

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

**DECEMBER 5, 2017
6:00 P.M.**

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

1) CALL TO ORDER

Vice-Chair Pasciak called the meeting to order at 6:00 p.m.

2) PLEDGE OF ALLEGIANCE

3) ROLL CALL

Present: Vice-Chair Gary Pasciak; Commissioner Tom Armstrong; Commissioner William Welker; Commissioner Michael Bacon; Commissioner Julie Van Wuffen; Alternate Welles Geary

Absent: Chair Chuck Merritt; Commissioner Claude Baker

Staff Development Services Director Jason Sanks; Associate Planner Alex Lerma;

Present: Town Clerk Jami Lewis; Deputy Town Clerk Vickie Nipper

4) MINUTES

- a)** Consideration and possible action to approve November 7, 2017 regular meeting minutes.

Vice-Chair Pasciak reported that the approval of the November 7, 2017 regular meeting minutes will be deferred to the next meeting.

5) STAFF REPORTS

Mr. Sanks reported on:

- Single family home permits - 38 were issued this fiscal year, with 4 being in this month.
- Departmental structure of Development Services - All development functions had been brought back together under his administration; and with Frank Marbury overseeing Roads and the engineering team, both departments will run more efficiently.
- New projects – Brooks Apartments with 174 proposed units; several single family inquiries for primarily one acre lots; and one inquiry for 160 smaller single family lots on Perkinsville Road and Road 1 East.

- a) Report on corrections made to October 3, 2017 meeting minutes.

Town Clerk Jami Lewis reported that there had been an error in the draft minutes with regard to reducing park model, not RV, spaces. Staff has corrected the minutes.

- b) Response to the public comment heard at the November 7, 2017 meeting, regarding the Town not imposing impact fees for growth, and what the Town was doing to reach safe yield.

Mr. Sanks reported that the Town did not impose impact fees but it did charge construction sales tax, plan review fees, and inspection fees. With regard to water resources, ADWR controlled water permitting and they would ensure that water supply be provided for any new developments.

6) PUBLIC HEARING

- a) Consideration and possible action regarding an application for Primrose Inn & RV for a Conditional Use Permit in order to allow a 22-unit RV Park for a property located approximately 1/4 mile north of the ~~northeast~~ NORTHWEST corner of West Road 2 North and State Route 89 intersection at 1304 North Sate Route 89. (Alex Lerma, Associate Planner)

Mr. Lerma noted the correction above regarding the property location. The parcel was approximately three acres, zoned commercial light, and being used as an RV park with two residences and a hotel.

Reported history:

- Originally built in 1942, Primrose was initially an inn/hotel.
- During the 1980s, building permits were issued for the two mobile homes.
- December 1994, the property was rezoned from R-2 to C-1.
- March 2000, the property owner applied for and was issued a Conditional Use Permit (CUP) to allow ten RV spaces with a stipulation that the applicant would apply for a new CUP in five years. There were four RVs that existed outside the boundaries of the RV portion but were allowed to remain as legal non-conforming uses, since they had been there since the 1970s and prior to the 1984 Zoning Code.
- March 2005, the property owner again applied for and was issued a CUP to allow for ten RV spaces with a stipulation the applicant would apply for a new CUP in ten years.
- March 2015, the CUP expired. Because of a change of ownership and miscommunication, the new owners never applied for a new CUP.
- Staff started working with the new owners and gave guidance toward a new CUP. The property owners now desired a CUP for 22 RV spaces.

Mr. Lerma reviewed the proposed site plan.

Reported facts:

- A neighborhood meeting was held November 6, 2017 and the neighbors had no issues. A neighbor to the north of the property requested that the back fence going along the northwest portion of the property be continued to the end as a buffer between the Primrose property and her property. Applicant Tim Henrickson stated they would extend the fence to the back.
- Feasibility and technical review. ADOT indicated that due to the change of ownership, the applicant needed an encroachment permit; and to bring the driveway to the current code and be ADA compliant. Yavapai County Environmental Health indicated that the property would need an upgraded septic system.
- The request was in compliance with the zoning district and General Plan.
- Staff recommended approval subject to certain stipulations, and noted that staff will not approve electrical and building permits until all stipulations are met.

Mr. Henrickson reported that both driveways would remain, but the driveway to the south needed to be reduced to 40 feet, obstructions in the middle entrance area needed to be removed, and sidewalks needed to be redone. He asked about receiving a perpetual use permit for the property.

Mr. Lerma related that currently, the property's zoning district only allowed it as a CUP and CUPs usually provided a time limit because it was a type of use that changed over time. The only way to make it permanent would be to rezone it. Mr. Sanks commented that due to the longevity of the use, staff was not recommending a time limit, but if ownership changed or violations occurred, the Town could revoke the CUP.

Commissioner Bacon recommended another stipulation with regard to buffering against future residential development to the west.

Vice-Chair Pasciak opened the public portion of the hearing, and as no one spoke, he closed the public portion.

MOVED by Commissioner Michael Bacon, seconded by Commissioner Julie Van Wuffen to forward to Town Council approval of the Conditional Use Permit for property located approximately ¼ mile north of the northwest corner of West Road 2 North and State Route 89 intersection at 1304 North State Route 89. This CUP would allow a 22-unit RV Park with the following conditions:

1. An Encroachment Permit will be submitted to ADOT.
2. Driveway will be brought up to ADOT's current standards.
3. Septic system will be upgraded to support 8 additional RV spaces.
4. Fencing to the northwest portion of the property will be extended to serve as a buffer between adjacent properties.
5. If property develops as residential to the west, fencing will be provided along the west property line.

Vote: 6 - 0 PASSED - Unanimously

- b) Consideration and possible action regarding an application from Olsen's Grain for a Conditional Use Permit in order to install an electrical information sign for a property located approximately 860 feet north of the northeast corner of West Road 1 North and State Route 89 at 334 South State Route 89, and defined as APN 306-29-029C. (Alex Lerma, Associate Planner)

Mr. Sanks reported that Olsen's Grain had been on the property since 1979 and was located off State Route 89 across from Days Inn. He reviewed the property's site plan.

Reported facts:

- The site was about 2.8 acres, zoned Commercial Light.
- The sign was 15 feet, and while height limit was 12 feet, the additional height was allowed due to development standards which measured from the nearest adjacent roadway (SR 89) and the site was three feet below grade.
- As there had been concern about white translucent signage at night, the sign company consultant for Olsen's Grain was willing to install blackout translucent film on the back of the white panel. This was in the conditions of approval.
- There will be no animation and staff added a condition that if the brightness is too bright, they will modify it.
- The sign plan conformed to all development standards and code.
- Staff recommended approval subject to certain conditions.

Commissioner Bacon suggested a new condition regarding opacity and to modify condition #1 to add that the applicant will modify the static and transition times should the Town develop a code requirement for electric signs.

Vice-Chair Pasciak opened the public portion of the hearing, and as no one spoke, he closed the public portion.

MOVED by Commissioner Michael Bacon, seconded by Commissioner Tom Armstrong to recommend approval to Town Council of this request for a Conditional Use Permit to allow electrical display for parcel 306-29-029C located approximately 860 feet north of the northeast corner of West Road 1 North and State Route 89 at 334 South State Route 89 subject to the following conditions:

1. The electronic sign will not contain any form of animation and must remain static for at least eight seconds with a transition time of no greater than two seconds. The applicant will modify the static and transition times should the Town Council and/or ADOT develop a code requirement for electronic signs.
2. In the event the sign receives community complaints due to excessive brightness or glare at night, the applicant shall submit sign modification plans to the Development Services Department for review and approval that ensures brightness and glare are reduced to satisfactory levels.
3. That information displayed on the electronic sign shall be exclusive to the property's activities and events.
4. The white background of the sign shall be made opaque to omit night time illumination.

Vice-Chair Pasciak noted a correction that the location was the northwest corner.

Vote: 6 - 0 PASSED - Unanimously

7) **NON-PUBLIC HEARING ACTION ITEMS**

8) **DISCUSSION ITEMS**

9) **PUBLIC COMMENTS**

Call to the Public is an opportunity for the public to address the Commission on any issue within the jurisdiction of the Commission that is not on the agenda. Public comment is encouraged. Individuals are limited to speak for three (3) minutes. The total time for Call to the Public may be up to 30 minutes per meeting. Commission action taken as a result of public comment will be limited to directing staff to study the matter, scheduling the matter for further consideration and decision at a later date, or responding to criticism.

10) **ADJOURN**

MOVED by Commissioner Julie Van Wuffen, seconded by Commissioner William Welker to adjourn the meeting at 6:55 p.m.

Vote: 6 - 0 PASSED - Unanimously



Chair Charles Merritt

3-6-2018
Date