

MINUTES OF THE STUDY SESSION OF THE TOWN COUNCIL OF THE TOWN OF CHINO VALLEY

THURSDAY, JANUARY 22, 2015
6:00 P.M.

The Town Council of the Town of Chino Valley, Arizona, met for a Study Session in the Chino Valley Council Chambers, located at 202 N. State Route 89, Chino Valley, Arizona, on Thursday, January 22, 2015.

Present: Mayor Chris Marley; Vice-Mayor Darryl Croft; Councilmember Mike Best; Councilmember Linda Hatch; Councilmember Lon Turner; Councilmember Don Wojcik

Absent: Councilmember Pat McKee

Staff Town Manager Robert Smith; General Services Director Cecilia Grittmann; Development Services

Present: Director Ruth Mayday; IT Specialist Spencer Guest; Town Clerk Jami Lewis (recorder)

1) CALL TO ORDER; ROLL CALL

Mayor Marley called the meeting to order at 6:04 p.m.

2) Presentation and discussion of proposed wireless tower installations at the Town Hall, Recreation Center, and Library. (Ruth Mayday, Development Services Director)

Ms. Mayday, IT Specialist Guest, and Town Manager Smith presented the proposed project.

- *Project:* Construction of (i) two 100-foot monopole Verizon Cell Towers on which the Town will install two data dish antennas, and (ii) one 80-foot non-cell tower at the Library, with two Town data dishes.
- *Purpose:* Provide wireless communication between Town Hall, the North Campus, and Recreation Center.
- *Benefits:* (i) Eliminate the need for leasing expensive Cable One fiber-optic connections for the Town's networked computer systems; (ii) dramatically improve cell service in the Town; (iii) provide in-building coverage to Safeway and other locations along SR 89, as well as events held at Old Home Manor.
- *Contract Proposal:* (i) Sun-State to construct towers and install dishes for Town Use; (ii) Town to provide materials for Library tower; and (iii) Town to not charge Sun-State for ground lease in exchange for Sun-State to not charge Town for leasing dishes on the tower.
- *Costs, Savings, and Possible Revenue:* (i) Town to pay \$28,000 to provide design and materials for construction and installation of the Library tower; (ii) Monthly savings between \$1,100-\$2,200 from eliminating Cable One fiber links; (iii) No charge for lease expenses for both parties; (iv) No charge for installation of towers and dishes; (v) Town to have ongoing cost for maintenance of its own dishes and wireless equipment; (vi) Return on investment to take approximately two to three years; and (vii) Town could allow other entities, such as the Fire District, to rent or trade use on the Library tower.
- *Budget:* \$140,000 allocated in FY 2014/15 Capital Projects Budget for remodel of the Recreation Center, with \$40,000 set aside for network enhancements. While the remodel had been postponed, there was still need for the network improvements.

- *Current Wi-Fi Connections:* Wi-Fi connections at Town Hall, Senior Center, and Public Works/Development Services building, which were free of charge under licensing agreement with Cable One, will not change.
- *Wireless Communication Code:* The Federal Communications Commission recently made final rule changes regarding approval of wireless towers, siting, and permitting process. Staff will bring associated code amendments to Commission and Council for approval.

Chad Ward with Sun-State added that:

- Verizon will install the first tower at the Recreation Center in 2016, which Sun-State will own.
- Service improvements will initially occur in a 1.5 mile radius and then along the highway when complete.
- There will be room for tenants on each pole.
- The estimated value for the Recreation tower was \$90,000, while the Library's was \$15,000-\$20,000. They hoped to help secure materials for the Library tower under the projected \$28,000.

3) Presentation and discussion of amending Unified Development Ordinance (UDO) Section 4.21 Sign Regulations. (Ruth Mayday, Development Services Director)

Ms. Mayday presented an introduction to signs and signage.

- *Current Regulations:* Twenty-two pages of UDO regulations that were vague and confusing at best.
- *UDO Definition of Sign:* "Any identification, description, illustration, symbol or device which is affixed directly or indirectly upon a building, vehicle, structure or land and which identifies or directs attention to a product, place, activity, person, institution, or business."
- *Why Regulate Signs:* To address visibility at posted speeds, visual clutter, interference with drivers' line of sight, proportionality to property, and off-premise and on-premise matters. Freedom of speech issues were mitigated by distinguishing between commercial speech and non-commercial speech on signs.
- *Types of Signs:* Freestanding, wall-mounted, portable/temporary, vehicle-mounted, electronic message board, non-planar/figural, banners and flags, pole-mounted, monuments, directional, directory, illuminated, projecting/awning-mounted, animated, moveable types, real estate, government, and multi-sided.
- *Outcome of Amendment:* Will not take away current signs, but may create legal non-conforming or "grandfathered" signs, which will require a sign owner to replace the sign if and when the sign is destroyed or the owner replaces more than 50% of the sign in conformance with the UDO at the time of adoption.

Ms. Mayday then presented a proposal to amend the UDO with regard to sign regulations.

- *Problem:* Organization of the sign regulations was difficult to follow, as they were not based on type of sign or a sign's design and/or construction.
- *Proposal:* Present this information in a table format easier for the public to read and understand and easier for staff to administer, as well as reduce the size of the ordinance section significantly.
- *Process:* Several study sessions with Planning and Zoning Commission ("Commission") and Council to review current regulations, current problems, and the new proposal; followed by public hearings and final approval. Staff also proposed to establish a stakeholder's workgroup that could provide input for the amended text; four volunteers had

already stepped forward to serve on such a workgroup.

- *Timeframe*: About six months, culminating with Council's approval in July 2015.
- *Community Participation*: To be sought through notices in business license renewals, social media, Chamber of Commerce, Realtor's Association meetings, and statutory posting and publication requirements.

Council commented that this was long overdue.

- 4) Discussion of an amendment to the Unified Development Ordinance (UDO) to establish an Agribusiness Overlay District, and consideration of amendments to commercial regulations in the UDO. (Ruth Mayday, Development Services Director)

Ms. Mayday and Town Manager Smith reported on:

- *Agribusiness Situation*: A number of agricultural businesses within Town were currently regulated in the same manner as any other retail, restaurant, service, or other commercial use. However, agribusiness conducted different activities that, if held to the same development standards as non-ag businesses, would fundamentally undermine their core purpose. In addition, certain definitions in the UDO associated with agribusiness were not legally applicable to such businesses.
- *Background*: On January 13, 2015, resident and agribusiness owner Norm Freeman expressed his frustration with the costly and onerous requirements for installing a permanent restroom at his facility, which was used sporadically by the public throughout the year. As a result of discussions with Mr. Freeman, staff was developing an Agribusiness Overlay District concept to mitigate the impact that the UDO would have on such enterprises.
- *Proposed Overlay District*: This was not like a zoning district, which applied to specific properties. It could cover the entire Town, and if a property met the criteria for that district, the rights of the overlay would then be available to that property. It would require an additional review to ensure that the district was used appropriately, enable the construction of on-site worker housing, and allow for certain types of activities to take place on a non-daily basis.
- *Possible Conditions to Which the Overlay Would Apply*: Minimum acreage requirement, such as two acre minimum; improvements to acreage, such as worker housing; specific zoning districts, such as AR-4, 5 or 36; and zoning districts where farming and agriculture were permitted by right, such as AR-36 to SR-1.
- *Activities/Uses Considered Agribusiness*: Horse/livestock shows, rodeos, agricultural exhibitions/fairs; greenhouses, except medical marijuana and/or commercial; wedding facilities/special events; winery/food service; and the like. List will need to be specific.
- *Proposed Topics to Amend*: Worker housing; development standards different from commercial; directional signage; off-site signage; noise and lights.
- *Next Steps*: Meet with agribusiness community; obtain examples of difficulties with Code; and determine critical issues to resolve.

Public Comment:

Norm Freeman, resident, spoke about the problems with the Code; receiving different interpretations of it from different staff members over the years; Council issuing a policy statement while staff was updating the Code to allow the agribusiness community get working; agribusiness being very at risk; CVID participation; Chino Valley needing looser standards to compete with Prescott and Prescott Valley; and errors in the General Plan.

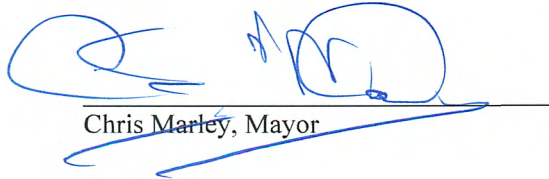
Council comments:

- Staff should look at other communities for how they did it.
- Definitions will need to be well-thought out.
- Move this item forward.

5) ADJOURNMENT

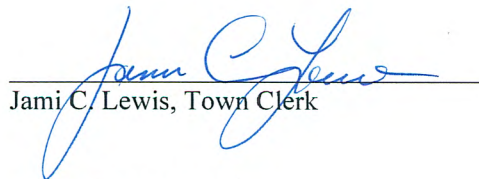
MOVED by Councilmember Lon Turner, seconded by Councilmember Mike Best to adjourn the meeting at 7:10 p.m.

Vote: 6 - 0 PASSED



Chris Marley, Mayor

ATTEST:

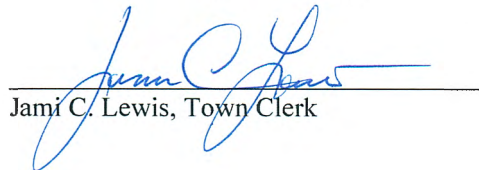


Jami C. Lewis, Town Clerk

CERTIFICATION:

I hereby certify that the foregoing minutes are a true and correct copy of the minutes of the Study Session of the Town Council of the Town of Chino Valley, Arizona held on the 22nd day of January, 2015. I further certify that the meeting was duly called and held and that a quorum was present.

Dated this 24th day of February, 2015.



Jami C. Lewis, Town Clerk