

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

**TUESDAY, DECEMBER 1, 2020
6:00 P.M.**

**CHINO VALLEY COUNCIL CHAMBERS
202 N. STATE ROUTE 89, CHINO VALLEY, AZ**

1) CALL TO ORDER

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

2) PLEDGE OF ALLEGIANCE

Commissioner McCafferty led the Pledge of Allegiance.

3) ROLL CALL

Present: Commissioner Gary Pasciak; Vice-Chair Tom Armstrong; Commissioner John McCafferty; Commissioner Teena Meadors; Commissioner Robert Switzer; Commissioner William Welker; Alternate David Somerville

Absent: Chair Chuck Merritt

Staff Development Services Director Joshua Cook; Public Works Director/Town
Present: Engineer Frank Marbury; Senior Planner Kristina Tranel; Assistant Planner Will Dingee; Town Clerk Erin Deskins (recorder); Deputy Town Clerk Traci Lavelle (recorder); Administrative Technician Kathy Frohock (videographer)

4) MINUTES

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

MOVED by Commissioner Teena Meadors, seconded by Commissioner Robert Switzer to approve November 3, 2020, regular meeting minutes as printed.

AYE: Commissioner Gary Pasciak, Vice-Chair Tom Armstrong, Commissioner John McCafferty, Commissioner Teena Meadors, Commissioner Robert Switzer, Commissioner William Welker, Alternate David Somerville

7 - 0 PASSED - Unanimously

5) STAFF REPORTS

6) PUBLIC HEARING

- a) Consideration and possible recommendation to Town Council of approval to rezone approximately 9.42 acres of real property from the AR-5 (Agricultural Residential 5-acre Minimum) zoning district to the SR-2.5 (Single-Family Residential 2.5 acre Minimum) zoning district in order to further subdivide the property located on the north side of East Road 4 North approximately 670 feet of intersection of North Road 1 East, and East Road 4 North. (Will Dingee, Assistant Planner)

This item was withdrawn by the applicant.

Ms. Tranel reported upon hearing stipulations for the zoning request, the owner Bob Campbell requested to withdraw the application and rezoning request.

- b) Consideration and possible recommendation to Town Council of approval to amend the Town of Chino Valley Unified Development Ordinance, Chapter 154, by amending Section 2.1 Meanings of Words and Terms and Section 4.9 Outdoor Storage, by adding the definition and regulations of a Metal Storage Container. (Will Dingee, Assistant Planner)

Mr. Dingee reported the following:

- The proposed text amendments addressed the personal use of conex boxes.
- Current Town Code did not have provisions that allowed staff to permit conex boxes.
- Prior staff had created policy that allowed conex boxes, but creation of an official policy required Council direction and approval.
- In February 2020, staff met with the UDO Subcommittee to ask for direction, and staff was given the go ahead to draft language to address the issue.
- The language was placed on hold due to the pandemic and the subdivision regulations text amendments.
- The draft language was taken back to the UDO Subcommittee in October 2020, and staff was given direction to proceed with the text amendments with some modifications to the language regarding screening requirements, container conversions to uses other than storage, electrical services, and the allowed quantity of containers on a piece of property.
- Residents had been notified of proposed changes and the draft text had been posted online. There had been no public comment received.
- Staff recommended approval of the text amendments.

Commissioners and staff discussed the following:

- It was the intention of staff to have the container one color and not allow anything out of the ordinary. The containers would need to be in the backyards and were supposed to be screened from public view. The single color requirement was to ensure the container blended into the backyard. If the trim were painted a different color, it would be in violation to the proposed code. The containers differed from sheds, which were considered and designed to look like a building, but the conex boxes were metal storage containers. The containers could not be modified without

significant structural changes and building permits. The one color would make it much easier for staff to regulate.

- Physical modifications to the container would need to comply with town codes and permitting processes prior to work and also would apply to conex boxes that were less than 200 square feet. A regular structure under 200 square feet did not require a permit, but cutting into a metal storage container or turning the box into another use other than storage required engineering and would require a permit.
- Conex boxes were shipping containers and were not storage sheds similar to those sold in a hardware store.

MOVED by Commissioner Robert Switzer, seconded by Commissioner Teena Meadors to forward a recommendation of approval to Town Council to amend the Town of Chino Valley to amend the Town of Chino Valley Unified Development Ordinance, Chapter 154, by amending Section 2.1 Meanings of Words and Terms and Section 4.9 Outdoor Storage, by adding the definition and regulations of a Metal Storage Container.

AYE: Commissioner Gary Pasciak, Vice-Chair Tom Armstrong, Commissioner John McCafferty, Commissioner Teena Meadors, Commissioner Robert Switzer, Commissioner William Welker, Alternate David Somerville

7 - 0 PASSED - Unanimously

- c) Consideration and possible recommendation to Town Council of approval to amend the Town of Chino Valley Unified Development Ordinance, Chapter 154, by amending Section 4.28 Front Yard And Street Side Yard Building Setbacks When Adjacent To A street, by amending setback requirements and how setbacks are measured and the addition of language for alleviations and exemptions.(Will Dingee, Assistant Planner)

Mr. Dingee reported the following:

- In September 2020, Council adopted Ordinance 2020-885 amending the Town's subdivision regulations. Part of the amendment included reduction in right-of-way width requirements, but the reduction was not retroactive, and as a result the developments constructed prior to the adoption were left with an abundance of right-of-way.
- Staff met with the UDO Subcommittee in October 2020 with draft proposed language to alleviate the issue by providing reduced setback for developments that were constructed prior to adoption of the new subdivision regulations.
- All residents in Town were notified and the draft text amendment was available for review online.
- Town had received comments from affected citizens that were in favor of the amendment because it allowed them additional buildable space.
- Staff recommended approval of the text amendments.

Commissioners and staff discussed the following:

- Definitions of street classifications for arterials, collectors or local had not been changed. The only thing that changed in the text was numbering, lettering and formatting to make it clearer and more concise to users.
- The other significant change was how the setback was measured because the previous language had been very confusing.

MOVED by Commissioner Gary Pasciak, seconded by Commissioner John McCafferty to forward a recommendation to Town Council of approval to amend the Town of Chino Valley Unified Development Ordinance, Chapter 154, by amending Section 4.28 Front Yard And Street Side Yard Building Setbacks When Adjacent To A street, by amending setback requirements and how setbacks are measured and the addition of language for : alleviations and exemptions.

AYE: Commissioner Gary Pasciak, Vice-Chair Tom Armstrong, Commissioner John McCafferty, Commissioner Teena Meadors, Commissioner Robert Switzer, Commissioner William Welker, Alternate David Somerville

7 - 0 PASSED - Unanimously

7) NON-PUBLIC HEARING ACTION ITEMS

- a) Selection of Vice-Chair, effective December 9, 2020 through January 31, 2021.

Mr. Cook explained that since Commissioner Armstrong was elected as a Town Council Member, and he would be sworn in within the next week, there would need to be a Vice-Chair to hold the position through January. In February there would be a full election of officers. The election of the Vice-Chair would be temporary.

Commissioner Pasciak was nominated to serve as the Commission's Vice-Chair.

MOVED by Commissioner John McCafferty, to nominate Commissioner Pasciak to serve as the Commissions acting Vice Chair.

AYE: Commissioner Gary Pasciak, Vice-Chair Tom Armstrong, Commissioner John McCafferty, Commissioner Teena Meadors, Commissioner Robert Switzer, Commissioner William Welker, Alternate David Somerville

7 - 0 PASSED - Unanimously

8) DISCUSSION ITEMS

Commissioner questioned if the Brown Home contractor trailer was placed in the proper location as approved by the Commission previously. Staff stated they would look into the current placement and if all other requirements had been met.

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 Teena Meadors, seconded by Commissioner Gary Pasciak to adjourn the meeting at 6:18 p.m.

AYE: Commissioner Gary Pasciak, Vice-Chair Tom Armstrong, Commissioner John McCafferty, Commissioner Teena Meadors, Commissioner Robert Switzer, Commissioner William Welker, Alternate David Somerville

7 - 0 PASSED - Unanimously



Chair Merritt

2-17-2021

Date