

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

**MAY 7, 2019
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 Chuck Merritt called the meeting to order at 6:00 p.m.

2) PLEDGE OF ALLEGIANCE

Commissioner Switzer led the Pledge of Allegiance.

3) ROLL CALL

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

Staff Development Services Director Joshua Cook; Planner Alex Lerma; Administrative Present: Technician Kathy Frohock (videographer); Deputy Town Clerk/Recorder Vickie Nipper

4) MINUTES

- a) Consideration and possible action to approve April 2, 2019, meeting minutes.

MOVED by Commissioner Teena Meadors, seconded by Vice-Chair Tom Armstrong to approve the April 2, 2019, meeting minutes.

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

PASSED - Unanimously

5) STAFF REPORTS

Alex Lerma reported on the following:

- The next Agenda will have two items: Century Ranch will have a rezone request and there will also be a pre-plat for a subdivision.
- Joshua Cook, the new Development Services Director introduced himself to the Commissioners and provided a brief educational and work history.

6) PUBLIC HEARING

- a) Consideration and possible action to approve Century Ranch preliminary plat to subdivide approximately 180.5 acres into 103 one (1) acre lots developed in ten (10) phases. The property is located southwest of East Perkinsville Road and M. A. Perkins Trailway, and north of the Bright Star subdivision.

Mr. Cook explained that staff was recommending a continuance until the June 2019 meeting because staff discovered the zoning for the subdivision was SR-2 instead of SR-1 and the applicant would be required to go through the rezoning process at the same time as the preliminary plat.

MOVED by Vice-Chair Tom Armstrong, seconded by Commissioner John McCafferty to continue Item 6a, Century Ranch, to the next Planning & Zoning meeting scheduled for June 4, 2019.

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

PASSED - Unanimously

- b) Consideration and possible action to adopt Ordinance 2019-867 amending the Town of Chino Valley Unified Development Ordinance, by Amending Section 3, by adding Subsection 3.19: BP (Business Park) zoning district.

Mr. Lerma presented the following:

- Item 6b, adding a Business Park zoning district, had been presented to the Commission in a Study Session in January.
- Staff had made some revisions.
- The Town owned 200 acres east of Jerome Junction that was dedicated to The Chino Valley Regional Park at Old Home Manor.
- The property needed a zoning change from the Public Lands zoning because there were not many allowed uses in that zoning district.
- Staff worked with the Steering Committee and determined that a new zoning district would best help the Town achieve their goals for the property.
- The Steering Committee was made up of members of the community that included both business and other interested community members.
- Staff made revisions to the Business Park Zone based on the comments from the Steering Committee.
- Staff held a neighborhood meeting February 25, 2019, and only one community member attended the meeting who fully supported the new zone.
- Staff presented both the original Business Park Zoning code and the revised BP Zoning code for staff to review.
- Most of the uses identified for Government use had been eliminated.
- Other uses that did not fit with the business park development vision were eliminated.
- Additional language under property development standards was added for clarification.
- Performance standards were amended and clarified so that other community members could use this zone in other areas of Town if the zone was an appropriate fit and there was at least 20-acres of combined property.

- Staff recommended that Planning and Zoning Commission forward a recommendation of approval to Town Council to adopt Ordinance 2019-867 to amend the Town of Chino Valley Unified Development Ordinance by amending Section 3, by adding Subsection 3.19: Business Park zoning district.

Commissioners and Mr. Lerma discussed the following:

- Commissioners requested that a spelling error in the staff report under the discussion section be corrected for the word since.
- Commissioners discussed the Veterinary Clinic and Animal Hospitals requirement for a closed building also needing an outdoor space. The ability to apply for a conditional use permit for outdoor space could be added or the veterinary clinic use needed to be prohibited along with dog kennel use. Staff explained the reason for no outdoor animal space was due to a discipline level limit but explained a conditional use could be added to the final motion of approval.
- Multiple property owners could get together and request their property be combined under a Business Park Zoning. Staff explained the zoning was a mixed use of industrial and commercial uses. Staff and commissioners agreed that if this zoning was approved with multiple property owners, the commission would not approve to a non-conforming property use if one property owner wanted to rezone the property at a later date. There had to be at least 20-acres to be zoned Business Park.
- Staff explained there were some minor additional landscaping and architectural design standards requirements for this zone.
- Staff reviewed the Town's revised BP zone as well as BP zones of other communities and was satisfied, with minor modifications, that this met the intent of the Town. Staff also explained the zoning requirements could continue to be modified as needed.

Public Comments:

- Donna Armstrong explained that any space that allowed any type of animals, including vets, training facility or a doggy daycare, needed an outdoor space for the animals to go potty. There could be a restriction for day use only and not allow for overnight animals.

MOVED by Vice-Chair Tom Armstrong, seconded by Commissioner Teena Meadors to forward a recommendation to Town Council to adopt Ordinance 2019-867 amending the Town of Chino Valley Unified Development Ordinance, by Amending Section 3, by adding Subsection 3.19: BP (Business Park) zoning district with the following amendments:

1. Add - Item 8 - Allow veterinary clinics and they can apply under Item 8 under Conditional Use permit for an open area for animals;
2. Delete Item 4 under prohibited uses - Commercial Outdoor Kennels; and
3. Add - Item 9 - Commercial Kennels as a Conditional Use Permit.

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

NAY: Commissioner Gary Pasciak, Commissioner Robert Switzer

PASSED

Chair Merritt asked the two Commissioners that voted Nay to explain their reason. Commissioner Pasciak stated that he found outdoor kennels inconsistent with the permitted uses. Commissioner Switzer opposed the conditional use amendment changes for the outdoor kennel usage.

- c) Consideration and possible action to adopt Ordinance 2019-868 rezoning 200 acres of real property located north of Perkinsville Road and east of Jerome Junction from PL (Public Land) zoning district to BP (Business Park) zoning district.

Mr. Lerma presented the following:

- The item had been presented previously during a study session.
- The property was made of five different lots and combined made up 200 acres.
- The property was currently zoned Public Land.
- The General Plan designation was Employment Park/ Commercial Recreation/ Education/ Public Services and was identified as a future growth area.
- The property is currently vacant and had water and sewer utilities running along Jerome Junction.
- The area was surrounded by residential, industrial agricultural, public lands and commercial properties.
- The Business Park zoning would align better with the vision of the Town.
- Notification was provided to neighboring property owners and a neighborhood meeting was held February 25, 2019 and had one attendee who supported the new zoning district.
- Staff recommends the Commission forward a recommendation of approval to the Town Council with the condition that the previous ordinance was adopted by the Town Council.

Commissioners and Mr. Lerma discussed the following:

- Clarified the arterial street access was East Perkinsville Road and Jerome Junction.
- Clarified the buildings shown on the map was a Town water facility. Yavapai College and the Equestrian Facility were also adjacent to the property and would have no zone change.

MOVED by Vice-Chair Tom Armstrong, seconded by Commissioner William Welker to forward a recommendation to Town Council adopt Ordinance 2019-868 to rezoning 200 acres of real property from PL (Public Land) zoning district to BP (Business Park) zoning district with the following condition:

1. That Town Council adopt Ordinance 2019-867 in purview to this adoption of the BP (Business Park) rezone.

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

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 John McCafferty, seconded by Commissioner Teena Meadors to adjourn the meeting at 6:42 p.m.

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

PASSED - Unanimously



Chair Charles Merritt



Date