

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

**MONDAY, JUNE 12, 2023
6:00 P.M.**

**CHINO VALLEY COUNCIL CHAMBERS
202 N. STATE ROUTE 89, CHINO VALLEY, AZ**

Present: Mayor Jack Miller; Vice-Mayor Eric Granillo; Councilmember Annie Perkins; Councilmember Tom Armstrong; Councilmember John McCafferty; Councilmember Sherri Phillips; Councilmember Robert Schacherer; Chair Chuck Merritt; Vice-Chair Gary Pasciak; Commissioner Teena Meadors; Commissioner Ronald Penn; Commissioner Robert Switzer; Commissioner Richard Zamudio

Absent: Commissioner William Welker

Staff Town Manager Cindy Blackmore; Development Services Director Laurie Lineberry; Public Works
Present: Director/Town Engineer Frank Marbury; Assistant Development Services Director Will Dingee; IT Manager Spencer Guest; Deputy Town Clerk Sara Burchill; Town Clerk Erin N. Deskins

1) CALL TO ORDER; ROLL CALL

Mayor Miller called the meeting to order at 6:01 p.m.

2) Presentation, update, and discussion by Matrix Design Group regarding the General Plan Update.

Laurie Lineberry presented the following:

- This was the second to last meeting regarding the General Plan (GP) which had been worked on for the last year by staff and Matrix.
- The Steering Committee had met the previous week to make responses to comments made by the public and those responses were being presented to Council and Commission. They were not able to come to agreements on some items and those would be presented to Council and Commission for feedback and guidance.
- The meeting was open for the public to view, but it was not meant to be an open dialogue with them as that portion of the process was closed until the Public Hearing.

Celeste Werner, Matrix, presented the following:

- Introduced the Matrix team (Bren Cox – Project Manager, Ed Boik – Senior Planner, Laney Corey – Planner, Heather Garbarino who was joining virtually) and gave an overview of what would be discussed during the meeting.
- The purpose of the meeting was for roundtable type dialogue and discussion regarding the Future Land Use Map (FLUM) and the goals and policies within the recommended final plan which would be delivered in two weeks.
- The topics they would be covering included all 89 comments received during the 60-day

public draft period, plus those discussed by the Steering Committee and Town Staff, and presentation and discussion regarding the steering committee's recommendations on key public draft comments. Every comment received from the public had been included in the materials presented to Council and Commission.

- The goal of the meeting was to get a consensus from Council and Commission for the final draft plan.

Meeting recessed at 6:09 p.m.

Meeting reconvened at 6:17 p.m.

Celeste Werner continued:

- Reviewed the GP timeline, discussed upcoming meetings (Public Hearings would be held on June 26th and 27th, followed by approval by Commission and Council), and ratification by the voters.
- Discussed the next steps if the GP was not approved by the voters. The whole process would have to be started over again. If not approved by Council the GP could continue to be worked on before the next election without starting all over.
- Ms. Werner discussed when and how commissioners, councilmembers, and Town staff could discuss the GP with the public, specifically regarding advocating for the plan. Matrix would be providing the councilmembers and commissioners with an "Ambassador Package" to be able to provide factual information when talking about the GP. Councilmembers and Commissioners could advocate for or against the GP, but only as private citizens, not as members of the Commission or Council, and state that they support it because of "x."
- Provided an overview of what the GP was and why it was being done. It was mandated by State Statute to be done every 10 years. The 2014 GP would expire next year.
- Discussed the function of a GP. It was not regulatory or a zoning ordinance and did not modify existing uses.
- Gave a brief overview on the elements included in the GP, some that were required by statute, others that were uniquely important to Chino Valley including: land use, circulation, parks and natural resources, public facilities and services, and economic development.
- Ms. Werner outlined the differences between the 2014 GP and the 2040 GP. The current GP was general, ambiguous, did not address the growth currently being encountered, and did not support the current community vision for rural, open space; rather it provided for a much more dense and urban development by supporting unlimited high-density and multi-family residential anywhere along Highway 89. The 2040 GP was a complete rewrite, not an update to the 2014 GP.
- The new 2040 GP would be adding four land use categories for a total of nine.
- Ms. Werner outlined the changes in policies that would move the Town away from urban development and high density currently allowed in the 2014 GP, and what was missing that the 2040 GP would provide:
 - In the 2014 GP the FLUM designated the East side of Town as "Future Growth Area" including commercial, industrial, and planned unit development.
 - The 2014 GP designated the West side of 89 as Medium Density Residential was categorized as one dwelling unit per two acres or less, meaning there could be one dwelling unit or 20 dwelling units. Matrix was proposing one dwelling unit per four plus acres.
 - Land Use Category – Commercial Multi-Family was a corridor down 89 allowing as much commercial or multi-family as desired.
- The 2040 GP would add policies supporting rural character of the community, supporting

buffering or screening of non-compatible uses, supporting additional youth activities, providing guidance on maintaining the roads and how to prioritize such, resiliency, manufactured homes, limiting density and specific compatible locations for multi-family residences, supporting transitional, smart growth, and sidewalks and multi-use trails.

- Ms. Werner reviewed the 60-day Public Review Draft period which was between April 7th and June 6th.
 - The community received notice of this period via emails, the Town Facebook page, and the Town's GP website.
 - 89 comments were received from the public. Matrix created responses to comments as they came in, then shared with Town staff and vetted and revised the responses. Those responses were then taken to the Steering Committee to adjust the responses further and add goals and policies, and suggested changes.

Will Dingee presented the following:

- Reviewed the 2040 draft FLUM. Medium Density Residential would be replaced with Rural Residential meaning one acre and up.
- The "Future Growth Area" would be replaced with Rural Agricultural which would be four acres and up.
- The areas designated as Horizontal Multi-Use (HMU) was categorized as commercial and higher density, but only 25% of the area would have the potential for residential development.
- Neighborhood Residential was designated as quarter- to half-acre lots.
- The plan was different now than it was presented in the public draft based on public, steering committee, and staff comment. The changes included:
 - More Open Space for the State Park
 - The area around Road 5 North was changed from Neighborhood Commercial to Light Industrial.
 - The area around Road 3 North was changed from Neighborhood Commercial to HMU to promote a more cohesive commercial development.
 - North Road 1 West had entitled land for lots at 1/3 acre and up. It would be incorporated into the Neighborhood Residential category to serve as a transition area from HMU to a quarter-acre to half-acre and then one acre and up.
 - The Community Center at Center Street was changed to Historic Center.
 - West Road 1 South had been categorized at Neighborhood Residential stretching to the Highway, but it was changed to Neighborhood Commercial to support Olsen's and the new commercial buildings planned for the corner. The East side of the same road was changed from Neighborhood Residential to Rural Residential.
 - Neighborhood Residential was added between Road 2 South and Road 4 South as a buffer between the Regional Commercial along Highway 89 to the Rural Residential (one acre minimum).
 - Road 4 ½ South was designated as Neighborhood Residential and was now proposed as HMU to support the commercial development that was there along with the development agreement that existed with the pot farm to allow some multi-family residential.
 - Some of the HMU area around Old Home Manor was replaced with Rural Agricultural (four acres plus).
 - A buffer was placed between Road 4 North and a proposed solar farm.
 - Total developable units were 18,927 units at the beginning of the public draft period. All the changes brought the developable units down to 18,090.
- Mr. Dingee discussed the State Park at Del Rio Springs along with alternative plans if a State Park did not go through, and what options the developer had based on their current entitlements. The developer was supportive of the State Park. However, without the State

Park the developer was looking at quarter acre and half acre lots. The Steering Committee did not like that plan and wanted some stratification so that there was more density at the south end and larger lots towards the north end.

Council, Commission, Staff, and Matrix discussed the following:

- The new FLUM would create policy for what should be developed in the event that a State Park was not established.
- Staff and the developer had already made considerable compromises that allowed for slightly more density on the east but allowed for better buffering between any development to the west.
- One commissioner questioned if the developer was in support of the State Park, why they wouldn't leave the land as open space if the State Park fell through.
 - Ms. Lineberry stated that there were a lot of players in the plan for the State Park and if one threw a wrench that made all the dominoes fall, it would be wise to have an alternative.
 - The developer already had entitlements to build out the area with lot size 0.16.
 - The commissioner stated that if it would be going to the voters as Open Space, that's what the plan should be with no alternative.
 - Without creating policy for the alternate plan, if the State Park fell through, the developer would be forced to revert to his original entitlements of 0.16 acre lots because quarter acre and half acre lots would not be in conformance with the 2040 GP.
 - One councilmember pointed out that if they only presented the open space to the voters, the GP passed, and the State Park did not go through, and the developer built on the land, there would be a lot of angry citizens.
 - One Commissioner stated that rejecting the alternative map should the State Park fall through could change the attitude of the developer who was currently willing to work and compromise with the Town to come to a development that both parties could be comfortable with.
 - Although the developer had the ability to build out to their original entitlements, they wanted to partner with the Town. The Town would lose nothing by accepting the alternate map if the State Park did not go through.
- One councilmember asked when they would know if the State Park would happen or not.
 - Ms. Werner stated that it would not be before the new GP went to the voters, and that it could be years. A policy was included stating that the Town supported a State Park and would work and partner with the State and owners of the property to move forward with the establishment of a State Park. This would provide a foundation for Council to advocate on behalf of the Town and let the State know that the community also supported a State Park.
- One councilmember inquired about keeping Open Space around Sullivan Lake.
 - It had not come up in the Steering Committee. They had been focused on the residential areas around Del Rio Springs.
 - One commissioner stated that they wouldn't be able to build in that area because it's a floodplain.
 - Ms. Werner stated that they could build there, but homeowners would not be able to get insurance. She and Mr. Boik outlined the process developers would have to take to build there and what challenges they would run into.
 - Council and Commission agreed that the area of Sullivan Lake should also be designated Open Space.

Ms. Werner, presented the following:

- Most policy changes were recommendations for new goals and policies. They would be presented by each element.
- The first element was Land Use.
 - Aggregates – this was being recommended because of a public comment from Arizona State Land Department that they should incorporate a goal and policies that supports the ARS regarding mining. There was different policies being recommended stating that aggregate mining operations were only located in areas that were compatible with surrounding uses and would guide compatible locations and support for future mining operations.
 - Circulation – these were new policies as a result of the Steering Committee meeting stating that there would be connectivity between future developments to provide access to public streets and roadways. The second recommendation was to partner with Yavapai County via Intergovernmental Agreement to share the cost of utilizing capital equipment. It could also be revised to include the purchase of products in bulk.
 - Mr. Marbury suggested changing the wording to “explore partnering with Yavapai County.”
 - One commissioner suggested making it “local jurisdictions” so that the Town was not limited to Yavapai County.
 - Parks, Recreation, Natural Resources – one policy served to be more explicit about expanding the availability of youth and teen recreation programs and amenities at existing and new Town parks in response to growth. The second would require new subdivision developments of fifty or more residential lots to provide, develop, and maintain park space accessible by the residents, not necessarily the public. The reason for the 50-lot requirement was because it could be prohibitive to maintain for communities with less lots. Another consideration was that communities with fewer than 50 lots often came with one or two acre lots allowing for private open space right in the resident’s back yard making them less likely to want or need such an amenity. The third policy would coordinate and partner with the Chino Valley Irrigation District (CVID) to assess the feasibility of utilizing irrigation district easements to develop pedestrian and equestrian trails. The fourth policy would be an implementation action to continue to partner with the Trust for Public Land, Nature Conservancy, State, and other stakeholders for the acquisition of 980 acres of land north of Road 5 North and East of Highway 89 to establish a State Park.
 - Ms. Blackmore suggested adding the word “explore” to the CVID partnership.
 - Resiliency – these policies were intended to address providing quality of life and services to a community in the event something catastrophic happened. The proposed goals and policies would help to enhance the resiliency of the community and could be explored or evaluated in the future to help make that a reality, particularly for power and water. The goal was “enhance Town resiliency by seeking redundant sources of water and power to support stable regional and community serving utility systems and minimize service disruptions.” Through this goal a long list of policies were developed including:
 - Evaluate best-practice community-scale solar energy policies
 - Develop solar energy generation facilities that do not impact wildlife movement
 - Establish a committee to develop guidelines and regulations for solar energy facilities
 - Require any new community or regional scale solar energy development proposal to include a reclamation plan
 - Evaluate microgrid solar energy generation facilities within the Ranch Agricultural land use category

- Mr. Boik explained that a microgrid was a grid that could exist and serve unto itself and that small community. If the transmission around the microgrid came down the microgrid could stay operational because it had it's own self sustaining power source. Because it would be interconnected to the larger grid, it could provide power elsewhere.
- Review utility tax, fees, licenses, or other revenue mechanisms that may be applicable to solar and other power generation facilities.
- Ms. Werner stated that when reviewing grant applications for resiliency, grant agencies will look at an organization's plan to see if it was set up as an important policy to support the request.
- One councilmember asked if APS had been part of these discussions.
 - Ms. Werner stated that this was a conversation that came up during the last Steering Committee meeting just a few days ago, but they were only policies about exploring and evaluating options rather than enacting programs.
- Water resiliency – these policies were a result of similar goals as power resiliency, but regarding water:
 - Explore funding options for additional Town water storage tanks
 - Engage with private community service water operators to integrate them into the Town's water service portfolio
 - Identify partners such as federal agencies or investors to fund new water infrastructure
 - Actively coordinate with Prescott AMA Groundwater Users Advisory Council to partner with surrounding jurisdictions
 - New development to be responsible for installation of infrastructure extensions
 - Pursue Town designation as an assured community water provider
 - All new subdivisions of six or more lots shall provide a 100 year assured water supply as per A.R.S. 45-576.
 - Mr. Boik stated that the AMA for the Phoenix Metro area was no longer able to issue assured water supply certificates to development that was not within an assured community water provider system or doesn't already have entitlement and assured water certificates which would push growth to other counties.
- Allowing Septic Tanks on Rural Residential Land Use Category Lots – this came from a public comment stating that new wells and septic systems should be allowed within the Rural Residential land use category. Matrix was looking for guidance from Council and Commission on this topic.
 - The County required an acre in order to be allowed a well and septic.
 - Council and Commission discussed allowing Rural Residential lots of one acre or larger to be allowed a well and septic system. Some members stated that it had to be included. Others stated that the public did not want any more wells installed.
 - One councilmember inquired as to how the Town could tell people they couldn't have a well or septic when the County stated they could.
 - Mr. Boik stated that as an incorporated community, the Town could make land use decisions about how infrastructure should be delivered, even though the County was the permitting entity.
 - Mr. Marbury stated that the Town already restricted the County rules because if a one acre subdivision was within 300 feet of the nearest sewer, they had to connect.
 - One commissioner pondered if the policy was needed at all as they were discussing allowing septic systems on one acre lots which was already

present in Town policy.

- Ms. Werner stated that they could delete the policy. Or, it could be rewritten to state that as infrastructure was built out the Town would require residents to connect in order to control the groundwater and septic tank leakage.
- Councilmembers stated that the Town already had a policy that stated failed septic systems had to tap into sewer if the infrastructure was already in place at the property.

Council, Commission, Staff and Matrix discussed the following:

- One councilmember stated that 44% of the homes in Town were manufactured homes and inquired if that was a high number.
 - Ms. Werner stated that it was a high number for manufactured homes.
 - The councilmember stated that he worried about that number and inquired about how to get that number to 30% as there was nothing in the GP addressing the issue.
 - Another councilmember stated that there were so many because no one wanted to move to Chino Valley and that was the cheapest way to get people to move to the area.
 - Ms. Werner stated that the typical number was usually closer to 10-15% of homes would be manufactured.
 - One commissioner stated that if they were going to talk about the percentage of manufactured homes they also needed to talk about the percentage of multi-family dwellings because .08% was really small compared to other municipalities. If they were going to restrict manufactured homes, they needed to start allowing multi-family.
 - Ms. Werner stated that the GP did include a policy stating no manufactured homes within half a mile of Highway 89.
 - Another commissioner asked if there should be designated locations for manufactured homes.
 - Mr. Boik stated that the Steering Committee discussed manufactured homes and guided Matrix to the buffer of no additional manufactured homes within a half mile of Highway 89. They also included policies regarding design standards for manufactured homes and built with better quality like stick-built homes. There had also been conversation resulting with the need to create an Ad Hoc committee to discuss manufactured homes and how they're handled in a regulatory fashion.
 - Ms. Werner stated that the committee was proposed because it was so difficult to come to the consensus of where they ended up. She stated they could address it tonight, or it could be an amendment to a GP in the future if they didn't want to address it in this update.
 - One commissioner asked if the issue were to be addressed during a Public Hearing could it be addressed after that meeting.
 - Other Council and Commission members stated that the comment period was fairly long and had already been closed and they should have commented already.
 - Ms. Lineberry stated that the Planning & Zoning Commission would hear public comment and make a recommendation to Council with anything additional that resulted from that meeting. Those recommendations would be presented to Council the next night. Council could then support all of them, some of them, or none of them.
 - One commissioner asked if there had been any comments about manufactured homes being in certain places.
 - Another commissioner asked about adding a policy to explore a committee to review the UDO under manufactured home policy and procedure so that there was

something in the GP to look at the issue in the future.

- One Councilmember asked why this was an issue stating that if people can afford a manufactured home, that's what they can afford and the Town didn't need to govern it. It wasn't fair to the people who lived here and those who were moving here.
- Ms. Werner stated nothing would be included in the GP regarding the number of manufactured homes.

3) ADJOURNMENT

MOVED by Councilmember Annie Perkins, seconded by Vice-Mayor Eric Granillo to adjourn the meeting at 8:37 p.m.

AYE: Mayor Jack Miller, Vice-Mayor Eric Granillo, Councilmember Annie Perkins, Councilmember Tom Armstrong, Councilmember John McCafferty, Councilmember Sherri Phillips, Councilmember Robert Schacherer

7 - 0 PASSED - Unanimously



Jack W. Miller, Mayor

ATTEST:



Erin N. Deskins

Erin N. Deskins, Town Clerk

CERTIFICATION:

I hereby certify that the foregoing minutes are a true and correct copy of the minutes of the Regular Meeting of the Town Council of the Town of Chino Valley, Arizona held on the 12th day of June, 2023. I further certify that the meeting was duly called and held and that a quorum was present.

Dated this 22nd day of August, 2023.

Erin N. Deskins

Erin N. Deskins, Town Clerk