

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

**JUNE 2, 2020
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 Pasciak 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

Absent: Alternate David Somerville

Staff Development Services Director Joshua Cook; Assistant Planner Will Dingee; Public
Present: Works Director/Town Engineer Frank Marbury; IT Manager Spencer Guest
(videographer); Administrative Technician Kathy Frohock (videographer); Deputy Town
Clerk Erin Deskins

4) MINUTES

- a)** Consideration and possible action to approve the March 3, 2020, regular meeting minutes.

MOVED by Vice-Chair Tom Armstrong, seconded by Commissioner Robert Switzer to approve
the March 3, 2020, regular 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

7 - 0 PASSED - Unanimously

5) STAFF REPORTS

6) PUBLIC HEARING

- a) Consideration and possible recommendation of approval to Town Council to amend the Town of Chino Valley Unified Development Ordinance, Chapter 154, by amending the following Sections: Section 3.5 (AR-36 Agricultural/Residential), Section 3.6 (AR-5 Agricultural/Residential), Section 3.7 (AR-4 Agricultural Residential), Section 3.8 (SR-2.5 Single Family Residential), 3.9 (SR-2 Single Family Residential), 3.10 (SR-1.6 Single Family Residential and 3.11 (SR-1 Single Family Residential) by modifying the guesthouse requirements and removing Section 3.5 (AR-36 Agricultural/Residential) in its entirety. (Will Dingee, Assistant Planner)

Mr. Dingee presented the following:

- The text amendment for the UDO would remove AR-36 Agricultural/Residential with a 36-acre minimum zoning district and it would also modify the guest house regulations.
- Town Council gave directions to modify the guest house regulations after receiving citizen complaints regarding the regulations.
- The amendments would provide property owners more freedom to develop their property.

Removal AR-36 Agricultural/Residential

- There were no properties within the Town limits that had the zoning designation.
- It was an obsolete zoning district and AR-5 held the same entitlements, but had smaller acreage requirements.
- People were not requesting to down zone their property to the AR-35 limits because it may adversely affect the property value.
- Staff recommended removal because they did not see any reason to retain it in the regulations.

Guesthouse Modification:

- Defined as living or sleeping quarters for the sole use of the occupants of the premises or guests of the premise occupants or persons employed on the premises. Such quarters shall not be rented or not otherwise listed for income purposes.
- Current code limit guesthouses to 800 or 1200 square feet depending on the zoning and was defined as under roof and was not based on livable or non-livable square footage. The current square footage included storage spaces, porches, garages, etc. in the allowed square footage.
- Staff recommended a limit to at least 1200 square feet of livable space or a percentage of the primary residence whichever was larger.
- The new proposed language would allow for non-livable space to not be deducted from the overall allowed livable square footage.
- The language would be similar across all zoning districts except that the percentage would be varied through agricultural and single-family residential zones.
- Agricultural districts would have a 75% caveat to the allowable guest home square footage. If the occupant's home was 3,000 square feet, a 75% guesthouse could be 2,250 livable square feet, not including non-livable square footage. This was applicable to one acre or larger zonings. Anything under .16 was prohibited from having guest homes.
- Single family residential would have a 50% caveat to the allowable guest home square footage. If the occupant's home was 3,000 square feet, a 50% guesthouse could be 1,500 livable square feet, not including non-livable square footage.
- The 1,200 square foot allowable space would be across all applicable zoning districts so that a small primary home would not restrict the size of the guesthouse.
- A tiny home, townhome, park trailer, park model, mobile home, RV or travel trailer could

not be classified as a guesthouse based on building code. The UDO defined a manufactured home, and it was not a recreational vehicle. A manufactured home qualified as a single-family residence when on a foundation.

- Two guest homes could be on the property as long as it was within the allowable square footage.

Commission and staff discussed the following:

- Garages did not need to be attached to the guesthouse.
- The allowable 1,200 square foot allotment for smaller homes impacted single family zones from SR-1 to SR-2.5.
- If a property was split from an AR-5 to two SR-2.5 and there was a large guest home that exceeded the allowable limit for the SR-2.5 zone, staff may not recommend in favor of the lot split because of non-conformance. The property could be grandfather in and allowed, or if it fit the UDO standards, it could be allowed if the guesthouse was on one lot and the primary residence was on the other. Each property could then each be eligible to have a guest home or a larger primary home.
- There was a limitation of 50% lot coverage that must be met through zoning, but if Council wanted to raise the percentage limits, staff did not see any harm in allowing people using their property as they wished.
- Guest homes and primary residences shared the same addresses. It did not matter which was the primary and which was the guest home.
- The only time a larger AR-36 designation would be useful was if the Town was going to annex more property, but staff did not think that would be happening in the near future.
- The Town was not under the regulations of Yavapai County, and the Town allowed for the construction of the guesthouse to be like a house that would allow stoves, ovens, laundry etc. The guest house did have to be on the same power pedestal.
- The difference between an accessory unit and a medical accessory unit was that a medical accessory unit could be a recreational vehicle, but it had to go through a permit process in which a person needed medical care could live in a temporary structure in six-month increments. That was allowed through the building code and was not considered a zoning issue.
- Staff recommended forwarding a recommendation of approval to the Council.
- The item was advertised as a public hearing and needed to be opened up for any public comments. There had only been one call where someone wanted to use their primary home as a guest home and build a new primary home.

There was no public comments made regarding Item 6(a).

MOVED by Vice-Chair Tom Armstrong, seconded by Commissioner John McCafferty to forward to the Town Council a recommendation of approval for to amend the Town of Chino Valley Unified Development Ordinance, Chapter 154, by amending the following Sections: Section 3.5 (AR-36 Agricultural/Residential), Section 3.6 (AR-5 Agricultural/Residential), Section 3.7 (AR-4 Agricultural Residential), Section 3.8 (SR-2.5 Single Family Residential), 3.9 (SR-2 Single Family Residential), 3.10 (SR-1.6 Single Family Residential and 3.11 (SR-1 Single Family Residential) by modifying the guesthouse requirements and removing Section 3.5 (AR-36 Agricultural/Residential) in its entirety.

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

7 - 0 PASSED - Unanimously

7) NON-PUBLIC HEARING ACTION ITEMS

8) DISCUSSION ITEMS

Joshua Cook discussed the following:

- There would be several text amendments coming to P&Z that the UDO Subcommittee and staff had been working on, including Agribusiness, Agritainment, Agritourism, Conex boxes, offsite signage and subdivision regulations.

Staff hoped that there could be two meetings a month to minimize the number of items heard at each meeting. The Commissioners agreed with staff. The July regular meeting would cover offsite signage and possibly Conex boxes. The second meeting would be the third week of July to cover subdivision regulations.

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 6:29 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

7 - 0 PASSED - Unanimously


Chair Charles Merritt

07-07-2020
Date