



Commissioner's Agenda
Planning and Zoning Commission
Chino Valley Town Hall
202 N. State Route 89
October 5, 2021, 6:00 p.m.

- A. CALL TO ORDER
- B. PLEDGE OF ALLEGIANCE
- C. CONSENT CALENDAR – All items listed under the Consent Calendar will be approved by one motion. There will be no separate discussion of these items unless the Commission or a member of the audience wishes to speak about an item. In which case, the Chair will pull the item from the Consent Calendar to be heard.
- C.1 APPROVAL OF MINUTES – SEPTEMBER 7, 2021
- C.2 WITHDRAWALS BY APPLICANT – NONE
- C.3 TIME EXTENSIONS – NONE
- C.4 CONTINUANCES – NONE
- C.5 APPROVALS – ONE
1. **Z21-016**: This is a request by the property owners, James and Marta Fosnough, to **Rezone** approximately 4.37 acres of real property from the Commercial Light and Agricultural Residential 5-acre (**CL/AR-5**) District to the Single Family Residential 1-acre (**SR-1**) District for the property located at 299 North Road 1 West, Chino Valley, AZ - APN 306-23-045U
- D. PUBLIC HEARINGS - ONE
- D.1 **F21-003**: This is a request by Craig Helsing (Brown Homes) on behalf of CGX Life Sciences, to approve the Perkinsville 44 Final Plat Phases 1, 2, 3 and 4, to divide approximately 44.3 acres into 162 lots with an average lot size of approximately 7,000 square feet. Property is located at the northeast corner of the intersection of East Perkinsville Road and North Road 1 East, Chino Valley, AZ – APN 306-18-009H
- E. ACTION ITEMS – ONE
- UPDATED BY-LAWS – Review and approval of updated By-Laws
- F. INFORMATION ITEMS
- F.1 Staff
- Council Action on prior P&Z Cases
- SR-22,000 Zone
- F.2 Commission
- F.3 Public
- G. ADJOURN

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 accommodation to participate in this meeting.

Planning and Zoning Commission Meeting Minutes

September 7, 2021

A regular meeting of the Town of Chino Valley Planning and Zoning Commission was held on Tuesday, September 7, 2021, at the Town of Chino Valley Council Chambers, 202 N. State Route 89, Chino Valley, Arizona.

PLANNING AND ZONING COMMISSION MEMBERS present were Chair Chuck Merritt; Commissioner Teena Meadors; Commissioner Gary Pasciak; Commissioner David Somerville; Commissioner Mark Switzer; Commissioner William Welker; Vacant

STAFF MEMBERS present were Laurie Lineberry, Development Services Director; Frank Marbury, Public Works Director; Will Dinger, Senior Planner; Bethan Heng, Planner; Dee Dee Moore, Customer Service Supervisor; Lawrence Digges, Audio/Video Technician.

CALL TO ORDER: Chair Merritt called the meeting to order at 6:00 p.m., and noted there was a quorum present.

CONSENT CALENDAR – Item C.1, Approval of Minutes from the August 3, 2021 Planning and Zoning meeting was removed from the consent agenda. Two corrections were requested, 1) to correct the misspelling of Councilmember Armstrong name and 2) to remove the word “not” in the following sentence, “...be signed and would not be shielded from the roadway...” **A motion was made by Commissioner Welker and seconded by Commissioner Switzer to approve the minutes of the August 3, 2021 Planning & Zoning Commission meeting with the above two corrections. This motion passed unanimously by a 6-0 vote.**

PUBLIC HEARING

CASE # Z21-014: *This is a request by Rosie Soto, to **Rezone** approximately 12.78 acres of land from SR-1 (Single Family Residential 1 acre) to SR-0.16 with a PAD (Planned Area Development) Overlay, to develop 20 half-acre lots, for property located approximately 500 feet west of the intersection of West Center Street and North Road 1 West, on the north side of Center Street, Chino Valley, AZ.*

Will Dinger, Senior Planner, presented the staff report and identified that the plan is a revision to the original layout. It is still for 20-one-half acre lots, but the roadway has been modified to circle the subdivision and provide more open space. The applicant is requesting no sidewalks. Additionally, Town sewer is available and is recommended. The City of Prescott will be providing water services. It has been identified that there are a couple of lots that may have sewer connection difficulties due to slope. Staff is recommending **APPROVAL**.

Commissioner Meadors asked about the last 2-4 lots and how those lots could be connected to town sewer. Code states that all should connect to sewer. **Commissioner Somerville** ask if we were minimizing those stipulations. **Dinger** deferred that question to **Frank Marbury, Public Works Director**.

Marbury shared that in Chino Valley the water flows from south to north and that the main sewer line is at the south, so the last couple of lots will be fighting the lay of the land. **Marbury** identified that there are a couple of mechanical systems that could be put in place to meet the sewer connection requirement. Public Works staff is also requiring 24' of pavement and recommending sidewalks.

Chair Merritt continued the discussion regarding alternative sewer system, pumps, etc., in regards to the northern-most lots. **Marbury** mentioned that alternate systems generally have back-flow preventer valves and maintenance would fall on the property owner. **Commissioner Switzer** asked what Public Works staff recommendation is. **Marbury** stated that it is to have the connection to town sewer. **Commissioner**

Meadors was concerned about the fire protection. **Marbury** added that the City of Prescott water company would need to state that they have adequate fire flow and that there are minimum fire codes that would be enforced by Central Arizona Fire and Medical Authority (CAFMA)

Chair Merritt asked the applicant to speak. **Rosie Soto** stated that concerns during the 1st group of meetings have been addressed and she has tried to incorporate those into this plan. She has restructured the roadway, increased the open space and is planning to set up a limited HOA for maintenance of the road and the park. The commission had no further questions for the applicant.

Toby Butterworth, the applicants Contractor for building and excavation, discussed the slope of the land issues. He felt that the topo maps were old and outdated and that they may be able to get all properties on sewer. He said it would depend on the slope percent and where the main line depth on Center Street is actually located. He added that raising the pad elevation could help out with the slope.

PUBLIC COMMENTS

Cathy Middlested, 380 Lauren Lane provided a handout emphasizing wording in the General Plan, the UDO Codes. She identified that zoning SR-0.16 purpose was "not the intention of the Town ...". She shared that this project is not in compliance with the UDO or the General Plan since this whole area is identified as medium density. She questioned how this zoning, or anything less than 1 acre could be identified at medium density, not high density. She does not believe that this development fits these descriptions.

Floyd & Celia Dugan, 1250 W Center Street stated that they agreed with what **Ms. Middlested** said and also added that there is a lot of water that flows through that area. They felt that this development belongs on the other side of Highway 89 and they don't want to be seeing this here, in this area. They like having a little bit of space around their property.

Alex Harris of 1350 W Center Street shared that he had to drill a new well because the water levels are dropping which would be made worse with these new lots and new homes. He also had concerns about increased traffic on Center and added that weeds are not maintained. **Harris** stated that new houses will create a strain on water, increased traffic, increase for schools. Chino is growing too fast. His concerns included not getting a new grocery store, and that the street and roads are in terrible shape. He stated the town needs to look forward to sustain growth and he is opposed to this project.

Sandra Tuttobene, 490 Lauren Lane had concerns of water. She shared that she lives on Laurel Lane and there is no water pressure. She does not want to see another 20 homes placed in this area. Any zoning should be R-2 Medium Density.

Carolyn Strickroth, 518 Grove Lane added that she drives by this location and that the town needs wise development. She stated that she agrees with all the previous speakers said.

Larry Holt, 525 Homestead Mesa stated that this is an area where people ride their horses and we need to buffer for those people on horseback. People need to look at the property they are buying and developers need to look at the zoning on a parcel before they buy it. **Holt** stated that the mission statement for the Town and the General Plan echo that desire. **Holt** continued, saying that five years ago you could see wild pronghorn grazing in the area, now only skunks are left because of all the building. The opportunity for smaller lots exists in Brightstar. **Holt** continued, this area is one acre for a reason, deny this request.

Tonya Hebel 1335 McKay Way stated that she agreed with everything that has been said and that the roads are terrible.

Brenda Warnock, 3845 Cole Lee Court started by sharing that she doesn't live near the development but that developers are buying up properties and not maintaining the grounds. She stated that these "outsiders" don't care about our community.

Public comment period was closed.

Chair Merritt had concerns about the Unified Development Ordinance not being met for this project. **Dingee** stated that there is a Site Built Home overlay on this property. He added that the General Plan identifies this area as medium density and added that 75% of Chino Valley is medium density (at 2 acres or less). There has been conversation about a zoning designation of SR-22000 (approximately ½ acre) in size, but that has not been finalized.

Chair Merritt asked about the infrastructure and CAFMAs' concerns. **Dingee** stated that the water will be served by City of Prescott water. Because a water company meters their customers, generally people tends to be more aware about water usage. Sewer customers then use that water and through the sewer process, that water goes back into the aquifer. Questions were also asked about the sewer design, yard lines, low, etc. **Marbury** said a sewer system construction needs to meet standards and have the velocity to flush the solid waste out. Water drainage is to stay within the property and civil engineering drawing will identify those areas.

Commissioner Somerville asked if the attached RV Garages are included in the size of the house on the lots. **Dingee** stated they were included.

Chair Merritt asked about the parcel size and the easement along each parcel and how much land is left after the easement is identified. **Dingee** shared that road easements are counted towards the total property acreage. **Marbury** added that there is a 50 foot road easement with 24 feet being paved.

Commissioner Switzer mentioned the sidewalk and location required. **Marbury** stated that a 24-foot road is for 2-way traffic and require sidewalks. All subdivisions are built to the same standards even if the roads are private.

Commissioner Somerville and **Chair Merritt** talked with **Ms. Soto** regarding meeting town setbacks and using hardscape landscaping for minimal water usage. She stated that she is able to meet these recommendations.

A motion was made by Commissioner Switzer and seconded by Commissioner Pasciak to approve the staff recommendation of approval with conditions as stated to satisfy #6 or homes must be sprinklered, and Chair Merritt added that the northern lots also have to be on sewer, gravity or pump fed. Motion carried with a 4-2 vote.

REASONS FOR DISSENTING VOTES:

Commissioner Meador shared that the UDO does not intend SR0.16 development west of Highway 89. **Commissioner Somerville** agreed with **Commissioner Meadors** statement and they both felt the zoning was too dense and that traffic would be an issue.

ACTION ITEMS – There were no action items to discuss.

INFORMATION ITEMS – FROM STAFF

- Bethan Heng, Planner, and Laurie Lineberry, Director, were introduced.

Council Action – **Dingee** informed the Commission that the Planning & Zoning cases that went to Council on August 24, 2021 were approved.

New Agenda Format – **Director Lineberry** described the new P&Z Agenda Format with the Commission. **Chair Merritt** stated he preferred the choice of either using a Voice Vote or a Roll Call vote, depending on the case. He also mentioned that he appreciates the check boxes as it is easier to stay on track during the meetings and that he likes the feedback from the Town Council to know how the commission is doing. **Commissioner Meadors** also commented that she likes the new format. **Chair Merritt** requested that the Z21-014 number be used to identify the public hearings and **Commissioner Switzer** also asked that that number be placed in the suggested motion.

New Staff Report Format - **Lineberry** gave an overview of the new staff report format, stating that the format includes more visual data, prior actions & staff recommendation all in one location. A suggested motion is also included. **Commissioner Somerville** asked if the names of the commenters will be provided when comments are received at Neighborhood Meetings. **Lineberry** stated that if names are given staff will share the names with the Commission. **Commission Switzer** asked that the suggested motion be located at the end of the report, it's where they are accustomed to find it. Maybe with a box around it so it is easy to locate.

New Planning Case Process - **Lineberry** shared the steps in the Case Processing Timeline. This timeline will allow staff to provide definite dates during the application process. **Commissioner Somerville** stated that it looks like a flowchart of our process. **Lineberry** pointed out the longer review time of the P& Z packets by Commissioners before the actual meeting date. **Commissioner Meadors** felt that this will give Chino Valley a better representation with the builders by each "expert" being identified and that staff is the go-to person.

Updated By-Laws - **Lineberry** reviewed the updated by-laws with the Commission. One item to note, added to the by-laws was project continuations. If an item is continued to a date specific there is no legal requirement to re-notice the project. **Chair Merritt** felt that the Commission would like to re-send notification within the 300-foot buffer to make sure that the public has every chance to attend the meetings. If there was no opposition at the neighborhood meetings and nobody wished to speak at the meeting, then that item can stay on the consent agenda.

SR-22,000 Zone - **Lineberry** shared a draft half-acre zoning district. This new zone district will create approximately a one-half acre zoning and includes setbacks, allowed uses, and all other types of items that current districts provide. Questions regarding livestock, chickens, etc were asked, and the commission felt that ½ acre was not enough to keep some of the larger animals. **Commissioner Somerville** mentioned that there are more B & B coming into town and could it be stated that only a property owner run them and not a company. **Lineberry** stated that the State Legislature passed legislation that precludes cities & towns from regulating them.

INFORMATION ITEMS – FROM COMMISSION: There was no business from the Commission

INFORMATION ITEMS – FROM THE PUBLIC: There was no business from the Public

ADJOURN – A motion and second were made to adjourn the meeting at 8:02 p.m.

Charles Merritt
Chair

Dee Dee Moore
Prepared By



TOWN OF CHINO VALLEY
Planning Commission Staff Report
October 5, 2021
File Number Z21-016
Rezoning Request

PROJECT DESCRIPTION This is a request by the property owners, James and Marta Fosnough, to **Rezone** approximately 4.37 acres of real property from the Commercial Light and Agricultural Residential 5-acre (**CL/AR-5**) to Single Family Residential 1-acre (**SR-1**) zoning district for the property located at 299 North Road 1 West, Chino Valley, AZ - APN 306-23-045U

LOCATION DATA

	Existing Zoning	Use(s) on-site	General Plan Designation
Site	CL/AR-5	Single Family Residence	Medium Density Residential (2 ac or less)
North	SR-1	Single Family Residence	Medium Density Residential (2 ac or less)
South	SR-1	Single Family Residential (Lot Spilt Subdivision)	Medium Density Residential (2 ac or less)
East	SR-1	Single Family Residential (Lot Spilt Subdivision)	Medium Density Residential (2 ac or less)
West	SR-1	Single Family Residence	Medium Density Residential (2 ac or less)

LOCATION MAP



Prior site actions:

No prior Council action has been taken on this property.

Staff Recommendation:

Staff recommends **APPROVAL** of the rezoning from the CL/AR-5 Zoning District to the SR-1 Zoning District, subject to the conditions shown in Attachment A.

**SUGGESTED
COMMISSION MOTION:**

Move to **APPROVE** Rezone Z21-016 as presented, subject to the staff report, information provided during this hearing, and the conditions in Attachment A.

Effect of the Approval:

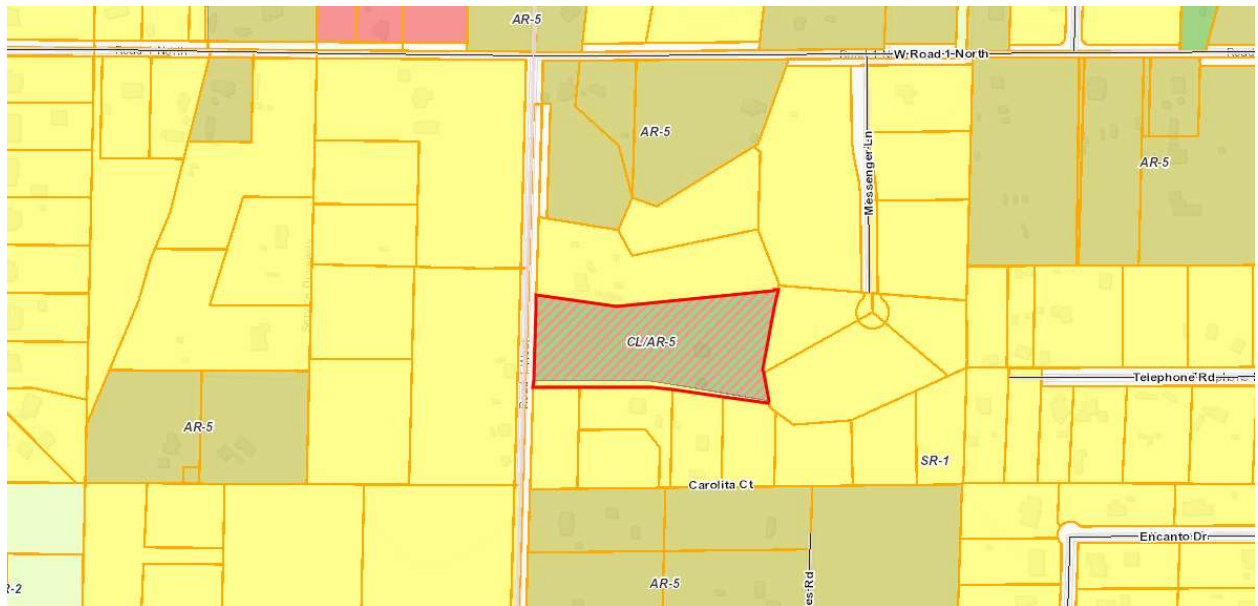
By approving the rezone, the Planning and Zoning Commission is recommended approval to Town Council to rezone approximately 4.37 acres of real property from Commercial Light and Agricultural Residential 5-acre (CL/AR-5) to Single Family Residential 1-acre minimum (SR-1) zoning district for property located at 299 North Road 1 West, Chino Valley, AZ - APN 306-23-045U, subject to the conditions outlined in Attachment A, and affirmatively finds that the request is in conformance with the Town of Chino Valley's General Plan.

Staff Analysis:

The property owner has submitted a request to rezone approximately 4.37 acres of real property from CL/AR-5 to SR-1 in order to divide the property into either two (2) or three (3) parcels. The area surrounding this parcel has been developed similarly and is consistent with the several one acre and up communities in the area.

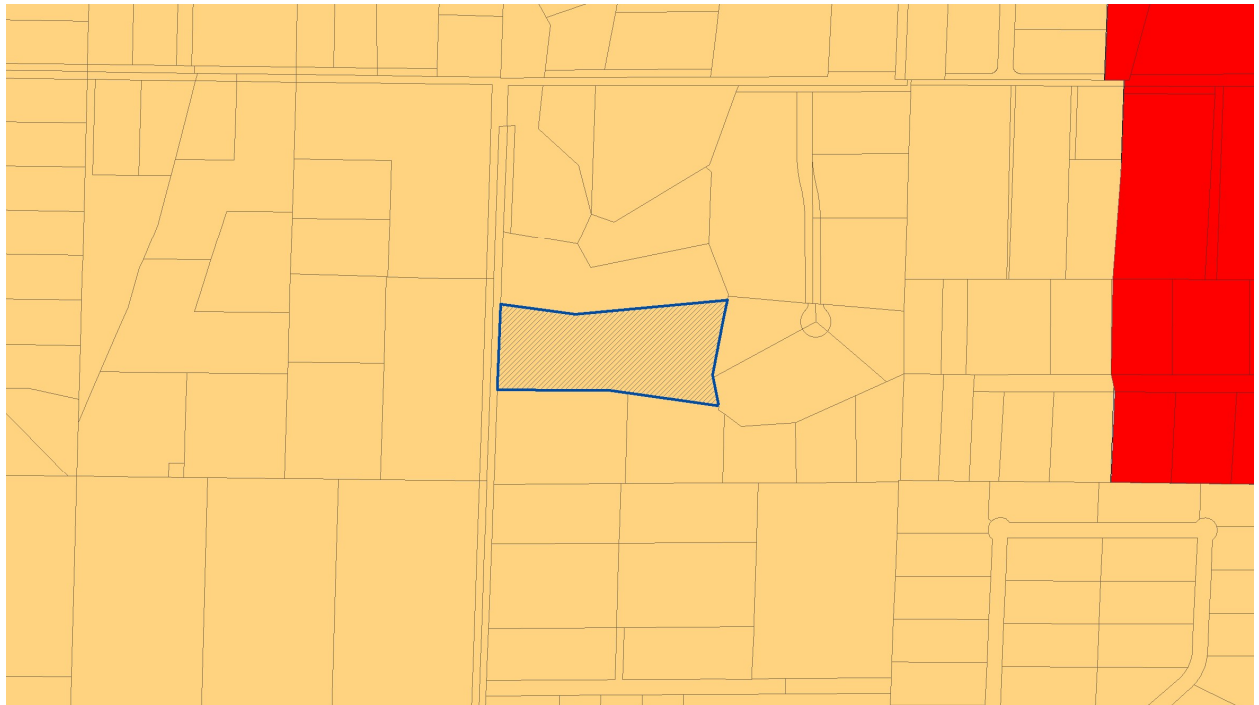
Zoning

The general vicinity contains lots zoned 1-Acre, 5-Acre and a small pocket of Commercial Light. The rezoning of this parcel will effectively remove a commercial element within a predominately single family residential area.



Does the proposed zoning district conform to the Land Use Element?

The property has a General Plan land use designation of Medium Density Residential- 2 acres or less. The applicant is requesting a zone change from CL/AR-5 to SR-1 remaining under the General Plan Medium Density Residential land use designation and also removes CL zoning in an area that is intended to be residential. The Applicant is proposing a small scale residential development at a density that meets the intent of the Medium Density Residential designation.



Are there any dedications or property easements identified by the Transportation Element?

Yes, dedication along North Road 1 East is required in the amount of approximately 15 feet to ensure that there is 40 feet dedicated east of the centerline.

Public Comment Received:

A Neighborhood Meeting for the project was held on September 20, 2021 in which no members of the public attended. Town Staff has not received any public comment regarding this project.

Attachments

A				
Conditions of Approval				

Prepared By:

Date:

Will Dingee
Senior Planner
wdingee@chinoaz.net
928-636-4427 ext. 1233

Approved By:
Laurie L Lineberry, AICP
Development Services Director

ATTACHMENT A

CONDITIONS OF APPROVAL

- The property owner shall dedicate approximately 15 feet along North Road 1 West to ensure that there is 40 feet dedicated east of the centerline. The exact amount that needs to be dedicated will be determined through a survey.



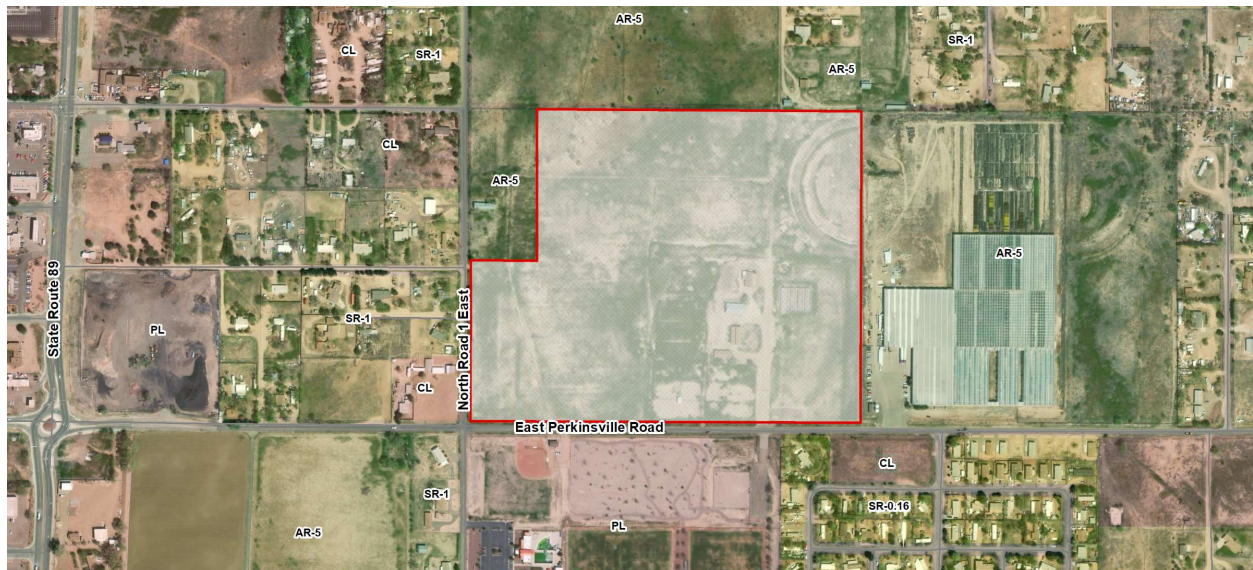
TOWN OF CHINO VALLEY
Planning Commission Staff Report
October 5, 2021
File Number F21-003
Final Plat Approval

PROJECT DESCRIPTION This is a request by Craig Helsing (Brown Homes) on behalf of CGX Life Sciences, to approve the Perkinsville 44 Final Plat Phases 1, 2, 3 and 4, to divide approximately 44.3 acres into 162 lots with an average lot size of approximately 7,000 square feet. Property is located at the northeast corner of the intersection of East Perkinsville Road and North Road 1 East – APN 306-18-009H

LOCATION DATA

	Existing Zoning	Use(s) on-site	General Plan Designation
Site	SR-0.16/PAD	Abandoned Single Family Residence and several agricultural buildings	Medium Density Residential (2 ac or less)
North	AR-5	Vacant Land	Medium Density Residential (2 ac or less)
South	PL, SR-016 & CL	Town of Chino Valley Community Center & Chino Meadows Unit 1	Public Land & Medium Density Residential (2 ac or less)
East	AR-5	Bonnie Plants Commercial Greenhouse	Medium Density Residential (2 ac or less)
West	CL & SR1	Single Family Residential (Lot Split Subdivision)	Commercial/Multifamily

LOCATION MAP



Prior site actions:

April 24, 2018 - Council adopted Ordinance No. 18-844 rezoning the 44.3 acre subject property (306-18-009H) from AR-5 to SR-0.16 with a Planned Area Development to develop 159 on 7,000 square foot lots. (Attachment B).

October 27, 2020 – Town Council approved the Preliminary Plat for Perkinsville 44, at the time referred to as Perkinsville 40, to develop 161 lots. (Attachment C).

August 9, 2021 – Perkinsville 44 completes its second round of Technical Review with minimal comments. Town Staff gives the applicant approval to proceed with a Final Plat submittal.

Staff Recommendation:

Staff recommends that the Planning and Zoning Commission forward to the Town Council a recommendation of APPROVAL for the Perkinsville 44 Final Plat Phases 1, 2, 3 and 4 to divide approximately 44.3 acres into 162 lots with an average lot size of approximately 7,000 square feet.

SUGGESTED

COMMISSION MOTION:

Move to **APPROVE** Final Plat F21-003 as presented, subject to the staff report, information provided during this hearing, and the conditions in Attachment A.

Effect of the Approval:

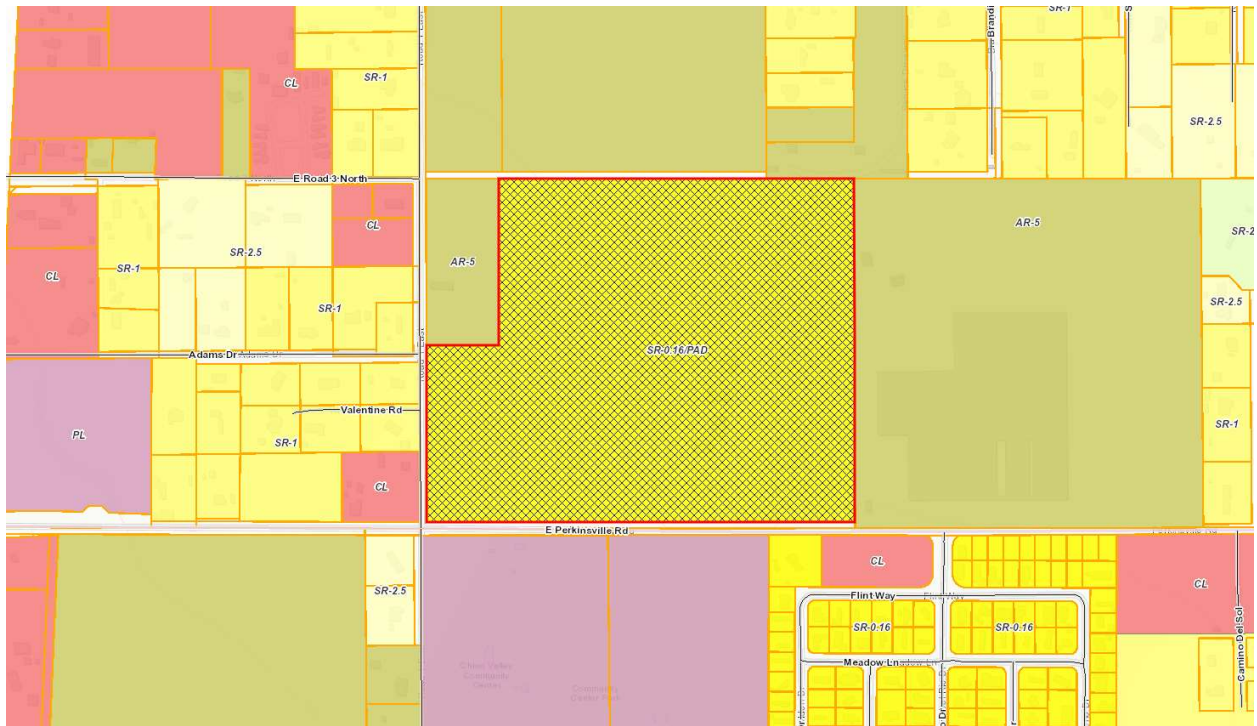
By approving this Final Plat, the Planning and Zoning Commission is recommending approval to Town Council to approve the Perkinsville 44 Final Plat Phases 1, 2, 3 and 4 to divide approximately 44.3 acres into 162 lots with an average lot size of approximately 7,000 square feet, subject to the conditions outlined in Attachment A, and affirmatively finds that the request is in conformance with the previously approved zoning (Ordinance No. 18-844) and the Town of Chino Valley's General Plan

Staff Analysis:

The Perkinsville 44 Preliminary Plat meets all requirements set forth by Section 5.2.3 of the Unified Development Ordinance and is in substantial conformance with the approved Planned Area Development Conceptual Development Plan. The site will have its main access by way of both East Perkinsville Road and North Road 1 East. The development will be connected to Town water and sewer. The Development Services Department and the Public Works Department have completed two rounds of Technical Review for the development and are comfortable in recommending approval with the list of stipulations outlined in Attachment A.

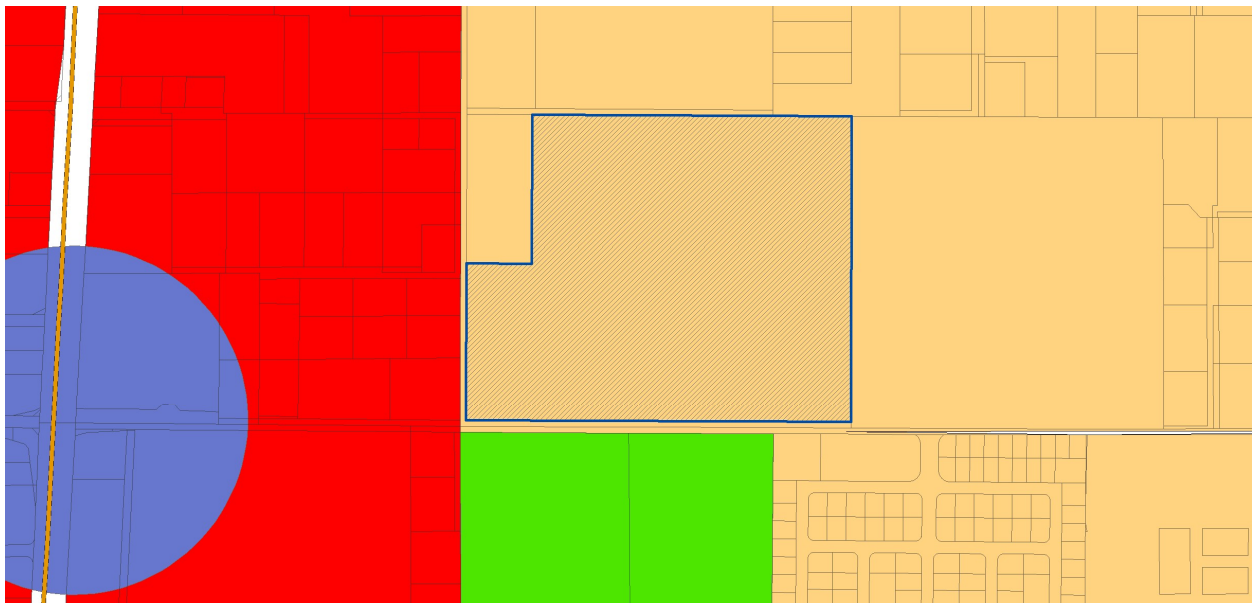
Zoning

The general vicinity contains lots zoned for 0.16-Acre, 1-Acre, 2-Acres, 5-Acres, Commercial Light and Public Land.



Does the proposed zoning district conform to the Land Use Element?

The property has a General Plan land use designation of Medium Density Residential- 2 acres or less. The applicant is requesting approval for a Final Plat within an existing zoning that is consistent with the General Plan land use designation of Medium Density Residential.



Are there any dedications or property easements identified by the Transportation Element?

Yes, the transportation element identifies East Perkinsville Road and North Road 1 East as 80 foot total road way widths. The dedication amount required is approximately 15 feet on each road. This will ensure that 40 feet north of the East Perkinsville Road centerline and 40 feet east of the North Road 1 East centerline has been dedicated.

Public Comment Received:

Town Staff has not received any public comment regarding this project, there was no neighborhood meeting required for this item.

Attachments

A	B	C	D
Conditions of Approval	Ordinance No. 18-844	Minutes from October 27, 2020 Council Meeting	Final Perkinsville 44 Layout with Phase lines

Prepared By:**Date:**

Will Dingee
Senior Planner
wdingee@chinoaz.net
928-636-4427 ext. 1233

Approved By:
Laurie L Lineberry, AICP
Development Services Director

ATTACHMENT A

CONDITIONS OF APPROVAL

1. Revise and resubmit the subdivision's infrastructure and grading plans for review (see attached letter outline those corrections).
2. Provide the certificate of assured water supply from the Arizona Department of Water Resources.
3. Provide the engineering plan review and inspection fees.
4. Provide assurances in the form of a surety bond, irrevocable letter of credit, cash or certified check. The amount of the assurance shall be based on a cost estimate prepared by a registered civil engineer in an amount to cover one hundred ten percent (110%) of the complete installation of the improvements.

ATTACHMENT A Continued

CONDITIONS OF APPROVAL



Public Works Department
1982 N. Voss Drive #201
Chino Valley, AZ 86323

928-636-7140
Fax 928-636-7141
www.chinoaz.net

August 5, 2021

Huitt-Zollars, Inc.
Attn: Ryan Raab, PE
5050 N. 40th Street, Suite #100
Phoenix, AZ 85018

Re: Perkinsville 44

Dear Mr. Raab,

Public Works' comments to the 2nd round submittal for the subject referenced plans are as follows:

- Update offsite line work and cross sections on the onsite plans to reflect the current offsite plans.
- A decision needs to be made as to which offsite sewer alternative will be ultimately pursued prior to plan approvals with the removal of the unused alternative from the plan set.
- Provide Yavapai County Approval to Construct.
- The Town's Planning Dept. and Central Arizona Fire and Medical Authority (CAFMA) may have additional comments.

Offsite Improvement Plans for Perkinsville 44, Perkinsville Road & North Road 1 East Paving, Signing & Striping Plans dated 7/23/21

1. Sheet 3 (Street Sections & Details)
 - a. Provide geotechnical report addendum for thickness of Perkinsville Rd and North Road 1 East and incorporate road sections into plans. Update EOPC.
 - b. Section A-A: Include concrete thickness, concrete type, aggregate base thickness, etc.
2. Sheet 7 (Signing & Striping Plans)
 - a. Note remaining in lower left hand corner (Rd 1 East) calling for diagonal cross hatch.

Offsite Improvement Plans for Perkinsville 44, Perkinsville Road & North Road 1 East Paving, Water & Sewer Plans dated 7/23/21

1. Sheet 2 (Key Map, Legend & Quantities)
 - a. Include hydrants on Perkinsville Rd at a spacing not to exceed 500'. Update EOPC.

Improvement Plans for Perkinsville 44, Phase 1, Phase 2, Phase 3 & Phase 4 dated 6/29/21

1. Sheet 36 (Grading)
 - a. Shouldn't Basin B receive a drywell and trench wall per detail N as well?

ATTACHMENT A Continued

CONDITIONS OF APPROVAL

Perkinsville 44 Offsite Paving EOPC 7/23/21, Perkinsville 44 Offsite Water & Sewer EOPC 7/23/21, Perkinsville 44: Phase-1 EOPC 7/23/21, Perkinsville 44: Phase-2 EOPC 7/23/21, Perkinsville 44: Phase-3 EOPC 7/23/21 and Perkinsville 44: Phase-4 EOPC 7/23/21.

- Include the cost of undergrounding overhead utilities and drywells in the EOPC.
- Offsite Water & Sewer EOPC math should be closer to \$308,578.60.
- Phase 1 EOPC math should be closer to \$1,219,844.67.
- Phase 4 EOPC missing quantity for concrete scupper and missing unit price for 30" RGRCP.

Please also see the attached comments from a 3rd party reviewer.

Sincerely,

A handwritten signature in black ink, appearing to read 'S. Sullivan', is written above the printed name.

Steven Sullivan, PE
Assistant Town Engineer

ATTACHMENT A Continued

CONDITIONS OF APPROVAL

TOWN OF CHINO VALLEY – PERKINSVILLE 44 SUBDIVISION

2nd SUBMITTAL REVIEW – OFFSITE IMPROVEMENTS

July 26, 2021

No. #2020704.03

GENERAL SUBMITTAL COMMENTS:

The following documents were included with the 2nd submittal of the **OFF-SITE IMPROVEMENTS PLANS** with the review status and comments as noted. Detailed comments are provided in the sections following these general remarks. This review is for the responses and revisions required for the "Offsite Improvement Plans" 2nd Review that included paving, striping and water/sewer for Perkinsville Road and North Road 1 East. The 2nd review for the ON-SITE IMPROVEMENT PLANS was completed on 7-13-2021.

1. Huitt-Zollars transmittal form for the 2nd submittal documents for Perkinsville 44 project OFF-SITE PLANS, dated 7-23-2021. **REVIEWED – NO COMMENTS**
2. Town of Chino Valley – Perkinsville 44 Subdivision, Engineers Response to the 1st review comments, not sealed, not dated. **REVIEWED – NO COMMENTS**
3. Town of Chino Valley – Perkinsville 44 Subdivision, Engineers Response to the Town of Chino Valley 1st review comments, not sealed, not dated. **REVIEWED – NO COMMENTS**
4. 20' and Deeper Manhole Structural Calcs by Delta Engineers & Land Surveyors, not sealed, dated 4-24-2015. **REVIEWED – PLEASE PROVIDE CALCULATIONS SEALED BY AN ENGINEER REGISTERED IN THE STATE OF ARIZONA**
5. Perkinsville 44 – Phases 1 through 4 Cost Estimates, by Huitt-Zollars, sealed 7-23-2021 by Ryan Raab, PE – **REVIEWED – NO COMMENTS**
6. Perkinsville 44 – OFF-SITE Cost Estimates for Paving and for Water and Sewer construction, by Huitt-Zollars, both sealed 7-23-2021 by Ryan Raab, PE – **REVIEWED – NO COMMENTS**
7. OFF-SITE PAVING PLANS FOR PERKINSVILLE 44, by Huitt-Zollars, 9 pages, revised and sealed 7-23-2021 by Ryan Raab, PE. – **REVIEWED, NO COMMENTS**
8. OFF-SITE SEWER & WATER PLANS FOR PERKINSVILLE 44, by Huitt-Zollars, 9 pages, revised and sealed 7-23-2021 by Ryan Raab, PE. – **REVIEWED, SEE COMMENTS**

GENERAL REVIEW COMMENTS FOR 2ND REVIEW:

1. **Structural Manhole Calculations**– as noted above, the structural calculations provided for the over 20' sewer manholes were prepared by an out of state engineering company and were not sealed. Please provide the calculations sealed by an Arizona Registrant.

COMMENTS FOR OFF-SITE PAVING CONSTRUCTION PLANS:

1. Previous 1st review comments appear to have been addressed by the Engineer. No additional comments are provided.

ATTACHMENT A Continued

CONDITIONS OF APPROVAL

TOWN OF CHINO VALLEY – PERKINSVILLE 44 SUBDIVISION

2nd SUBMITTAL REVIEW – OFFSITE IMPROVEMENTS

July 26, 2021

No. #2020704.03

COMMENTS FOR OFF-SITE SEWER & WATER CONSTRUCTION PLANS:

1. Provide a blow off valve on the North Road 1 East 12" waterline termination at Station 7+92. You should also call out temporary blow off assemblies for the two extensions into the property as they will eventually connect to and complete the looped system. This will most likely be a Yavapai County Development Services review comment as well.

END OF OFF-SITE IMPROVEMENTS 2nd REVIEW COMMENTS

ATTACHMENT A Continued

CONDITIONS OF APPROVAL

TOWN OF CHINO VALLEY – PERKINSVILLE 44 SUBDIVISION

2nd SUBMITTAL REVIEW

July 13, 2021

No. #2020704.03

GENERAL SUBMITTAL COMMENTS:

The following documents were included with the 2nd submittal with the review status and comments as noted. Detailed comments are provided in the sections following these general remarks. Note that the Round 1 “Offsite Improvement Plans” that included paving, striping and water/sewer for Perkinsville Road and North Road 1 East were not provided for a 2nd review.

1. Huitt-Zollars transmittal form for the 2nd submittal documents for Perkinsville 44 project, dated 6-30-2021. **REVIEWED – NO COMMENTS**
2. Town of Chino Valley – Perkinsville 44 Subdivision, Engineers Response to the 1st review comments, not sealed, dated 5-5-2021. **REVIEWED – NO COMMENTS**
3. Town of Chino Valley – Perkinsville 44 Subdivision, Engineers Response to the Town of Chino Valley 1st review comments, not sealed, dated 5-5-2021. **REVIEWED – NO COMMENTS**
4. Traffic Impact Analysis for Perkinsville 44, sealed 5-10-2021 by Andrew Smigielski - **REVIEWED, NO NEW COMMENTS**
5. Perkinsville 44 – Phases 1 through 4 Cost Estimates, by Huitt-Zollars, not sealed, dated 6-21-2021 by Josh Kakuk, EIT – **REVIEWED – NO COMMENTS**
6. FINAL DRAINAGE REPORT FOR PERKINSVILLE 44, by Huitt-Zollars, revised and sealed 6-23-2021 by Paul Hoskin, PE. – **REVIEWED, NO NEW COMMENTS**
7. Perkinsville 44 – Phase 1 Final Plat, sealed 6-30-2021 by Jody Stone, RLS. –**REVIEWED ONLY FOR GENERAL CONFORMANCE TO THE IMPROVEMENT PLANS**
8. Perkinsville 44 – Phase 2 Final Plat, sealed 6-30-2021 by Jody Stone, RLS. –**REVIEWED ONLY FOR GENERAL CONFORMANCE TO THE IMPROVEMENT PLANS**
9. Perkinsville 44 – Phase 3 Final Plat, sealed 6-30-2021 by Jody Stone, RLS. –**REVIEWED ONLY FOR GENERAL CONFORMANCE TO THE IMPROVEMENT PLANS**
10. Perkinsville 44 – Phase 4 Final Plat, sealed 6-30-2021 by Jody Stone, RLS. –**REVIEWED ONLY FOR GENERAL CONFORMANCE TO THE IMPROVEMENT PLANS**
11. IMPROVEMENT PLANS FOR PERKINSVILLE 44 – PHASE 1, PHASE 2, PHASE 3, PHASE 4, by Huitt-Zollars, 46 pages, revised and sealed 6-29-2021 by Ryan Raab, PE. – **REVIEWED, NO NEW COMMENTS**
12. FINAL SEWER DESIGN REPORT FOR PERKINSVILLE 44, by Huitt-Zollars, not sealed, dated 6-28-2021, author not identified. – **REVIEWED, NO NEW COMMENTS**
13. Perkinsville 40 Landscape and Irrigation Plan, by young|design|group, sealed 6-18-2021 – **1ST REVIEW, SEE COMMENTS**
14. FINAL WATER DESIGN REPORT FOR PERKINSVILLE 44, by Huitt-Zollars, not sealed, dated 6-28-2021, author not identified. – **REVIEWED, NO NEW COMMENTS**

ATTACHMENT A Continued

CONDITIONS OF APPROVAL

TOWN OF CHINO VALLEY – PERKINSVILLE 44 SUBDIVISION

2nd SUBMITTAL REVIEW

July 13, 2021

No. #2020704.03

15. Geotechnical Investigation, Perkinsville 40, by ProTex, sealed 8-13-2020 by Thomas Perkins, PE and sealed 9-14-2020 by Delbert Rapier, PE. – REVIEWED, NO NEW COMMENTS

DESIGN REPORTS, PLANS AND FINAL PLAT REVIEW COMMENTS:

DRAINAGE DESIGN REPORT:

The following comments are provided:

1. Previous 1st review comments have been addressed by the Engineer. No additional comments are provided.

WATER DESIGN REPORT:

1. Previous 1st review comments have been addressed by the Engineer. No additional comments are provided.

SEWER DESIGN REPORT:

1. Previous 1st review comments have been addressed by the Engineer. No additional comments are provided.

CIVIL IMPROVEMENTS PLANS:

REVIEW COMMENTS FOR LANDSCAPE AND IRRIGATION PLANS (1ST REVIEW):

1. General Note – The engineer or landscape architect shall verify that plantings, monument signs, walls, etc., do not interfere with sight visibility triangles at each roadway entrance to the project.

COMMENTS FOR ON-SITE CONSTRUCTION PLANS:

1. Previous 1st review comments have been addressed by the Engineer. No additional comments are provided.

PERKINSVILLE 44 – PHASE 1, 2, 3 AND 4 FINAL PLATS

1. Previous 1st review comments have been addressed by the Engineer. No additional comments are provided.

ALTA, RECORD OF SURVEY AND LEGAL DESCRIPTION COMMENTS

1. Previous 1st review comments have been addressed by the Engineer. No additional comments are provided.

END OF ROUND 2 REVIEW COMMENTS

ATTACHMENT B
ORDINANCE NO. 18-844

ORDINANCE NO. 18-844

AN ORDINANCE OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF CHINO VALLEY, ARIZONA, APPROVING A CHANGE OF ZONING AND AMENDMENT TO THE OFFICIAL ZONING MAP FOR APPROXIMATELY 44.3 ACRES OF REAL PROPERTY GENERALLY LOCATED ON THE NORTHEAST CORNER OF NORTH ROAD 1 EAST AND EAST PERKINSVILLE ROAD AT 1204 EAST PERKINSVILLE ROAD, FROM AR-5 (AGRICULTURAL RESIDENTIAL- 5 ACRE MINIMUM) ZONING DISTRICT TO SR-0.16 (SINGLE FAMILY RESIDENTIAL- 7,000 SQUARE FOOT MINIMUM LOT AREA) ZONING DISTRICT WITH A PLANNED AREA DEVELOPMENT OVERLAY DISTRICT; PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES, PROVIDING FOR NON-SEVERABILITY; AND PROVIDING PENALTIES.

WHEREAS, the Mayor and Common Council of the Town of Chino Valley (the "Town Council") desires to amend the Town of Chino Valley Official Zoning Map to change the zoning for a $\pm$ 44.3 acre parcel of real property from AR-5 (Agricultural Residential- 5 Acre Minimum) zoning district to SR-0.16 (Single Family Residential- 7,000 Square Foot Minimum Lot Area) zoning district with a Planned Area Development overlay district; and

WHEREAS, the Town Council has determined that this amendment to the Official Zoning Map conforms with the Town of Chino Valley General Plan and any applicable Specific Area Plan, neighborhood, or other plan, and any overlay zoning district; and

WHEREAS, all required public notice was provided and all required public meetings and hearings were held in accordance with applicable state and local laws; and

WHEREAS, the Planning and Zoning Commission recommends approval of the rezoning; and

WHEREAS, the Town Council has considered the individual property rights and personal liberties of the residents of the Town before adopting this ordinance,

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Common Council of the Town of Chino Valley, Arizona, as follows:

Section 1. In General.

1.1 The recitals above are hereby incorporated as if fully set forth herein.

1.2 The Official Zoning Map is hereby amended for property consisting of approximately 44.3 acres, described in Exhibit 1 and as shown on the Zoning Exhibit (map) in Exhibit 2, both attached hereto and incorporated herein by this reference, from AR-5 (Agricultural Residential- 5 Acre Minimum) zoning district to SR-0.16 (Single Family Residential- 7,000 Square Foot Minimum Lot Area) zoning district with a Planned Area Development overlay district, subject to the Town of Chino Valley adopted codes, requirements, standards and regulations and the following stipulations:

ATTACHMENT B CONTINUED

ORDINANCE NO. 18-844

- A. The development shall be in general conformance with the Conceptual Site Plan, Perimeter Wall Plans and Landscape Plan, as approved or modified by the Town's Development Services Director, with specific regard to the following:
- (1) Location of pedestrian multi-use trail providing connectivity to Perkinsville Road;
 - (2) Perimeter landscaping along Perkinsville Road and Road 1 East; and
 - (3) Location of park including that two picnic tables, one tot lot, and one Ramada shall be provided.
- B. The developer shall work with the Public Works Director in establishing a viable pull-out for future public transportation.
- C. A safe crossing or pedestrian crossing shall be provided or explored on either mid-block or the intersection as approved by the Town's public works director.
- D. The property shall be subject to the following modified underlying SR-0.16 Development Standards:

	SR-0.16 Standards	Proposed SR-0.16 PAD Standards
Minimum Lot Area	7,000 sq. ft.	7,000 sq. ft.
Minimum Lot Frontage	50 ft.	50 ft.
Minimum Building Setback from Arterial – E. Perkinsville Rd. (Ref. Section 4.28)	50 ft.	25 ft. *
Minimum Building Setback from Arterial- Road 1 East (Ref. Section 4.28)	50 ft.	50 ft.
Minimum Building Setback from Arterial- Road 3 North (Ref. Section 4.28)	50 ft.	20 ft. *
Minimum Front Yard Setback (Section 4.28)	25 ft.	15 ft. * to livable 20 ft. * to garage (driveway)
Minimum Side Yard Setback	10 ft.	5 ft. /10 ft. (15 ft. total)*
Minimum Side Street Yard Setback from Local Street (Section 4.28)	20 ft.	10 ft. *
Minimum Rear Yard Setback	10 ft.	10 ft.
Maximum Building Height	25 ft.	2 stories/ 30 ft. *
Accessory Building	5 ft. side / 10 ft. rear	5 ft. side / 5 ft. rear*
Maximum Lot Coverage	50 %	55%*
*INDICATES A MODIFICATION TO THE STANDARD		

1.3 The Property described in Paragraph 1.2 of this Section shall be used and developed in accordance with the Town of Chino Valley Unified Development Ordinance.

ATTACHMENT B CONTINUED

ORDINANCE NO. 18-844

Section 2. Providing for Repeal of Conflicting Ordinances.

All ordinances and parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

Section 3. Providing for Non-Severability.

If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, then this entire ordinance is invalid and this ordinance shall have no force or effect.

Section 4. Providing for Penalties.

Any person found responsible for violating this Ordinance shall be subject to the civil sanctions and habitual offender provisions set forth in Sections 1.10 and 1.11 of the Town of Chino Valley Unified Development Ordinance. Each day a violation continues, or the failure to perform any act or duty required by this ordinance, the Unified Development Ordinance or by the Town of Chino Valley Town Code continues, shall constitute a separate civil offense.

PASSED AND ADOPTED by the Mayor and Common Council of the Town of Chino Valley, Arizona this 24th day of April, 2018 by the following vote:

AYES: 6
NAYS: 0

ABSENT: 1
ABSTAINED: 0


Darryl Croft, Mayor

ATTEST:


Jami C. Lewis, Town Clerk

APPROVED AS TO FORM:


Andrew J. McGuire, Town Attorney
Gust Rosenfeld, PLC

I, JAMI C. LEWIS, TOWN CLERK, DO HEREBY CERTIFY THAT A TRUE AND CORRECT COPY OF THE ORDINANCE NO. 18-844 ADOPTED BY THE COMMON COUNCIL OF THE TOWN OF CHINO VALLEY ON THE 24th DAY OF APRIL, 2018, WAS POSTED IN THREE PLACES ON THE 27TH DAY OF APRIL, 2018.


Jami C. Lewis, Town Clerk

AMJ:ard 3232604.1 4/16/2018

ATTACHMENT C
EXCERPT OF MINUTES FROM OCTOBER 27, 2020 COUNCIL MEETING

- Consideration and possible action to approve the Perkinsville 40 Preliminary Plat to subdivide approximately 44.3 acres into 161 lots, with an average lot size of approximately 7,000 square feet developed over multiple phases, located at the northeast corner of East Perkinsville Road and North Road 1 East. (Will Dingee, Assistant Planner)
- Recommended Action: Approve the Perkinsville 40 Preliminary Plat to subdivide approximately 44.3 acres into 161 lots with an average lot size of approximately 7,000 square feet developed over multiple phases with the following stipulations:
 - 1. Align the proposed extension of Valentine Road with the existing Valentine Road.
 - 2. Make a dedication of 25' along the northern property line for East Road 3 North.
 - 3. The proposed pathway along East Perkinsville Road will need to be paved and will need to meander.
- Will Dingee presented the following:
 - This item was for the approval of the preliminary plat at the conceptual level and not to address the properties entitlements.
 - The subject's property location and surrounding zoning and properties were detailed for the Council.
 - In 2018, the Town approved the rezoning of the property from AR-5 to SR-0.16 with a Planned Area Development (PAD). The PAD allowed for modifications to the development standards within the SR-.016 zoning district for items such as setbacks, building height and lot coverage. A conceptual plan had also accompanied the PAD.
 - The preliminary plat included 161 lots with an average lot size of 56 feet by 125 feet, with an average lot size of 7,000 square feet.
 - There would be sidewalks within the subdivision as well as an internal trail system in the open space areas.
 - The development would be hooked to Town water and sewer.
 - The Planning and Zoning considered the item on October 6, 2020, and discussed the following issues:
 - Valentine Road: The extension of Valentine Road did not line up with the existing road, and staff recommended as a stipulation that it would either align with Valentine or Adams road to ensure there would be a four way intersection for safety concerns.
 - Preliminary Plat Conformance to the Conceptual Plan: Staff determined that the plat conformed substantially with the conceptual plan as approved in the rezoning.
 - Crosswalks and Bus Pullouts: Implementing crosswalks and bus pullouts throughout the subdivision would create larger safety concerns and were not recommended by the Town Engineer.
 - Applicant Requested Waiver for Right-Of-Way Dedication: Per code and per stipulation on the zoning ordinance required a 25 foot dedication for the future extension of Road 3 North.
 - The Item was approved by the Planning Commission with a 5-2 vote. The two no votes were due to safety concerns. There was no public comment during the meeting.
 - Following the Planning and Zoning Commission meeting, the applicant submitted a revised conceptual plan that addressed safety concerns.
 -

ATTACHMENT C Continued

EXCERPT OF MINUTES FROM OCTOBER 27, 2020 COUNCIL MEETING

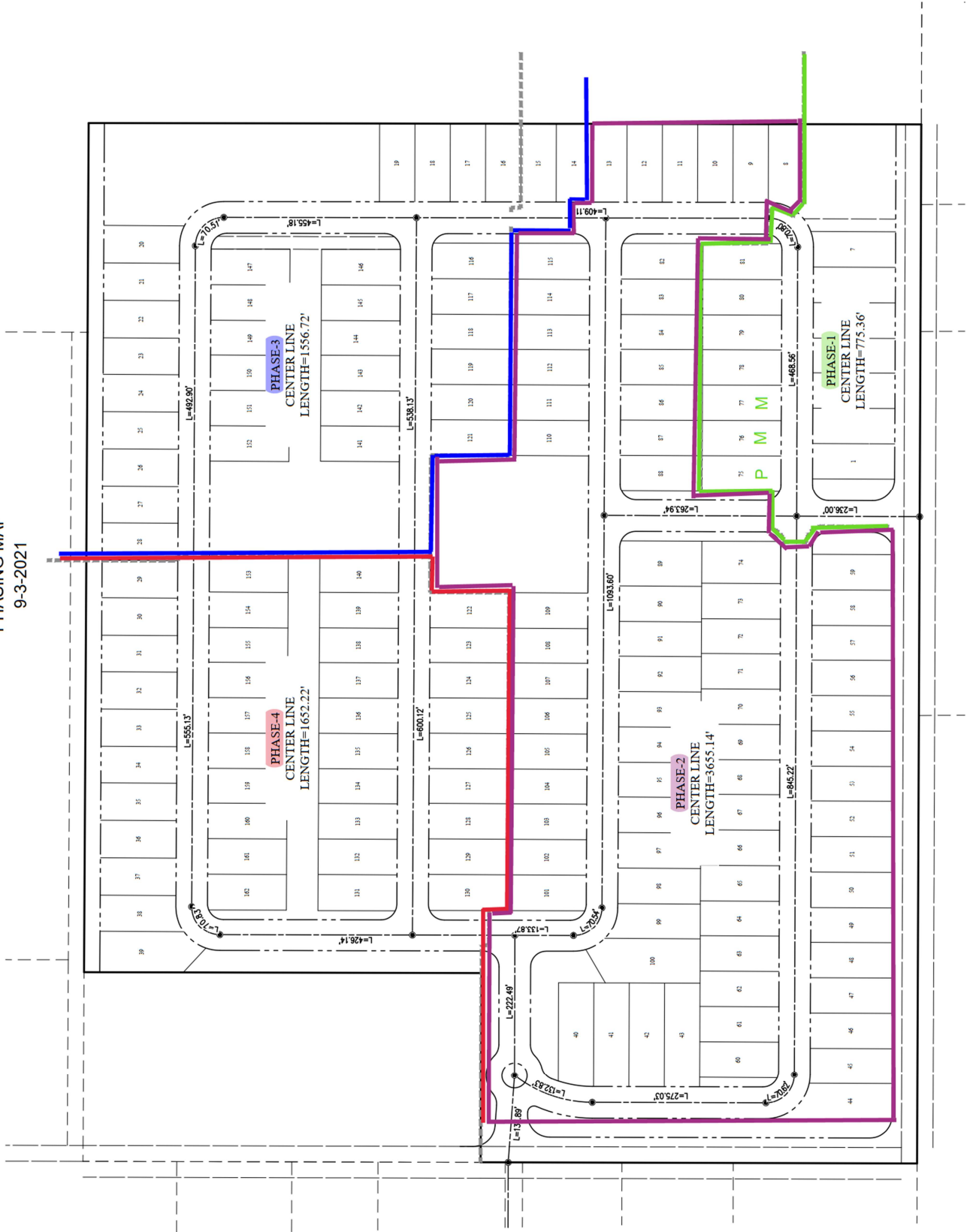
- The western access along North Road 1 East was shifted from Valentine to align with Adams Drive to create a nice entry into the subdivision.
 - The 25 foot dedication on East Road 3 North was addressed.
 - The proposed changes were still in substantial conformance with the prior approved conceptual plat approved during zone change.
- The preliminary plat met all the requirements set by Section 5.2.3 of the UDO, with access on both East Perkinsville Road and North Road 1 East and the development would connect to Town water and sewer.
- The Development Service and Public Works Departments had completed an initial overview of the plat. After approval of the preliminary plat, the project would go through the technical review process and come back through the public hearing process for the final plat review.
- Staff and the Planning and Zoning Commission recommended approval of the preliminary plat with the following stipulations:
 - Align the proposed North Road 1 East entrance with either Valentine Road or Adams Drive
 - Make a dedication of 25' along the northern property line for East Road 3 North.
 - The proposed pathway along East Perkinsville Road will need to be paved and will need to meander.
- Council and Staff discussed the following:
 - Sidewalks along Road 1 East and Perkinsville Road would be part of the development.
 - The intention would to eventually connect Road 1 East with Road 3 North.
- MOVED by Vice-Mayor Jack Miller, seconded by Councilmember Mike Best to approve the Perkinsville 40 Preliminary Plat to subdivide approximately 44.3 acres into 161 lots with an average lot size of approximately 7,000 square feet developed over multiple phases with the following stipulations:
 - Modified to state: Align the proposed extension of Valentine Road with the existing Adams Drive.
 - Make a dedication of 25' along the northern property line for East Road 3 North.
 - The proposed pathway along East Perkinsville Road will need to be paved and will need to meander.

AYE: Mayor Darryl Croft, Vice-Mayor Jack Miller, Councilmember Mike Best, Councilmember Cloyce Kelly, Councilmember Corey Mendoza

5 - 0 PASSED - Unanimously

ATTACHMENT D
FINAL PLAT WITH PHASE LINES

PERKINSVILLE 44
PHASING MAP
9-3-2021



Planning and Zoning Commission By-Laws

Town of Chino Valley

SECTION 1: CODE OF ETHICS

Commission members occupy positions of public trust and shall strictly adhere to both the spirit and the letter of the laws of the State of Arizona pertaining to conflict of interest.

In addition to matters of pecuniary interest, Commission members shall refrain from making use of special knowledge or information before it is made available to the general public and shall abide by the Code of Ethics set forth in the Town of Chino Valley Resolution No. 250, also known as Title 35, Code of Ordinances.

SECTION 2: BY-LAWS

The By-Laws for the Planning and Zoning Commission shall be in writing and available to all interested citizens.

The rules of parliamentary procedure contained in Roberts Rules of Order, as revised (Current edition), shall govern the Commission in all cases to which they are applicable, provided they are not in conflict with these By-Laws, the Chino Valley Town Code, the Chino Valley Unified Development Code, or the Arizona Revised Statutes.

SECTION 3: COMMISSION MEETINGS

- A. Regular and Special Meetings: The commission shall hold regular and special meetings according to the provisions of the Town Code and the Laws of the State of Arizona. Commission meetings shall be conducted in accordance with the procedures set forth in these Rules of Order and the Uniform Development Code, unless a motion to suspend the rules is first passed by majority vote of the Commission.
- B. Regular Meetings: Regular meetings shall be held on the first Tuesday of each month unless there is a majority vote of the members attending to change a meeting date.
- C. Special Meetings: Special meetings may be held on the third Tuesday of any month, as required by the business of the Commission. Special meetings may be required when the Commission is working on major code updates, an update to the General Plan, or when a major project needs extra work with the Planning Commission. A special meeting may also be called at the request of staff, three Commission members, the Mayor, or the Chair of the Planning Commission.

SECTION 4: AMENDMENT OF RULES

The By-Laws may be amended by a two-thirds (2/3) vote of the members of the Commission. Standing rules and Special Rules may be amended by a majority vote of the members of the Commission.

SECTION 5: PRESIDING OFFICER

The Chair of the Commission shall preside over all meetings of the Commission. In the absence of the Chair, the Vice-Chair shall serve as Chair. In the absence of the Chair and Vice-Chair and a quorum is present, any member may call the meeting to order and then request a member be elected, by majority vote, to chair the meeting. The Vice-Chair shall serve as the Commission Parliamentarian.

Planning and Zoning Commission By-Laws

Town of Chino Valley

SECTION 6: CONDUCT OF MEETINGS

The Chair shall preserve order and decorum and decide all questions of order, subject to appeal by the Commission.

- A. Members of the audience may speak only when addressed by the Chair or a member of the Commission.
- B. All remarks by the audience shall be directed to the Chair, to the Commission as a whole, or to a Commissioner in response to a question.
- C. No member of the Staff, audience or Commission shall enter into any discussion either directly or indirectly, without having first obtained the floor by permission of the Chair.
- D. The Chair shall have the authority to preserve decorum in meetings and all members of the Commission, staff and audience are expected to conduct themselves with courtesy and consideration for others. Any person making personal, impertinent, slanderous or unauthorized remarks, or who becomes boisterous shall be removed by properly authorized persons at the request of the Chair.

SECTION 7: CONSIDERATION OF PETITIONS

All petitions submitted to the Commission or the Zoning Administrator in the regular course of business shall be considered in accordance with the laws of the State of Arizona and the Town Code of the Town of Chino Valley.

Unsigned communications or petitions, including newspaper articles or clippings, shall not be introduced in the minutes of the Commission meetings.

SECTION 8: COMMISSION PACKETS

- A. Commission packets will be available to the Commission members no later than 13 calendar days prior to the Commission Meeting. A public packet will be available for review at the Chino Valley Development Services Department on the same day. In an emergency situation, staff support material and/or an amended agenda will be available to the Commission members and public no later than twenty-four (24) hours prior to a meeting.

SECTION 9: AGENDA FORMAT AND POSTING

- A. The Zoning Administrator shall prepare the Commission agenda according to the adopted format and shall cause the agenda to be posted on-line no less than twenty-four (24) hours prior to a Commission meeting.
- B. The agenda format will be as follows unless a motion is made to change the order:
 - 1. Call to Order
 - 2. Roll Call
 - 3. Consent Agenda
 - a. Approval of Minutes
 - b. Withdrawals by Applicant
 - c. Time Extensions

Planning and Zoning Commission By-Laws Town of Chino Valley

- d. Continuances
- e. Approvals
- 4. Public Hearings
- 5. Action Items
- 6. Information Items
 - a. Staff
 - b. Commission
 - c. Public
- 7. Adjourn

SECTION 10: STANDING RULES OF ORDER

- A. Regular and Special Meetings shall be scheduled to convene at 6:00 p.m. on the date specified, unless otherwise dictated by a majority vote of the members present. In the event of an emergency, due to lack of quorum, meetings may be delayed up to one hour.
- B. The Chair and Commission members shall not vote on any case where they have a conflict of interest.
- C. The Chair and Commission members may move and second motions.
- D. The Commission member making the motion may move to amend the motion, or any member may move to amend the motion.
- E. All main motions and amended motions shall require a second.
- F. Open discussion, without members first obtaining the floor, may be held upon a majority vote of the members present, or at the discretion of the Chair.
- G. Members shall extend the common courtesies of conversation to each other during open discussion and shall refrain from redundancy.
- H. Members shall conduct themselves with the utmost courtesy toward the public, staff and each other.

SECTION 11: STUDY SESSIONS – SPECIAL RULES OF ORDER

Study sessions of the Commission are for the purpose of studying specific topics or problems which shall be conducted under the following Special Rules of Order:

- 1. The Commission shall meet in study session at a time predetermined by a majority vote or consensus of the members.
- 2. The primary purpose of the study session shall be the exchange of information.
- 3. Members of the public shall be permitted to speak at study sessions, with the permission of the Chair.

Planning and Zoning Commission By-Laws

Town of Chino Valley

SECTION 12: PUBLIC HEARINGS

- A. Burden of Proof: Burden of proof is upon the proponent. The more drastic the change or the greater the impact of the proposal, the greater is the burden of proof that it conforms to the applicable elements of the General Plan, to applicable provisions of the Chino Valley Unified Development Code, and especially to the specific criteria set forth for the particular type of decision under consideration.
- B. Rules of Procedure: Formal rules of evidence shall not apply.
1. Written exhibits, visual aids, affidavits, maps and the like, may be submitted as part of the evidence. Any signed writing presented to, or received by, any member of the Commission or by any other town agency or official outside the public hearing may be received as argument and placed in the record, but will not be considered as part of the information except that signed writing received at the office of the Zoning Administrator prior to the opening of the public hearing shall be included as part of information in that hearing will be considered as argument.
 2. All information received by the Commission shall be retained and preserved and shall be transmitted to an appellate body in the event an appeal is filed in accordance with the Chino Valley Unified Development Code. True copies of original information may be substituted for original documents.
 3. Any member of the public wishing to speak must fill out a speaker request form with their full name and address.
 4. Members of the public shall have 3 minutes to state their position to the Planning Commission.
 5. All evidence and argument shall be as brief as possible, consistent with full presentation.
 6. Redundancy shall be avoided.
 7. A spokesperson representing members of the public present at the Planning Commission meeting, may relinquish their 3 minutes to the spokesperson, who shall speak for them.
 8. Discussion of personalities shall be avoided to the extent possible in making a complete presentation.
 9. No person present shall engage in applause, cheers or other vocal or outward expressions of approval or disapproval, agreement or disagreement. If any person persists in such conduct after warning by the Chair, such person may be expelled from the hearing.
 10. The Chair has complete authority to enforce these provisions to assure that a fair hearing is held, including the authority to expel from the public hearing and to bar from

Planning and Zoning Commission By-Laws Town of Chino Valley

further appearance at the public hearing, any person who willfully violates any one or more of these provisions.

C. Order of Proceedings

1. The Chair will state the case and call the public hearing to order. No Public Hearing shall be Called to Order, unless the applicant or authorized representative is present, or the Town has written permission to hold the hearing in the applicants' absence. The Chair may establish the time allowed for presentation of material, information, individual comment or total time allowed for public portion of the hearing.
2. Any objections or jurisdictional grounds shall be noted in the record.
3. Any abstentions or disqualifications shall be determined. Members shall declare any conflicts of interest.
4. Any pre-hearing contact with an applicant or agent thereof by a member of the Commission concerning the hearing item by a member of the Commission must be disclosed prior to any public discussion
5. The Commissions may view the area in dispute, or proposed, for purposes of evaluating the proposal but shall state the place, time, manner and circumstances of such viewing for the records. Any such visits must comply with the open meeting law were application.
6. Presentation of staff report. Staff may also present additional information whenever requested by the Chair or Commission members, or when allowed by the Chair, during the proceedings.
7. Presentation of information by applicant or those persons representing the applicant.
8. Presentation of evidence or inquiries by those persons who wish to speak in support of, in opposition of, or to question the proposal.
9. Rebuttal/Final Comments may be presented by the applicant or those persons representing the applicant.
10. At the close of the presentation of information and rebuttal, the Chair shall declare that the public hearing is closed upon the majority vote of the Commission, and no further evidence shall be received, except in response to specific questions directed to staff or one of the parties to clarify earlier evidence.
11. Once the public hearing has been closed, it shall be reopened only upon a majority vote of the Commission, and only after a reasonable showing that:
 - a. There is evidence which was not reasonably available at the time of the hearing that is now available to the person seeking to reopen the hearing, and

Planning and Zoning Commission By-Laws Town of Chino Valley

- b. The evidence is factual, substantial, and material.
- D. Considerations: Following the hearing, the Commission shall take action on the matter under consideration, according to the Unified Development Ordinance of the Town of Chino Valley.
 - 1. All motions for approval or denial shall include specific reasons and/or findings of fact.
 - 2. Votes can be made by Roll Call or Voice Vote, at the discretion of the Chair.
- E. Continuation of Cases: The Planning Commission may, at their discretion, grant a continuation of a case, based on a letter written by the applicant outlining the special circumstances related to the case that require the Continuation. The Commission may grant up to a total of two Continuations for any one case. Continuations shall be granted to a date specific. In no case shall more than two continuations be granted. If the applicant is not ready to move forward after the granting of two Continuations, the Commission shall deny the case without prejudice. When the Applicant is ready to move forward, the Applicant can reapply to the Development Services Department for the same project and pay half the standard fee for the case type, starting the process over from the beginning.

3.11A "SR-22,000" - SINGLE-FAMILY RESIDENTIAL District

A. PURPOSE

This district is intended to promote and preserve medium-density single-family residential development. Regulations and property development standards are designed to protect the single-family residential character of the district and to prohibit all incompatible activities.

B. PERMITTED USES

1. One (1) **single-family dwelling**.
2. One (1) **guest house**, with a livable square footage that does not exceed one thousand two hundred (1,200) square feet or fifty (50) percent of the total square footage under roof of the primary residence, whichever is greater.
3. **Churches** or other similar places of worship.
4. **Home occupations**.
5. **Schools** and **public/governmental** facilities.
6. Customary **accessory buildings** provided such uses are incidental to the principal use. Accessory structures shall not be permitted prior to the issuance of a building permit for the primary residence.

C. CONDITIONAL USES (Conditional Use Permit Required)

1. **Temporary home and land sale offices**, provided they are located within the same subdivision as that land and homes which are offered for sale.
2. **Public utility buildings**, structures, or appurtenances thereto for public service use. Extension of public service lines in public or private right-of-way is exempt from this requirement.
3. **Residential facilities for the developmentally disabled** as described in A.R.S. §§ 36-581 and 36-582, which are licensed by the Department of Economic Security.
4. **Bed and Breakfast** operations with the limitation that no guest may stay for more than seven (7) days during any consecutive thirty (30) day period.
5. **Recovery residences**.
6. **Assisted living homes**.
7. **Farming/Agriculture** for non-commercial purposes and the keeping of **animals** limited to sheep, goats, and fowl.

Because no list of uses can be complete, the interpretation of whether a use not specified is consistent with the intent of this zoning district and may be allowed as a conditional use or, where discretion is allowed, a permitted use shall be rendered by the **Zoning Administrator** with appeal to the **Board of Adjustment**.

D. PROPERTY DEVELOPMENT STANDARDS

1. Minimum **Lot Area**: 22,000 square feet
2. Minimum **Lot Frontage**: 80 feet
3. Minimum Front **Yard** Setback: See Section [4.28](#)
4. Minimum Side **Yard** Setback: 10 feet
5. Minimum **Street** Side **Yard** Setback: See Section [4.28](#)
6. Minimum Rear **Yard** Setback: 20 feet
7. Maximum **Building** Height: 35 feet
8. **Accessory Building** Setback 10 feet from side and rear **property lines**, and must conform to the front **yard** and **street** side **yard** setback.
9. Maximum **Lot Coverage**: 40%