

1. Agenda

Documents: [AGENDA JANUARY 06.PDF](#)

2. Packet

Documents: [PACKET JANUARY 06.PDF](#)

3. Action Taken

Documents: [ACTION TAKEN JANUARY 06.PDF](#)



**Town of Chino Valley**  
**MEETING NOTICE**  
**PLANNING AND ZONING COMMISSION**

**WORK STUDY SESSION**  
**January 6, 2015**  
6:00 P.M.

**Council Chambers**  
**202 N. State Route 89**  
**Chino Valley, Arizona**

**AGENDA**

- 1. CALL TO ORDER**
- 2. ROLL CALL**
- 3. DISCUSSION ITEMS**
  - A.** Proposed text amendments for Section 4.21 Sign Regulations: The purpose of this discussion is to review Section 4.21 of Chino Valley's Unified Development Ordinance and sign codes from nearby communities, and to form a stakeholder group to review proposed amendments prior to consideration by the Commission and Council. Staff have reviewed the sign regulations of nearby towns and cities searching for a more concise and clear means of describing the requirements of Chino Valley's sign code. This will be the first of a number of work study sessions that will be held to provide both the business community and the general public the opportunity to participate in revising Section 4.21: Sign Regulations.
  - B.** Proposed text amendments for Section 1.1 Short Title, Section 1.4 Planning and Zoning Commission, and Section 1.5 Board of Adjustment. The purpose of this discussion is to review proposed amendments to the referenced sections of the UDO, which set forth the manner and regulation of appointment to, removal from, and standards of ethical conduct of appointees to the Planning and Zoning Commission and the Board of Adjustment.
- 4. PUBLIC COMMENTS**
- 5. ADJOURN**

Dated 29 December 2014

**By: Ruth Mayday, Development Services Director**

A copy of the agenda and background material provided to the Commissioners is available for public inspection at the Marion Lassa/Chino Valley Library, 1020 W. Palomino Road, Chino Valley, Arizona. Further details may be obtained by contacting Development Services Department at 1982 Voss, Chino Valley, Arizona (928) 636-4427.

The Town endeavors to make all public meetings accessible to persons with disabilities. With 72 hours advance notice, special assistance can also be provided for sight and/or hearing impaired persons at public meetings. Please call 636-2646 (voice) or use the AZ Statewide Relay Service at 1-800-367-8939 (TDD) to request an accommodation to participate in this meeting.

*In accordance with Chapter 3, Title 38, Section 38-431.02 Arizona Revised Statutes, public notice is hereby given that four (4) or more members of the Mayor and Town Council may be present at this meeting.*



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*In accordance with Chapter 3, Title 38, Section 38-431.02 Arizona Revised Statutes, public notice is hereby given that four (4) or more members of the Mayor and Town Council may be present at this meeting.*

**P&Z Work Study Session****Meeting Date:** 01/06/2015**Submitted By:** Elyse DiMartino, Development Services

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**Information****Subject**

Proposed text amendments for Section 4.21 Sign Regulations: The purpose of this discussion is to review Section 4.21 of Chino Valley's Unified Development Ordinance and sign codes from nearby communities, and to form a stakeholder group to review proposed amendments prior to consideration by the Commission and Council. Staff have reviewed the sign regulations of nearby towns and cities searching for a more concise and clear means of describing the requirements of Chino Valley's sign code. This will be the first of a number of work study sessions that will be held to provide both the business community and the general public the opportunity to participate in revising Section 4.21: Sign Regulations.

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**Attachments**Sign Code Comparison

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# Prescott Valley Sign Regulations

## 13-23-040 Sign Standards.

### A. Wall Mounted Sign Standards

| PURPOSE ZONING                                                                                                                              | DISTRICTS                   | MAXIMUM DIMENSIONS                                                                | STANDARDS                                          |
|---------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------|-----------------------------------------------------------------------------------|----------------------------------------------------|
| Building or Project Identification                                                                                                          | R-2, RCU, RS                | 32 sq. ft                                                                         | (1) per project/site                               |
| Civic Organizations and Clubs, Churches, Schools, Non-profits                                                                               | All Districts               | 1 sq. ft of sign per 1 lineal foot of building frontage.                          | (1) sign per project                               |
| Commercial (Neighborhood Sales and Service, General Sales and Services, Minor Industrial, Performance Manufacturing and General Industrial) | C-1, C-2, C-3, PM, M-1, M-2 | 2 sq. ft of sign per 1 lineal ft of building frontage adjacent to Front Lot Line. | (1) Sign per front Lot Line                        |
| Directory                                                                                                                                   | R-2, RCU, RS                | 16 sq. ft<br>6 ft high                                                            | (1) Building mounted only.<br>No advertising copy. |

# **Chino Valley Sign Regulations**

## **4.21.6 Permitted Permanent Signs (Page 120 in UDO)**

A. "Agricultural and Residential Districts": For all signs within "Agricultural and Residential Districts" (OS, AR-36, AR-4, SR-2, SR-1, SR-0.16, MR-1, and MHP-4) the following shall apply:

1. Wall sign: May or may not be illuminated with a maximum height of ten feet (10') except where specifically noted.
  - a. Single Residence Uses: One or more identification signs may be permitted. Signs may include only the name of the residence or occupant, and the street address. Street address signs shall not exceed a total aggregate area of three square feet (3 sq. ft.). Within the "OS", "AR-36" and "AR-4" zoning districts a total aggregate area of eight square feet (8 sq. ft.) may be permitted.
  - b. Multiple Residence Uses (includes apartments, condominiums, Townhouses, a manufactured home park, recreational vehicle park, or similar such use): One or more identification sign per unit, not to exceed a total aggregate area of three square feet (3 sq. ft.), may be permitted. The maximum height of any identification sign, for multi-story buildings, shall be six feet (6') from the story floor level. The sign may include only the name of the residence or occupant, and the street address or unit number. Building number or letter signs for multiple building developments shall be in compliance with Fire Department requirements and shall not be counted as part of the aggregate sign area.
  - c. Non-Residential Uses: (such as but not limited to churches, schools, group homes, farms, but not intended for home occupations). One or more identification sign per lot or parcel, not to exceed a total aggregate area of sixteen square feet (16 sq. ft.), may be permitted unless deviations are approved through a Conditional use permit. The sign may include the name and/or logo of the facility, organization or development and the street address.

# **Chino Valley Sign Regulations Continued**

## **4.21.6 A. 4. A. ii. ( Page 120 in UDO)**

Multiple Residence Uses (includes apartments, condominiums, Townhouses, a manufactured home park, recreational vehicle park, or similar such use): One (1) wall sign per individual unit or dwelling, not to exceed three square feet (3 sq. ft.), may be permitted.

## **4.21.6 B. (Page 123 in UDO)**

B. "Non-Agricultural and Residential": Signs within "Non-Agricultural and Residential Districts" (CL, CH, I, PL and OS) shall comply with the following applicable restrictions. Additionally, any complex of three (3) or more businesses shall be required to submit a comprehensive sign package to be reviewed and recommended by the Commission and approved by Council.

1. Wall signage: May or may not be illuminated.

a. Wall signs pertaining to any one (1) business within a complex, on a separate parcel or lot, or on a freestanding PAD shall be permitted on the exterior walls of the space occupied by the business in accordance with the following guidelines:

b. A wall sign may be permitted on the front building elevation and shall have a maximum area not to exceed one square foot (1 sq. ft.) for each linear foot of the building wall upon which the sign is displayed.

c. Wall signs may be permitted on each of its other exterior walls and shall have a maximum area not to exceed one-half (½) square foot for each linear foot of the building frontage upon which each sign is displayed.

d. Under no circumstances may any business have an aggregate area for all wall signs exceeding two hundred square feet (200 sq. ft.), unless as otherwise approved with a comprehensive sign plan.

e. Signage shall not extend horizontally a distance greater than eighty percent (80%) of the width of the building wall on which it is displayed.

## **4.21.8 A. 1. (Page 130 in UDO)**

A wall sign or monument sign may be permitted at the entryway(s) of a sub-division. The signage shall be integrated to complement the streetscape and landscaping frontages. A maximum aggregate area of twenty-four square feet (24 sq. ft.) per subdivision or parcel/unit may be permitted.

## **4.21.4 C. (Page 119 in UDO)**

Street address wall signs, which do not exceed an area of six square feet (6 sq. ft.).

# Cottonwood Sign Regulations

## **REGULATIONS APPLICABLE TO SIGNS IN ALL DISTRICTS. (Page 82 of Cottonwood's Zoning Ordinance)**

1. No sign shall be constructed or erected in such a manner as to interfere in any way with, or confuse traffic or present a traffic hazard. All free standing signs shall be five (5) feet back from all property lines.
2. Flashing Signs: Signs shall not be animated or have intermittent illumination or flashing lights, except where permitted for emergency signs.
3. Lighting: Deleted by Ordinance 384, adopted December 21, 1999. Please refer to Section 408, "Outdoor Lighting Code."
4. No sign shall have audible devices.
5. There shall be no roof signs, signs which are projecting or cantilevered from buildings, or banners. Temporary signs shall be subject to the provisions set forth in Subsection G.9.
6. Real Estate Signs: Temporary property sale, rental or lease signs shall be allowed along each street frontage of the property to which the sign refers. Each sign shall not exceed six (6) square feet in area, shall not exceed five (5) feet in height and shall be located no nearer than ten (10) feet from another lot, nor nearer than three hundred (300) feet from any other real estate sign along the street frontage, on the same piece of property. Signs of up to twenty (20) square feet may be allowed by Conditional Use Permit. and the panel is essentially the same size and dimensions, and provided all other applicable provisions of this ordinance are addressed in a conforming manner.
7. Entrance or Exit Signs: Two (2) utility signs, not more than two (2) square feet each, denoting "Entrance" or "Exit" shall be permitted if necessary for that purpose.
8. Sign Installation: All building mounted signs shall be attached to the building in a manner that will ensure safe operation. All freestanding signs shall be installed and constructed in a manner that will ensure structural stability.
9. Nonconforming Signs: Any nonconforming sign may be continued in use, provided, however, that in the event any such sign is hereafter damaged to exceed fifty (50) percent of the reproduction value according to appraisal thereof by competent appraisers, or is removed by any means whatsoever, including an Act of God, such sign may be restored, reconstructed, altered or repaired only to conform with the provisions of this chapter. Alteration to nonconforming signs may be made only if such alteration will bring such sign into conformity with the provisions of this Code. The sign face or sign panel within a nonconforming sign structure may be replaced with a new sign for the same or a new use provided the sign structure is not changed or altered in any manner and the panel is essentially the same size and dimensions, and provided all other applicable provisions of this ordinance are addressed in a conforming manner.
10. Off-Site Advertising: All signs shall be located on the same lot or parcel to which it refers, except for special directional signs issued under a conditional use permit pursuant to Section 405. G. 10. Off-site advertising shall be prohibited, except where allowed for walking signs on a public sidewalk or right-of-way, or as otherwise permitted by this ordinance.

**P&Z Work Study Session****Meeting Date:** 01/06/2015**Submitted By:** Elyse DiMartino, Development Services

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**Information****Subject**

Proposed text amendments for Section 1.1 Short Title, Section 1.4 Planning and Zoning Commission, and Section 1.5 Board of Adjustment. The purpose of this discussion is to review proposed amendments to the referenced sections of the UDO, which set forth the manner and regulation of appointment to, removal from, and standards of ethical conduct of appointees to the Planning and Zoning Commission and the Board of Adjustment.

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**Attachments**Work Study Draft AmendmentsTown Council Code of Ethics

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# **1. Administration and Procedures**

## **1.1 Short Title**

This Ordinance shall be known as "The Unified Development Ordinance of the Town OF CHINO VALLEY."

## **1.2 Purpose**

The purposes of this Ordinance are to secure safety from fire, panic, and other dangers; to provide adequate light and air; to lessen congestion in the streets; to prevent the over crowding of land; to avoid undue concentration of population; to facilitate the adequate provision of transportation, water, sewage disposal; schools, parks, and other public requirements; to provide for the social, physical, and economic advantages resulting from comprehensive and orderly planned use of land resources; to allow for the orderly implementation of the General Plan; and to otherwise promote the health, safety, convenience, and general welfare of the citizens of Chino Valley, Arizona.

## **1.3 Interpretations and Application**

In its interpretation and application, the provisions of this Ordinance shall be held to be the minimum requirements for the promotion of General Plan as adopted by the Council and for the promotion of the public health, safety and general welfare. It is not intended by this Ordinance to repeal, abrogate, annul, or in any way impair or interfere with existing provisions of other laws or Ordinances, except those specifically repealed by this Ordinance, or with restrictions placed upon property by covenant, deed or other agreement between parties, provided that where this Ordinance imposes a greater restriction on land, buildings, or structures than is imposed or required by such existing provisions of law, Ordinance, contract, or deed, the provisions of this Ordinance shall control.

## **1.4 Planning and Zoning Commission**

### **1.4.1 Establishment; Composition; Terms of Members; Vacancies; Compensation of Members**

A) There is hereby established a Planning and Zoning Commission hereinafter called "Commission" of the Town to consist of seven (7) REGULAR members AND ONE (1) ALTERNATE MEMBER, APPOINTED BY THE TOWN COUNCIL. ~~each of whom~~ MEMBERS OF THE COMMISSION shall be a ~~resident~~ QUALIFIED ELECTORS of the Town, ~~to be appointed by Council~~. The TERM OF EACH REGULAR members ~~of the Commission~~ shall BE ~~serve for~~ three (3) years, except as hereinafter provided. THE TERM OF THE ALTERNATE COMMISSIONER SHALL BE ONE (1) YEAR.

B) THE ALTERNATE MEMBER OF THE COMMISSION SHALL ACT AS A REGULAR MEMBER IN THE ABSENCE OF A REGULAR MEMBER AT ANY MEETING OR HEARING OF THE COMMISSION. THE ALTERNATE MEMBER SHALL NOT, HOWEVER, SUBSTITUTE FOR A REGULAR MEMBER WHO IS PRESENT AT A MEETING OR HEARING BUT HAS DECLARED A CONFLICT OF INTEREST.

BC) TERMINATION; VACANCY.

1. PLANNING AND ZONING COMMISSIONERS SERVE AT THE PLEASURE OF THE COUNCIL.

2. A COMMISSION SEAT SHALL BE DEEMED VACANT IF ANY OF THE FOLLOWING OCCURS:

a. ~~In the event of a death, resignation or removal OF A REGULAR MEMBER from the Commission; OR~~

b. A REGULAR MEMBER OF THE COMMISSION IS ABSENT AT THREE (3) CONSECUTIVE MEETINGS OR A TOTAL OF FOUR (4) MEETINGS WITHIN ANY ONE (1) YEAR PERIOD; OR

c. AT THE DISCRETION OF THE COUNCIL, A MEMBER ~~, the Council shall fill the vacancy for the unexpired term. Members of the Commission may be removed by the Council for inefficiency, neglect of duty, excessive absenteeism, MISCONDUCT or malfeasance in office. subsequent to an executive session.~~

3. IN THE EVENT OF A VACANCY, THE COUNCIL SHALL FILL THE VACANCY FOR THE REMAINDER OF THE UNEXPIRED TERM. ~~No executive session shall be held, if the Commissioner in question requests a public hearing. The Council shall file a written statement of the reasons for removal. Two (2) consecutive unexcused absences or a total of three (3) unexcused absences per calendar year from any regular or special meeting shall be grounds for termination at the will and pleasure of the Council. subsequent to an executive session or public hearing if requested, and such action shall be final.~~

~~1) An excused absence requires the Commissioner to notify the Chair or Vice Chair, directly or indirectly, the Town Hall or Police Department, of their absence from a meeting no later than twenty-four (24) hours prior to commencement of the regular or special Planning and Zoning meeting, unless an emergency occurs.~~

~~2) All other absences shall be deemed unexcused.~~

CD) All members shall serve without pay. However, members may be reimbursed for actual expenses incurred in connection with their duties ~~upon authorization and ratification by the Commission and approval of such expenditures by Council.~~

#### 1.4.2 Powers and Duties

THE COMMISSION SHALL HAVE THE FOLLOWING POWERS AND DUTIES:

1. RECOMMEND TO THE TOWN COUNCIL A GENERAL PLAN AND AMENDMENTS THERETO;
2. ANNUALLY REVIEW PROGRESS TOWARDS IMPLEMENTATION OF THE GENERAL PLAN AND RECOMMEND TO THE TOWN COUNCIL CHANGES DESIRED DUE TO NEW LEGISLATION, DEVELOPMENT TRENDS AND CHANGING ECONOMIC, SOCIAL AND ENVIRONMENTAL CONDITIONS;
3. REVIEW AND MAKE RECOMMENDATION TO THE TOWN COUNCIL ON PROPOSALS TO AMEND THE TOWN ZONING MAP OR THE PROVISIONS OF THE UNIFIED DEVELOPMENT ORDINANCE;
4. INITIATE CHANGES TO THE TOWN ZONING MAP OR THE PROVISIONS OF THE UNIFIED DEVELOPMENT ORDINANCE;
5. REVIEW AND RECOMMEND APPROVAL TO THE TOWN COUNCIL OF DESIGN GUIDELINES OR STANDARDS OF DEVELOPMENT.

~~It shall be the duty of the Commission to formulate and administer any lawful plan duly adopted by the Council for the present and future growth and development of the Town; to make or cause to be made a continuous study of the best present and future use to which land and buildings shall be put within the Town and to recommend to the Council revisions in such plans which, in the opinion of the Commission, are for the best interest of the citizens of the Town; to hold public hearings where necessary; to make recommendations to the Council on all matters concerning or relating to the creation of zoning districts, the boundaries thereof, the appropriate regulations to be enforced therein, and amendments of this Ordinance, and to undertake all activities usually associated therewith and commonly known as "Planning and Zoning." The Commission is also authorized to confer with and advise other City, County, Regional, or State Planning Agencies and Commissions. Minutes of the meetings shall be sent to the Council upon approval.~~

#### 1.4.3 Selection of Officers

The Commission shall elect a Chairperson and Vice Chairperson from among its own members, who shall serve for one (1) year and until their successors are elected and qualified. The Chairperson shall preside at all meetings and exercise all the usual rights, duties and prerogatives of the head of any similar organization. ~~The Chairperson shall have the power to take evidence.~~ The Vice Chairperson shall perform the duties of the Chairperson in the latter's absence or disability. ~~Vacancies created by any cause shall be filled for the unexpired term by a new election.~~ IN THE EVENT OF VACANCY IN THE CHAIRMANSHIP OF THE COMMISSION, THE VICE-CHAIRMAN SHALL

BECOME CHAIRMAN, AND AN ELECTION SHALL BE HELD AT THE NEXT MEETING TO FILL THE OFFICE OF VICE-CHAIRMAN.

#### 1.4.4 Quorum; Voting

A) Four (4) members shall constitute a quorum. The affirmative vote a majority of members voting shall be required for ~~passage~~ APPROVAL OR RECOMMENDATION TO COUNCIL of any matter before the Commission.

B) A member who has OR APPEARS TO HAVE, or whose relative has OR APPEARS TO HAVE, a pecuniary or proprietary interest, either directly or indirectly, in any decision of the Commission, shall disclose such interest in the official records of the Commission, and shall ~~thereafter~~ refrain from participating in any DISCUSSION, VOTE OR ANY OTHER manner as a COMMISSION member in such ~~decision~~ MATTER.

#### 1.4.5 Rules; Regulations; Records; Meetings

A. The Commission shall make and publish rules and regulations to govern its proceedings and to provide for its meetings.

B. ALL MEETINGS OF THE COMMISSION SHALL BE HELD AT THE CALL OF THE CHAIR AND AT SUCH OTHER TIMES AS THE COMMISSION MAY DETERMINE. EXCEPT FOR EXECUTIVE SESSIONS AUTHORIZED BY LAW, All meetings of the Commission shall be open to the public.

C. The minutes and records of all Commission proceedings shall be kept and filed as public record in the office of the Town Clerk. MINUTES OF EACH MEETING SHALL CONTAIN A RECORD OF THE NUMBER OF VOTES CAST FOR AND AGAINST EACH ITEM REQUIRING A VOTE. EACH MEMBER PRESENT SHALL NOT ABSTAIN FROM VOTING ON AN ITEM UNLESS HE OR SHE HAS DECLARED A CONFLICT OF INTEREST.

#### 1.4.6 ETHICS

COMMISSIONERS AS APPOINTED OFFICERS OF THE TOWN ARE SUBJECT TO AND SHALL COMPLY WITH THE ETHICS PROVISIONS SET FORTH IN CHAPTER 35 OF THE CHINO VALLEY TOWN CODE.

### 1.5 Board of Adjustment

#### 1.5.1 Establishment; Composition; Terms of Members; Vacancies; Compensation of Members

A) There is hereby established a Board of Adjustment of the Town to consist of five (5) REGULAR members AND ONE (1) ALTERNATE MEMBER, each of whom shall be appointed by the ~~Chino Valley~~ Town Council.

1. The terms of the members of the Board shall be ~~determined by Council at the time of their appointment. After the initial appointment, all terms shall be for three (3) years.~~

2. All members shall serve without pay. However, members of the Board may be reimbursed for actual expenses incurred in connection with their duties ~~upon authorization and ratification by the Board and approval of such expenditures by Council.~~

3. THE ALTERNATE MEMBER SHALL ACT AS A REGULAR MEMBER IN THE ABSENCE OF A REGULAR MEMBER AT ANY MEETING OR HEARING OF THE BOARD. THE ALTERNATE MEMBER SHALL NOT, HOWEVER, STEP IN FOR A REGULAR MEMBER WHO IS PRESENT AT A MEETING OR HEARING BUT HAS DECLARED A CONFLICT OF INTEREST.

B) MEMBERS OF THE BOARD OF ADJUSTMENT SERVE AT THE PLEASURE OF THE COUNCIL. IN THE EVENT OF A DEATH, RESIGNATION OR REMOVAL FROM THE BOARD, THE COUNCIL SHALL FILL THE VACANCY FOR THE UNEXPIRED TERM. MEMBERS OF THE BOARD ~~SHALL~~MAY BE REMOVED BY THE COUNCIL FOR INEFFICIENCY, NEGLECT OF DUTY, EXCESSIVE ABSENTEEISM, MISCONDUCT, OR MALFEASANCE IN OFFICE AT THE WILL AND PLEASURE OF COUNCIL. A BOARD SEAT SHALL BE DEEMED VACANT IF A MEMBER IS ABSENT AT THREE (3) CONSECUTIVE MEETINGS OR A TOTAL OF FOUR (4) MEETINGS IN ANY ONE (1) YEAR PERIOD.

C) All members shall serve without pay. However, members may be reimbursed for actual expenses incurred in connection with their duties upon authorization and ratification by the Commission and approval of such expenditures by Council.

#### 1.5.2 Powers and Duties

A. It shall be the duty of the Board of Adjustment to:

1. Hear and decide appeals ~~in which it is alleged there is an error in an order, requirement, or~~FROM A decision, DETERMINATION OR INTERPRETATION made by the Zoning Administrator in the enforcement of aTHE Unified Development Ordinance; and to reverse or affirm, wholly or partly, or modify the order, requirement or decision of the Zoning Administrator appealed from, and make such order, requirement, decision or determination as necessary;
2. Hear and decide ~~appeals~~APPLICATIONS for a Variance from the terms of this Ordinance only if, because of special circumstances applicable to the property, including its size, shape, topography, location, or surroundings, the strict application of this Ordinance will deprive such property of privileges enjoyed by other property of the same classification in the same zoning districts ~~AND TO~~ . Any Variance granted is subject to such conditions as will

assure that the adjustment authorized shall not constitute a grant of special privileges inconsistent with the limitations upon other properties in the same zoning district in which such property is located.

B. The Board of Adjustment shall not:

1. Make OR PERMIT any changes in uses permitted in any zoning classification or zoning district, or make any changes in the terms of this Ordinance, provided the restrictions in this paragraph shall not affect the authority of granting Variance pursuant to this article.
2. Grant a Variance if the special circumstances applicable to the property are self-imposed by the property owner.

#### 1.5.3 Application

Applications for a Variance shall be filed on a form provided by the Development Services Department and shall be accompanied by the appropriate fee, together with a Site Plan of the premises and other data required by the Zoning Administrator or his/her designee.

#### 1.5.4 Selection of Officers

The officers of the Board of Adjustment shall be a Chairperson and Vice-Chairperson who shall be selected by the Board each year at its first meeting following July 1st. IN THE EVENT OF VACANCY IN THE CHAIRMANSHIP OF THE BOARD, THE VICE-CHAIRMAN SHALL BECOME CHAIRMAN, AND AN ELECTION SHALL BE HELD AT THE NEXT MEETING TO FILL THE OFFICE OF VICE-CHAIRMAN.

#### 1.5.5 Quorum; Voting

A) Three (3) members shall constitute a quorum. The affirmative vote of a majority of members voting shall be required for ~~passage~~APPROVAL of any matter before the Board. In the event the matter before the Board is an appeal from a ruling by the Zoning Administrator, a tie vote shall result in upholding the original ruling of the Zoning Administrator.

B) A member who has OR APPEARS TO HAVE, or whose relative has OR APPEARS TO HAVE, a pecuniary or proprietary interest either directly or indirectly, in any decision of the Board, shall disclose such interest in the official records of the Board, and shall thereafter refrain from participating in any DISCUSSION, VOTE OR ANY OTHER manner as a member OF THE BOARD in such decision.

#### 1.5.6 Rules; Regulations; Records; Meetings

A) The Board shall make and publish rules and regulations to govern its proceedings and to provide for its meetings.

B) All meetings of the Board shall AT THE CALL OF THE CHAIR AND AT SUCH OTHER TIMES AS THE BOARD MAY DETERMINE. EXCEPT FOR EXECUTIVE SESSIONS AUTHORIZED BY LAW, ALL MEETINGS SHALL be open to the public.

C. The minutes and records of all Board proceedings shall be kept and filed as public record in the office of the Town Clerk. MINUTES OF EACH MEETING SHALL CONTAIN A RECORD OF THE NUMBER OF VOTES CAST FOR AND AGAINST EACH ITEM REQUIRING A VOTE. EACH MEMBER PRESENT SHALL NOT ABSTAIN FROM VOTING ON AN ITEM UNLESS HE OR SHE HAS DECLARED A CONFLICT OF INTEREST.

#### 1.5.7 EX PARTE COMMUNICATIONS

A) PROHIBITION OF EX PARTE COMMUNICATIONS. THE BOARD OF ADJUSTMENT ACTS AS A QUASI-JUDICIAL BODY. TO ENSURE THAT THE DECISION-MAKING PROCESS IS FAIR AND IMPARTIAL, MEMBERS OF THE BOARD SHALL NOT, DIRECTLY OR INDIRECTLY, PARTICIPATE IN ANY EX PARTE COMMUNICATION RELEVANT TO AN APPLICATION OR APPEAL PENDING BEFORE THAT BODY. EX PARTE COMMUNICATIONS ARE ORAL OR WRITTEN COMMUNICATIONS RELATED TO THE MATTER TO BE HEARD BY THE BOARD AND WHICH IS MADE TO OR BY A MEMBER OF THE BOARD, INCLUDING IN PERSON, TELEPHONIC OR ELECTRONIC COMMUNICATIONS THAT OCCUR OUTSIDE OF A PUBLIC MEETING THE BOARD.

#### 1.5.8 ETHICS

A) BOARD MEMBERS AS APPOINTED OFFICERS OF THE TOWN ARE SUBJECT TO AND SHALL COMPLY WITH THE ETHICS PROVISIONS SET FORTH IN CHAPTER 35 OF THE CHINO VALLEY TOWN CODE.

## CHAPTER 35: CODE OF ETHICS

### Section

- 35.01 Generally
- 35.02 Responsibilities of public office
- 35.03 Conflict of interest
- 35.04 Conduct in public office

### § 35.01 GENERALLY.

(A) *ETHICS* is defined here as the rules or standards governing those persons functioning as representatives of the town. These rules and standards are based upon a set of values judged to be moral to the extent that they enhance society and an individual's relationship to others.

(B) A representative of the town is defined here as a public official, elected or appointed, salaried or unpaid, including the Mayor, Council members and any board or commission member.

(C) The purpose of this code is to establish ethical standards of conduct for these public officials acting in their official public capacity.  
(2001 Code, § 2-6-1)

### § 35.02 RESPONSIBILITIES OF PUBLIC OFFICE.

(A) By oath of office each representative is responsible to uphold the Constitution of the United States, the Constitution of the State of Arizona and the ordinances and regulations of the town. The public official shall perform his obligations in a manner that is impartial and responsible to all people.

(B) The public official shall not use his position for personal or monetary gain.

(C) The public official shall not disclose confidential information concerning the property, government or affairs of the town without proper legal authorization.  
(2001 Code, § 2-6-2)

**§ 35.03 CONFLICT OF INTEREST.**

(A) This code shall reinforce any existing affirmation regarding conflict of interest contained in the public official's oath of office. When acting in a public capacity, the public official shall abstain from participating in discussion and vote on any pending matter that would result in his or her financial or private gain.

(B) The public official shall not directly or indirectly solicit, accept or receive any gift, whether it be money, services, loan, travel, entertainment, hospitality, promise or any other form that could be reasonably inferred to influence the performance of his or her official duties and actions or serve as a reward for any official action.

(2001 Code, § 2-6-3)

**§ 35.04 CONDUCT IN PUBLIC OFFICE.**

(A) The public official shall not discuss or divulge confidential information acquired by him or her in the course of his or her official duties nor shall he or she use this information for his or her own personal interest or aggrandizement.

(B) The public official shall respect the rights, privileges and opinions of his or her fellow officials, staff and the public at large. Council members shall exhibit respect for the public, other governmental units and agencies, and the professional and ethical conduct of the Town Manager and staff. Propriety dictates that the public official be sensitive to the possible confidential or personal nature of directives addressed to other individuals. In bringing honor to the title and in recognition of the weighty respect due the role of public official, those elected to public office shall:

- (1) Lead by example;
- (2) Demonstrate civil and courteous conduct at all times;
- (3) Seek and speak the truth;
- (4) Respect all people;
- (5) Accept respectful dissension as a civic right.

(C) In his or her dealings with town employees, the public official shall maintain professional conduct with respect to the employee's work assignments and obligations, and shall refrain from directly influencing the professional management of the town's administration by any means other than direct communication with the Town Manager. The office of the public official shall in no situation be used to wrongfully obtain information or administrative outcomes, either by intimidation or by deliberately violating the privacy of an employee's work station.

(D) All public officials are expected to honor the mandates set forth in this code of ethics. Complaints alleging violations to this chapter shall be received in writing by the Mayor and/or Vice Mayor, unless they are named in the complaint and in that circumstance, such written complaint shall be received by the Town Attorney. Complaints will be addressed by the Council within 60 days of receipt.

(2001 Code, § 2-6-4) (Am. Ord. 13-768, passed 4-9-2013)

**MINUTES OF THE WORK/ STUDY SESSION  
OF THE PLANNING AND ZONING COMMISSION  
OF THE TOWN OF CHINO VALLEY**

**Tuesday, January 06, 2015  
6:00 P.M.**

The Planning and Zoning Commission of the Town of Chino Valley, Arizona, convened for a joint work/ study session in the Chino Valley Council Chambers located at 202 N. State Route 89, Chino Valley, Arizona.

Commission Chair Gwen Rowitsch called the meeting to order at 6:00 P.M.

Planning & Zoning Commission Present: Commissioner Gwen Rowitsch (chair), Commissioner Chuck Merritt, Commissioner Gary Pasciak, Commissioner Corey Mendoza, Commissioner Florence Sloan

Staff Present: Development Services Director Ruth Mayday, Town Attorney Phyllis Smiley, Planning Assistant Elyse DiMartino

**1. DISCUSSION ITEMS**

- a. Discussion of Proposed text amendments for Section 4.21 Sign Regulations: The purpose of this discussion is to review Section 4.21 of Chino Valley's Unified Development Ordinance and sign codes from nearby communities, and to form a stakeholder group to review proposed amendments prior to consideration by the Commission and Council. Staff have reviewed the sign regulations of nearby towns and cities searching for a more concise and clear means of describing the requirements of Chino Valley's sign code. This will be the first of a number of work study sessions that will be held to provide both the business community and the general public the opportunity to participate in revising Section 4.21: Sign Regulations.

Development Service Director Ruth Mayday presented a series of slides explaining:

- The different types of signs
- Sign regulations
- How revising the sign code will affect the public and business owners

The next steps are to establish a work/study group or committee, have another work/ study on February 3<sup>rd</sup>, take in suggestions, photos, and examples of signage the public likes and doesn't like.

Commissioner Pasciak comments that he agrees this section of the UDO needs to be looked at because many sections are too vague and do not take potential traffic hazards into consideration.

Commissioner Corey suggest we consider the General Plan when revising the sign code.

- b. Discussion of proposed text amendments for Section 1.1 Short Title, Section 1.4 Planning and Zoning Commission, and Section 1.5 Board of Adjustment. The purpose of this discussion is to review proposed amendments to the referenced sections of the UDO, which set forth the manner and regulation of appointment to, removal from, and standards of ethical conduct of appointees to the Planning and Zoning Commission and the Board of Adjustment.

Changes to language were suggested for Sections 1.4.4 (A) to fix a typographical error, 1.5.1 (A) (3.) to add a timeframe to the term of the Board of Adjustment Alternate, and 1.5.6 (B) to fix a typographical error.

## 2. **PUBLIC COMMENT**

Regarding Section 4.21: Sign Regulations, the public would like to be involved in the process and agree a rewrite has been long overdue. The public gave examples of the types of signs and locations that have worked well for them and their businesses.

## 3. **ADJOURN**

The commission adjourned at 6:49 P.M.

Dated this 8th day of January 2015.

By: *Elyse DiMartino, Assistant Planner*