

1. Agenda

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

2. Packet

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



NOTICE OF THE REGULAR MEETING OF THE PLANNING AND ZONING COMMISSION

**August 6, 2013
6:00 P.M.**

Pursuant to ARS 38-431-02, notice is hereby given to the members of the Chino Valley Planning and Zoning Commission and the general public that the Chino Valley Planning and Zoning Commission will hold a regular meeting open to the public on Tuesday, August 6, 2013, at 6:00 p.m. in the Chino Valley South Campus building, located at 202 N. State Route 89, Chino Valley, Arizona 86323.

The Agenda for the meeting is as follows:

- 1. CALL TO ORDER**
- 2. ROLL CALL**
- 3. PLEDGE OF ALLEGIANCE**
- 4. APPROVAL OF MINUTES**
 - 4A. July 16, 2013**
- 5. STAFF REPORT**
- 6. PUBLIC HEARING**
 - 6A.** For consideration, discussion and possible recommendation to the Town Council regarding the issuance of a Conditional Use Permit to allow the installation of an 8-foot high chain link fence with an additional 1 to 2.5 feet in height of 3-strand barbed wire and an electronic gate for security purposes. The proposed location of the installation of the chain link fence with 3-strand barbed wire is 2148 N. Road 1 East, Chino Valley, Arizona 86323, also described as Assessor's Parcel Number 306-14-008M. Property owner: Jack Tuls Jr.
- 7. PUBLIC COMMENTS**
- 8. ADJOURN**

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), 636-1787 (TDD) or use the AZ Statewide Relay Service at 1-800-367-8939 (TDD) to request an accommodation to participate in this meeting.



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TOWN OF CHINO VALLEY
PLANNING AND ZONING COMMISSION
Regular Meeting Minutes
Chino Valley South Campus
202 N. State Route 89
July 16, 2013
6:00 p.m.

1. CALL TO ORDER

2. ROLL CALL

Meeting was called to order at 6:00 p.m.

Members Present: Gwen Rowitsch, Chairperson
 Garland Miner, Vice Chairperson
 Charles Merritt, Commissioner
 Michael Edmonds, Commissioner

Staff Absent: Florence Sloan, Commissioner
 Jack Owen, Commissioner

Staff Present: Dennis Price, Planner
 Dava Hoffman, Planning Consultant
 Mary Brasher, Administrative Technician

3. PLEDGE OF ALLEGIANCE

4. APPROVAL OF MINUTES

4A. For consideration, discussion, and possible action regarding the regular meeting minutes of May 21, 2013.

Vice Chair Miner MOVED, seconded by Commissioner Merritt to approve the regular meeting minutes of May 21, 2013.

MOTION CARRIED 5-0

For consideration, discussion, and possible action regarding the regular meeting minutes of June 18, 2013.

Commissioner Merritt MOVED, seconded by Vice Chair Miner to approve the regular meeting minutes of June 18, 2013.

MOTION CARRIED 4-0 Vice Chair Miner Abstained

5. **STAFF REPORT:** None

6. **PUBLIC HEARING:** Chairperson Rowitsch opened the public hearing.

6A: For consideration, discussion and possible recommendation to the Town Council regarding a requested zone change from Commercial Light (CL) to Commercial Heavy (CH). The location of the proposed zone change is 694 N. State Route 89, Chino Valley, Arizona 86323, and further described as Assessor's Parcel Number's 306-23-021X. Owner/Applicants: Resource Holdings II, LP/Timothy J. Coury, Kottke Law Firm.

Dennis Price gave a brief overview of the request to change the zoning for this property from CL to CH for the purpose of offering vehicle towing and storage in addition to the current business. A neighborhood meeting was held on June 26, 2013 with the applicant, owner, staff member, and one property owner in attendance. The request is consistent with the General Plan and the land designation of commercial and will not be detrimental to the health, safety, and general welfare to the residents of the Town of Chino Valley, therefore staff recommends approval of this request with the findings and stipulations as noted in the staff report.

Chris Kottke, representative asked the Commission to recommend approval for this request so that the owner can provide a quality towing service to the current business.

Commissioner McCaullay asked staff why there was no request for landscaping.

Mr. Price responded that landscaping is not a requirement for a request to change the zoning. Because there are no improvements proposed to the building, which is what triggers the landscaping requirement, landscaping is not required.

Commissioner McCaullay asked if landscaping is required for commercial.

Mr. Price stated that landscaping is required for new commercial construction.

Vice Chair Miner commented that he noticed there was screening in the front, but not around the property. One of the stipulations has screening as a requirement and wanted to know if that would be in place prior to vehicles being brought in for storage because he noticed there was a vehicle already there.

Mr. Price indicated that the screening will need to be in place because the code states that the vehicles shall not be seen from adjoining properties. If the requirements of the zone change are not met than the Town Code Enforcement will look into the matter.

Mr. Kottke stated they would comply with the screening requirement.

Commissioner Merritt asked about the requirement for a dust free driving surface.

Mr. Price stated that the UDO requires a dust free surface and that compacted gravel is currently in place on the property, and that is all that is required.

Chairperson Rowitsch opened and closed the public portion of the meeting with no comments heard.

Vice Chair Miner MOVED, seconded by Commissioner Merritt, to recommend to the Town Council approval of the zone change of Assessor Parcel Number 306-23-021X from Commercial Light (CL) to Commercial Heavy (CH) with the findings and stipulations as noted in the staff report. MOTION CARRIED: 5-0

6B. For consideration, discussion and possible recommendation to the Town Council regarding a requested zone change of Assessor's Parcel Number's 306-23-041W, 306-23-041X, and 306-23-041Z from Agricultural Residential 4 Acre Minimum (AR-4) to Single Family Residential 1 Acre Minimum (SR-1) for a total of approximately 15 acres. Said property is located at 851 W. Road 1 North. Owner/Applicant: MD Builders/Martin Messenger.

Dennis Price gave a brief overview of the request to change the zoning on this property from AR-4 to SR-1 for the purpose of increasing the marketability of the parcels. Each parcel will offer potential buyers the opportunity to split the property; however Mr. Messenger must sell the property before any new lots can be created. A neighborhood meeting was held July 13, 2013 with 3 neighbors; a potential purchaser, property owner, and a staff member were present. The request is consistent with the General Plan and the land designation of Medium Density Residential 2 Acres or less, will not be detrimental to the health, safety, and general welfare to the residents of the Town of Chino Valley, therefore staff recommends approval of this request with the findings and stipulations as noted in the staff report.

Mr. Messenger stated that he did not have anything to add and felt that staff covered the request appropriately.

Commissioner McCaullay asked Mr. Messenger if he planned to build homes on the property.

Mr. Messenger stated he was not planning to build homes.

Chairperson Rowitsch opened and closed the public portion of the meeting with no comments heard.

Vice Chair Miner MOVED, seconded by Commissioner Merritt to recommend to the Town Council approval of the zone change of Assessor's Parcel Number 306-23-041W, 306-23-041X, and 306-23-041Z from Agricultural Residential 4 Acre Minimum (AR-4) to Single Family Residential 1 Acre Minimum (SR-1) with the findings and stipulations as noted in the staff report. MOTION CARRIED: 5-0

6C. For consideration, discussion and possible recommendation to the Town Council regarding a requested zone change from "AR-5" Agricultural/Residential (5 Acre Minimum) to "MHP- 4" Mobile/Manufactured Home Park (4 Acre Minimum). The location of the proposed zone change is northwest of Road 4 North/Road 1 West, with a physical address at 1429 Road 4 ½ North, Assessor's Parcel Number's 306-05-030X (Approximately 60.2 Acres). Applicant/Owner: La Vacara Trust
(This item was forwarded from the June 18, 2013 meeting)

Dava Hoffman gave a brief overview of the location of the property and the history of the prior public hearing that was held on June 18, 2013. She stated that at the last meeting the Commissioners found that the zone change was in compliance with the General Plan Medium Density Residential, but also noted that compatibility with the neighbors had to be considered. The site plan showed 4 manufactured home pads near the entry and Commission felt those needed to be relocated, as well as the addition of open space along the western perimeter as ways to buffer the MHP from the existing neighborhood. Commission and the Applicant agreed to postpone the hearing to give the Applicant time to meet with staff to address these issues. Mike Cordovana, Owner/Applicant's representative agreed to this request.

Mr. Joe Cordovana, current Owner/Applicant representative, submitted a new site plan and met with staff who suggested alternative revisions to provide more buffering and compatibility with neighboring residents. Mr. Cordovana stated he did not wish to make further changes.

Ms. Hoffman showed the three different site plans that have been submitted and the differences between them, re: water tanks, open spaces, MH pad areas, RV and boat storage parking, guest parking and access road. In comparing the original Site Plan presented at the Neighborhood meeting with the second Site Plan, it appeared as if the Applicant was working with the neighborhood to provide some buffering techniques along the west line with a large open space tract and a reduction in the number of MH pads at the west perimeter. Commission had reviewed the second site plan last month and felt there was still a need for more buffering along the west property line. Commission had suggested relocating the 4 pads that are near the entry on the west property line. In contrast, the current, third site plan shows the water storage tanks are relocated just south of the Bumblebee area replacing the large open space tract. There is a larger, elongated tract near the entrance gate; the 4 pads along the west property line remain within 15 feet of the property line and have been enlarged to 7200 sq. ft. from 5400 sq. ft. with the

remaining lots still at 5400 sq. ft. and there have been 3 more of the MH pads added to the west boundary line. Other additions include visitor parking, RV and boat storage, and an additional roadway from the entrance providing direct access into the MHP instead of using the road for the Windmill House on Parcel A.

Ms. Hoffman commented that this property is in the Medium Density Designation and this request does meet that criteria, but the General Plan also talks about the intensity of uses which can include traffic generation, noise levels, and compatibility of uses, density, access, size, bulk and scale of buildings, parking, outdoor lighting, and time of use. The General Plan also has goals and policies and the first goal of the Land Use Element is to preserve the stability and diversity of the Town's existing neighborhoods while allowing for increased density for in-fill purposes. Policy 1.3 states that to ensure that densities that are requested are in conformance with the Future Land Use Map Designations. Policy 1.4 is to ensure that the type and intensity of land use shall be consistent with that of the immediate neighborhood.

Ms. Hoffman stated that when a request is submitted staff looks to the General Plan for comparison and guidance in analysis of the site plan that has been submitted. This current (third) site plan has less open space and more MH pads along the western perimeter than the site plan previously reviewed by the Commission. There is no additional open space on the western side, the large open space tract has been deleted with a smaller track to take its place containing water storage tank, and the area between the entry and Bumblebee still contains 4 MH pads that are located 15 feet from the west boundary. These same pads have been enlarged but have been reduced in depth from 90 to 80 feet, and 3 additional pads have been located along the west boundary. Based on this, staff cannot recommend approval of this zone change request because the intensity of the land use is not consistent with that of the immediate neighborhood, and is not designed with compatibility of the existing neighborhood.

Chairperson Rowitsch commented that the issue of access has not been addressed and asked if the applicant has submitted any type of traffic analysis to determine the impacts to Bumblebee. Ms. Hoffman stated they have not.

Commissioner Edmonds stated this is not a land locked parcel with access to 4 ½ North and wondered why the encroachment on private property on Bumblebee. Ms. Hoffman stated that Bumblebee is a public road and access is permitted. Commissioner Edmonds asked if they have to go over private property to access it. Ms. Hoffman stated that it abuts the property.

Commissioner McCaullay stated that roads need maneuverability and didn't think that would be possible with large manufactured homes. Ms. Hoffman stated the zoning code stipulates the size and width of roadway and this does meet code.

Chairperson Rowitsch opened the public portion of the meeting.

Joe Cordovana, Owner/Applicant's representative, stated that Dava and the staff have done a wonderful job and thanked everyone but does not look at the plan. He stated he wanted to comply with state and local laws, whatever he needs to do.

Chairperson Rowitsch commented that staff is recommending denial of this zone change because at the last meeting it was discussed the need to lessen the effects of your development on the adjoining properties, specifically those to the west, and more specifically the first 4 or 5 lots when coming into the site. Because these lots are still shown on the site plan Commission has concerns that those lots are too close to the large lot developments next to them. Commission thought the impact to those large lots was too great so the Commission requested that you consider moving those lots somewhere else within the project, yet that is not seen to have been done on the current site plan and asked Mr. Cordovana why those lots are still there and how he intends to mitigate the impact that the Commission believes this will have on the adjoining lots, which the Commission feels is in conflict with the General Plan.

Mr. Cordovana stated he didn't see a problem with leaving them the way they are because it is residential housing next door and he is doing residential housing. He will comply with the Town's requirement of a 15 foot setback on the west side and whatever is needed on the south side. He could not see leaving 5 acres of land empty to accommodate just a couple of people when he has to pay taxes on every inch of it.

Chairperson Rowitsch commented there was a considerable amount of open space on this project and believed that what is being said is that when there are 4 manufactured houses next to one neighboring home, then it is 4 times the intensity to that of the neighbor. This is why staff is stating that this is not consistent to the General Plan.

Mr. Cordovana stated he cannot leave 5 acres empty; it is not feasible because it is too much to maintain.

Commissioner Edmonds asked about the right of way and giving himself an easement.

Mr. Cordovana indicated that they had changed the roadway and it is now on parcel B.

Chairperson Rowitsch opened the public portion of the meeting again.

Several residents spoke and had the following concerns:

- Pad sizes, minimum requirements for each Mobile Home
- Minimum Park Frontage of 100 feet
- Mobile Homes not meeting setbacks

- Two story Mobile Homes
- Minimum landscaping requirements
- Increased flooding
- Encroachment to the properties along the west boundary
- Noise, lighting, traffic
- Decrease in property value
- Decrease to neighboring wells
- Property address is on 4 ½ North and why that isn't the main entrance
- Fire concerns due to high density
- Will Open Space remain Open Space forever?
- Why MHP-4 Zoning instead of SR-1 or similar
- Not enough of a buffer from neighboring residents
- Intensity of use

Residents didn't feel there is a market for more 55+ Mobile Housing due to the fact that Country West MH Park has vacant lots that cannot be filled. There are no amenities for the residents of this community. They are concerned that this is just phase one of a bigger project in the future. Concerns that a development such as this will not be successful because of the property owner's track record of not being able to sustain businesses. There was a feeling that the demographics in the area have changed and that mobile homes are in low demand.

Chairperson Rowitsch closed the public portion of the meeting.

Commissioner Merritt commented that it didn't appear to him that any progress had been made to make this project more compatible with the neighborhood. He felt that access was still an issue.

Commissioner Edmonds concurred with Commissioner Merritt's statement and felt that the project was overly crowded, needed additional buffering, the pads should be a minimum of 7200 sq. ft, and agreed with the recommendation given by staff.

Vice Chair Miner stated that after listening to all the comments, this Commission is tasked with considering a lot of things, but some of the things that have been mentioned do not go into the Commissions decisions. The main issue is that the applicant did not take the Commission's suggestions from the last meeting into consideration, instead have done a reversal and felt that more work needed to be done.

Commissioner McCaullay agreed that he felt the plan has gone backwards and thought the development should utilize the entire 60 acres. This would provide more flexibility and maneuverability. He was also concerned with the dangers the pond may pose, and agreed with the staff's recommendation.

Chairperson Rowitsch stated she would explain the rationale behind what her vote will be so that everyone understands. The Commission is charged with enforcing the land development code and General Plan, which was adopted by the citizens. When looking at these types of request she consults the General Plan and looks to see if a request is compatible. In some ways this request is compatible with the General Plan, re: Medium Density Residential Zoning is compatible for this area. However the things that staff has brought forward in tonight's discussion and the site plan; the way the project is laid out is not compatible with the immediate surrounding neighborhood. She felt the applicant has an opportunity to modify the site plan to make it consistent with the General Plan, but she didn't believe he addressed the issue Commission brought up at the last meeting regarding the affects this high density would have on the immediate adjacent neighbors. She felt staff was absolutely on track, and the latest site plan presented is not consistent with the General Plan. The impact to the neighbors would be things such as four times the traffic level, excessive light and noise. This project would be much closer to the neighbors, than the neighbors are to each other. These neighbors are on 2 to 5 acre parcels leaving a considerable distance from each other, so their impacts to each other are considerable less than what this plan would be to them. For this reason she didn't feel the applicant had met the requirement to have a compatible intensity of use on this particular project due to the way it is laid out. She thought that some of the comments that were made had more to do with subdivision rules rather than mobile home parks. Subdivision lots have to be a specific size and other types of rules than that of a mobile home park. Mobile Home Parks generally have homes very close together, open space that can be a common area for everyone, and just because it is left open and natural does not mean that isn't something that would be desirable by the people who live in that park. The way that this project is laid out results in impacts that are too great to the neighbors to the west, and if the applicant would consider changing the site plan so that those impacts were less she might go for the project because she felt it could be a good project. She stated her vote would not be in favor at this time.

Commissioner Merritt thought that Mr. Cordovana might consider all these comments if he has a desire to move forward with this project.

Mr. Cordovana stated that these are different from a regular house with 3-4 car garages, these will be for 1-2 people at 55+ and he didn't understand some of the comments when this project is just like Country West MH Park. These homes would not be two story but single homes.

Vice Chair Miner MOVED, seconded by Commissioner Merritt to recommend to the Town Council denial of the zone change of Assessor's Parcel Number 306-05-030X from AR-5 Agricultural Residential 5 Acre Minimum (AR-5) to (MHP- 4) Mobile/Manufactured Home Park (4 Acre Minimum) for the reasons stated above.

MOTION CARRIED: 5-0

7. PUBLIC COMMENTS:

Ronald Maines asked about communications with Commission members. He stated that Council members have email address that the public can use to communicate with them. Currently if a citizen wishes to communicate with Commission members it must be submitted to Development Services and forwarded to them. He asked if it was possible for the Commission to have email available to citizens.

Chairperson Rowitsch stated that Commission would pass that on to staff and let them determine what is permitted.

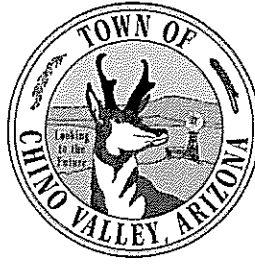
8. ADJOURN: 7:15 p.m.

Chairperson _____ Date: _____

ITEM

6A

DEVELOPMENT SERVICES DEPARTMENT
1982 Voss Drive #203
Chino Valley, Arizona 86323



TOWN HALL (928) 636-2646
DEVELOPMENT SERVICES (928) 636-4427
FAX (928) 636-2144

PLANNING COMMISSION,
STAFF REPORT

TOWN OF CHINO VALLEY, ARIZONA
August 6, 2013

LEGAL AD

NOTICE IS HEREBY GIVEN that a Public Hearing will be held before the Planning and Zoning Commission of the Town of Chino Valley, Arizona, in the Council Chambers at Town Hall, 202 N. State Route 89, Chino Valley, Arizona 86323, at 6:00 p.m. on Tuesday, August 6, 2013. This hearing will be conducted for consideration, discussion and possible recommendation to the Town Council regarding the issuance of a Conditional Use Permit to allow the installation of an 8-foot high chain link fence with an additional 1 to 2.5 feet in height of 3-strand barbed wire and an electronic gate for security purposes. The proposed location of the installation of the chain link fence with 3-strand barbed wire is 2148 N. Road 1 East, Chino Valley, Arizona 86323, also described as Assessor's Parcel Number 306-14-008M. Property owner: Jack Tuls Jr.

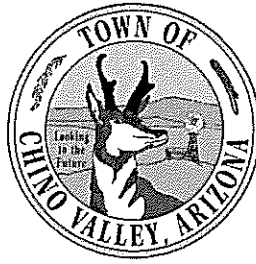
A. LOCATION: Please see Exhibit "A" Location Maps

B. FACTS:

1. Owner:Jack Tuls Jr.
2. Applicant: Jack Tuls Jr.
3. Architect:.....Not Specified
4. Site Area:.....26.6 Acres
5. Approximate Site Dimensions:.....660 feet by 1,860 feet
6. Existing Zoning:.....CL/AR Commercial Light / Agricultural Residential
7. Adjacent Zoning and Use:
 - North..... "CL" & "AR-5" - Undeveloped
 - South..... "CL" & "SR-1" - Residential
 - East..... "SR-1" & "AR-5" - Residential
 - West..... "CH" - Undeveloped

C. The Citizen Participation protocol as indicated in the Town Code resulted in twenty-two (22) letters to surrounding landowners announcing that the proposal would be presented





at a neighborhood meeting on July 17, 2013, were sent via U.S. mail. The neighborhood meeting was held in the Council Chambers of Town Hall, 202 North SR 89, Chino Valley, Arizona, 86323, at 4:00 p.m. to 5:00 p.m. on July 17, 2013. The meeting was introduced by Charlie Arnold an associate of the applicant Jack Tuls Jr. Mr. Arnold described the type of fence to the audience and its location on the property. Mr. Tuls disclosed to the audience that he is leasing the greenhouse facility to a commercial medical marijuana grower. Fifteen neighbors and Town staff planner, Dennis Price attended the meeting.

D. ANALYSIS: Jack Tuls Jr. owns a 26.6-acre site which is located at 2148 North Road 1 East, Chino Valley, Arizona 86323. The site is improved with a single family home, a small office building and two greenhouses of approximately 10,000 square feet each. At some future date, Mr. Tuls plans to construct a third greenhouse of approximately 30,000 square feet. All of the existing improvements mentioned are situated on the southerly portion of the property. This CUP request is to facilitate the construction of a security fence that will be approximately 10 feet in height. The fence will be constructed of woven wire fabric (cyclone mesh) hung on an 8-foot tall framework of steel pipe. In addition, there will be 2-foot long steel brackets extending from the top of the steel pipe frame to support a series of three strands of barbed wire. The fence will encompass the area of the greenhouses in an irregular fashion while excluding the residence, guest house, off street parking area and drainage ditches. The fence will be within the property boundaries on all sides except the west where a portion of the fence will follow the boundary for about 160 to 170 feet. Vehicle access into the enclosure area of the greenhouses will be via a 16-foot wide gate which will be situated north of the northwest corner of the small office building. The section of fence which includes the gate will be the closest portion of the enclosure to North Road 1 East and will be setback 55 feet from the future right-of-way or 75 feet from the existing street. The overall approximate dimensions of the security fence enclosure will be 556 feet by 335 feet.

Applicable Unified Development Ordinance requirements are as follows:

UDO Section 4.8. ***WALLS AND FENCES:***

- A. *Height. No wall or fence shall be more than six (six) feet in height provided that fences exceeding the above heights may be allowed when a Conditional Use Permit has been secured for such purposes. When deciding on a Conditional Use permit request, the Commission shall ensure that fences shall not cause a visibility hazard or nuisance.*
- B. *Materials and Design. Fences and walls in all zoning districts shall be constructed of wood, woven wire, masonry, iron or steel of conventional design. Fences or walls other than specified materials, or other than conventional design shall be allowed only by Conditional Use Permit.*



DEVELOPMENT SERVICES DEPARTMENT
1982 Voss Drive #203
Chino Valley, Arizona 86323



TOWN HALL (928) 636-2646
DEVELOPMENT SERVICES (928) 636-4427
FAX (928) 636-2144

The proposed security fence will be within the boundaries of the applicant's property except for a section along the western boundary. The proposed security fence will not cause any interference with lines of sight associated with entering or leaving the property. The neighboring property in the vicinity of where the security fence abuts the property boundary is zoned "CH" Commercial Heavy.

E. RECOMMENDATION:

Staff recommends approval of the issuance of Conditional Use Permit following the Findings and Stipulations.

FINDINGS:

1. That the Citizens Participation protocols and Notice as prescribed by the Unified Development Ordinance (UDO) have been complied with; and
2. That as conditioned, the authorization of a Conditional Use Permit (CUP) to allow Jack Tuls Jr. located at 2148 North Road 1 East, Chino Valley, AZ 86323, will not, as conditioned, be materially detrimental to persons residing or working in the vicinity of the property or the motoring public; and,
3. That the proposed CUP to allow a 10-foot tall wire mesh and barbed-wire security fence is reasonably compatible with uses and other fencing that has been permitted in the surrounding area.

STIPULATIONS:

1. That the applicant will secure a building permit for the security fence.
2. That the applicant will secure final inspections on Greenhouse Number 2 and the Security Fence.
3. That Building Safety will grant Temporary Occupancy of the Greenhouses Numbers 1 and 2 in exchange for a Letter of Assurance from the applicant stating that the chip-sealing process as required by UDO 4.22.4.B.2, for all parking and drive surfaces as indicated on the Site Plan shall be completed by October 15, 2013.

ATTACHMENTS:

- | | |
|-------------|------------------------------------|
| Exhibit "A" | Conditional Use Permit Application |
| Exhibit "B" | Location and Zoning Map |
| Exhibit "C" | Future Land Use Map |
| Exhibit "D" | General Project Data & Site Plan |





CONDITIONAL USE PERMIT APPLICATION

1.	PROPERTY OWNER NAME MAILING ADDRESS TELEPHONE NUMBER FAX NUMBER	Jack Tuls Jr. 2148 North Road 1 East CV 86323 702-498-6759
2.	APPLICANT NAME MAILING ADDRESS TELEPHONE NUMBER FAX NUMBER	Jack Tuls Jr. 2148 North Road 1 East CV 86323 702-498-6759
3.	REQUEST SPECIAL USE PERMIT TO ALLOW: Fence in excess of 6' IN THE <u>CL/AR blended</u> ZONING DISTRICT	
4.	SITE LOCATION	2148 North Road 1 East CV 86323
5.	ASSESSORS PARCEL NUMBER(S)	306-14-008M
6.	SITE DIMENSIONS	Approx 1400'x500'
7.	SITE AREA (GROSS)	26.6 acres
8.	PARKING REQUIRED	
9.	PARKING PROVIDED	Yes
10.	SITE ZONING	CL/AR
11.	SITE USE (EXPLAIN) This site contains greenhouses for agricultural production	
12.	ADJACENT ZONING NORTH: CL and AR5 SOUTH: SR1 and CL EAST: SR1 and AR5 WEST: CH	ADJACENT LAND USE NORTH: AG SOUTH: residential EAST: residential WEST: Vacant Land

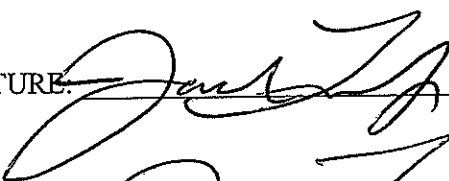
EXHIBIT "A"

13.	WHY IS THE PROPOSED USE APPROPRIATE IN THE INTENDED LOCATION? The existing use is already approved asking approval for a fence within the property.
14.	WHAT DESIGN OR SITE FEATURES ARE PROPOSED TO INSURE THAT THE INTENDED USE WILL NOT HAVE AN ADVERSE EFFECT ON THE HEALTH, SAFETY, AND WELFARE OF THE ADJACENT PROPERTIES AND SURROUNDING NEIGHBORHOOD? Owner is proposing the installation of a chain link fence contained within the property and set back from the property lines thus reducing and/or eliminating any impact to neighboring properties



15. FULLY DESCRIBE THE NATURE AND SCALE OF THE PROPOSED USE:

The owner proposes to install approximately 1800 feet of chain link fence within the confines of the property for the continued benefit of the agricultural use. This Chain link fence will be 8' in height with an additional 1-2.5' of 3 strand barbed wire and an electronic gate

OWNER'S SIGNATURE:  DATE 6-19-13

APPLICANT'S SIGNATURE:  DATE 6-19-13

AGREEMENT TO WAIVE CLAIMS FOR DIMINUTION IN VALUE

PURSUANT TO A.R.S. §12-1134

I/We, JACK TULS, JR. ("Owner") am/are all the owner(s) of real property ("Property") generally located at 2148 N. R. 1 EAST consisting of approximately 21 acres, as shown in the evidence of ownership attached as Exhibit A and legally described in Exhibit B, both of which are attached to this Agreement.

The Property is subject to the land use laws of the Town of Chino Valley, Arizona or to be annexed by the Town. For purposes of this Waiver, "land use law" shall be defined as set forth in A.R.S. § 12-1136.

I/We have requested that the Town take/approve the land use action ("Requested Action") as set forth in Exhibit C, which is attached to this Agreement.

I/We acknowledge that as the request is processed for approval, changes may be made to the details and requirements for approval of the request. Some of these changes may materially alter the request, so that the final approval may be substantially different than originally requested. I/We understand and agree that execution of an additional waiver will be required for approval if the request is altered.

I/We acknowledge that the Requested Action may alter my/our rights to use, divide, sell or possess our Property, and that, pursuant to A.R. S. § 12-1134, as the owner of property directly regulated by a land use law, I/we may be entitled to compensation from the Town for diminution of value in the property if the action I/we have requested from the Town reduces the fair market value of the above described property.

By signing this Agreement, I/we together with Owner's heirs, successors or assignees, hereby voluntarily agree to waive any and all claims for diminution in value for the Property which may arise pursuant to A.R.S. § 12-1134 as a result of the Town's actions, including but not limited to approvals, denials or conditions of approvals with respect to the above-described Requested Action. Owner understands that this Agreement shall run with the Property and be binding upon subsequent landowners and shall be recorded by Owner.

I/we hereby further understand that the Town is acting in reliance upon my/our representations in this waiver.

Dated this 19 day of June, 2013.

[OWNER]

By: [Signature]
Its: _____

State of Arizona)
) ss
County of Yavapai)

SUBSCRIBED AND SWORN to before me this 19 day of June, 2013, by
Jack Tuls Jr.

My commission expires:

2-10-2014

[Signature]
Notary Public

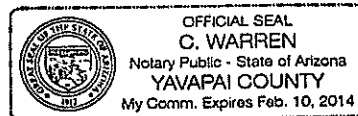
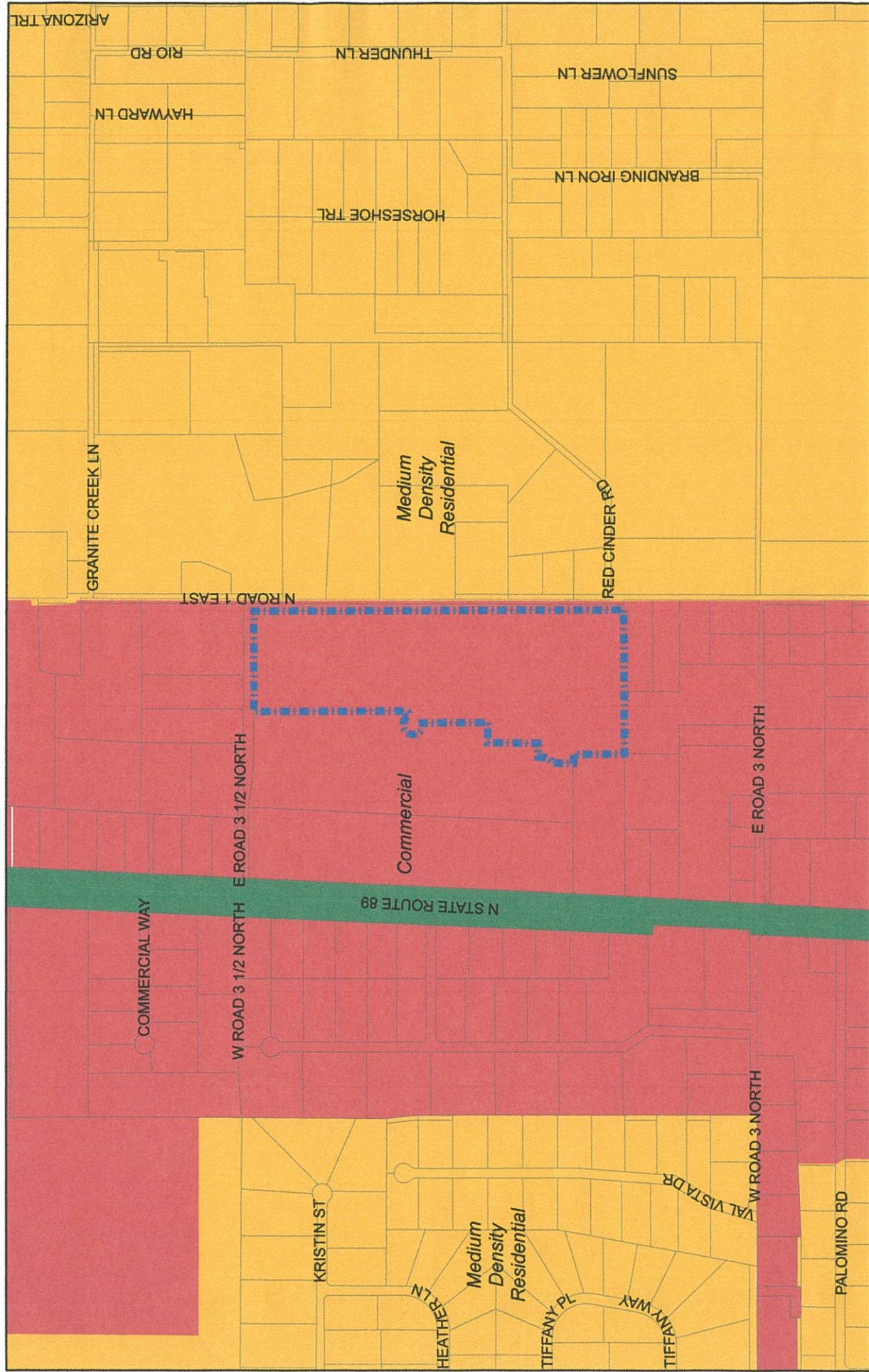


EXHIBIT A



CUP 13-002



1 inch = 700 feet

EXHIBIT "C"

The Town of Chino Valley assumes no responsibility for errors, omissions, and/or inaccuracies in this mapping product.

HOT HOUSE NATURALS

QUANTITIES	
1" CONC. PAD	30.27 SF
3" CONC. PAD FOR HW	115.17 SF
CONCRETE PAD FOR HW	511.17 SF
CONCRETE PAD FOR HW	400.00 SF
CONCRETE PAD FOR FUTURE	20.00 SF
CONCRETE PAD FOR FUTURE	30.27 SF

SURFACE SECTIONS	
1" 6" COMPACTED A.B.	
2" CONCRETE PAD FOR HW	
3" SINGLE LAYER COMP. SEAL ON 6" COMPACTED A.B.	

EARTHWORK	
NOTE: EARTHWORK QUANTITIES ARE IN CUBIC YARDS (CY) AND SHOULD BE USED FOR ESTIMATING AND BIDDING PURPOSES ONLY. EXCAVATION QUANTITIES INCLUDE REMOVAL OF EXISTING MATERIAL AND FILLING WITH FILL MATERIAL.	
CUT -	4.77 CY
FILL -	5.74 CY
BALANCE -	-0.97 CY

NOTES:	
PARKING SPACES H-D DIMENSIONS ARE 10' X 20'	
HC PARKING SPACE DIMENSIONS ARE 10' X 20' WITH 5' X 20' ASLT	
EXISTING CONTOURS - 2' INTERVAL (TYPICAL)	
PROPOSED CONTOURS - 1' INTERVAL (TYPICAL)	
DRAINAGE FLOWLINE	

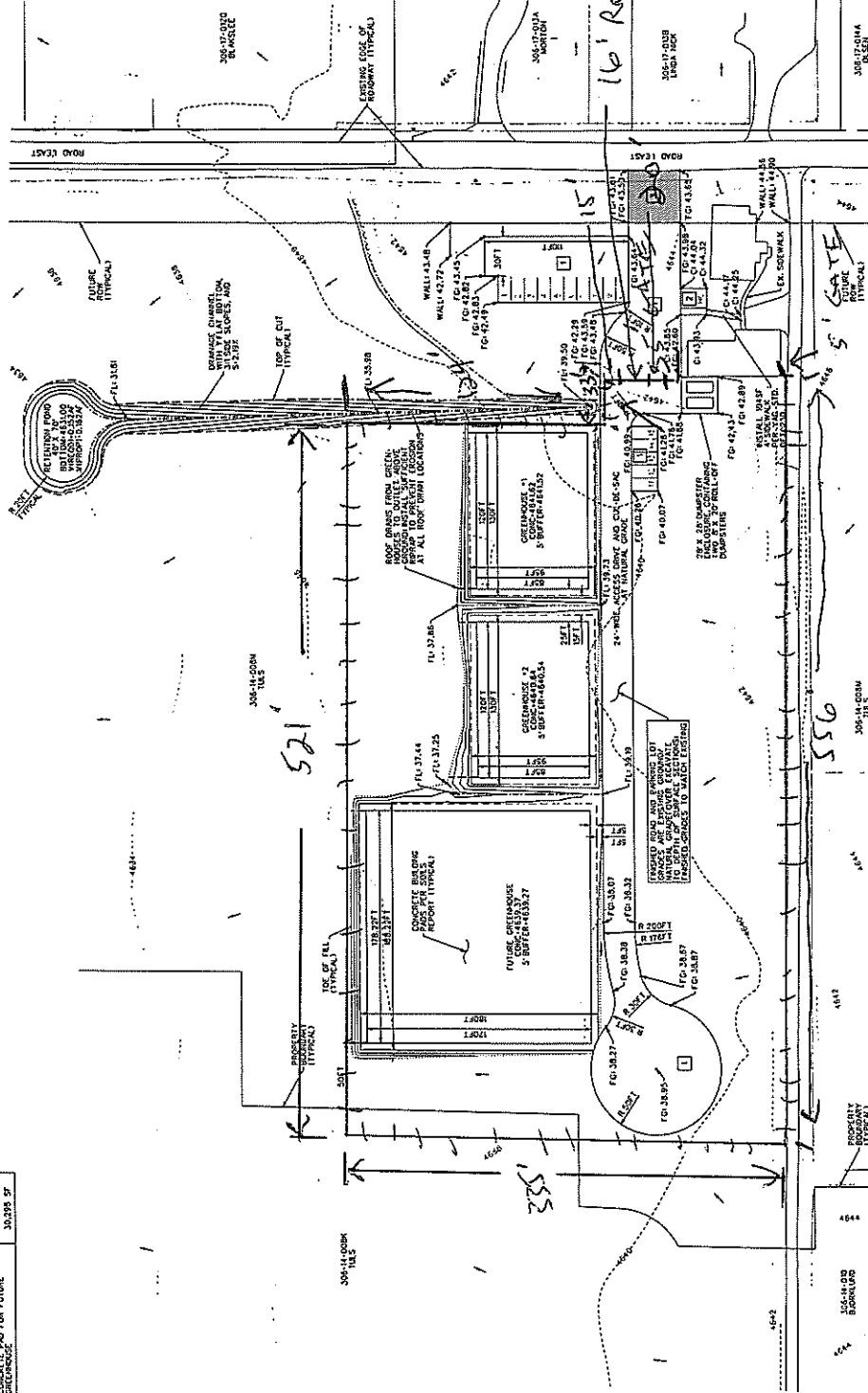


EXHIBIT "D"

PROJECT
HOT HOUSE NATURALS

SHEET NO.
1

OF 1 SHEET

SHEET DESCRIPTION
DRAINAGE PLAN

LYON ENGINEERING
Civil Engineers & Land Surveyors
1650 WILLOW CREEK ROAD
PRESCOTT, AZ 86301
(928) 776-1750

DESIGNED BY
R. B. B.

CHECKED BY
R. B. B.

DATE
JULY 1, 2014

PROJECT NO.
10000000000000000000