance to come into compliance voluntarily, without the enforcement. Mr. Schritter suggested the City could word the letter a little more kindly than the letter he had received.

Chair Mossberg asked Gary Jeppson if he could draft a letter to the City Manager and Council as per the City Attorney's suggestion. Mr. Jeppson stated that he would add that to the next upcoming Planning and Zoning Commission Agenda. He noted that the matter of allowing the containers in C-2 Zoning Districts would also be on the same agenda.

Commissioner Kress asked if the time frame would cause hardship for any members of the public attending the workshop. Mr. Schritter noted that he had received his letter of non-compliance directing the immediate removal of his storage containers some time ago. He stated that he was all right with the way things were, since the City had not forced their removal. Carl Cooper stated that the City was attempting to place the issue on hold for now, in order to allow the Commission to suggest a recommendation to the City Council.

The Commission members thanked the public for taking the time to attend the workshop and discuss the issue.

Vice-Chair Blair made a MOTION to adjourn. The motion was SECONDED by Commissioner Kress and the MOTION CARRIED UNANIMOUSLY (7-0). Chair Mossberg declared the meeting adjourned at 6:45:01 P.M.

**ADJOURNMENT: 6:45:01 PM**

ATTEST:

APPROVED:

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Sandi Fellows  
Recording Secretary

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Gary Jeppson  
Development Services Director

STATE OF ARIZONA)  
COUNTY OF MOHAVE)ss:  
CITY OF KINGMAN)

**CERTIFICATE OF PLANNING AND ZONING COMMISSION MINUTES:**

I, Sandi Fellows, Planning and Zoning Administrative Assistant and Recording Secretary of the City of Kingman, Arizona, hereby certify that the foregoing Minutes are a true and correct copy of the Minutes of the Planning and Zoning Commission Workshop of the City of Kingman held on June 28, 2016.

August 9, 2016