

1. Agenda

Documents: [AGENDA APRIL 01.PDF](#)

2. Packet

Documents: [PACKET APRIL 01.PDF](#)

3. Action Taken

Documents: [ACTION TAKEN APRIL 01.PDF](#)



Town of Chino Valley
MEETING NOTICE
PLANNING AND ZONING COMMISSION

REGULAR MEETING
Tuesday, April 1, 2014
6:00 P.M.

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

AGENDA

- 1. CALL TO ORDER**
- 2. PLEDGE OF ALLEGIANCE**
- 3. ROLL CALL**
- 4. MINUTES**
 - A. Approval of minutes from January 7, 2014 regular meeting.
 - B. Approval of minutes from March 4, 2014 Regular Meeting
 - C. Approval of the March 4, 2014 Minutes of Joint P & Z and GPC meeting
- 5. STAFF REPORT**
- 6. PUBLIC HEARING**
 - A. This Public Hearing is for consideration, discussion and possible recommendation to the Town Council on the Draft Chino Valley General Plan 2013-2014, and is conducted for the review of comments received during a 60-Day Review from January 6 through March 6, 2014, and to receive additional public comment for deliberation by the Planning and Zoning Commission.
 - B. This Public Hearing is for consideration, discussion and possible recommendation to the Town Council on the draft "Postscript: Considerations for Creating a Sense of Place in Chino Valley", and to receive additional public comment for deliberation by the Planning and Zoning Commission.
- 7. NON-PUBLIC HEARING ACTION ITEMS**
 - A. Consideration of readopting Ordinance 10-740
 - B. Consider amending the text of the Planned Area Development Overlay District to allow modification of the requirements of the underlying zoning district, among other things.
- 8. DISCUSSION ITEMS**

9. PUBLIC COMMENTS

10. ADJOURN

Dated this 27th day of March, 2014.

By: Ruth Mayday, Planner

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 Planning Commission Regular

Meeting Date: 04/01/2014

January 7, 2014 Regular Meeting

CASE DESCRIPTION:

Approval of minutes from January 7, 2014 regular meeting.

FACTS:

1. Applicant:.....
2. Owner:.....
3. Parcel Number:.....
4. Site Area:.....
5. Existing zoning:.....
6. Intended Use:.....

ANALYSIS:

RECOMMENDATION

Attachments

3/4/14 Regular Meeting

**MINUTES OF THE REGULAR MEETING
OF THE PLANNING AND ZONING COMMISSION
OF THE TOWN OF CHINO VALLEY**

**Tuesday, March 04, 2014
6:00 P.M.**

The Planning and Zoning Commission of the Town of Chino Valley, Arizona, convened for a regular meeting in the Chino Valley Council Chambers located at 202 N. State Route 89, Chino Valley, Arizona.

Commissioner Gwen Rowitsch called the meeting to order at 6:02 P.M.

Members present: Commissioner Gwen Rowitsch (Chair), Commissioner Michael Edmonds, Commissioner Robert McCaullay, Commissioner Charles Merritt, Commissioner Gary Pasciak
Members absent: Commissioner Florence Sloan, Commissioner Cory Mendoza
Staff present: Planner Ruth Mayday, Dava Hoffman, Town Clerk Assistant Liz Hart (recorder)

4. MINUTES – No minutes available.

5. STAFF REPORTS

Planner Mayday introduced the newest Commissioner Gary Pasciak. Commissioner Pasciak presented a history of his experiences to the public and commissioners.

6. PUBLIC HEARING

A. 6a Amend Rules of Order Section 10 (B) (7) from Discussion Items to Non-Public Hearing Action Items, and Section 3 (B), striking "and third".

Planner Ruth advised need of action item on the agenda to allow for voting and striking the words "and third" from the meeting time and date charter as per a prior discussion to reduce the number of meets per month. The commissioners discussed adding the word and as needed, and holding special meetings.

Commissioner Pasciak suggested updating sections 8 & 9, as they do not apply to the current Town's work schedule.

Planner Mayday confirmed "non-public hearing action items" would be after "public hearings" and before "discussion items" on the agenda.

Commissioner Pasciak recommended the rules of order be amended as written and as discussed, seconded by Commissioner Merritt, and passed.

B. Discuss the initiation of amendments to the UDO that would regulate sober houses, group homes not governed by the Fair Housing Act, and other special purpose residential uses.

Planner Ruth Mayday reported on the need for definition of the regulation of group homes and special permit residence. This would accomplish separation requirements and additional requirements on the facilities.

Commissioner McCaullay Moved, seconded by Commissioner Edmonds to initiate a discussion on amendment to UDO that would regulate sober houses, group homes not

governed by the Fair Housing Act, and other special purpose residential uses and passed.

- C. Amendments to Section 1.9.4 Planned Area Development Overlay District: PAD of the Unified Development Ordinance (UDO).

Planner Mayday reported on cleaning up UDO issues of PAD language, the current ordinance states that the Town cannot restrict or modify use of property use with PAD overlay district.

Commissioner Pasciak moved, seconded Commissioner Merritt to discuss at the next meeting the amending of the text of section 1.9.4 Planned Area Development Overlay District and consider concurrent zoning changes and passed.

- D. Discuss the reinstatement of Ordinance No. 10-740 temporarily suspending the regulation of Temporary Signs and certain Prohibited Signs.

Planner Mayday reported on ordinance No. 10-740 for review. The ordinance was adopted Town Council to provide addition advertising and directional signage for business that were negatively impacted by construction work on State Route 89. The ordinance time span has elapsed and ordinance is no longer in effect and businesses should no longer use those signs.

Planner Mayday advised due to the number of business owners upset with losing signage it was requested to bring to the Planning and Zoning Commission for consideration reviving ordinance and initiation of a public hearing.

The Commissioners expressed their ideas on the following topics:

- Current language of ordinance and amending code
- Extension of current ordinance.
- Changing code permanently as these signs have been temporary for over 3 years.
- The area looking neater without the signs.
- The signs effectiveness and public awareness of signs.
- The current signage renewal of 30 days.
- Submission fee with renewal.
- Removal of section 2 C&D. Planner Ruth Mayday advised upon discussion with the code enforcement officer that the section is over regulatory.
- Removal of signs at close of business day.

Commissioner Pasciak moved, seconded by Commissioner Merritt to have a discussion considering extending Ordinance No. 10-740 to be discussed at the next meeting.

7. **DISCUSSION ITEMS** – no discussion items
8. **PUBLIC COMMENTS** – no public comments
9. **ADJOURN**

Commissioner McCaullay moved, seconded by Commissioner Pasciak to adjourn, passed at 6:24 P.M.

Dated this 6th day of March, 2014.

By: *Liz Hart, Town Clerk Assistant*

P&Z Planning Commission Regular

Meeting Date: 04/01/2014

March 4, 2014 Regular Meeting Minutes

CASE DESCRIPTION:

Approval of minutes from March 4, 2014 Regular Meeting

FACTS:

1. Applicant:.....
2. Owner:.....
3. Parcel Number:.....
4. Site Area:.....
5. Existing zoning:.....
6. Intended Use:.....

ANALYSIS:

RECOMMENDATION

Recommend approval of minutes

Attachments

January 7, 2014 Draft minutes

D R A F T
**MINUTES OF THE REGULAR PLANNING AND
ZONING MEETING
OF THE TOWN OF CHINO VALLEY**

**TUESDAY, January 7, 2014
6:00 P.M.**

The Planning and Zoning Commission of the Town of Chino Valley, Arizona, met for a Regular Meeting in the Chino Valley Council Chambers, located at 202 N. State Route 89, Chino Valley, Arizona, on Tuesday, January 7, 2014.

Present: Chair Gwen Rowitsch; Vice-Chair Garland Miner; Commissioner Chuck Merritt; Corey Mendoza

Absent: Commissioner Michael Edmonds; Commissioner Robert McCaullay; Commissioner Florence Sloan

Staff Present: Ruth Mayday, Planner; Liz Hart (recorder), Town Clerk Assistant

1) CALL TO ORDER

Commissioner Rowitsch called the meeting to order at 6:02 P.M.

2) PLEDGE OF ALLEGIANCE

3) ROLL CALL

4) MINUTES

- A) Consideration and possible action to approve the November 19, 2013 regular meeting minutes.

Commissioner Garland Miner moved, seconded by Commissioner Chuck Merritt to approve the November 19, 2013 regular meeting minutes, and passed.

- B) Consideration and possible action to approve the November 19, 2013 joint work study session minutes.

Commissioner Chuck Merritt moved, seconded by Commissioner Cory Mendoza to approve the November 19, 2013 joint work study session meeting minutes and passed.

5) **STAFF REPORTS**

Planner Mayday distributed a letter from a Town resident requesting adding assisted living homes to the permitted uses within the residential zoning districts. The item is under consideration with other Special purpose residential uses at the February or March meeting.

6) **PUBLIC HEARING**

- A) For consideration, discussion and possible recommendation to the Town Council regarding the issuance of a Conditional Use Permit to allow for the construction and operation of a 20 MW AC (30 MW DC) Photovoltaic Solar project.

Planner Mayday presented the Renewable Energy Systems (RES) and Wilkinson Investments' Chino Valley Solar Project overview to construct a 20 MW, 200-acre solar field north of Old Home Manor (OHM), which is AR5 zone, permitted use utility zone. Highlighted items cited:

- Conditional use required roadway improvements
- Connection of the APS substation to the solar substation
- Roadway extension from Jerome Junction from Rodeo Drive to the site location.
- 1/2 of required landscaping is offsite along Perkinsville roadway
- Drainage retained on site
- Onsite drainage retention
- Fencing
- Onsite landscaping

Randy Schroder presented a power point on RES Americas solar project at OHM. He advised that due to the location of the proposed solar field and the APS substation no offsite interconnection to power is necessary. The land is leased from current landowner and the nearest residence is ½ mile away. A maintenance building would be on site. Offsite drainage would be routed through the site via drainage channel and onsite drainage will be retained through retention ponds. No proposed lighting within the solar field. Jerome Junction would be upgraded from Rodeo Drive to the site. Panels are proposed to be single axis mounted trackers.

Daniel Menahem presented information on the RES organization their history and experience.

The Commissioners did not have questions for the applicant.

Planner Mayday advised upon Council approval the Conditional Use Permit is effective for 25 years. Landscaping on the north and east side are stipulated through the lease agreement with Wilkenson Investment Trust. The offsite landscaping, lighting, and

signage requirement must be complete before final certificate of occupancy. Engineering reports must be presented prior to building permit.

Commissioner Rowitsch asked which areas of the site would have the dust free hard surface.

Planner Mayday advised the dust free areas are onsite around the perimeter and the O&M building parking

Commissioner Rowitsch who is paying for the offsite landscaping water after 2 years. Planner Mayday advised the Town would be responsible for the watering, the extension of utilities on Perkinsville Road will allow for the water. The landscaping will occur once the infrastructure has been extended. Onsite water is between RES and landowner

Commissioner Merritt confirmed all infrastructures would be in place before project is completed and what base is used under the panels. Schroder advised the base would be similar to the base at the Sun Edison project.

Public hearing opened. No Public comments made. Public hearing closed.

Commissioner Mendoza advises he believed appropriate location, landscaping is good step in achieving Council plans for OHM.

Commissioner Miner moved, seconded by Commissioner Merritt to recommend to town Council to approve the issuance of a Conditional Use Permit to allow for the construction and operation of a 20 MW AC (30 MW DC) Photovoltaic Solar project on Parcel Number 306-002-300F, the stipulations mentioned on the staff report.

Vote: 4 - 0 PASSED - Unanimously

7) **DISCUSSION ITEMS:** Amend Rules of Order Section 3 (B) Regular Meetings

Planner Mayday recommended going back to one meeting a month on the first Tuesday of the month by amending the rules of order striking the words “and third meeting”. If there is a need for second meeting schedule a special meeting.

Commissioner Merritt moved, seconded by Commissioner Miner to amend the rules of order as written striking the word third from the section so that the meeting will only be held one time a month on the first Tuesday.

Vote: 4 - 0 PASSED - Unanimously

8) **PUBLIC COMMENTS**

No public comments made.

9) **ADJOURN**

Commissioner Miner moved, seconded by Commissioner Mendoza to adjourn, passed at 6:26 P.M.

Vote: 4 - 0 PASSED - Unanimously

Chair Gwen Rowitsch

Date

P&Z Planning Commission Regular

Meeting Date: 04/01/2014

3/4/14 Minutes of Joint P & Z and GPC meeting

CASE DESCRIPTION:

Approval of the March 4, 2014 Minutes of Joint P & Z and GPC meeting

FACTS:

1. Applicant:.....
2. Owner:.....
3. Parcel Number.....
4. Site Area.....
5. Existing zoning:.....
6. Intended Use.....

ANALYSIS:

RECOMMENDATION

Attachments

3/4/14 Special Meeting

**MINUTES OF THE JOINT WORK STUDY SESSION
OF THE PLANNING AND ZONING COMMISSION
AND THE GENERAL PLAN COMMITTEE
OF THE TOWN OF CHINO VALLEY**

**Tuesday, March 4, 2014
6:15 P.M.**

The Planning and Zoning Commission and the General Plan Committee 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 6:27 P.M.

Planning & Zoning Commission Present: Commissioner Gwen Rowitsch (chair), Commissioner Michael Edmonds, Commissioner Robert McCaullay, Commissioner Chuck Merritt, Commissioner Gary Pasciak, Commissioner Corey Mendoza (arrived approximately 7:00 p.m.)

Planning & Zoning Commission absent: Commissioner Florence Sloan

General Plan Members Present: Nancy Best, Michael Edmonds, Patricia (Trish) Lamb, Robert McCaullay, Tom Payne, Cheri Romley, Ron Romley, Celia Vander-Molen

General Plan Committee Members absent: Norm Freeman, Dan McGuire, John Morgan, Frank Perkins, Edward Steinback

Staff present: Planner Ruth Mayday, Consultant Planner Dava Hoffman, Town Clerk Assistant Liz Hart (recorder)

3. DISCUSSION ITEMS

- a.** Discussion of implementation of Building Appearance, Character, and Buffering standards.

Consultant Planner Hoffman presented a series of slides highlighting past General Plan Committee focus: Appearance/Character – Sense of Community through:

- Building scale and orientation
- Building character – style: ranch style southwestern
- Reducing onsite parking
- Property maintenance
- Noise and light mitigation techniques
- Land use element – Community Cores
- Development standards to the UDO for capability

Consultant Planner Hoffman presented the idea of adding an addendum to the general plan. She discussed architectural style and branding to the Town's newer building. Landscaping, which enhances the building and softens the look of the driveway.

What are the wishes of the committees, Design Development Standard objectives addressed in the General Plan as an addendum? What is important in creating community character and appearance?

Esthetic value promotes economic development and a quality of life within the community. Emphasize architecture and landscaping versus parking lots, protect views and visual image by using screening and buffering.

The committees discussed having a common theme making it more appealing to come to Chino Valley. In the past, the public consensus was to keep a western appearance. The need to ensure future Council members and Commissioners to stay with the theme. The committee discussed having a theme or motif for core areas and along the highway corridor, but excluding industrial areas. Commissioner Mendoza (arrived approximately 7:00 p.m.)

The existing UDO has a design concept but states “should” and “may”, an ordinance needs to say “is required” or “shall”. The committee suggested using the UDO language as a guideline within the general plan and clarifying the language in the UDO to specify, “Required” and/or “not required”. A clearer definition the term “concept” would be “standard”.

The committee discussed the difference between guidelines and regulation. Guidelines are not enforceable while regulation are. There should be regulations for every zoning district: residential, industrial, commercial light, commercial heavy.

The committee reached a consensus in the need for landscaping requirements and the enforcement of those requirements. Entry to Chino Valley lacks landscaping and material does not fit with Town concept.

The committee discussed architectural style western styles, traditional and contemporary along the State Route 89 corridor and core areas for new construction.

The committee discussed the following topics:

- Exterior materials vs. style in order to provide more leeway for building construction.
- Property fronting SR 89 and building set back moved to the front of the property line.
- Buildings with an earth tone palate with specific light reflective values.
- Relaxing paving requirements
- Wordage being “required”
- Town logo

The committees agreed to develop drafts for discussion to add a General Plan addendum reflecting consistency of development.

4. PUBLIC COMMENTS – No Public comments

5. ADJOURN

The committees adjourned at 8:17 p.m.

Dated this 10th day of March, 2014.

By: Liz Hart, Town Clerk Assistant

P&Z Planning Commission Regular

Meeting Date: 04/01/2014

CASE DESCRIPTION:

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ANALYSIS:

The Draft General Plan 2013-2014 contains the following Elements: Land Use, Circulation/Transportation, Open Space/Recreation, Water Resources/Environment, Cost of Development, and Economic Development. It includes introductory community information, public participation process, demographic data, and Community Vision, Goals and Strategies.

The General Plan Draft was discussed at a series of publically noticed meetings/work studies of the General Plan Committee and the Planning & Zoning Commission. Notices, meetings and the General Plan Draft were available on the Town of Chino Valley's website since mid-December 2013.

Comments were received beyond the 60-day review period through the month of March 2014. Comments were from the Arizona State Lands Department, the Arizona Department of Water Resources, and two residents of the Chino Valley. A compilation of comments is attached. Suggested revisions to the General Plan Draft resulting from the comments received are included.

RECOMMENDATION

In accordance with the attached compilation of Comments Received on Chino Valley General Plan Review Draft, Staff finds that the suggested corrections to the Acknowledgements page, and the revisions suggested by the Arizona State Lands Department for page 19 Land Use Element Map, and pages 9 and 11 Circulation Element to be reasonable and should be inserted. Staff finds that other suggested revisions by ASLD and by ADWR, as well as by Citizen Bacon, having been addressed by the Town Public Works Department, are not necessary. Staff suggests revision to page 5 Circulation Element in reference to Citizen Chontos' inquiry is necessary for correction.

MOTION:

Motion to recommend approval with revisions of the Chino Valley General Plan 2013-14 to the Town Council.

Attachments

General Plan Comments Received

Comments Received on Chino Valley General Plan Review Draft 2013-14

1. GPC/P&Z at Dec, 2013 meeting: Acknowledgements page -misspelled name of a GPC member- Robert McCaullay; add David Nicolleta, Former Planner, Contributing Staff
Recommendation: misspelling and addition to be corrected
2. AZ State Land Dept, 3-14-14- Victoria Carella: Thank you for the opportunity to review and comment on the Town of Chino Valley Draft of General Plan 2013 – 2014. Following are the Arizona State Land Department's comments:
 - Land Use Element, page 19, Potential Land Use Map.
Wording needs to be added to the map stating that any new roads identified/shown on State Trust land are subject to approval and right-of-way acquisition from the Arizona State Land Department.
Recommendation: notation to be added to map as footnote
 - Circulation / Transportation Element, page 5.
Wording needs to be added to the text stating that any new roads identified/shown on State Trust land are subject to approval and right-of-way acquisition from the Arizona State Land Department.
Public Works Staff reply: *Engineer Richard Straub- verified that there are no State Trust lands involved with the planned road extensions for the Rd 1E and the Peavine Trail Loop Rd projects.*
Recommendation: No revision needed
 - Circulation / Transportation Element, page 9.
Wording needs to be added to the text stating that any new roads identified/shown on State Trust land are subject to approval and right-of-way acquisition from the Arizona State Land Department.
Recommendation: notation to be added
 - Circulation / Transportation Element, page 11, Targeted Strategies #2.
Add an additional step: Coordinate and work with the Arizona State Land Department in the acquisition of State Trust land for right-of-way.
Recommendation: notation to be added in first Step, Strategies # 2
 - Open Space Element, page 6, Prescott Area Regional Trail System Map.
Wording needs to be added to the map stating that any new trails identified/shown on State Trust land are subject to approval and right-of-way acquisition from the Arizona State Land Department.
Recommendation: no revision as map is property of the City of Prescott
3. AZ Dept of Water Resources, 3-6-14- Jeff Tannler, Area Director, Statewide Active Management Areas: The Arizona Department of Water Resources appreciates the opportunity to provide review and comment on the Draft General Plan for the Town of Chino Valley. I noted only one very minor discrepancy in the Water Resources Element section of the Plan:
 - On Page 4 of the Water Resources Element, it is noted that the Town operates two wells, Registration Numbers 55-219691 and 55-621557. However, it appears from a check of recent annual water withdrawal and use reports that Well 55-595220 is also being used in addition to these two wells.
We have no additional comments at this time. Again, thank you for the opportunity for comment.
Public Works Staff reply: *Chris Bartels -Well # 55-595220 located at the Country West Mobile Home Park production facility was the primary production well for the Town prior to its collapse in 2010. The well is currently out of service and we do not anticipate bringing that well back on line at this time or in the near future. Currently, the only*

production wells for the municipal water system 13-137 are Well # 55-219691 -primary production well and well # 55- 621557 secondary production well.

Recommendation: no revision needed

4. Citizen Comment, 3-17-14, via phone from Steve Chontos- questioned Rd 1E extension south going through the rear yard of his Chino Golf Range property; the GP draft, Circulation Element, pg 5, states that the proposed extension of Rd1E from Rd 3S to approximately Rd 4 ½ S.

Public Works Staff reply: *Engineer Richard Straub- verified that Rd1E would be extended to approximately Rd5S, i.e. to Kalinich Ave, 1000ft north of Rd5S alignment, and that ADOT is planning to construct a roundabout there with the widening of SR 89.*

Recommendation: wording on pg 5 to be updated as noted above

5. Citizen Comment, 3-17-14 from Mike Bacon:

It was recently brought to my attention that the General Plan is now being updated for the City. I recently purchased a home in Chino Valley and have been consumed with saving the trees and shrubs on my property brought about by prior negligence by the lender and have not had the time to examine the General Plan as of this date.

I would like to offer some general comments on the General Plan as I have been a City/Regional Planner for most of my career.

1. Most communities, such as Chino Valley, have Dark Skies ordinances. These ordinances do not cover the *quantity* of street lighting. Street lighting is proposed and installed according to national standards for the various types of roadway systems. I have found that the amount of lighting installed in specific instances is an "overreach" and is not necessarily needed. I would like to cite two specific examples:

- A. The California Coachella Valley desert communities of Palm Springs and Palm Desert appreciate the night skies of the region and do not install large numbers of street lighting along their arterial street systems. As a County Planner in southern California, I was involved in mitigating the lighting impacts of business development.

- B. On the other hand, the City of Prescott has decided to abide by national standards when it installed lighting along Willow Creek Road. This lighting, although compliant with it's Outdoor Lighting Code, does not mitigate the "orange glow" and the dark skies which people enjoy. Street lighting can be in excess of what is needed, particularly. One has to apply some common sense when national standards are involved.

I would not like to see Chino Valley install such lighting along its Hwy 89 corridor where sidewalks were recently installed. How many people are really walking these expensive sidewalks to warrant their installation--as well as potential future lighting? Chino Valley is a rural community where dark skies are appreciated. I will be contacting the aforementioned California communities to inquire about their current street lighting requirements and will report back to you in the near future regarding my findings.

2. Does the General Plan convey any indication for reducing traffic congestion by promoting mutual access easements among adjoining properties along HWY 89? As a City of Des Moines City Planner, I was involved in the promotion of these easement along a major state highway / arterial city street. These easements allowed vehicles to access adjoining business properties without exiting and entering the public street. The promotion of these easements was accomplished *informally* by the savvy suggestions of City Planners at Pre-Application Conferences and assisting businesses with achieving a workable design that benefited each business. Of course, the ideal is to have a frontage road, but this is not practical in all instances. Prescott Valley was once given the opportunity by the State for a limited access Hwy 69, but turned it down. Fortunately it still has some access roads. Nevertheless, the increase of traffic lights will decrease the access time to and from I-17. Other mountain communities (e.g. Pigeon Forge, TN) have experienced commercial growth along its state highway that traffic now can take hours when once it was measured in minutes.

In both of the above examples, I think the General Plan needs to address, if it does not already, the issues of reducing unneeded public lighting and reducing traffic congestion along Hwy 89.

Public Works Staff reply: *Engineer Richard Straub responded that both of these issues should be taken up with ADOT since SR 89 is a state highway and not in the Town's jurisdiction*

Recommendation: no revision needed, subject to discussion by Planning Commission

P&Z Planning Commission Regular

Meeting Date: 04/01/2014

Consideration, Discussion, and possible action on Postscript to General Plan

CASE DESCRIPTION:

This Public Hearing is for consideration, discussion and possible recommendation to the Town Council on the draft “Postscript: Considerations for Creating a Sense of Place in Chino Valley”, and to receive additional public comment for deliberation by the Planning and Zoning Commission.

FACTS:

1. Applicant:.....
2. Owner:.....
3. Parcel Number.....
4. Site Area.....
5. Existing zoning:.....
6. Intended Use.....

ANALYSIS:

Issues regarding the Town of Chino Valley’s appearance, character, and sense of place were discussed at a series of publically noticed meetings/work studies of the General Plan Committee and the Planning & Zoning Commission. In response to the many lengthy discussions, the General Plan Committee and the Planning Commission agreed at their Work Study on March 4, 2014, to consider adding a postscript to the General Plan on this matter.

The draft “Postscript: Considerations for Creating a Sense of Place in Chino Valley” is a summary of ideas proposed for consistent and flexible design and development features in new commercial construction for areas of greatest image identification, i.e. properties fronting SR 89 and in future Community Cores. The intent is to promote the local economy through a visual image, both attractive and unique to the Town. The Postscript includes photographic examples of the Town “ID”, “Western Style” architecture, and landscaping that enhances development.

An initial draft Postscript was prepared for review by members of the P&Z and GPC. Comments received included adding consideration for potential appearance standards to specify that they are intended for commercial uses, not other types of uses; and that more photos of typical “Western” style, such as those with parapet walls, should be included.

RECOMMENDATION

In accordance with the attached revised draft Postscript, Staff finds that adding a discussion about the community’s desire to create a sense of place to the General Plan, will help to strengthen the local economy. It will also provide a basis for implementation and updating of various sections of the UDO pertaining to design and development standards. Staff, therefore recommends adding the “Postscript: Considerations for Creating a Sense of Place in Chino Valley” to the General Plan.

MOTION:

Motion to recommend approval of the General Plan “Postscript – Consideration of Creating a Sense of Place in Chino Valley” to the Town Council.

Attachments

Postscript : Creating a Sense of Place

Considerations for Creating a Sense of Place in Chino Valley

Communities incorporate into cities or towns in order to control their own destinies. Some new cities or towns possess a vision in the early years and work towards it, often achieving it; others with no clear vision often become sleepy bedroom-suburbs of another municipality. Without a vision a community may appear to be treading water, neither swimming nor sinking.

The purpose of a General Plan is to provide impetus for each town to not only create its vision, but to give voice to the community for direction in accomplishing its vision.

Some communities contain a lively downtown with a strong sense of place, perhaps evolved from a historic founding prior to the rise of automobile travel. And many towns, founded later, reflect individual separated developments along a highway. Such has been the primary development of the Town of Chino Valley since its incorporation. Chino Valley is a town stretching many miles along SR 89 without a downtown, center or focal point.

The 2013-2014 Chino Valley General Plan addresses the desire by the community to create a sense of place—the essence of a locale that attracts people by offering social interaction and enjoyable living—and it addresses the community’s desire to create functional and aesthetic focal points throughout the Town.

The General Plan emphasizes the creation of **Community Cores—focal areas of community gathering, such as entertainment, recreation, civic center, etc—**rather than on a continuance of stripped-out, unconnected development accessed only by the automobile. It envisions a series of active hubs with quality people-spaces. The General Plan also posits that visual appearance is part-and-parcel of community character; **the “visual” creates the sense of place.**

Visual Town character is depicted in the new “Welcome to Chino Valley” monument sign and accompanying equestrian entry sculpture. The monument sign expresses a progressive community and the horse sculptures symbolize the Town’s Western strengths and heritage.



How can the community character/image be carried throughout the primary development areas of Chino Valley and enhance the economy? The General Plan Committee and Planning Commission grappled with this question during the long General Plan process.

The solution entails creating consistency and continuity without creating rigid regulations that result in cookie-cutter development. To achieve consistency without rigidity and boredom, the GPC and Commission placed importance on:

- Architectural style, e.g. a “Western Style” with flexibility to embrace both contemporary and traditional;
- a wide-ranging palette of building colors with low reflectivity;



- landscaping features that enhance both the building and the pedestrian areas;



- building orientation and flexible setbacks that fit the needs of both pedestrian and vehicular travel; e.g. retail areas are enhanced by placing interesting displays/features close to pedestrian pathways, especially when connecting to other pedestrian areas;
- consistent, clear and flexible development/design standards for new construction in primary business areas where the Town's image may be enhanced, i.e. **commercial and multi-family** properties fronting SR 89 and properties in future Community Cores.

A sense of place can be created with community understanding of the following premises:

- That architectural style, enhanced by landscaping and other amenities are important to the Town's appearance and local economy;
- That pedestrian travel, access and people-gathering spaces encourage the interaction of community members; and offer opportunity for the environment to be felt with all of the senses;
- That flexibility offers the potential for lifestyle choices that are not available today;
- That lifestyles and the local economy are enhanced by pedestrian connections and other alternative types of transportation.

Summing It Up

The General Plan expresses the community's intent to improve local conditions, protect its attributes and provide a basis for decision-making for long range community development and identity.

The Chino Valley community has expressed its desire to create a sense of place that identifies the "Town of Chino Valley" as a unique and attractive place where people gather to enjoy community, to shop, to live, to recreate and to work.

The Goals, Strategies and Steps of the General Plan are the guidelines for community leadership to accomplish the expressed desire of creating Chino Valley's Sense of Place.

P&Z Planning Commission Regular

Meeting Date: 04/01/2014

Amendments to Section 4.21 Sign Regulations

CASE DESCRIPTION:

Consideration of readopting Ordinance 10-740

ANALYSIS:

In 2009, State Route 89 underwent a improvements initiated by the Arizona Department of Transportation (ADOT). Residents and visitors complained of difficulty in locating businesses during construction, and merchants suffered as a result of the construction related confusion. Town Council first adopted Ordinance 09-718, temporarily suspending prohibitions on certain signage until December 31, 2009. The economy began to fail prior to the expiration of 09-718; because the additional signage had proven effective during the construction period and businesses were struggling to survive, Town Council extended the suspension of prohibitions on certain signage as set forth in Ordinance 09-718 by adopting Ordinance 10-726. This ordinance extended the suspension of prohibitions on certain signage from January 1, 2010 to January 13, 2011. Because economic conditions had not improved by the expiration of Ordinance 10-726, Town Council extended the modifications to the Unified Development Ordinance until January 8, 2014.

Code Enforcement staff have been enforcing the requirements of UDO Section 4.1 since the expiration of Ordinance 10-726 on January 8, 2014. Since that time, staff has received 15 phone calls, emails, and personal visits from businesses that use signs prohibited by the UDO but allowed with the ordinances adopted by Council; all of whom fully support reinstatement of the language set forth in Ordinance 10-726.

RECOMMENDATION

While the construction on State Route 89 is complete, the unstable economic conditions persist. Terminating the prohibitions on certain types of signage will likely have a chilling effect on already struggling businesses within the town. Upon the ratification of the General Plan by the electorate on November 4, 2014, the UDO will undergo a rigorous rewrite so the zoning designations are congruent with the land use classifications set forth in the General Plan.

Therefore, Staff recommends amending the language of Ordinance 10-740 as follows:

- 1) Businesses are allowed one (1) type of temporary signage at a time.
- 2) Temporary sign permits must be obtained from the Development Services Department and renewed on an annual basis, beginning on July 1, 2014; permits will expire on June 30, 2015. Fees shall be \$5.00 per month, paid annually upon application for a temporary sign permit.
- 3) By law, zoning codes can only define manner and placement of signage and not content. Therefore, subsections c and d from Section 2 must be stricken.
- 4) This ordinance shall expire on January 1, 2016 or upon the revision of Section 4.21 Signs of the UDO, whichever first occurs.

Staff also recommends initiating a Public Hearing on May 6, 2014 during its regular meeting.

MOTION to accept the text amendments for Ordinance 10-740 and initiate a Public Hearing to be held during the May 6, 2014 regular meeting of the Planning and Zoning Commission.

Attachments

Draft ordinance

ORDINANCE NO. ____ - ____

**AN ORDINANCE OF THE MAYOR AND COMMON COUNCIL
OF THE TOWN OF CHINO VALLEY, ARIZONA, TEMPORARILY
SUSPENDING A PORTION OF THE TOWN CODE OF THE
TOWN OF CHINO VALLEY, ARIZONA, CHAPTER 4.21 SIGN
REGULATIONS, BY AMENDING SECTIONS 4.21.7
“TEMPORARY SIGNS” AND 4.21.11 “PROHIBITED SIGNS”,
RELATED TO THE TEMPORARY SUSPENSION OF CERTAIN
PORTIONS OF THE UNIFIED DEVELOPMENT ORDINANCE;
PROVIDING FOR SEVERABILITY; PROVIDING FOR
PENALTIES**

WHEREAS, on November 9, 2006, the Town of Chino Valley Town Council adopted Resolution No. 06-812 declaring the Unified Development Ordinance (“**UDO**”) a public record, and adopted Ordinance No. 06-678 adopting the Unified Development Ordinance; and

WHEREAS, the stated purposes of the UDO include: (1) providing for the social, physical, and economic advantages resulting from comprehensive and orderly planned use of resources and (2) promoting the health, safety, convenience, and general welfare of the citizens of the Town of Chino Valley, Arizona (“**Town**”); and

WHEREAS, during the Arizona Department of Transportation road improvements on State Route 89 in the Town Limits, area residents experienced difficulty locating business store-fronts, and local merchants experienced difficulty displaying signage adequate to alert consumers of the presence of their businesses, on March 12, 2009, Council adopted Ordinance No. 09-718, which temporarily suspended certain portions of the UDO Sign Regulations, with an automatic termination date of December 31, 2009; and

WHEREAS, due to the ongoing economic downturn and the proven effectiveness of Ordinance No. 09-718's provisions, Council adopted Ordinance No. 10-726 on January 28, 2010 to extend the effective date of Ordinance No. 09-718 retroactively from January 1, 2010 through January 13, 2011; and

WHEREAS, upon adoption of Ordinance 10-726 by Town Council on December 9, 2010 the Town Council extended the modifications with an expiration date of January 8, 2014; and

WHEREAS, Terminating the temporary suspension of prohibitions on certain types of signage as set forth in Ordinance 10-726 will likely have a chilling effect on businesses struggling to recover from the economic downturn; and

WHEREAS, it is in the interest of providing for the social, physical, and economic advantages resulting from comprehensive and orderly planned use of resources and promoting the health, safety, convenience, and general welfare of the citizens of the Town to extend the temporary suspension of certain portions of the UDO Sign Regulations; and

NOW, THEREFORE, BE IT ORDAINED by the Common Council of the Town of Chino Valley, Arizona, as follows:

Section 1. In General.

The Town Code of Chino Valley, Arizona, Chapter 4.21 SIGN REGULATIONS, Section 4.21.7 "TEMPORARY SIGNS" AND 4.21.11 "PROHIBITED SIGNS" is hereby amended to read as follows (additions shown in ALL CAPS; deletions shown in ~~strikeout~~):

The following requirements regarding the display of Banners and Pennants shall be effective from the date of adoption through January 31, 2014:

- a. A Banner or Pennant sign ("**Banner sign**") made of cloth, nylon, or similar durable material may be displayed for a maximum of THREE HUNDRED AND SIXTY-FIVE DAYS ~~thirty (30)~~ consecutive days, ~~subject to renewal on the first calendar day of each month.~~ SUBJECT TO THE ISSUANCE OF AN ANNUAL SIGNAGE PERMIT. Display of a Banner sign is not limited to Grand Openings or Special Events.
- ~~b.~~ Approval of the time and location of a Banner sign display shall be obtained from the Development Services Director, or his/her designee ~~on forms provided by the Town's Development Services Department,~~ subject to Subsection 4.21.9 of the UDO and assessment of AN ANNUAL Temporary Sign Fee upon initial Application and each renewal thereafter, ~~based upon the Development Services Fee Schedule.~~
- c. Banner sign displays are allowed on-site in commercial or industrial districts or public or institutional property. In residential districts, such sign displays may only be permitted for multiple residence uses and non-residential uses.
- d. Banner sign displays are prohibited on or above the roof of any building.
- e. The maximum size of a Banner sign shall be forty-eight square feet (48 sq. ft.), and shall be limited to one (1) per business, subject to Paragraph (f) below and Subsection 4.21.7(B), off-site Directional signs pertaining to special events.
- f. A Banner sign display is limited to the building or within the parking area, perimeter landscape, or some other area of the development, as reviewed and approved by the Development Services Director or his/her designee.
- g. For special events, the maximum Banner sign size shall be forty-eight square feet (48 sq. ft.), unless otherwise reviewed and approved, and shall be limited to one (1) per street frontage per business. Application for and approval of the time and location of display shall be obtained from the Zoning Administrator, or his/her designee, on forms provided by the Town's Development Services Department.

The following requirements regarding portable signs shall be effective retroactively from January 14, 2011 until and through January 8, 2014:

- a. In commercial or industrial districts or on public or institutional property, one (1) A-frame type portable sign made of wood, vinyl, metal or other similar non-pliable material ("**Portable sign**") may be displayed for a maximum of THREE HUNDRED AND SIXTY-FIVE DAYS ~~thirty (30)~~ consecutive days, ~~subject to renewal on the first calendar day of each month.~~ SUBJECT TO THE ISSUANCE OF AN ANNUAL SIGNAGE PERMIT.

- b. Approval of the time and location of a Portable sign shall be obtained from the Development Services Director, or his/her designee, ~~on forms provided by the Town's Development Services Department,~~ subject to Subsection 4.21.9 of the UDO and assessment of AN ANNUAL Temporary Sign Fee upon initial Application and each renewal thereafter, ~~based upon the Development Services Fee Schedule.~~
- c. A Portable sign shall be limited to one of two sizes: (i) 24" width x 36" height; or (ii) 31" width x 40" height.
- d. ~~A Portable sign is limited to (i) identification of a business; and (ii) providing directions to said business.~~
- e. ~~The background color of a Portable sign shall be white in color, and shall be limited to one contrasting color of graphics and/or text.~~
- f. Subject to paragraph (f) below, a Portable sign is not permitted on another person's property without written permission.
- g. A Portable sign is not permitted in the following locations:
 - i. Within five (5) feet of a public street;
 - ii. At the corner of an intersection;
 - iii. Within a public utility easement;
 - iv. Within any Town-owned property, except for signs posted by the Town for Town events; and
 - v. As set forth in Subsection 4.2.11(E).
- h. No Portable sign display is permitted during hours of non-operation (close of business).

Section 2. Providing for Repeal of Conflicting Ordinances.

All ordinances and parts of ordinances in conflict with the provisions of this Ordinance or any part of the Code adopted herein by reference, are hereby repealed.

Section 3. Providing for Severability.

If any section, subsection, sentence, clause, phrase or portion of this Ordinance or any part of the Code adopted herein by reference, is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions thereof.

Section 4. Providing for Penalties

Any person found responsible for violating any provision of this Ordinance section shall be subject to the civil sanctions and habitual offender provisions set forth in Section 10.99(A), (B) and (D) of the Town Code of the Town of Chino Valley, Arizona.

Section 5. Termination

This ordinance shall expire on January 1, 2016 or upon the revision of Section 4.21 Sign Regulations of the Unified Development Ordinance, whichever first occurs.

PASSED AND ADOPTED by the Mayor and Common Council of the Town of Chino Valley, Arizona, this ____ day of _____, 20__ by the following vote:

AYES: _____

ABSENT: _____

NAYS: _____

ABSTAINED: _____

APPROVED this ____ day of _____, 20__.

Chris Marley, Mayor

ATTEST:

Jami C. Lewis, Town Clerk

APPROVED AS TO FORM:

Curtis, Goodwin, Sullivan, Udall & Schwab, PLC
Town Attorneys
By: Phyllis L.N. Smiley

I, JAMI LEWIS, TOWN CLERK, DO HEREBY CERTIFY THAT A TRUE AND CORRECT COPY OF THE ORDINANCE NO. _____ ADOPTED BY THE COMMON COUNCIL OF THE TOWN OF CHINO VALLEY ON THE ____ DAY OF _____, 20__, WAS POSTED IN THREE PLACES ON THE ____ DAY OF _____, 20__.

Jami C. Lewis, Town Clerk

P&Z Planning Commission Regular

Meeting Date: 04/01/2014

Text Amendments to Section 1.9.4 Planned Area Development Overlay District

CASE DESCRIPTION:

Consider amending the text of the Planned Area Development Overlay District to allow modification of the requirements of the underlying zoning district, among other things.

ANALYSIS:

The intent of the Planned Area Development (PAD) overlay district is to allow for modification of the requirements of the UDO when planning developments throughout town. The initial direction of this item was to make minor adjustments to the PAD regulations as currently set forth in the UDO. Upon further review, it became apparent that the entire section was in need of revision. In its current form, the language in this portion of the ordinance contradicts the intent of a PAD, sets forth an unnecessarily long review and approval period, and repeats other sections of existing code that, if amended, would require additional amendments to the PAD regulations. Rather than amend the PAD regulations piecemeal, Staff has rewritten the entirety of this section of the UDO.

Staff has relied on previous experience administering the PAD process in other municipalities as well as the Town Attorney's experience in addressing the deficiencies in the current PAD language and providing an alternative that ties the PAD requirements to the General Plan, safeguards the Town's interest in development and coordination of infrastructure extensions, and provides the flexibility necessary to encourage innovative design.

Two versions of the proposed changes are attached: a redline version and a draft version of the amended language.

RECOMMENDATION

This portion of the UDO is unnecessarily complex, redundant, and undermines the actual intent of a Planned Area Development Overlay District. Therefore, staff recommends initiating a Public Hearing at the May 6, 2014 regular meeting of the Planning and Zoning Commission.

MOTION: Initiate a Public Hearing on proposed changes to Section 1.9.4 Planned Area Development Overlay District at the May 6, 2014 regular meeting of the Planning and Zoning Commission.

Attachments

Redline

Draft Language

1.9.4 Planned Area Development Overlay District: PAD

1.9.4.1. Purpose: The purposes of the ~~P~~lanned ~~A~~area ~~D~~evelopment overlay district (~~pad~~"PAD Overlay District") are:

- A. Provide for the orderly development of land consistent with the Unified Development Ordinance of the Town of Chino Valley while permitting maximum flexibility in the design and development of residential, commercial and/or industrial ~~developments~~, ~~environments of a quality which could not be achieved by traditional lot by lot development under conventional zoning concepts. It is recognized that while the conventional zoning districts and the requirements of those districts set forth in the Unified Development Ordinance of the town are reasonable, there may be circumstances in which it is in the best interests of the town to permit modifications in some of the requirements of the zoning districts where a property owner develops land in the town utilizing unique and/or creative designs and techniques in such a manner as to promote its most appropriate use, economical provision of streets and utilities, to prserve and utilize open space, to offer recreational opportunities close to residential use, to enhance the appearance of neighborhoods, to counteract adwers effects of urbanization and to provide for the unified control of development land~~ while ensuring the intent and purpose of the General Plan and Unified Development Ordinance are not adversely affected.
- B. Modify underlying zoning district regulations to permit ~~flexibility and innovation in developmental design and provide opportunities for unique or mixed-use development~~
- C. Promote economical construction and maintenance of streets and utilities without compromising public safety and welfare.
- D. -Preserve and utilize open space, and offer recreational opportunities close to residential use,
- E. ~~to enhance the appearance of neighborhoods, to counteract adverse effects of urbanization and to provide for the unified control of development of land.~~
Encourage the preservation of community character and stabilization of surrounding neighborhoods.

1.9.4.2. Permitted Uses

- A. A single PAD ~~overlay~~ district may overlay one or more underlying zoning districts. ~~The uses permitted in the PAD district shall be governed by the permitted uses in the underlying district or combination of underlying districts, as approved by the Council. An "underlying zoning district" shall mean those zoning districts set forth in 3.1 through 3.27 of the Unified Development Ordinance of the town.~~
- B. ~~The PAD district shall comply with the requirements of the underlying zoning district(s) except as otherwise set forth in this article and~~

~~in the specific Unified Development Ordinance establishing the specific pad district. A pad PAD overlay district may be approved with modifications of the requirements of the underlying zoning district so long as the intent of this Unified Development Ordinance is met, and the resulting land use will be of a quality comparable to or exceeding the quality which would otherwise result from use solely of the underlying zoning district(s).~~

C. A PAD **overlay** district may allow for onsite density transfer within a residential development, permitting the density regulations of the underlying zoning districts to be applied to the total area of the PAD overlay district rather than separately to individual lots or underlying zoning districts.

~~C. Notwithstanding the above, no modifications of the requirements of the underlying zones with respect to use shall be approved by virtue of approval of the pad application.~~

~~D. Applications for changes in the underlying zoning district(s) uses to include, for example, a change from sr-1 to sr-0.16, which would end up designated sr-0.16 pad. May be submitted and processed concurrently with an application requesting approval of a planned area development overlay district.~~

~~DE. The minimum area of a PAD shall be two (2) acres. There is no minimum size for a planned area development. However, the size of the area included in the pad must be such that it accommodates the requirements of this pad ordinance.~~

E. PAD overlay district modifications to uses permitted in the underlying zoning district[s] shall be compatible with and not averse to the uses permitted in the underlying zoning district.

F. Use and development of land within a PAD overlay district shall conform to the underlying zoning district regulations and other requirements of the Unified Development Ordinance, except as modified by the PAD zoning ordinance.

1.9.4.3 PAD Procedures

- A. Creation of a PAD overlay district shall be considered and treated as a change in zoning and shall be subject to the procedures required for changes in zoning, including Citizen Review, public hearing and approval by the Town Council.

B. ~~Development Step 1: Conceptual Master Plan and Underlying Zoning District:~~

~~1. An application for PAD approval shall be made on forms provided by the planning department and the applicant shall provide all applicable information. Any concurrent application for rezoning of uses of the lots, shall be made in conformity with relevant provisions of the Unified Development Ordinance of the town and shall be, to the extent possible, heard concurrently with the PAD's application to the extent reasonably possible.~~

~~2. A conceptual master plan shall be submitted with the PAD and rezoning application including the following: documents and information:~~

~~a. A written legal description of the property or properties under application for approval.~~

~~b. A survey map noting the property boundaries and legal description, topography, existing structures, adjacent streets (location, name and width) and significant natural features.~~

~~c. A conceptual plan with notes specifying the intended land uses, types of structures and intensities; primary points of access and major interior street alignments; site perimeter setbacks and typical landscaping and screening treatments~~

1. *Development Plan.* A PAD shall include a development plan consisting of a site plan, preliminary landscape plan, building elevations, building height, design guidelines, residential lot layout, open space plan, or other plan applicable to the project. The use and development of the property in a PAD shall substantially conform to the development plan approved by the Town Council as an exhibit to the PAD overlay zoning ordinance.

2. *Conditions.* The Planning Commission may recommend, and the Town Council may impose, conditions of approval including, but not limited to, the following:

i. Timing or phasing of development;

ii. Off-site and on-site improvements;

iii. Development standards;

iv. Design guidelines;

v. Conditions of use;

vi. Dedication of land for public purposes;

vii. Granting of utility easements;

viii. Granting of easements for public use of trails and open space areas;

ix. Requirements for establishment of a homeowners or property owners associations or other mechanism to assure continued maintenance of commonly owned land and facilities; and

x. Reservation of land for future public acquisition.

- d. ~~The survey map and conceptual plan should be combined into one plan and may include other data as requested by the planning department to assure compliance with this article.~~
 - e. ~~A schedule for development of the specific, proposed use or uses for which rezoning is requested. The schedule for development shall include a construction schedule for various phases of the development if construction phases are anticipated.~~
- C. The Planning Commission shall hold a public hearing on the PAD and rezoning request pursuant to the requirements of the Unified Development Ordinance and Arizona state law. ~~t as expeditiously as possible after submission of all required documents, plans and fees. In addition to the notice requirements of this Subsection and 1.9.5, applications for a PAD overlay zone which include a request for onsite density transfer shall include in the notice for the public hearing that the applicant is requesting onsite density transfer, the density required by the underlying zoning district, the proposed deviation and the net density requested. Additionally, notice of an application for a PAD overlay zone transfer with a request for onsite density transfer shall be mailed at least fifteen (15) days before the hearing to all property owners within three hundred feet (300') of the site.~~
- D. After the public hearing, the Planning Commission ~~may~~ shall make a recommendation to the Town Council, in writing, that the Council approve, approve with modifications and/or conditions, or to deny the proposed change in zoning and creation of a PAD overlay zoning district. The recommendation shall include the reasons for the recommendation and shall be transmitted to the Town Council in such form and manner as may be specified by the Council. ~~recommend approval or disapproval of the PAD application and Conceptual Master Plan or approval subject to specific modifications or conditions.~~
- E. The Planning Commission shall ~~only~~ recommend approval ~~when~~ only after making the following findings:
 - a. That the rezoning as proposed or modified is consistent with the goals, objectives and policies embodied in the ~~G~~general ~~P~~plan.
 - b. That every structure used for residential, commercial, or industrial purposes shall have access to a public street.
- 5. ~~The Planning Commission may only recommend approval of the PAD application if it is satisfied and makes finding that the~~

~~development with any modifications specified by the commission meets the requirements of Subsection 1.9.4., that strict compliance with the underlying zoning will not be required to avoid material impairment of adjacent properties.~~

- F. The Council may adopt the recommendations of the Planning Commission without a public hearing if there is no objection, request for public hearing, or other protest. If an objection, request for public hearing or other protest is received, the Town Council shall hold a public hearing. The Council may adopt the recommendations of the Planning Commission or it may approve with modifications or deny the requested change in zoning and PAD overlay district. ~~are substantiated. Any approval shall be by ordinance and shall set forth:~~
7. ~~Upon the effective date of the ordinance, the zoning map shall be amended to designate the affected area with a PAD symbol or symbols on the subject property.~~

B. ~~Step 2 Final development or site plan: within three years of the effective date of the amendment to provide for PAD overlay zoning, the applicant shall file with the development services department the following documents:~~

- ~~1. A final development or site plan incorporating a fully dimensioned plan locating all proposed infrastructures, including: streets, structures, parking areas, landscaped areas, walls, sidewalks and other elements of the development or the first phase of the proposed project.~~
- ~~2. Proposed PAD projects may be phased in design and in development so long as those portions to be first developed result in a project that is in substantial compliance substantially comports with the requirements of this PAD ordinance.~~
- ~~2. A landscape plan with schematic representation of the location of all plant materials, hardscape, walkways and screening walls; a plant materials schedule indicating plant name (Latin and common), number and sizes used in the plan and on center spacing.~~
- ~~3. Typical building elevations for all residential units and specific building elevations for any commercial or recreational buildings.~~
- ~~4. The final development or site plan shall be in substantial conformance with the conceptual master plan and all requirements and conditions adopted by the Council.~~
- ~~5. The final development or site plan may be submitted separately for each phase of development or as a whole; each submittal shall require a separate public hearing and approval by the Planning Commission and Council prior to the vesting of the zoning or issuance of building permits. When the final development or site plan is submitted in phases, the first phase shall be submitted as indicated above and each subsequent phase within three years of approval of the previous phase.~~

6. ~~Where the Planned Area Development overlay district is used to impose special provisions regarding the design and development of a subdivision, the preliminary subdivision plat as described in the town subdivision regulations may constitute the applicant's conceptual master plan. The final subdivision plat as described in said ordinance shall constitute the final site plan, provided, however, that the plat and any additional documentation submitted with such plat shall include all of the elements and data provided for in paragraphs [1-4] of this Subsection.~~

~~C.~~

- ~~1. A request for a PAD amendment shall be reviewed by all affected town staff and agencies. After review, the Zoning Administrator (ZA) will determine if the amendment can be approved administratively. Only minor amendments are allowed to be made administratively and no amendments are allowed which conflict with the requirements of this ordinance or condition placed upon the PAD overlay approval. The following are examples of pad amendments that can be approved administratively:~~

- ~~a. Rearrangement of parcels;~~
- ~~b. Rearrangement of circulation; and~~
- ~~c. Rearrangement of open space.~~
- ~~d. Increases in open space.~~
- ~~e. Decreases in open space not to exceed [10%] but not decreasing the space below that required by this ordinance or any specific conditions or stipulations imposed by the Council.~~
- ~~f. Alterations in landscaping.~~
- ~~g. Alterations in amenities in active open space which do not materially impair the use of such space.~~

C. Amendments to the PAD Overlay District:

1. Major Amendments:

a. The owner of record or agent thereof may file a request for a Major Amendment to the PAD overlay district with the Development Services Department.

b. The following changes shall be Major Amendments:

1. A change to the Development Schedule, including changes in Phasing.

2. An increase in the number of dwelling units or leasable floor area

3. A change in underlying zoning, whether it is boundaries or zoning district

4. Any change that could have a significant traffic impact or other significant impact on surrounding properties

c. Major Amendments to the Development Plan, site plan or underlying zoning district[s] shall be processed in the same manner

as changes in zoning and shall comply with the application, notice and public hearing procedures required for changes in zoning.

- ~~2. If the Zoning Administrator determines that the requested amendment exceeds what can be approved administratively, the request shall be reviewed by the Commission and, thereafter by the Town Council.~~

2. Minor Amendments:

a. The owner of record or agent thereof may file a request for a Minor Amendment with the Development Services Department if the Development Services Director (or his/her designee) determines that the proposed amendment is not a Major Amendment as defined above.

b. Upon determination that the request is a Minor Amendment, the request will be routed to the appropriate Town departments and relevant agencies as required.

c. Within 10 working days of the determination, the Development Services Director (or his/her designee) shall approve or deny the request. In lieu of denial, the Development Services Director may consult with the applicant regarding potential modifications to the request. If the applicant agrees in writing to the modification, the modified request may be re-routed and, after 10 working days, shall be approved or denied by the Development Services Director.

d. The Development Services Director shall notify the applicant in writing of the approval or denial of the request. A copy of the notice and the revisions to the PAD Development Plan shall be retained in the Town's file on the PAD.

e. Decisions of the Development Services Director may be appealed to the Board of Adjustment within 10 working days of the date of the notice.

D. Method of Withdrawal

~~1. Any application of a PAD can be withdrawn by the applicant in writing at any time prior to approval by the Town Council.~~

~~2. Refund policy: within 14 days of the submittal the applicant may receive a maximum of 75% refund. After 14 days the application fee is non-refundable.~~

E. Termination of a PAD Classification

~~Within three years of the effective date of the PAD classification the final development plan shall be submitted to the planning commission and Council for approval. When the submittal is phased, each subsequent phase shall be submitted within three (3) years of approval of the previous phase.~~

~~The Council may grant one extension of time not exceeding two (2) years for any phase of the development.~~

~~If the final development plan or a phase thereof is not submitted within the above mentioned time frames, the Council, pursuant to Arizona Revised Statutes § 9-462.01(e), after notification by certified mail to the owner and applicant who requested the rezoning, shall schedule a public hearing to take administrative action to determine whether there is a good cause, including benefit to the town, from extending compliance for an additional two (2) years, and if there is not, to cause the property to revert to its former non-PAD overlay zoning~~

~~1.9.4.3. Modification of Standards and Procedures~~

~~Applications for a PAD overlay zone may include a request to modify the requirements of the underlying zoning district, except as to use, a request for change of use being a separate rezoning request. Modification of the requirements of the underlying zoning district shall be permitted only upon a finding that the proposed land use conforms to the policies, goals and objectives established in the Town of Chino Valley's General Plan, is consistent with the purpose of the PAD and will include all or a majority of the features set forth in this Section 1.9.4.3.:~~

~~A. Landscaping Design Features:~~

- ~~1. Use of native plant materials and those listed in the drought tolerant plant list of the Arizona department of water resources and Prescott Active Management Area.~~
- ~~2. Landscaped entry features.~~
- ~~3. Use of street landscaping such as, but not limited to, landscaped medians and adjacent rights-of-way.~~
- ~~4. Pedestrian way treatment to create an aesthetically pleasing and functional walkway(s).~~
- ~~5. Use of recreational and open space areas.~~
- ~~6. Parking area landscaping.~~
- ~~7. Perimeter landscaping and walls.~~

~~B. Open space requirements:~~

- ~~1. Intent because the PAD process allows residential densities to be compressed through the use of "onsite density transfer" the open space portion of the development is a critical element in determining the quality of the built environment, any area designated as open space shall be limited, in perpetuity, to use as open space. Therefore, the open space shall be created in accordance with the following standards:~~
- ~~2. A minimum of 20% of the total area to be developed shall be required as open space and 60% of that 20% shall be concentrated into one area, unless it is specifically found by the town that dividing the 60% active open space into two (2) or more areas meets the intent of this Section and is beneficial to the town. This one area (or allowed divided areas) shall be designated as active open space and shall include a significant number of amenities promoting the use thereof, such as, the following:~~

- ~~a. Gazebos~~

- b. ~~Benches~~
- c. ~~Picnic tables~~
- d. ~~Slides~~
- e. ~~Play apparatus/ jungle gym~~
- f. ~~Pedestrian/ bicycle-oriented circulation~~
- g. ~~Equestrian features~~
- h. ~~Basketball, tennis or racquetball courts~~
- i. ~~Exercise room~~
- j. ~~Clubhouse~~
- k. ~~Exercise stations and/or equipment~~

~~The type and quantity of improvements, such as those above, which are required, will be based on the proposed size, demographics, and topography of the development.~~

~~The remaining 40% of open space is not required to have any improvements and may be used to preserve natural vegetation.~~

- 3. ~~The development will have to make reasonable provision for the:~~
 - a. ~~Protection of natural resources~~
 - ~~i. Natural washes~~
 - ~~ii. Topographic features~~
 - ~~iii. Preservation of historic sites and structures~~
 - b. ~~Connectivity to adjacent schools, parks,~~
~~trails, retail or commercial developments.~~
 - c. ~~Preservation of wildlife corridors, as the same may~~
~~hereafter be designated by the Town.~~
- 4. ~~Open space requirement for all non-residential planned area developments:~~
 - a. ~~Commercial—professional and administrative offices, retail services, hotels and resorts, light industrial or employment uses are required to provide landscaped area that exceeds the landscaping requirements of the UDO by 10%.~~
- 5. ~~The calculation of open space areas shall not include:~~
 - a. ~~Drainage areas, ways, ditches, culverts, and other areas used to carry water, parking areas, driveways, dedicated streets, alleys and other public rights-of-ways (drainage area, ways, ditches, culverts, and other areas used to carry water: an area to accommodate the flow of water and is typically lined with a weed barrier fabric and rip-rap. Notwithstanding the foregoing, if the developer proposes to place amenities, such as maintained parks or improvements such as are referenced in 1.9.4.3.b.2., in designated water retention areas or basins, the area may be included in the open space calculation if it is~~

~~demonstrated that the proposed amenities meet the intent of the active open space requirements.~~

~~b. Those portions of areas required to be dedicated or set aside for public services or non-recreational structures such as water tanks, hospitals, power substations, fire department buildings and parking lots for the same, but areas will be included where the areas are otherwise expected to meet criteria for open space as provided in this Section 1.9.4.~~

~~C. Site Design Features:~~

- ~~1. Compatibility with natural topographic and environmental characteristics.~~
- ~~2. Preservation of natural features, such as natural washes and topographic features.~~
- ~~3. Consideration of a rainwater capture system~~
- ~~4. Preservation of view shed.~~
- ~~5. Utilization of sun and wind orientation to maximize energy efficiency.~~
- ~~6. Circulation pattern consistent with good planning principles and any general plan of the town as it exists now or in the future.~~
- ~~7. Variation in building setbacks.~~
- ~~8. Grouping of buildings (cluster, etc.).~~
- ~~9. Perimeter setbacks.~~

~~D. Architectural Design Features:~~

- ~~1. Visual and architectural features compatible with the western/southwestern character of the town.~~
- ~~2. Harmonious use of materials.~~
- ~~3. Variations in dwelling and/or building type.~~

~~E. Property Owners or Tenants Association:~~

~~Any proposed development containing property to be owned in common by the ultimate property owners or tenants will form a homeowners, property owners or tenants association. Covenants, conditions and restrictions (CC&R's), providing for the ownership and maintenance of such common areas, shall be approved by the Town Attorney prior to approval of the PAD zoning overlay and recorded with the final subdivision plat.~~

~~F. Maintenance of open space and common areas:~~

~~The home owners via the home owners association for the development is responsible for the maintenance and repairs of the open space and common areas. If the development does not have a home owners association the maintenance of the open space and common areas shall be the responsibility of the property owners. If the areas are not maintained the town shall have the right, but not the duty, to enter the property and maintain areas. The cost of the maintenance shall be the~~

~~responsibility of the association or property owners and the town will be
entitled to reimbursement of its costs from them.~~

1.9.4 Planned Area Development Overlay District: PAD

1.9.4.1. Purpose: The purposes of the Planned Area Development overlay district ("PAD Overlay District") are:

- A. Provide for the orderly development of land consistent with the Unified Development Ordinance of the Town of Chino Valley while permitting maximum flexibility in the design of residential, commercial and/or industrial developments while ensuring the intent and purpose of the General Plan and Unified Development Ordinance are not adversely affected.
- B. Modify underlying zoning district regulations to permit flexibility and innovation in developmental design and provide opportunities for unique or mixed-use development
- C. Promote economical construction and maintenance of streets and utilities without compromising public safety and welfare.
- D. Preserve and utilize open space, and offer recreational opportunities close to residential use,
- E. Encourage the preservation of community character and stabilization of surrounding neighborhoods.

1.9.4.2. Permitted Uses

- A. A single PAD overlay district may overlay one or more underlying zoning districts.
- B. A PAD overlay district may allow for onsite density transfer within a residential development, permitting the density regulations of the underlying zoning districts to be applied to the total area of the PAD overlay district rather than separately to individual lots or underlying zoning districts.
- C. Applications for changes in the underlying zoning district(s) may be submitted and processed concurrently with an application requesting approval of a planned area development overlay district.
- D. The minimum area of a PAD shall be two (2) acres.
- E. PAD overlay district modifications to uses permitted in the underlying zoning district[s] shall be compatible with and not averse to the uses permitted in the underlying zoning district.
- F. Use and development of land within a PAD overlay district shall conform to the underlying zoning district regulations and other

requirements of the Unified Development Ordinance, except as modified by the PAD zoning ordinance.

1.9.4.3 PAD Procedures

- A. Creation of a PAD overlay district shall be considered and treated as a change in zoning and shall be subject to the procedures required for changes in zoning, including Citizen Review, public hearing and approval by the Town Council.
- B. Development Plan Requirements
 - 1. *Development Plan.* A PAD shall include a development plan consisting of a site plan, preliminary landscape plan, building elevations, building height, design guidelines, residential lot layout, open space plan, or other plan applicable to the project. The use and development of the property in a PAD shall substantially conform to the development plan approved by the Town Council as an exhibit to the PAD overlay zoning ordinance.
 - 2. *Conditions.* The Planning Commission may recommend, and the Town Council may impose, conditions of approval including, but not limited to, the following:
 - i. Timing or phasing of development;
 - ii. Off-site and on-site improvements;
 - iii. Development standards;
 - iv. Design guidelines;
 - v. Conditions of use;
 - vi. Dedication of land for public purposes;
 - vii. Granting of utility easements;
 - viii. Granting of easements for public use of trails and open space areas;
 - ix. Requirements for establishment of a homeowners or property owners associations or other mechanism to assure continued maintenance of commonly owned land and facilities; and
 - x. Reservation of land for future public acquisition.
- C. The Planning Commission shall hold a public hearing on the PAD and rezoning request pursuant to the requirements of the Unified Development Ordinance and Arizona state law.
- D. After the public hearing, the Planning Commission shall make a recommendation to the Town Council, in writing, that the Council approve, approve with modifications and/or conditions, or to deny the proposed change in zoning and creation of a PAD overlay zoning district. The recommendation shall include the reasons for the recommendation and

shall be transmitted to the Town Council in such form and manner as may be specified by the Council.

- E. The Planning Commission shall ~~only~~ recommend approval only after making the following findings:
1. That the rezoning as proposed or modified is consistent with the goals, objectives and policies embodied in the General Plan.
 2. That every structure used for residential, commercial, or industrial purposes shall have access to a public street.
- F. The Council may adopt the recommendations of the Planning Commission without a public hearing if there is no objection, request for public hearing, or other protest. If an objection, request for public hearing or other protest is received, the Town Council shall hold a public hearing. The Council may adopt the recommendations of the Planning Commission or it may approve with modifications or deny the requested change in zoning and PAD overlay district.
- G. Amendments to the PAD Overlay District:
1. Major Amendments:
 - a. The owner of record or agent thereof may file a request for a Major Amendment to the PAD overlay district with the Development Services Department.
 - b. The following changes shall be Major Amendments:
 1. A change to the Development Schedule, including changes in Phasing.
 2. An increase in the number of dwelling units or leasable floor area
 3. A change in underlying zoning, whether it is boundaries or zoning district
 4. Any change that could have a significant traffic impact or other significant impact on surrounding properties
 - c. Major Amendments to the Development Plan, site plan or underlying zoning district[s] shall be processed in the same manner as changes in zoning and shall comply with the application, notice and public hearing procedures required for changes in zoning.
 2. Minor Amendments:
 - a. The owner of record or agent thereof may file a request for a Minor Amendment with the Development Services Department if the Development Services Director (or his/her designee)

determines that the proposed amendment is not a Major Amendment as defined above.

b. Upon determination that the request is a Minor Amendment, the request will be routed to the appropriate Town departments and relevant agencies as required.

c. Within 10 working days of the determination, the Development Services Director (or his/her designee) shall approve or deny the request. In lieu of denial, the Development Services Director may consult with the applicant regarding potential modifications to the request. If the applicant agrees in writing to the modification, the modified request may be re-routed and, after 10 working days, shall be approved or denied by the Development Services Director.

d. The Development Services Director shall notify the applicant in writing of the approval or denial of the request. A copy of the notice and the revisions to the PAD Development Plan shall be retained in the Town's file on the PAD.

e. Decisions of the Development Services Director may be appealed to the Board of Adjustment within 10 working days of the date of the notice.

**MINUTES OF THE REGULAR MEETING
OF THE PLANNING AND ZONING COMMISSION
OF THE TOWN OF CHINO VALLEY**

**Tuesday, April 1, 2014
6:00 P.M.**

The Planning and Zoning Commission of the Town of Chino Valley, Arizona, convened for a regular meeting in the Chino Valley Council Chambers located at 202 N. State Route 89, Chino Valley, Arizona.

Commissioner Merritt called the meeting to order at 6:02 P.M.

Commissioner Mendoza led the pledge of allegiance.

Members present: Commissioner Charles Merritt, Commissioner Robert McCaullay, Commissioner Cory Mendoza, Commissioner Gary Pasciak

Members absent: Commissioner Florence Sloan Commissioner Gwen Rowitsch, Commissioner Michael Edmonds

Staff present: Planner Ruth Mayday, Assistant Planner Elyse DiMartino, Consultant Planner Dava Hoffman, Town Clerk Assistant Liz Hart (recorder)

Commissioner McCaullay moved, seconded by Commissioner Pasciak to elect Commissioner Merritt as temporary chair and passed.

4. MINUTES

4A. Approval of minutes from January 7, 2014 regular meeting.

Commissioner McCaullay moved, seconded by Commissioner Mendoza to approve the January 7, 2014 regular meeting minutes, passed.

4B. Approval of minutes from March 4, 2014 regular meeting

Commissioner Pasciak moved, seconded by Commissioner Mendoza to approve the March 4, 2014 regular meeting minutes and passed.

4C. Approval of the March 4, 2014 minutes of Joint P & Z and GPC meeting

Commissioner McCaullay, moved, seconded by Commissioner Pasciak to approve the March 4, 2014 Joint Planning and Zoning Commission and General Plan Committee meeting minutes and passed.

5. STAFF REPORT

Planner Mayday reported on the special purpose residencies time line and work which needs completion, a few pending zoning actions and introduced the new Planner Assistant Elyse DeMartino.

6. PUBLIC HEARING

6A. This Public Hearing is for consideration, discussion and possible recommendation to the Town Council on the Draft Chino Valley General Plan 2013-2014, and is conducted for the review of comments received during a 60-Day Review from January 6 through March 6, 2014, and to receive additional public comment for deliberation by the Planning and Zoning Commission. Public hearing

Planner Hoffman presented a power point summary of the General Plan.

Planner Hoffman described the General Plan as a long-range development decision-making guideline based on the intent of the community and is amendable. The General Plan is not code or regulation. A public hearing with the Council is scheduled for April 29.

Planner Hoffman recapped the contents of the General Plan elements: land use, circulation, open space/recreation, water resources, cost of development, economic development. Vision and goals relationship includes a “getting it done” section, which presents a goal statement, strategies/ policies, and steps and actions. It is further broken down into responsible parties and goal time line. The General Plan was distributed to several agencies for their comments.

Planner Hoffman reviewed the comments made on the General Plan with regard to the Acknowledgements page, Land Use Element, Circulation/Transportation Element, and Open Space Element.

Corrections made to these Elements included spelling errors, personnel acknowledgement, easement footage, and the addition of future transportation elements. Other topics of concern are the Town’s wells, and Dark Sky ordinance.

There were no questions for Planner Hoffman from the Commissioners.

Commissioner Merritt inquired if Mr. Chontos was satisfied with the correction.

Planner Hoffman advised Mr. Chontos was concerned with a 50-foot easement through his property, which is a public works issue.

No public comments were made.

Commissioner Pasciak moved, seconded by Commissioner McCaullay to recommend approval to Town council and passed.

6B. This Public Hearing is for consideration, discussion and possible recommendation to the Town Council on the draft “Postscript: Considerations for Creating a Sense of Place in Chino Valley”, and to receive additional public comment for deliberation by the Planning and Zoning Commission.

Planner Hoffman reported on the “Post Script” of the General Plan, which discussed the character and identity of the Town.

The comments asked for additional views of buildings with more western flavor and clarification that if the western flavor buildings were adopted in UDO that it is not applicable to residential or industrial uses. The focus is on commercial and multi-family properties fronting State Route 89 and future community cores.

No comments from the Commissioners.

Commissioner Merritt thanked the General Plan Committee on their time, effort, and great job they did toward developing a General Plan.

Commissioner McCaullay moved, seconded by Commissioner Mendoza to recommend approval of the general plan postscript consideration of creating a sense of place in Chino Valley to the Town Council and passed.

7. NON-PUBLIC HEARING ACTION ITEMS

7A. Consideration of readopting Ordinance 10-740

Planner Mayday explained initial intent of signage and a proposed extension of the modifications of the sign code was adopted in 2009 and were renewed twice since that time. This ordinance deals with off-site signage along the highway. Members of the business community have contacted Development Services to voice their interest in continuing to use these signs.

Development Services discussed having the sign ordinance as a prorated annual fee, and striking sections D & E.

Commissioner McCaullay questioned the enforcement of the signage fee and if business are paying. Planner Mayday advised some of the business have paid but enforcement will be from this point forward.

Commissioner Pasciak questioned the wording on section 1 item G “a portable sign not permitted in following location”, should it be Right Of Way (ROW) instead of Street. Planner Mayday advised the change could be made to reflect ROW.

Commissioner Merritt opened for public comment.

Tim Davis, business owner, questioned a policy-waiving fee if signs were taken down nightly. He advised the greater concerns is keeping the highway cleaned up, the signs are not an issue.

Commissioner McCaullay advised the reasoning behind the ordinance discussion and a fee waiver should be taken up with Development Services.

Lee Dudley, Bright Star RV and Mini Storage, expressed concern regarding a wind sign for recycle of aluminum cans on ROW, which he was told to remove. The removal of the sign has caused a 50% decrease in his business. He asked that the Councilmember who does not like signs to come and speaks with him and that the temporary signage fee be clarified.

Tom Payne, Chino Valley business owner, advised he was on the 2009 sign committee. The A-frame signs were supposed to come down nightly and the \$5 permit fee was not waived. He believes the current regulation putting the signs five feet back from ROW is challenging and placing the signs on the ROW edge is a clear line of demarcation.

Commissioner Pasciak would like to have G1 within 5 foot of the public street changed to say within the public ROW. Commissioner McCaullay clarified to state on the edge of the ROW. Planner Mayday advised Section G item 2 “at the corner of an intersection” would disallow using street corners and suggested removing that wording.

Tom Payne mentioned the need to have property owner permission (item f)
Commissioner Merritt verified having the wordage five feet from the public ROW removed and add outside the public ROW on private property.

The commission questioned were where the public ROW is.

Commissioner Mendoza clarified that this is for a one-year extension.
Planner Mayday advised it is for 21 months or the amendment of the ordinance whichever first occurs.

Commissioner McCaullay moved, seconded by Commissioner Pasciak to accept the text amendments for ordinance 874 with the amendments made tonight and initiate a public hearing held during the May 6, 2014 regular meeting of the Planning and Zoning Commission and passed with corrections.

7B. Consider amending the text of the Planned Area Development Overlay District to allow modification of the requirements of the underlying zoning district, among other things. Planner Mayday advised that upon review of Planned Area Development Overlay District (PAD) several corrections were noted in order to clarify PAD.

In Chino Valley, the current PAD is a stand-alone zoning district, but the language within the PAD is written as an overlay district and does not allow changes to underlying districts. Planner Mayday explained what a PAD is supposed to be used for. The modifications remove restrictive language, make general reference to development standards, and removed deadline for action. She explained the current procedure for having changes enacted and the procedure if the modifications are approved.

Commissioner McCaullay confirmed that Development Service would track the developer's expiration dates. Planner Mayday advised with the new software purchase the Development Service department would be able to better track the expiration dates.

Commissioner Merritt advised he likes simplification and allows Development Service flexibility.

Commissioner McCaullay moved, seconded Commissioner Mendoza by to initiate a public hearing on proposed changes to section 1.9.4 Planned Area Development Overlay District at the May 6, 2014 regular meeting of the Planning and Zoning Commission, and passed.

8. DISCUSSION ITEMS

Commissioner McCaullay suggested on next agenda the electing of a vice chair.

9. PUBLIC COMMENTS

No public comments.

10. ADJOURN

Commissioner McCaullay moved, seconded by Commissioner Pasciak to adjourn and passed at 7:06 p.m.

Dated this 7th day of April 2014.

By: Liz Hart, Town Clerk Assistant