

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

**Tuesday, June 3, 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.

Commissioner Rowitsch called the meeting to order at 6:00 P.M.

Members present: Commissioner Gwen Rowitsch (Chair), Commissioner Chuck Merritt, Commissioner Corey Mendoza, Commissioner Robert McCaullay, Commissioner Gary Pasciak, Commissioner Michael Edmonds

Members absent: Commissioner Florence Sloan

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

4. MINUTES

- A.** Consideration and possible action to approve the May 6, 2014, Planning and Zoning meeting minutes.

Commissioner Pasciak moved, seconded by Commissioner McCaullay to approve the May 6, 2014, Planning and Zoning meeting minutes

5. STAFF REPORTS

Planner Mayday advised there would not be a Planning and Zoning Commission meeting for July 1, 2014.

6. PUBLIC HEARING

- A.** Revise and relocate the subsections of Section 5.5 Modification, Appeals, and Enforcement to the appropriate sections of the UDO, and strike those portions that contradict Arizona Revised Statutes, Town Code, or other portions of the UDO.

Planner Mayday reviewed the final version of the modification of appeals and enforcement Section 5.5 of Section 5 UDO subdivision regulations. Adoption of final version would:

- Void the current authority of the Town Manager override Council, which is in conflict with State law.
- Clarify vague language
- Strike Section 5.5.1 part "A" replacing it with ARS code defining Council's authority in considering subdivision plots

The Commissioners requested clarification on informing adjoining property owners when changes are proposed, and bringing UDO into compliance with State regulations in regards to subdivisions.

Planner Mayday advised notification of adjoining property owners is dealt with in the public hearing prior

to Council presentation and the Section 5.5 changes would bring the Town into compliance in regards to subdivisions.

Commissioner Rowitsch opened and closed the public hearing at 6:04 P.M. No comments from the public.

Commissioner Merritt moved, seconded by Commissioner Mendoza to forward the proposed text amendments to the UDO Section 5.5 Modification, Appeals and Enforcement (subdivision requirements) to the Town Council with a recommendation for approval. Motion passed unanimously.

- B.** Public Hearing to take comment on proposed text amendments regulating the manner and placement of special purpose residences such as sober houses and recovery homes, assisted living homes, and assisted living centers.

Planner Mayday reported an intent of the change is to regulate the manner and placement of sober homes, which are not regulated by the State and update the language in assisted living facilities. Planner Mayday recapped State regulations and the Fair Housing Act regulations in regards violations of treatment occupants and sex offender.

The proposed definitions of assisted living facilities and assisted living homes are in agreement with the AZ Department of Health Services regulations.

Zoning for sober homes are included into multi-family zoning district, as # of people per room does not apply unless HUD financing is used.

The commissioners expressed concerns in having sober homes included in multi-family residential, and being Conditional Use vs Permitted Use. Typo corrections were noted.

Commissioner Rowitsch opened and closed the public hearing at 6:12 P.M. No comments from the public.

The commissioners asked about the Town's recourse with people violating recovery home policies, what are measures for monitoring, and who monitors these homes.

Planner Mayday advised recourse is through an acceptable mitigation plan correcting violation and/or loss of business license. Monitoring is through revocation of Use Permit, business license process, on site records request, and neighbor complaints the State monitors facility.

Question were raised regarding notification of adjacent property owners when this type of facility is opening

Commissioner Merritt moved, seconded by Commissioner McCaullay to forward the proposed text amendments regulating the manner and placement of Sober Homes, Assisted Living Centers, and Assisted Living Homes, to Town Council with a recommendation for approval as written. Motion passed unanimously.

7. NON-PUBLIC HEARING ACTION ITEMS

- A.** Election of Officers - In accordance with Section 1.4.3 of the UDO, the Commission shall elect a Chairperson and Vice Chairperson from among its own members.

Commissioner McCaullay moved, seconded by Commissioner Edmonds to elect Commissioner Gwen Rowitsch as Chairman and Commissioner Charles Merritt as Vice-chairman, motion passed unanimously.

8 DISCUSSION ITEMS – No discussion items

9 PUBLIC COMMENTS – No public comments

10 ADJOURN

Commissioner McCaullay moved, seconded by Commissioner Mendoza to adjourn, passed at 6:23 P.M.

Submitted this 11th day of August, 2014

By: ***Liz Hart, Deputy Town Clerk***