

1. Planning And Zoning Commission - Agenda

Documents:

[2018_10_02_PZ_RG_AG.PDF](#)

2. Planning And Zoning Commission - Packet

Documents:

[2018_10_02_PZ_RG_PK.PDF](#)



Town of Chino Valley

MEETING NOTICE PLANNING AND ZONING COMMISSION

**REGULAR MEETING
October 2, 2018
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.** Consideration and possible action to approve September 4, 2018 regular meeting minutes.
- 5. STAFF REPORTS**
- 6. PUBLIC HEARING**
 - a.** Consideration and possible action to approve Ordinance 18-852 to rezone 7.06 acres of real property generally located approximately 900 feet east of Sycamore Vista Drive and 638 feet north of West Center Street, from AR-5 (Agricultural Residential-5 acre minimum) to SR-2 (Single Family Residential-2 acre minimum). (Jason Sanks, Development Service Director)
 - b.** Consideration and possible action to approve Ordinance 18-854 to rezone 5 acres of real property generally located 625 feet south of the southeast corner of West Center Street and South Road 1 West from AR-5 (Agricultural Residential-5 acre minimum) to SR-1 (Single Family Residential-1 acre minimum). (Alex Lerma, Planner)
- 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

Dated this 26th day of September, 2018.

By: Jason Sanks, Development Services Director

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

The Town endeavors to make all public meetings accessible to persons with disabilities. With 72 hours advance notice, special assistance can also be provided for sight and/or hearing impaired persons at public meetings. Please call 636-2646 (voice) or use 711 (Telecommunications Arizona Relay Service) to request an accommodation to participate in this meeting.



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Planning and Zoning Commission Regular

4.a.

Meeting Date: 10/02/2018

September 4, 2018 Minutes

CASE DESCRIPTION:

Consideration and possible action to approve September 4, 2018 regular meeting minutes.

ANALYSIS:

RECOMMENDATION

Approve September 4, 2018 regular meeting minutes.

Attachments

September 4, 2018 Minutes

DRAFT

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

**SEPTEMBER 4, 2018
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

Chair Merritt called the meeting to order at 6:00 p.m.

2) PLEDGE OF ALLEGIANCE

Chair Merritt led the Pledge of Allegiance.

3) ROLL CALL

Present: Chair Chuck Merritt; Vice-Chair Gary Pasciak; Commissioner Tom Armstrong;
Commissioner Michael Bacon; Commissioner John McCafferty; Commissioner Teena
Meadors; Commissioner William Welker

Staff Planner Alex Lerma; Public Works Director/Town Engineer Frank Marbury;
Present: Administrative Technician Kathy Frohock (videographer); Deputy Town Clerk Vickie
Nipper (recorder)

4) MINUTES

- a)** Consideration and possible action to approve July 3, 2018 regular meeting minutes.

MOVED by Commissioner John McCafferty, seconded by Commissioner Tom Armstrong to
approve the July 3, 2018 regular meeting minutes, as corrected: Wells Geary was not present at
the July 3, 2018 meeting, and the count for all votes for each item should be 7-0.

AYE: Chair Chuck Merritt, Vice-Chair Gary Pasciak, Commissioner Tom Armstrong,
Commissioner Michael Bacon, Commissioner John McCafferty, Commissioner Teena
Meadors, Commissioner William Welker

PASSED - Unanimously

5) STAFF REPORTS

Planner Alex Lerma reported on the following:

- Staff received two new zoning applications, which brought the total rezoning applications for the year to 19.
- Two projects undergoing feasibility and technical reviews were: Scooters (coffee company), located north of State Route 89 and Center Street across from the High School and a restaurant whose name was not yet public.

6) PUBLIC HEARING

- a) Consideration and possible action to approve Ordinance 18-852 to rezone 7.06 acres of real property generally located approximately 900 feet east of Sycamore Vista Drive and 638 feet north of West Center Street, from AR-5 (Agricultural Residential-5 acre minimum) to SR-1 (Single Family Residential-1 acre minimum). (Jason Sanks, Development Service Director)

(Item 6a was heard after Item 6b but is retained here for clarity.)

Planner Alex Lerma presented the following:

- The adjacent property had similar zoning and Mesa View South Subdivision bordered the property, Mollie Rae Estates lay to the Southwest and Chino Valley Estates lay to the Southeast.
- The property owner resided on the property to the south.
- The seven acres of vacant land would be rezoned from AR-5 to Single Family Residential one acre minimum (SR-1). It had been used for farm animals.
- The surrounding properties to the south and northeast were zoned AR-5 and all other surrounding property were zoned SR-1.
- The subject property was designated medium density in the General Plan, and SR-1 would be in conformance with the plan.
- The neighborhood meeting was held on August 20, 2018 and approximately 13 residents attended. Most of the residents resided in Mesa View Subdivision to the west. The Planning Department also received a letter from a resident from Mesa View Subdivision to the south, voicing similar concerns. The residents had two main issues:
 - Drainage: The subject property was elevated. When it rained, the runoff went to the backyards of the Mesa View Subdivision.
 - Manufactured homes.
- The property owners intended to provide access to the subject property through a 25-foot easement located on the west property line of the property to the south, also owned by the applicant. The subject property would be divided into three separate properties and have manufactured homes installed on each property.
- The manufactured homes were not a zoning issue. The UDO did not regulate site-built and manufactured home through the zoning change process. The zone change determination would be if SR-1 made sense in that area. Staff believed that the SR-1 district made sense because of the surrounding property zones. The grading and drainage issues would be covered during the development and permit stage.

Commission and staff discussed:

- Commissioners requested clarification on the property lines because of a structure shown on the mapped area. Mr. Lerma pointed out the correct property and access easement lines for the subject property.
- Commissioners requested an onsite meeting with the property owner to view the proposed

access road area.

- Commissioners questioned whether a 25-foot easement was sufficient for multiple properties. Mr. Lerma explained that: the code required a 50-foot easement for access and further clarification was required before he could answer the question; when the property was subdivided in 2004, the code only required a 25-foot easement for legal access, and he needed clarification as to whether through a rezoning process a condition of an additional 25-foot easement could be requested for a property that was not part of the application. The Commissioners discussed the need for an additional 25-foot easement all the way to Center Street, as they were concerned that the subject property was landlocked, and until the property developed to the east or a 50-foot easement was designated, the property could legally only have one home on the property and could not subdivide.
- Commissioners further clarified the 50-foot access issue. Since both properties were owned by the same person, the owner could dedicate the additional 25 feet to make it a 50-foot legal access if it were a requirement.
- Mr. Lerma confirmed that with the right zoning, the owners of the subdivided property could further subdivide their property to one acre lots.
- The Commissioners discussed whether the access road to the property would be paved and Mr. Lerma explained that a paved road could not be required when property was subdivided unless it was specifically stated in the UDO.
- Commissioners discussed recommending a change of zoning to larger lots from what was requested by the applicant or if they should instead recommend a continuance until further information is provided. Mr. Lerma explained that the Commissioners could only deny or approve the application. If it was denied, the applicant would have to reapply.
- Commissioners asked Mr. Marbury about the drainage issues brought up at the neighborhood meeting. Mr. Marbury explained that he was not aware of the specific issues for this property that might have arisen with drainage, but because of the higher elevation of the subject property, the general knowledge is that water drains from higher elevations to lower elevation properties. Typically, drainage follows the natural and historic patterns, which must be accommodated. Drainage water could not be blocked or released at a faster rate than what is historically released to the south, which is why subdivisions have retention and detention requirements that do that. The state had general guidelines, but the municipal code was not clear on non-subdivided lots. State guidelines tend to exempt residential developments of one acre or greater in size. Local jurisdictions had the authority to modify their code as they saw fit. In general, the property uphill would release the water at natural and historic rates. The Town's building permit level did not regulate retention requirements for individual residential lots.
- Commissioners asked if the Mesa View Subdivision had any drainage requirements. Mr. Marbury explained he had not seen the specific subdivision report requirements, but typically subdivisions had drainage reports that both quantifies the historic and natural drainage flowing into the subdivision, including any offsite or onsite flows, and would accommodate the increased runoff from the building of streets and housing structures and would detain the water at historic rates so there would be no impact to the downstream properties at any more than historic rates. The report would at least mention that it received some flows from the elevated property. He could research the requirements for the back pieces of property dealing with water from the subject property's vacant land.
- Commissioners felt as if the zoning request fit the area but had ongoing questions and wanted to postpone any final decision until further clarification was provided on the easement issue. The drainage issue should have been addressed during the subdivision planning and would also be addressed at the building department level.
- Commissioners discussed planning for the future and the possibility of approving a rezone at two to 2.5 acres or having the road paved as a condition of the requested rezone.

Mr. Marbury wanted to clarify that any conditions the Town requested from the property owner was legal before any request or requirement was actually made regarding the final decision. Commissioners agreed.

- Commissioners wanted to postpone the application until the next meeting when staff could answer the question as to whether the 25-foot easement was sufficient to feed the subject property if it was split or if it required more property to be dedicated. If it required more, if the property owner was willing to dedicate more to the Town based on the requirements of the code.

MOVED by Commissioner Teena Meadors, seconded by Commissioner Michael Bacon to table the application until the next meeting.

AYE: Chair Chuck Merritt, Vice-Chair Gary Pasciak, Commissioner Tom Armstrong, Commissioner Michael Bacon, Commissioner John McCafferty, Commissioner Teena Meadors, Commissioner William Welker

PASSED - Unanimously

- b) Consideration and possible action to approve Ordinance 18-853 to rezone 6 acres of real property located on the northwest corner of South Road 1 West and West Road 2 South at 940 South Road 1 West from AR-5 (Agricultural Residential-5 acre minimum) to SR-1 (Single Family Residential-1 acre minimum). (Alex Lerma, Planner)

(Item 6b was heard after Item 5 but is retained here for clarity.)

Mr. Lerma presented the following:

- The property was located on a major intersection.
- The property was currently six acres with an AR-5 zoning district and was vacant. The accessory structure was going to be removed. Applicant was requesting a rezone to SR-1, single family residential with a one-acre minimum.
- The property was primarily surrounded by subdivisions and zoning districts that supported the zoning the applicant had requested. There had been a pattern of low-density residential transforming into single family residential.
- The proposed zoning would be in conformance with the land use designation on the General Plan.
- The Public Works Department requested an additional right of way (ROW), with the applicant dedicating 25 feet on Road 1 West and 30 feet on Road 2 South. The UDO stated that on major arterials, the ROW needed to be at least 100 feet. The additional right of way request was to meet this requirement and should be a condition of the zoning change.
- Staff recommended that the Commission forward to the Town Council for approval with the ROW condition.

Commission and staff discussed:

- Commissioners questioned where the water and sewer lines were located and Public Works Director Marbury explained that the closest sewer was at the Mountain View Mobile Home Park on Road 1 West and no water was in the area. Wells would be allowed on one acre lots if approved by the State.
- Commissioners asked if the property to the west with a recently installed manufactured

home was within the setback requirements. Mr. Lerma explained that when the property was subdivided, the owner submitted a record of survey, and the twenty-foot side yard setback was met.

Chad Nanke, property representative, stated that the setback from the manufactured home to the back of the subject property was 25 feet and met the requirements. If the property was split in the future, the access would be along South Road 1 West, with no ingress or egress off the busy road.

MOVED by Vice-Chair Gary Pasciak, seconded by Commissioner Teena Meadors to recommend to Town Council of this request to rezone approximately rezone six acres of real property located on the northwest corner of South Road 1 West and West Road 2 South at 940 South Road 1 West from (AR-5) Agricultural Residential, 5-Acre Minimum to (SR-1) Single Family Residential, 1-Acre Minimum with the following conditions:

1. ROW dedications sufficient so that the ultimate ROW line on Road 1 West is 50' west of the section line between sections 27 and 28; the ROW dedication on Road 2 South should be sufficient so as to set the ROW line 50' north of the section line between sections 28 and 33.

AYE: Chair Chuck Merritt, Vice-Chair Gary Pasciak, Commissioner Tom Armstrong, Commissioner Michael Bacon, Commissioner John McCafferty, Commissioner Teena Meadors, Commissioner William Welker

PASSED - Unanimously

7) NON-PUBLIC HEARING ACTION ITEMS

8) DISCUSSION ITEMS

9) PUBLIC COMMENTS

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10) ADJOURN

MOVED by Commissioner William Welker, seconded by Commissioner John McCafferty to adjourn the meeting at 6:54 p.m.

AYE: Chair Chuck Merritt, Vice-Chair Gary Pasciak, Commissioner Tom Armstrong, Commissioner Michael Bacon, Commissioner John McCafferty, Commissioner Teena Meadors, Commissioner William Welker

PASSED - Unanimously

Chair Charles Merritt

Date

Planning and Zoning Commission Regular

6.a.

Meeting Date: 10/02/2018

Gempe Zone Change (Continued)

CASE DESCRIPTION:

Consideration and possible action to approve Ordinance 18-852 to rezone 7.06 acres of real property generally located approximately 900 feet east of Sycamore Vista Drive and 638 feet north of West Center Street, from AR-5 (Agricultural Residential-5 acre minimum) to SR-2 (Single Family Residential-2 acre minimum). (Jason Sanks, Development Service Director)

LOCATION:

Generally located approximately 900 feet east of Sycamore Vista Drive and 638 feet north of West Center Street.

FACTS:

1. Applicant: Gesine Gempe
2. Owner: Horts A. Gempe
3. Parcel Number: 306-21-119
4. Site Area: 7.06 acres (approx. 307,534 sq. ft.)
5. Existing zoning: AR-5 (Agricultural Residential- 5 Acre Minimum)
6. Intended Use: Future medium density development

ANALYSIS:

See attached Staff Report

SITE PLAN

See attached Site Plan

RECOMMENDATION

Staff recommends that the Planning and Zoning Commission forward to Town Council a recommendation of approval of Ordinance 18-852 to rezone 7.06 acres of real property from AR-5 (Agricultural Residential-5 acre minimum) to SR-2 (Single Family Residential-2 acre minimum) for APN 306-21-119.

Attachments

Gempe Staff Report

Gempe Site Plan



PLANNING AND ZONING STAFF REPORT

APPLICATION SUMMARY

File Number: Z18-000013

Assessor's Parcel Number: 306-21-119

Site Location: Generally located approximately 900 feet east of Sycamore Vista Drive and 638 feet north of West Center Street.

Property Owner: Horst A. Gempe

Applicant: Gesine Gempe

Request: Request to rezone approximately 7.06 acres from AR-5 (Agricultural Residential–5 Acre Minimum) zoning district to SR-2 (Single Family Residential–2 Acre Minimum) zoning district.

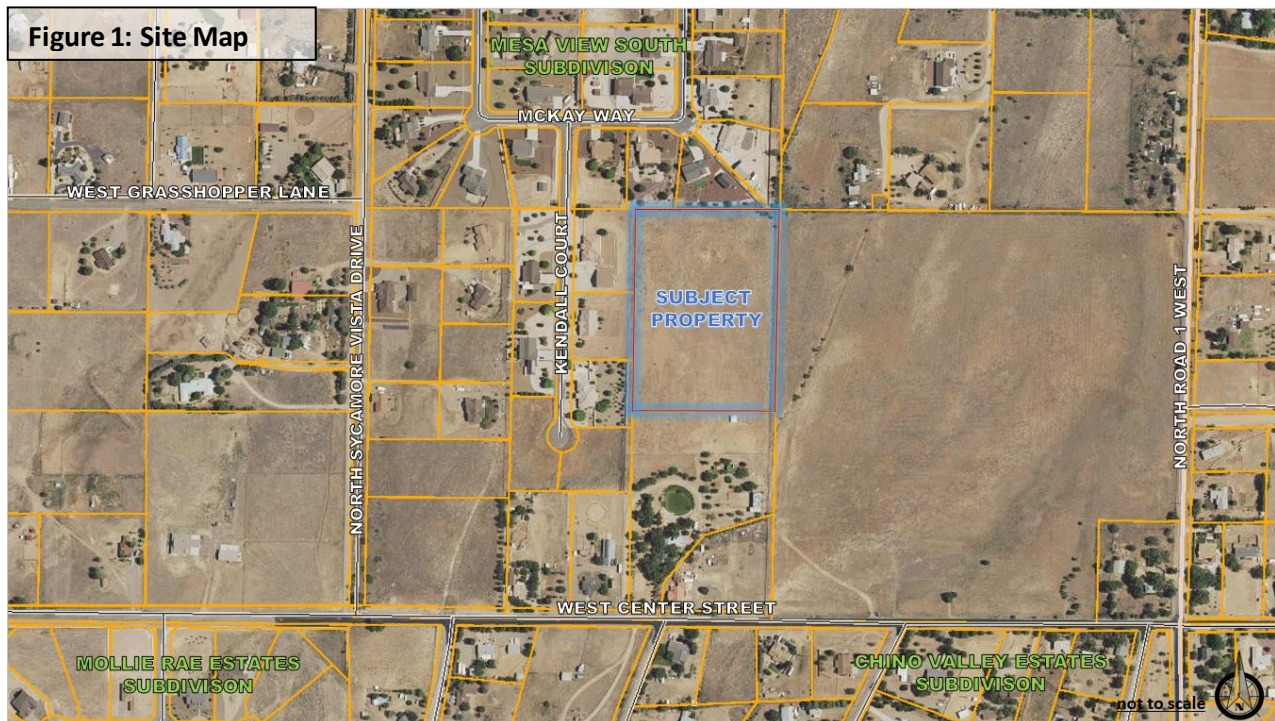
SITE DATA

Existing Zoning	AR-5 (Agricultural Residential-5 Acre Minimum)
Lot Size	7.06 acres (approx. 307,534 sq. ft.)
Subdivision	N/A
General Plan Land Use Designation	Medium Density Residential (2 acres or less)
Existing Land Use	Vacant

BACKGROUND

SITE DESCRIPTION

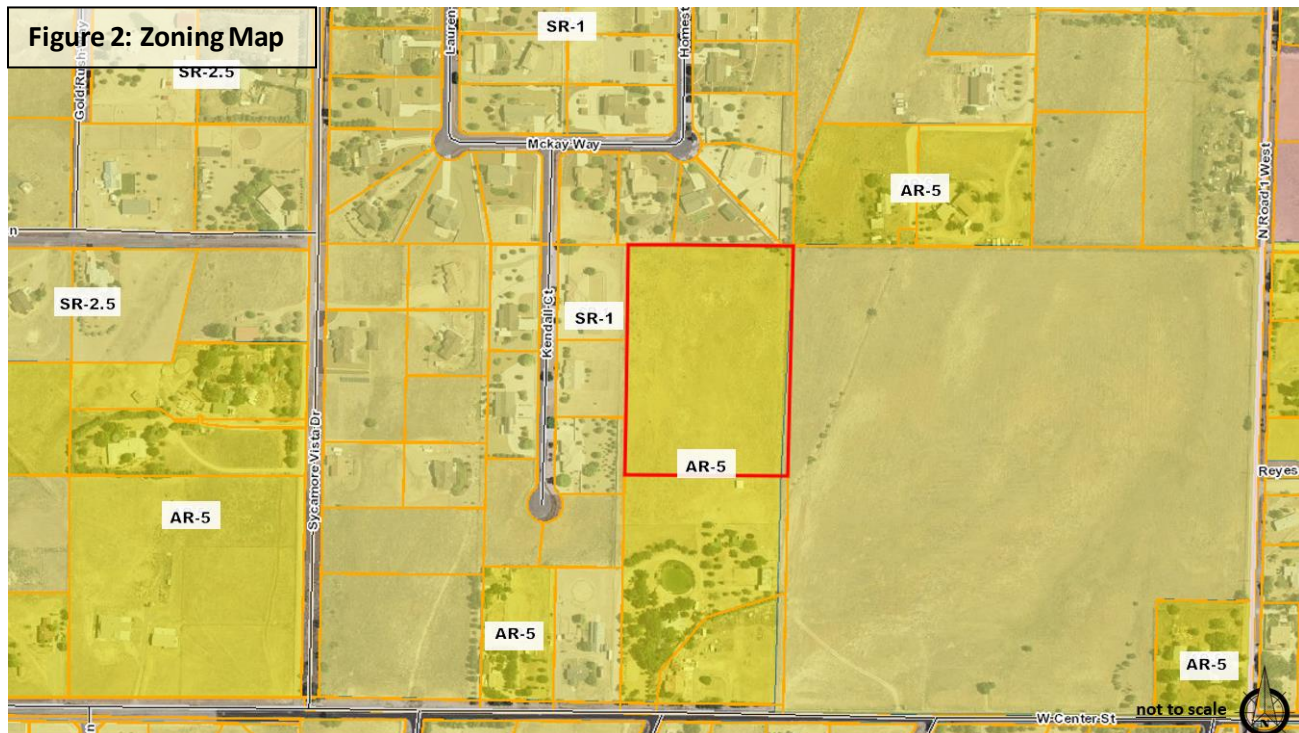
The subject property is generally located approximately 900 feet east of Sycamore Vista Drive and 638 feet north of West Center Street. The property is accessed through a 25' easement running along the west property line of APN 306-21-119, located directly south of the subject property. The site has a zoning classification of AR-5 (Agricultural Residential-5 Acre Minimum) under the Town of Chino Valley Unified Development Ordinance. The parcel is identified with a Land Use Designation of Medium Density Residential (2 acres or less) under the Town of Chino Valley General Plan Potential Land Use Map. There are not improvements to the property. **See Figure 1.**



SURROUNDING PROPERTIES ZONING AND LAND USES

The area is predominantly low/medium density single family residential. The properties directly north are zoned SR-1 (Single Family Residential- 1 Acre Minimum) with single family residential homes and Mesa View South Subdivision. To the west, properties are zoned SR-1 (Single Family Residential- 1 Acre Minimum) and AR-5 (Agricultural Residential- 5 Acre Minimum) with single family residential homes, vacant land and Mesa View South Subdivision. Directly south, properties are zoned AR-5 (Agricultural Residential- 5 Acre Minimum) and further south SR-1 (Signal Family Residential- 1 Acre Minimum) with single family residential homes and Chino Valley Estates. To the east of the subject parcel, the property is zoned SR-1 (Single Family Residential- 1 Acre Minimum) with vacant land. **See Figure 2**

AREA	ZONING	GENERAL PLAN LAND USE DESIGNATION	LAND USE
North	SR-1	Medium Density Residential (2 ac or less)	Single Family Residence, Mesa View South Subdivision
West	SR-1, AR-5	Medium Density Residential (2 ac or less)	Single Family Residence, Vacant, Mesa View South Subdivision
South	AR-5, SR-1	Medium Density Residential (2 ac or less)	Single Family Residence, Chino Valley Estates
East	SR-1, AR-5	Medium Density Residential (2 ac or less)	Vacant, Single Family Residence



PROJECT DESCRIPTION

The applicant has requested to rezone approximately 7.06 acres from AR-5 (Agricultural Residential–5 Acre Minimum) zoning district to SR-2 (Single Family Residential–2 Acre Minimum) zoning district. If the applicant is successful in receiving the approval of the request zone change, they intend to subdivide the property.

CITIZENS REVIEW & PUBLIC HEARING PROCESS

Town Staff notified property owners within a 300' radius, resulting in eighteen (18) notices for the neighborhood meeting and public hearings. Property owners received information regarding the applicant request for a zone change. To date, Staff has spoken to three property owners located west of the subject property. The where concerned about a road going behind their property. Staff informed those property owners that a 25' easement already exist south of the subject property for legal access. Furthermore those property owners were informed that the easement could be further extended north if the subject parcel gets subdivided in the future.

The neighborhood meeting was held on August 20, 2018 at Town Hall. At said meeting there were approximately 13 attendees, most of them residing to west of the subject property on Meza View South Subdivision. Many of the issues that were brought up by the neighbor had to do with drainage issues. The subject property sits at a higher elevation then those abutting lots on Meza View South. During the rainy season, the natural runoff goes in the direction of said lots which causes their back yards to flood.

The neighbors also brought up the issue of having a road going along the back of their back yards. The applicant assured the attendees that the future easement would go in an east direction along the south property line and then turn north and at the properties midpoint.

The item went before the Planning and Zoning Commission on September 4, 2018. Staff gave a brief overview of the project and staff findings to the Planning and Zoning Commission. Staff thoroughly discussed the project's citizens review process and the issues brought up by surrounding neighbors during the neighborhood meeting. The Commission was informed that the biggest issues that were brought up were drainage and manufactured homes.

Staff noted that the owner intended to provide access to the subject property through a 25' foot easement provided by the south property, also owned by the applicant. The Commission was informed that the property would be subdivided into three (3) separate lots and that a manufactured home would be located on each property. Staff indicated that manufactured homes were not a zoning issue, further clarifying that the UDO (Unified Development Ordinance) did not regulate over site-built or manufactured homes.

The Commissioners questioned whether a 25-foot easement was sufficient for multiple properties. They further commented that since both properties were owned by the same person, the owner could dedicate the additional 25 feet to make it a 50-foot legal access if it were requirement. Staff explained the Code requires a 50-foot easement for access when affecting a division of property if any new created lots don't have legal access. Staff explained that then the original easement was conveyed through a division of land on the south property and the Code at that time only required a 25-foot easement. Staff further explained that an interpretation of the UDO was needed in order determine if asking for additional expansion of a legal non-conforming easement could be a stipulated as a condition for an approval on a zone case.

The Commissioners discussed recommending a change of zoning to larger lots from what was requested by the applicant or if they should instead recommend a continuance until further information is provided. Staff noted that the decision would ultimately be the applicants to make.

Commissioners asked Mr. Marbury (Public Works Director) about the drainage issues brought up at the neighborhood meeting. Mr. Marbury explained that he was not aware of the specific issues for this property that might have arisen with drainage, but because of the higher elevation of the subject property, the general knowledge is that water drains from higher elevations to lower elevation properties. Typically, drainage follows the natural and historic patterns, which must be accommodated. Drainage water could not be blocked or released at a faster rate than what is historically released to the south, which is why subdivisions have retention and detention requirements that do that. The State had general guidelines, but the municipal code was not clear on non-subdivided lots. State guidelines tend to exempt residential developments of one acre or greater in size. Local jurisdictions have the authority to modify their code as they see fit. In general, the property uphill would release the water at natural and historic rates. The Town's building permit process did not regulate retention requirements for individual residential lots.

Overall the Commissioners felt as if the zoning request fit the area but had ongoing questions and felt the need to postpone any final decision until further clarification was provided on the easement issue. The drainage issue should be addressed during the subdivision planning and would also be addressed at the building department level. Commissioners discussed planning for the future and the possibility of approving a rezone at two to 2.5 acres or having the road paved as a condition of the requested rezone.

The Commissioners moved to continue the item until the next meeting when staff could answer the question as to whether the 25-foot easement was sufficient to feed the subject property if it was split or if it required additional expansion.

The item will go before the Planning and Zoning Commission as a continued item on October 2, 2018.

POST PLANNING AND ZONING MEETING AND FOLLOW UPS

After the Planning and Zoning meeting staff spoke to Town's legal counsel for clarification on some of the question that arose between staff and the Commission during the September 4th meeting. The main questions discussed were in regards to 25-foot easement located south of the subject property and whether said easement could be extended an additional 25' as a condition of approval through a zoning ordinance for a property not in question. Further staff asked for clarification as to if either staff or the Commission could ask/suggest to the applicant to change the zoning request to a larger residential zoning district in order to prevent future owners from performing additional splits or is the application would needed to go forward with the initial request.

In regards to the easement width issue, Town's legal counsel stated that stipulations such as this are appropriate and preferred at the zoning stage but that the additional 25' easement cannot be required in this particular zoning case. Easement requirement for property not being zoned creates complications that are not usually found in zoning cases. Legal counsel commented that unless the applicant agrees to amend his application to a zoning suggested by staff or the commission, the application must be processed as request.

Staff did speak to the applicant and length after the September 4th meeting regarding the option to request a lower density zoning district then what was initially being proposed. The applicant agreed to amend the application to give assures that the subject property would only result in three lots for the near future. The applicant amended the application request and is now proposing to rezone the property to SR-2 (Single Family Residential- 2 acre minimum).

STAFF ANALYSIS AND RECOMMENDATION

GENERAL PLAN CONFORMANCE

The current (AR-5) Agricultural Residential- 5 Acre Minimum is in conformance with the 2014 Chino Valley General Plan's Future Land Use Map which places the property in a Medium Density Residential (2 acres or less) land use. The proposed zoning of (SR-2) Single Family Residential- 2 Acre Minimum will continue to be in conformance with the Medium Density Residential (2 acres or less) land use designation.

ZONING

The parcel's current AR-5 zoning is intended to promote and preserve low-density single-family residential and agricultural development. The district's regulations and development standards are designed to protect the single-family residential and agricultural character of the district and to prohibit all incompatible activities. Development patterns in the general surrounding are a show a transition from low density residential properties to medium density residential properties. The requested SR-2 zoning

will serve as a transitional zoning between the AR-5 zoning district to the south and the SR-1 zoning district to the north. Since that time, the applicant has agreed to revise their request from SR-1 to SR-2.

STAFF RECOMMENDATION

Staff recommends that the Planning and Zoning Commission forward to Town Council a recommendation of approve Ordinance 18-852 to rezone 7.06 acres of real property from AR-5 (Agricultural Residential- 5 acre minimum) to SR-2 (Single Family Residential- 2 acre minimum) for APN 306-21-119.

Parliamentary Procedure

Chairman: I would entertain a motion

Commissioner: I move to recommend (approval/denial) to Town Council of this request to rezone approximately rezone 7.06 acres of real property located approximately 900 feet east of Sycamore Vista Drive and 638 feet north of West Center Street from (AR-5) Agricultural Residential- 5 Acre Minimum to (SR-2) Single Family Residential-2 Acres Minimum.

Chairman: Do we have a second?

Commissioner: I'll second

Chairman: All in favor

Commission: Aye (or nay)

Chairman: Anybody opposed?

Chairman: Motion is carried (or denied)

MESA VIEW SOUTH
SUBDIVISION

Property Description

APN:	306-21-119
Site Address:	N/A
Lot Size:	7.06 Acres (approx. 307,533 sq. ft.)
Existing Zoning:	AR-5 (Agricultural/Residential- 5 Acre Minimum)
Proposed Zoning:	SR-1 (Single Family Residential- 1 Acre Minimum)
General Plan Designation:	Medium Density Residential (2 ac or less)
Existing Land Use:	Vacant/ Undeveloped

25' Easement

Not to scale



Planning and Zoning Commission Regular

6.b.

Meeting Date: 10/02/2018

Lira Zone Change

CASE DESCRIPTION:

Consideration and possible action to approve Ordinance 18-854 to rezone 5 acres of real property generally located 625 feet south of the southeast corner of West Center Street and South Road 1 West from AR-5 (Agricultural Residential-5 acre minimum) to SR-1 (Single Family Residential-1 acre minimum). (Alex Lerma, Planner)

LOCATION:

Located 625 feet south of the southeast corner of West Center Street and South Road 1 West. APN: 306-29-111A

FACTS:

1. Applicant: Jeff Lira
2. Owner: Jeff Lira
3. Parcel Number: 306-29-111A
4. Site Area: 5 acres
5. Existing zoning: AR-5 (Agriculture Residential- 5 acre minimum)
6. Intended Use: subdivide and develop

ANALYSIS:

See attached Staff Report

SITE PLAN

See attached Site Plan.

RECOMMENDATION

Staff recommends that the Planning and Zoning Commission forward to Town Council a recommendation of approval for Ordinance 18-854 requesting to rezone 5 acres of real property from AR-5 (Agricultural Residential-5 acre minimum) to SR-1 (Single Family Residential-1 acre minimum) for APN 306-29-111A with the following conditions:

ROW dedications sufficient so that the ultimate ROW line on Road 1 West is 50' west of the section line between sections 27 and 28 (approximately 25 additional feet in width).

Attachments

Lira Staff Report

Lira Site Plan



PLANNING AND ZONING STAFF REPORT

APPLICATION SUMMARY

File Number: Z18-000015

Assessor's Parcel Number: 306-29-111A

Site Location: Located 625 feet south of the southeast corner of West Center Street and South Road 1 West.

Property Owner: Jeff Lira

Applicant: Jeff Lira

Request: Request to rezone approximately 5 acres from AR-5 (Agricultural Residential–5 Acre Minimum) zoning district to SR-1 (Single Family Residential–1 Acre Minimum) zoning district.

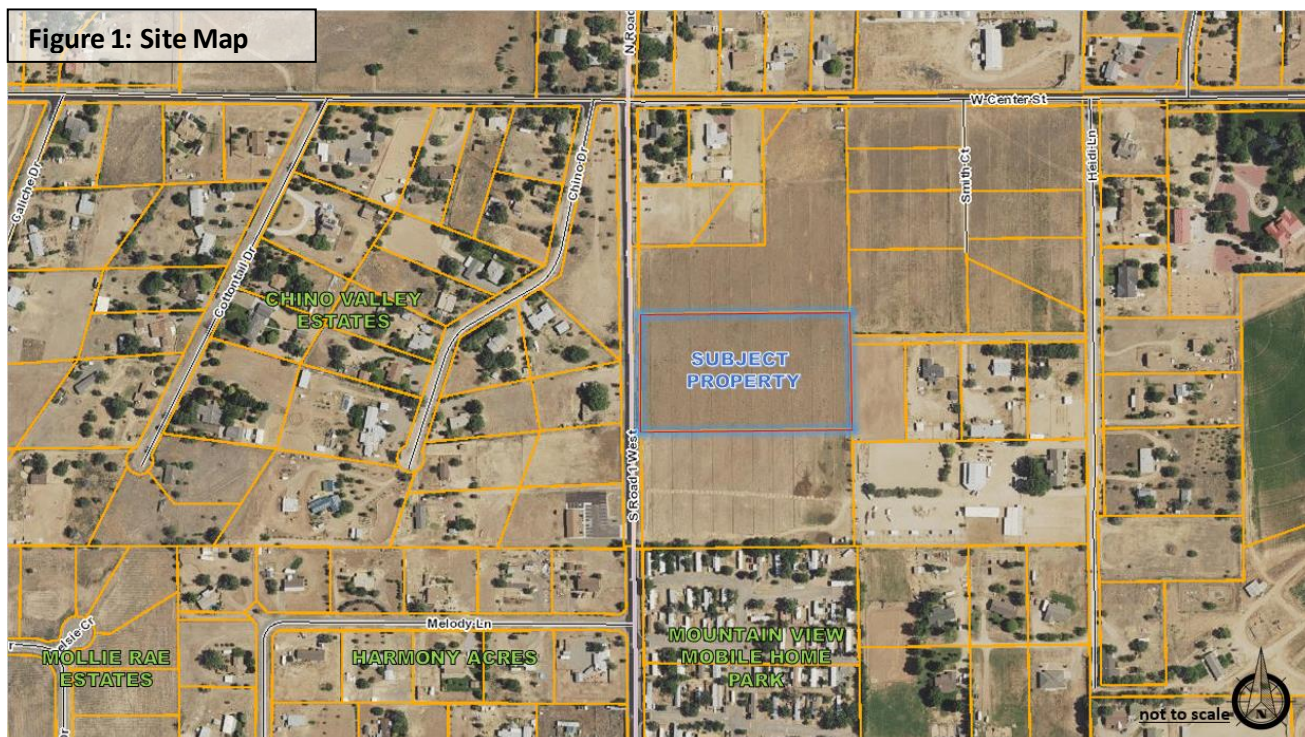
SITE DATA

Existing Zoning	AR-5 (Agricultural Residential-5 Acre Minimum)
Lot Size	5 acres (approx. 217,800 sq. ft.)
Subdivision	N/A
General Plan Land Use Designation	Medium Density Residential (2 acres or less)
Existing Land Use	Vacant

BACKGROUND

SITE DESCRIPTION

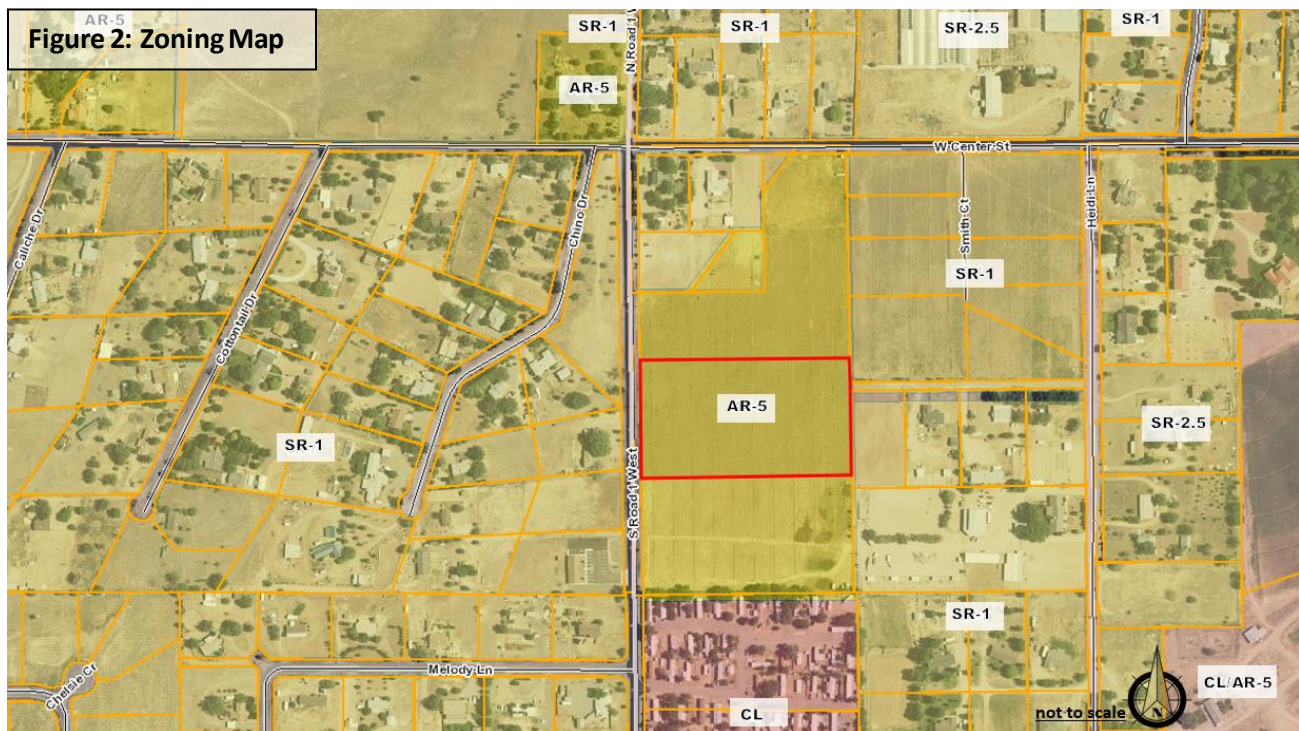
The subject property is located 625 feet south of the southeast corner of West Center Street and South Road 1 West. The property is accessed by South Road 1 West. The site has a zoning classification of AR-5 (Agricultural Residential-5 Acre Minimum) under the Town of Chino Valley Unified Development Ordinance. The parcel is identified with a Land Use Designation of Medium Density Residential (2 acres or less) under the Town of Chino Valley General Plan Potential Land Use Map. The property is currently vacant with no site improvements. **See Figure 1.**



SURROUNDING PROPERTIES ZONING AND LAND USES

The area is predominantly low/medium density single family residential. The property directly north is zoned AR-5 (Agricultural Residential- 5 Acre Minimum) with agricultural land, further north are residential properties with SR-1 (Single Family Residential- 1 Acre Minimum) classification. To the west, properties are zoned SR-1 (Single Family Residential- 1 Acre Minimum) with Chino Valley Estates Subdivision. Directly south, the property is zoned AR-5 with agricultural land. Further south the properties are zoned CL (Commercial Light) and are identified as Mountain View Mobile Home Park. To the east, properties are zoned SR-1 (Single Family Residential- 1 Acre Minimum) with single family residential homes and vacant land. **See Figure 2**

AREA	ZONING	GENERAL PLAN LAND USE DESIGNATION	LAND USE
North	AR-5, SAR-1	Medium Density Residential (2 ac or less)	Single Family Residence, Agricultural Land
West	SR-1	Medium Density Residential (2 ac or less)	Single Family Residence, Vacant, Chino Valley Estates, Harmony Acres, Mollie Rae Estates
South	AR-5, CL	Medium Density Residential (2 ac or less)	Agricultural Land, Mountain View Mobile Home Park
East	AR-5, SR-1	Medium Density Residential (2 ac or less)	Single Family Residence, Vacant Land



PROJECT DESCRIPTION

The applicant has request to rezone approximately 5 acres of real property from AR-5 (Agricultural Residential–5 Acre Minimum) zoning district to SR-1 (Single Family Residential–1 Acre Minimum) zoning district. Mr. Lira want to create two (2) one acre properties for family members and plans to reside in the remainder 3 acres.

CITIZENS REVIEW & PUBLIC HEARING PROCESS

Town Staff notified property owners within a 300' radius resulting in fourteen (14) notices. Property owners received information regarding the applicant request for a zone change. To date, Staff has not received and request for this application.

The neighborhood meeting was held on August 29, 2018 at Town Hall. Two property owners attended the meeting who reside adjacent South Road 1 West in the Chino Valley Estates subdivision. The applicant explained to the attendees that he planned of subdividing the properties into two (2) one acre lots and a one (1) three acre lot. He further stated that family members would live on the 1 acre parcels and that each lot would have manufactured homes.

The item will go before the Planning and Zoning Commission on October 3, 2018.

STAFF ANALYSIS AND RECOMMENDATION

GENERAL PLAN CONFORMANCE

The proposed zoning of (SR-1) Single Family Residential- 1 Acre Minimum will continue to be in conformance with the Medium Density Residential (2 acres or less) land use designation. The Medium

Density Residential Land Use designation will continue to focus on the Land Use Goal and Strategies by protecting existing residences in low/medium density area as new development comes in.

ZONING

The properties adjacent to the subject property directly north and south are large lots with the AR-5 zoning classification, which is intended to promote and preserve low-density single-family residential and agricultural development. Development patterns in the general surrounding area show that properties that were once low-density single-family residential and agricultural have transitioned into medium-density single-family residential properties either through a land division process or through a plotting subdivision process, this including the properties located east and west of the subject property. The applicant's request for a SR-1 zone change will only have an impact on the density transitioning from low to medium.

PUBLIC WORKS COMMENTS

In review the zone request form the applicant, the Public Works Director mentioned his concern from the rezoning from AR-5 to SR-1. He commented that rezoning with the intent to develop in smaller lots leads to a few issues similar to subdivision. Section 5.3.2 of the UDO sets the preferred ROW widths for streets. Road 1 West is an arterial street with a preferred ROW width of 100' (50' per side of centerline or section line). The current property line is approximately 25' east of the section line, so an additional 25' of ROW is needed.

STAFF RECOMMENDATION

Staff recommends that the Planning and Zoning Commission forward to Town Council a recommendation of approval for Ordinance 18-854 requesting to rezone 5 acres of real property from AR-5 (Agricultural Residential- 5 acre minimum) to SR-1 (Single Family Residential- 1 acre minimum) for APN 306-29-111A with the following conditions:

1. ROW dedications sufficient so that the ultimate ROW line on Road 1 West is 50' west of the section line between sections 27 and 28 (approximately 25 additional feet in width).

Parliamentary Procedure

Chairman: I would entertain a motion

Commissioner: I move to recommend (approval/denial) to Town Council of this request to rezone approximately rezone 5 acres of real property located 625 feet south of the southeast corner of West Center Street and South Road 1 West from AR-5 (Agricultural Residential- 5 Acre Minimum) to SR-1 (Single Family Residential- 1 Acres Minimum) with the following conditions:

1. ROW dedications sufficient so that the ultimate ROW line on Road 1 West is 50' west of the section line between sections 27 and 28 (approximately 25 additional feet in width).

Chairman: Do we have a second?

Commissioner: I'll second

Chairman: All in favor

Commission: Aye (or nay)

Chairman: Anybody opposed?

Chairman: Motion is carried (or denied)



WEST CENTER STREET

SOUTH ROAD 1 WEST

Property Description

APN:	306-29-111A
Site Address:	N/A
Lot Size:	5 Acres (approx. 217,800 sq. ft.)
Existing Zoning:	AR-5 (Agricultural/Residential- 5 Acre Minimum)
Proposed Zoning:	SR-1 (Single Family Residential- 1 Acre Minimum)
General Plan Designation:	Medium Density Residential (2 ac or less)
Existing Land Use:	Vacant

