



Commissioner's Agenda
Planning & Zoning Commission
Chino Valley Town Hall
202 N. State Route 89
May 3, 2022, 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 – APRIL 5, 2022 REGULAR MEETING
 - C.2 WITHDRAWALS BY APPLICANT – NONE
 - C.3 TIME EXTENSIONS – NONE
 - C.4 CONTINUANCES – NONE
 - C.5 APPROVALS – NONE
- D. PUBLIC HEARINGS – TWO
- D.1 **ZC-2022-02** – This is a request by Gary Zito on behalf of Arizona Heritage Construction, for approval of a rezoning of approximately 3.04 Acres from Industrial (I) to Single Family Residential 1 Acre Minimum (SR-1) for property located at E Granite Creek Lane.
- D.2 **ZC-2022-03** – This is a request by Thomas Langston, for approval of a rezoning of approximately 6.15 Acres from Agricultural Residential (AR-5) to Single Family Residential 2 Acre Minimum (SR-2) for property located at 735 S Road 1 West, Chino Valley, Arizona, APN #306-29-052A.
- E. ACTION ITEMS – ONE
- E.1 **TA-2022-07** – This Guest House -Text Amendment to section 2.1 of the UDO revising the definition of guest house and replacement of existing section 4.1 in the UDO with general regulations for guest house development.
- F. INFORMATION ITEMS
- F.1 Staff
 - Council Action on prior P&Z Cases
 - Discussion of June Meeting – Work Session
 - F.2 Commission
 - F.3 Public
- G. ADJOURN

Zoom Instructions: Please use the link to join the webinar: <https://us02web.zoom.us/j/83054705626>, or by phone: 1 877 853 5247 (Toll Free) or 1 888 788 0099 (Toll Free); Webinar ID: 830 5470 5626

A copy of the agenda packet is available for viewing 12 days prior to the Planning Commission Public Hearing date, at the Marion Lassa/Chino Valley Library, 1020 W. Palomino Road, Chino Valley, Arizona.

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 April 5, 2022

A regular meeting of the Town of Chino Valley Planning and Zoning Commission was held on Tuesday, April 5, 2022, 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; Vice-Chair Gary Pasciak, Commissioner Teena Meadors; Commissioner Ron Penn; Commissioner David Somerville; Commissioner Robert Switzer, and Commissioner William Welker.

STAFF MEMBERS present were Laurie Lineberry, Development Services Director; Frank Marbury, Public Works Director; Will Dingee, 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. Commission began with the Pledge of Allegiance.

CONSENT CALENDAR – A motion was made by Commissioner Meadors and seconded by Commissioner Somerville to approve the items on the Consent Calendar. This motion passed unanimously by a 7-0 vote.

CASE# F-07-21: - *This is a request by Jay Bates on behalf of Right Homes LLC to replat Tract B, found within the Chino Meadows Unit 2 subdivision, as a buildable lot for a new home, as opposed to a tract of land. APN is 306-24-775.*

Will Dingee, Senior Planner, presented a recap of the case since it was continued from the Planning and Zoning Meeting on March 1, 2022. He stated that Town Staff, Vice-Chair Pasciak, and the Town Attorney met and agreed that because of the current definition of “lot”, together with the purpose statement of the SR-0.16 zone, that this tract can be re-platted from a tract to a lot. The commission had no questions for Staff.

Applicant, Jay Bates of Right Homes, stated that he just wanted to build a home on the property. There were no questions from the commission to the applicant.

Chair Merritt opened the meeting for public comment.

Barbara Celaya of 2055 Jean Road shared that since the last meeting, the elm trees had been removed. She had an additional concern as to whether or not a new home would fit in with the older homes in the neighborhood and if it would negatively impact the value of existing homes in the area.

Rachell Fernow of 2949 N Road 1 East praised the town and the commission regarding the prompt attention to the trees mentioned as an issue by Barbara Celaya at the last Planning & Zoning meeting. She felt it was nice to see the town and everyone working together.

There were no further public comments.

Commissioner Switzer directed attention back to a public comment from the staff report with drainage concerns. **Frank Marbury, Public Works Director,** stated that there has been no drainage change in this neighborhood in decades and that the town does not require individual lots to have drainage review. The building would be inspected. **Marbury** stated that this property is fairly flat, with no drainage tracks visible and there would be no sheet flow type drainage on this lot.

Bates returned to the podium to address the concern regarding home values being affected by a newer home in the neighborhood. He stated that generally a newer home will elevate the value of the older homes.

A motion was made by Commissioner Switzer and seconded by Commissioner Meadors to approve FP-2021-07, as presented by staff. This motion passed with a 6-1 vote with Vice Chair Pasciak voting no. The Nay vote is explained as follows:

Pasciak explained that when the original subdivision was platted it was not identified why that area was a tract not a lot. He added that he understands the definition of the lot in the UDO and that it can be changed, but hesitated to change the tract to a buildable lot, not knowing why it was originally designated a tract.

ACTION ITEMS: ONE ITEM

ELECTION OF OFFICERS: **Merritt** opened up the nominations for the Planning & Zoning Chair position. **Switzer** made a nomination of **Merritt** for Chair, with a second by **Pasciak**. There were no other nominations for Chair. **Merritt**, at this point, recused himself as a nominee and handed the meeting over to the Vice Chair. **Pasciak** asked for a vote and the vote passed with 6-0-1 in favor of **Merritt** continuing as Chair.

Merritt stated that he felt this was a great commission and had a wonderful spirit of cooperation.

The meeting was returned to the Chair. Nominations for Vice-Chair were requested and a motion was made by **Switzer** for **Pasciak** to continue in his role of Vice Chair. **Meadors** seconded that motion. The vote was 7-0 in favor of **Pasciak** continuing as Vice-Chair.

INFORMATION ITEMS – FROM STAFF: COUNCIL ACTION ON PRIOR P&Z CASES: Zane Grey RV Park was continued until the end of June as requested by the applicant to provide him time for community outreach and conducting a traffic study. The second case was the rezone for the O Jogo Benito Soccer complex which was approved. Lastly, the Zone Change, Lot Split for CVID was also approved by Town Council.

INFORMATION ITEMS – FROM THE PUBLIC: None

ADJOURN – A motion and second were made to adjourn the meeting at 6:21 p.m.

Charles Merritt
Chair

Dee Dee Moore
Prepared By



TOWN OF CHINO VALLEY
Planning Commission Staff Report
May 03, 2022
File Number ZC-2022-02
Zone Change

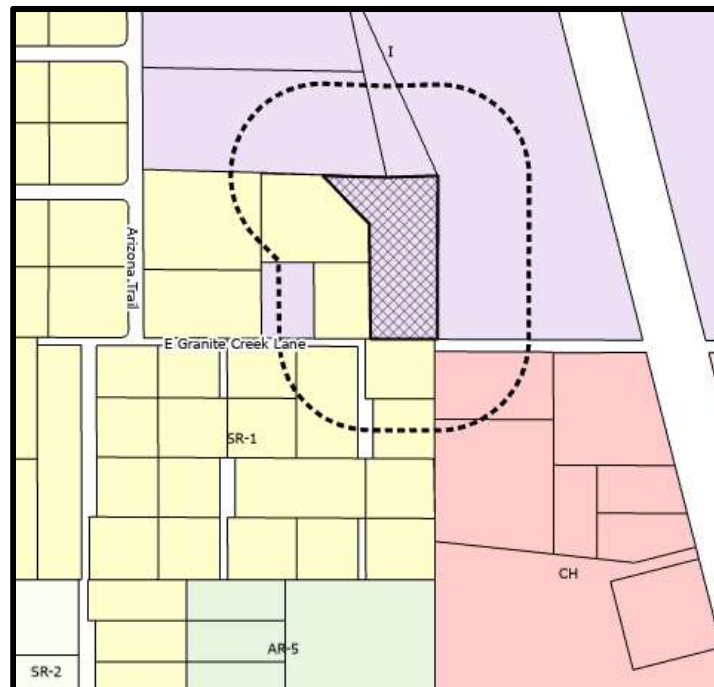
PROJECT DESCRIPTION

This is a request by Gary Zito on behalf of Arizona Heritage Construction, for approval of a rezoning of approximately 3.04 Acres from Industrial (I) to Single Family Residential 1 Acre Minimum (SR-1) for property located at E Granite Creek Lane, Chino Valley, Arizona, APN #306-17-110B.

LOCATION DATA

	Existing Zoning	Use(s) on-site	General Plan Designation
Site	Industrial	Vacant	Medium Density Residential (2 acres or less)
North	Industrial	Vacant	Medium Density Residential (2 acres or less)
South	Single Family Residential 1 Acre Minimum (SR-1)	Residential	Medium Density Residential (2 acres or less)
East	Industrial	Vacant	Commercial
West	Single Family Residential 1 Acre Minimum (SR-1)	Residential; Vacant	Medium Density Residential (2 acres or less)

LOCATION MAP



PRIOR SITE ACTIONS: No prior site actions.

STAFF RECOMMENDATION: Staff recommends that the Planning and Zoning Commission forward to the Town Council a recommendation of **APPROVAL** for the rezoning of approximately 3.04 Acres from Industrial (I) to Single Family Residential 1 Acre Minimum (SR-1) for property located at E Granite Creek Lane with Conditions of Approval found in Attachment A.

SUGGESTED MOTION: Move to **APPROVE** Rezone ZC-2022-02 as presented, subject to the staff report and information provided during this hearing, and the Conditions of Approval in Attachment A

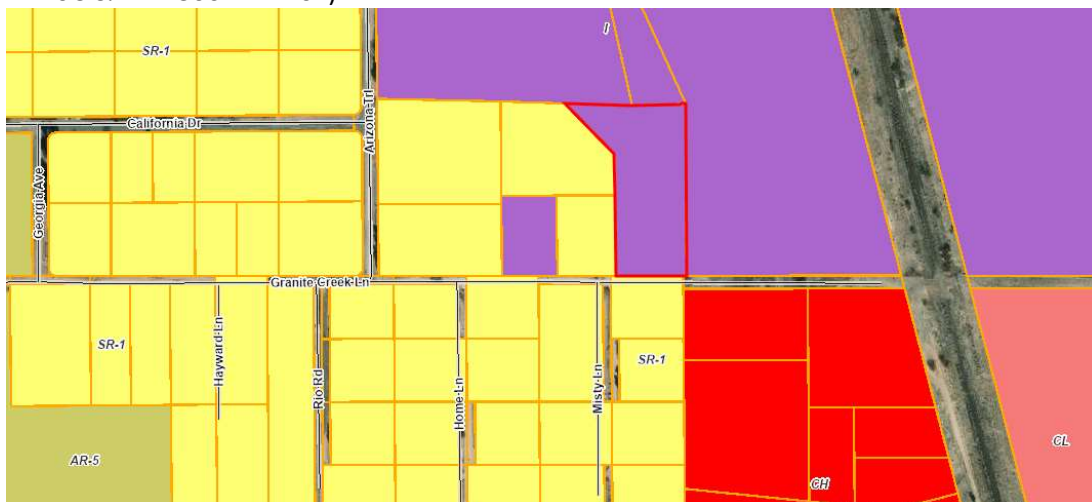
EFFECT OF THE APPROVAL: By approving this Rezone, the Planning and Zoning Commission is recommending approval to the Town Council for the rezoning of approximately 3.04 Acres from Industrial (I) to Single Family Residential 1 Acre Minimum (SR-1) for property located at E. Granite Creek Lane, subject to the staff report and information provided during this hearing, and affirmatively finds that the request is in conformance with the previously approved zoning.

Staff Analysis:

The applicant is applying for a Rezone from the Industrial (I) Zoning District to Single Family Residential 1 Acre Minimum (SR-1) with the intent to proceed to the Minor Subdivision Process. The applicant intends for the current subject property to result in 3 lots with an easement.

Zoning

Section 3.11.B.1 of the Unified Development Ordinance lists “One (1) single-family dwelling” as a permitted use within the Single Family Residential 1 Acre Minimum (SR-1) zoning district. The resulting rezone will be the same zoning designation as the properties to the west (APN 306-17-110C & APN 306-17-110E).



General Plan

The zoning request of Single Family Residential 1 Acre Minimum (SR-1) zoning district will bring the property into conformance with General Plan's land use designation of Medium Density Residential (2 acres or less) for the property.



PUBLIC COMMENTS RECEIVED: See Attachment F

EXTERNAL AGENCY COMMENTS: See Attachment B

NEIGHBORHOOD MEETING COMMENTS: Staff initially notified surrounding property owners of a neighborhood meeting on site for March 23, 2022. Discovering the error, staff notified all neighbors by a correct postcard, identifying Town Hall as the location & March 14th as the date of a neighborhood meeting.

Staff notified the surrounding property owners of the date and location of the Planning and Zoning Commission Meeting and Town Council Meeting by postcard on March 14, 2022.
See Attachment C

PROPOSED CONDITIONS DELIVERED TO APPLICANT ON: March 30, 2022

☒	Applicant agreed with all of the conditions of approval on (April 12, 2022)
☐	Applicant did not agree with the following conditions of approval: (list #'s)
☐	If the Planner is unable to make contact with the applicant – describe the situation and attempts to contact.

ATTACHMENTS:

A	B	C	D	E	F
Conditions of Approval	External Agency Comments	Neighborhood Meeting Comments	Site Plan & Exhibits	Staff Research	Public Comment

PREPARED BY:


 BATHAN HENG, PLANNER
 (BHENG@CHINOAZ.NET)
 928 636-4427 - x1295

DATE:

APRIL 18, 2022

APPROVED BY:


 LAURIE LINEBERRY, AICP
 DEVELOPMENT SERVICES DIRECTOR

ATTACHMENT A
CONDITIONS OF APPROVAL

The following conditions have been found to have a reasonable nexus and are roughly proportionate to the impact of the proposed rezone for the site:

Development Services Comments: Laurie Lineberry, Director, 928 636-4427- x1217

1. The conditions listed below are in addition to Town codes, rules, fees, and regulations that are applicable to this action.
2. The Owner's signature on the application for this land use action request takes the place of the requirement for a separate "Waiver of Claims" document.

Any questions or comments regarding the Conditions of Approval as stated above should be directed to the staff member who provided the comment. Name and phone numbers are provided.

ATTACHMENT B
EXTERNAL AGENCY COMMENTS

DATE:	2/15/2022	NAME:	RICHARD PEREZ	TITLE:	PRESCOTT PERMITS SUPERVISOR
AGENCY:	ADOT			PHONE	(928) 777-5861
• ADOT has no concerns or comments regarding the rezoning from Industrial (I) to Single Family Residential (SR-1). • ADOT's comments may not be all inclusive. ADOT's comments may not be all inclusive. ADOT reserves the right to comment further when Parcel #306-17-110B develops to review the site plans and to comment on any other future meetings regarding Parcel #306-17-110B. Please contact the Northwest District Prescott Permits department if you have any questions or concerns. • ADOT respectfully request that the Town of Chino Valley keep ADOT included of all reviews and any other future meetings moving forward with this development.					

ATTACHMENT C
NEIGHBORHOOD MEETING COMMENTS

DATE MEETING HELD: MARCH 23, 2022

LOCATION: TOWN HALL COUNCIL CHAMBERS

ATTENDEES:

AGENT/DEVELOPER: JODI ZITO; DAN MAIN

TOWN STAFF: WILL DINGEE, SENIOR PLANNER; BETHAN HENG, PLANNER

NEIGHBORS IN ATTENDANCE (0, -)

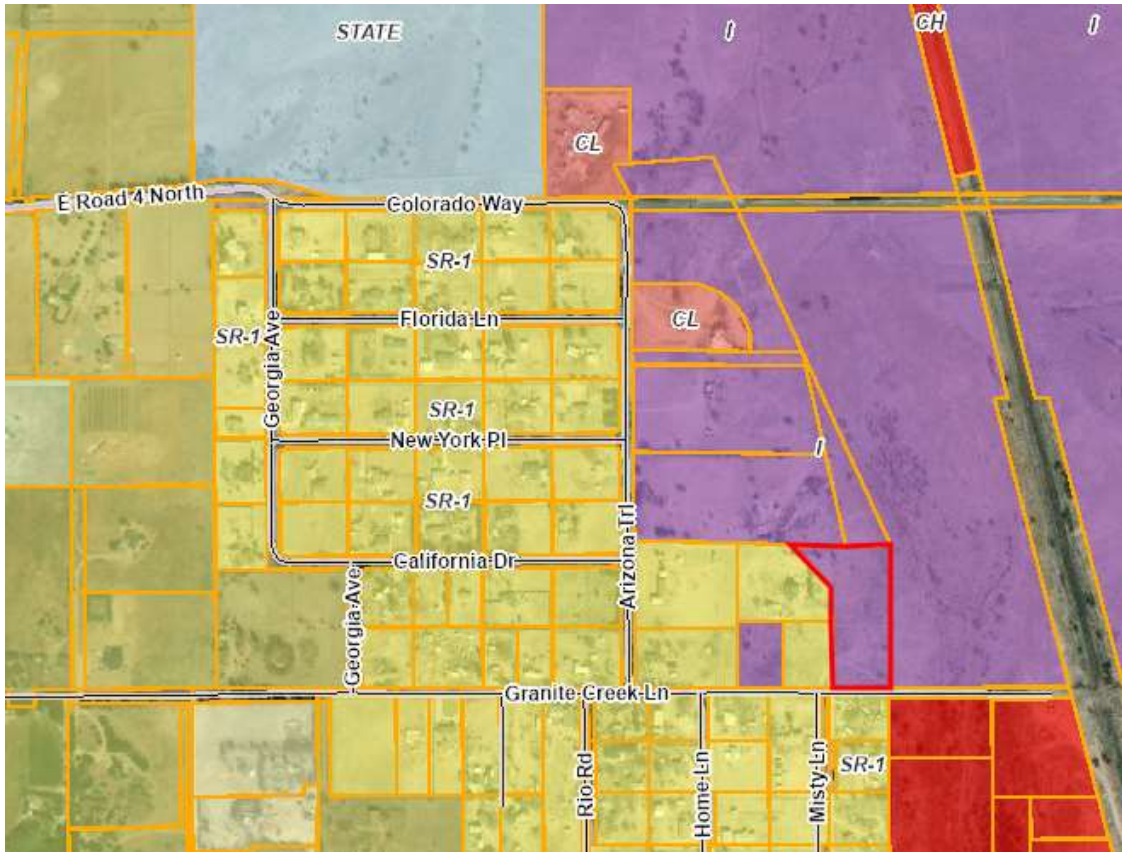
SUMMARY OF ATTENDEE(S') COMMENTS RELATED TO THE PROJECT:

No community members were in attendance.

ATTACHMENT D
SITE PLAN AND EXHIBITS

APN# 306-17-110B

ADDRESS: GRANITE CREEK LANE



ATTACHMENT E
STAFF RESEARCH



STAFF RESEARCH – ZONE CHANGE

CASE #: ZC-2022-02

CASE PLANNER: BETHAN HENG

I. PROJECT DATA

Project Location:	E Granite Creek Lane
Parcel Number(s):	306-17-110B
Parcel Size(s):	3.04 Ac
Total Acreage:	3.04 Ac
Proposed Dwelling Units:	N/A
Address:	E Granite Creek Lane
Applicant:	Arizona Heritage Construction
Applicant's Agent:	Gary Zito; Jody Zito
Land Use Conformity Matrix:	Conforms: Yes X No

Zoning Overlay		PAD		Industrial	
	Existing Zoning		Use(s) on-site		General Plan Designation
Site	Industrial		Vacant		Medium Density Residential (2 acres or less)
North	Industrial		Vacant		Medium Density Residential (2 acres or less)
South	Single Family Residential 1 Acre Minimum (SR-1)		Residential		Medium Density Residential (2 acres or less)
East	Industrial		Vacant		Commercial
West	Single Family Residential 1 Acre Minimum (SR-1)		Residential; Vacant		Medium Density Residential (2 acres or less)

Prior Cases or Related Actions:							
Type	Conforms				Cases, Actions or Agreements		
Pre-Annexation Agreement	Yes		N/A	X			
Annexation	Yes	X	N/A		Original Town – September 21, 1970		
General Plan Amendment	Yes		N/A	X			
Development Agreement	Yes		N/A	X			
Rezone	Yes	X	N/A		April 05, 2022		
Subdivision	Yes		N/A	X			
Conditional Use Permit	Yes		N/A				
Pre-Application Meeting	Yes	X	N/A		October 6, 2021; December 13, 2021		
Enforcement Actions	Yes		N/A	X			
Land Division Status:	Yes		N/A	X			
Irrigation District:			N/A				

Detailed Narrative	This is a request by Gary Zito on behalf of Arizona Heritage Construction, for approval of a rezoning for property located at E Granite Creek Lane.
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II. TOWN OF CHINO VALLEY GENERAL PLAN

Land Use Element:	
Land Use Designation:	Medium Density Residential (2 acres or less)
Issues:	N/A

Public Services Element:		
Water Facility Plan:	Source:	
Sewer Facility Plan:	Treatment:	
Issues:		
Safety Element:		
Flood Plain Designation:		
Issues:		
Transportation Element:		
Road Classification		
Issues:		
Parks and Rec Element:		
Closest Park:	LIST	
Within 1 mile of the Peavine Trail?		

NOTIFICATION

- **Legal Ad Published: The Sun** (03/08/2022)
- **300' Vicinity Mailing:** (03/15/2022)
- **21 Commenting/Reviewing Agencies noticed:** (02/10/2022)
- **Neighborhood Meeting:** (03/23/2022)
- **Hearing Dates:** (05/03/2022)
- **Comments Due:** (03/25/2022)

External List (Comments)	Response Received	Date Received	"No Comment"	Written Comments	Comments Attached
Chuck Dowdy – CAFMA	NR	-			
Monica Holiday – APS	NR	-			
Richard Perez - A.D.O.T.	Y	2/15/2022		Y	Y
Ralph Baker – C.V.I.D.	Y	2/10/2022	Y		
Suzann E. – YC ENV	NR	-			
Jon Groulx – YC Health	NR	-			
SparkLite Cable	NR	-			
Century Link Cable	NR	-			
Unisource Gas	NR	-			
CVUSD	NR	-			
United States Postal Service	NR	-			
Town of Chino Valley Internal List (Conditions)	Response Received	Date Received	"No Conditions"	Written Conditions	Comments Attached
Bethan Heng – Planner (DS)	Y	-		Y	Y
Will Dingee – Senior Planner (DS)	NR	-			
Laurie Lineberry – DS Director	Y	-		Y	Y
Frank Marbury – PW Director	NR	-			
Steve Sullivan – Assistant Engineer (PW)	Y	2/22/2022		Y	Y
Jim Shinost – Plans Examiner (DS)	NR	-			
Dan Trout – CBO (DS)	NR	-			
David Jamie – Code Enforcement	NR	-			
Damon Stanley – Code Enforcement	NR	-			
Chuck Winn – Chief of Police (Police)	NR	-			

ATTACHMENT F
PUBLIC COMMENT

From: prescottproperty@aol.com
Sent: Wednesday, March 23, 2022 11:04 AM
To: Bethan Heng
Subject: Case: #Z-2022-02

Hello Ms. Heng,

I am a licensed Real Estate Agent in the State of Arizona; I currently represent Mr. Curt Wells in the Sale of vacant land parcels #306-03-002N and #306-17-001. Also, I represent Mr. Curt Wells in the Sale of vacant land parcels #306-03-002M,P, & Q. Parcel #306-02-002Q currently has a valid and accepted Purchase Contract associated with it; likewise, the Buyer and Seller are in Escrow and they anticipate Closing the transaction in the near future.

The rezoning of parcel #306-17-110B will have harmful financial impact on my Client's ownership. If the subject property is rezoned, I believe that my Client (under appropriate direction from Counsel) will have grounds to seek remediation and damages from the Town of Chino Valley under Proposition #307(I believe this is the proper Proposition number, however I will conduct further research and I will furnish you with any necessary correction in the future). Please call or email/text me anytime to review any portion of this email. I look forward to working with everyone involved in this Case #Z-2022-02 in a positive manner.

Thank you,
John Kuzicki

John Kuzicki

Better Homes and Gardens Real Estate
BloomTree Realty

Courthouse Square Office

102 West Gurley Street Suite #102

Prescott, Arizona 86301

928-710-7606

PrescottProperty@aol.com

PrescottProperty.Net

PLEASE BE AWARE THIS MESSAGE CAME FROM A SENDER OUTSIDE THE TOWN!



TOWN OF CHINO VALLEY
Planning Commission Staff Report
May 03, 2022
File Number ZC-2022-03
Zone Change

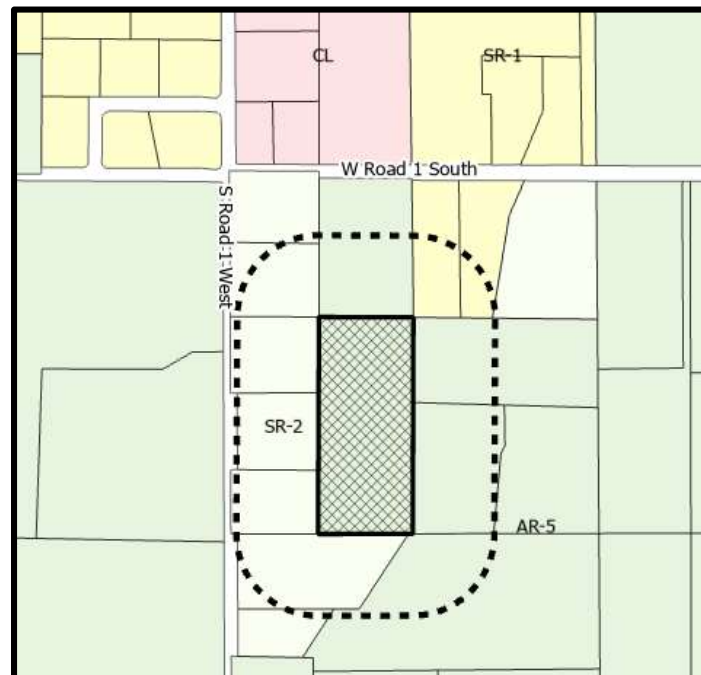
PROJECT DESCRIPTION

This is a request by Thomas Langston, for approval of a rezoning of approximately 6.15 Acres from Agricultural Residential 5 Acre Minimum (AR-5) to Single Family Residential 2 Acre Minimum (SR-2) for property located at 735 S Road 1 West, Chino Valley, Arizona, APN #306-29-052A.

LOCATION DATA

	Existing Zoning	Use(s) on-site	General Plan Designation
Site	AR-5	Single Family Residential	Medium Density Residential (2 ac or less)
North	AR-5	Single Family Residential / Utility Building	Medium Density Residential (2 ac or less)
South	SR-2	Single Family Residential	Medium Density Residential (2 ac or less)
East	AR-5	Single Family Residential	Medium Density Residential (2 ac or less)
West	SR-2	Single Family Residential / Utility Building	Medium Density Residential (2 ac or less)

LOCATION MAP



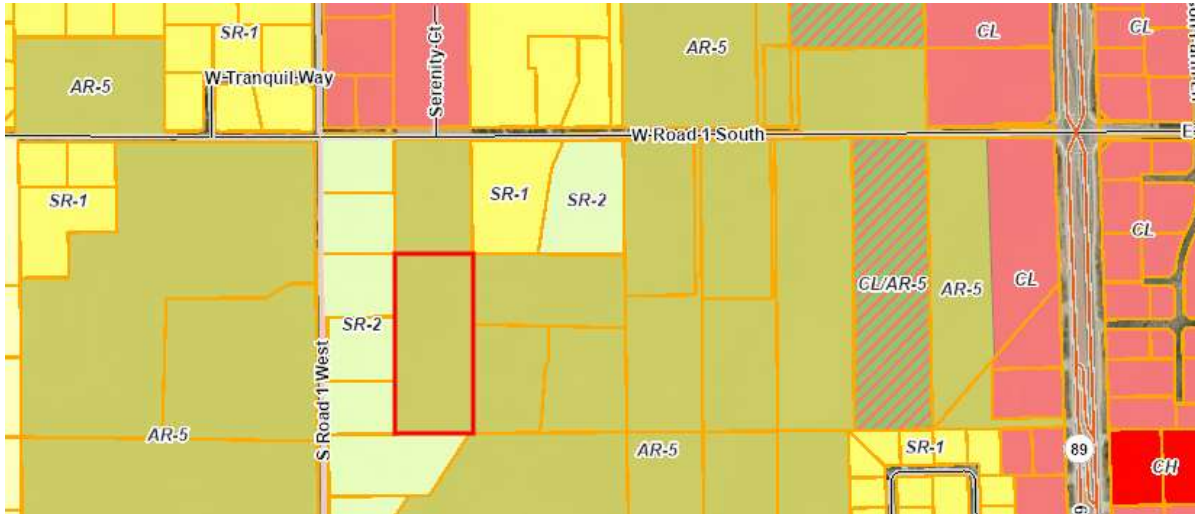
PRIOR SITE ACTIONS:	No prior site actions.
STAFF RECOMMENDATION:	Staff recommends that the Planning and Zoning Commission forward to the Town Council a recommendation of APPROVAL for the rezoning of approximately 6.15 Acres from Agricultural Residential 5 Acre Minimum (AR-5) to Single Family Residential 2 Acre Minimum (SR-2) for property located at 735 S Road 1 West, Chino Valley, Arizona with Conditions of Approval found in Attachment A.
SUGGESTED MOTION:	Move to APPROVE Rezone ZC-2022-03 as presented, subject to the staff report and information provided during this hearing, and the Conditions of Approval in Attachment A
EFFECT OF THE APPROVAL:	By approving this Rezone, the Planning and Zoning Commission is recommending approval to the Town Council for the rezoning of approximately 6.15 Acres from Agricultural Residential 5 Acre Minimum (AR-5) to Single Family Residential 2 Acre Minimum (SR-2) for property located at 735 S Road 1 West, Chino Valley, Arizona, subject to the staff report and information provided during this hearing, and affirmatively finds that the request is in conformance with the previously approved zoning.

Staff Analysis:

The applicant is applying for a Rezone from Agricultural Residential 5 Acre Minimum (AR-5) to Single Family Residential 2 Acre Minimum (SR-2) with the intent to proceed to the Minor Subdivision Process. The applicant intends for the current subject property to result in 2 lots with an easement located to the east of the properties.

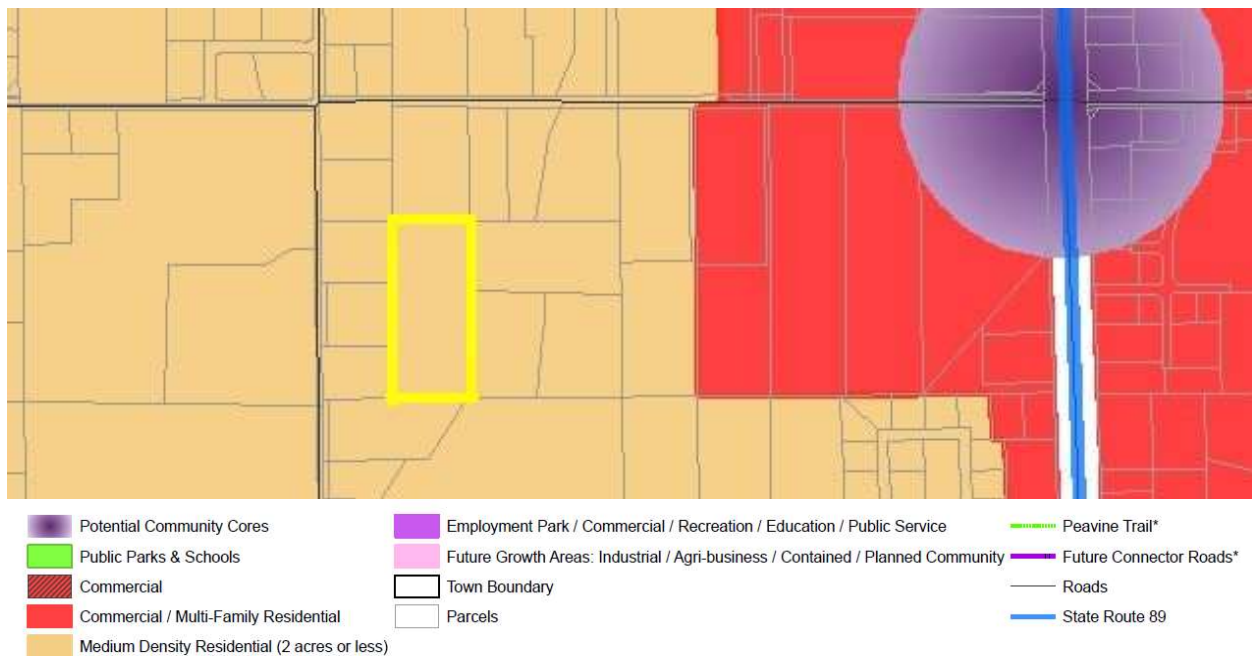
Zoning

Section 3.9.B.1 of the Unified Development Ordinance lists “One (1) single-family dwelling” as a permitted use within the Single Family Residential 2 Acre Minimum (SR-2) zoning district. The resulting rezone will be the same zoning designation as the properties to the west and north (APN 306-29-036X, APN 306-29-052D, & APN 306-29-052B).



General Plan

The zoning request of Single Family Residential 2 Acre Minimum (SR-2) zoning district will bring the property into conformance with General Plan's land use designation of Medium Density Residential (2 acres or less) for the property.



PUBLIC COMMENTS RECEIVED: See Attachment F

EXTERNAL AGENCY COMMENTS: See Attachment B

NEIGHBORHOOD MEETING COMMENTS: Staff notified the surrounding property owners of the date and location of the Planning and Zoning Commission Meeting and Town Council Meeting by postcard on March 14th, 2022.
See Attachment C

PROPOSED CONDITIONS DELIVERED TO APPLICANT ON: March 30, 2022

☒	Applicant agreed with all of the conditions of approval on (April 13, 2022)
☐	Applicant did not agree with the following conditions of approval: (list #'s)
☐	If the Planner is unable to make contact with the applicant – describe the situation and attempts to contact.

ATTACHMENTS:

A	B	C	D	E	F
Conditions of Approval	External Agency Comments	Neighborhood Meeting Comments	Site Plan & Exhibits	Staff Research	Public Comment

PREPARED BY:


BETHAN HENG, PLANNER
(BHENG@CHINOAZ.NET)
928 636-4427 - x1295

DATE:

APRIL 18, 2022

APPROVED BY:


LAURIE LINEBERRY, AICP
DEVELOPMENT SERVICES DIRECTOR

ATTACHMENT A
CONDITIONS OF APPROVAL

The following conditions have been found to have a reasonable nexus and are roughly proportionate to the impact of the proposed rezone for the site:

Development Services Comments: Laurie Lineberry, Director, 928 636-4427- x1217

1. The conditions listed below are in addition to Town codes, rules, fees, and regulations that are applicable to this action.
2. The Owner's signature on the application for this land use action request takes the place of the requirement for a separate "Waiver of Claims" document.

Any questions or comments regarding the Conditions of Approval as stated above should be directed to the staff member who provided the comment. Name and phone numbers are provided.

ATTACHMENT B
EXTERNAL AGENCY COMMENTS

DATE:	2/11/2022	NAME:	RICHARD PEREZ	TITLE:	PRESCOTT PERMITS SUPERVISOR
AGENCY:	ADOT			PHONE	(928) 777-5861
• ADOT has no concerns or comments regarding the rezoning or lot split. • ADOT reserves the right to comment further when Parcel #306-29-052A develops to review the site plans and to comment on any other future meetings regarding Parcel #306-29-052A. Please contact the Northwest District Prescott Permits department if you have any questions or concerns.					

ATTACHMENT C
NEIGHBORHOOD MEETING COMMENTS

DATE MEETING HELD: MARCH 23, 2022

LOCATION: TOWN HALL COUNCIL CHAMBERS

ATTENDEES:

AGENT/DEVELOPER: THOMAS LANGSTON

TOWN STAFF: WILL DINGEE, SENIOR PLANNER; BETHAN HENG, PLANNER

NEIGHBORS IN ATTENDANCE (4, JULIE TARPLEY, SHARON SMITH. SUE DENZ, & DUANE DORY)

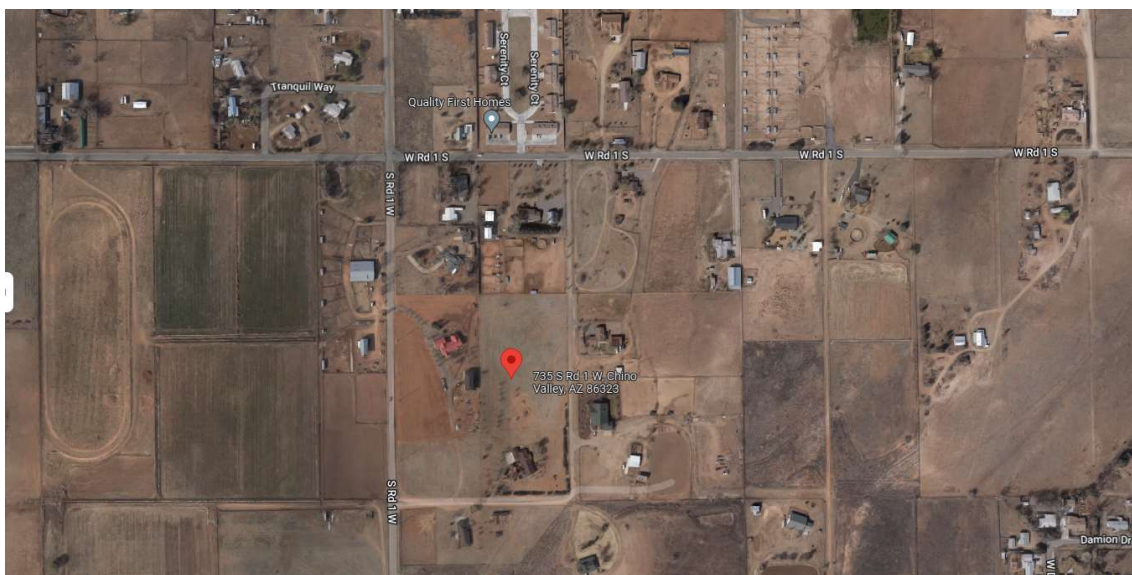
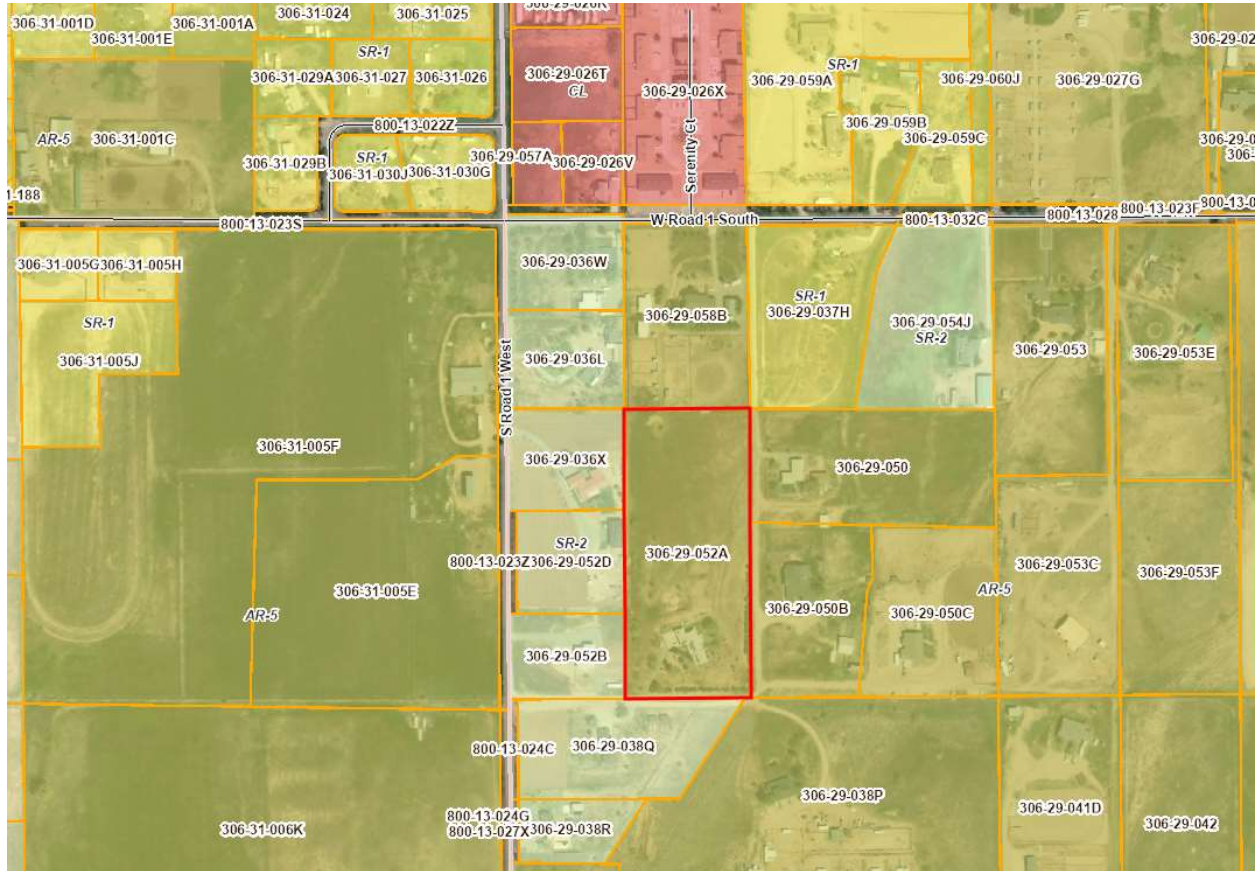
SUMMARY OF ATTENDEE(S') COMMENTS RELATED TO THE PROJECT:

- PRIVATE ACCESS IS NOT A MAINTAINED ROAD; DUST FROM EXISTING EASEMENT
- WELL VS. TOWN WATER
- SUBJECT PROPERTY IS LANDLOCKED

ATTACHMENT D SITE PLAN AND EXHIBITS

APN# 306-29-052A

ADDRESS: 735 S Road 1 West, Chino Valley, Arizona



ATTACHMENT E
STAFF RESEARCH

**STAFF RESEARCH – REZONE****CASE #: ZC-2022-03****CASE PLANNER: BETHAN HENG****I. PROJECT DATA**

Project Location:	735 S. Road 1 West, Chino Valley, AZ 86323
Parcel Number(s):	306-29-052A
Parcel Size(s):	6.15 Acres
Total Acreage:	6.15 Acres
Proposed Dwelling Units:	-
Address:	735 S Road 1 West, Chino Valley, AZ 86323
Applicant:	Thomas Langston
Applicant's Agent:	-
Land Use Conformity Matrix:	Conforms: Yes X No

Zoning Overlay	PAD		
	Existing Zoning	Use(s) on-site	General Plan Designation
Site	AR-5	Single Family Residential	Medium Density Residential (2 acres or less)
North	AR-5	Single Family Residential, Stable, Utility Building	Medium Density Residential (2 acres or less)
South	SR-2	Single Family Residential	Medium Density Residential (2 acres or less)
East	AR-5	Single Family Residential, Stables	Medium Density Residential (2 acres or less)
West	SR-2	Single Family Residential, Utility Building	Medium Density Residential (2 acres or less)

Prior Cases or Related Actions:							
Type	Conforms				Cases, Actions or Agreements		
Pre-Annexation Agreement	Yes		No	X			
Annexation	Yes	X	No		1 st Annexation; 11/13/1970		
General Plan Amendment	Yes		No	X			
Development Agreement	Yes		No	X			
Rezone	Yes		No	X			
Subdivision	Yes		No	X			
Conditional Use Permit	Yes		No	X			
Pre-Application Meeting	Yes	X	No		02/23/2022 (PA-2022-07)		
Enforcement Actions	Yes		No	X			
Land Division Status:				X			
Irrigation District:							

II. TOWN OF CHINO VALLEY GENERAL PLAN

Land Use Element:	
Land Use Designation:	Medium Density Residential (2 acres or less)
Issues:	N/A
Public Services Element:	

Water Facility Plan:	Source:	Applicant plans to use a private well on new resulting lot; City of Prescott water location on Road 1 West, 350ft to the West of property.
Sewer Facility Plan:	Treatment:	Applicant plans to use private septic system on new resulting lot; Nearest Town Sewer is located 1,800ft to the North.
Issues:		
Safety Element:		
Flood Plain Designation:		
Issues:		
Transportation Element:		
Road Classification		
Issues:		
Parks and Rec Element:		
Closest Park:	Chino Valley Cemetery	
Within 1 mile of the Peavine Trail?	No	

NOTIFICATION

- **Legal Ad Published: The Sun** (04/04/2022)
- **Neighborhood Meeting:** (03/23/2022)
- **300' Vicinity Mailing:** (03/14/2022)
- **Hearing Dates:** (05/03/2022)
- **34 Commenting/Reviewing Agencies noticed:** (03/18/2022)
- **Comments Due:** (03/25/2022)

<i>External List (Comments)</i>	Response Received	Date Received	"No Comment"	Written Comments	Comments Attached
Chuck Dowdy – CAFMA	Y	2/23/2022	Y		
Monica Holiday – APS	NR	-			
Richard Perez - A.D.O.T.	Y	2/11/2022		Y	Y
Ralph Baker – C.V.I.D.	NR	-			
Suzann E. – YC ENV	NR	-			
Jon Groulx – YC Health	NR	-			
SparkLite Cable	NR	-			
Century Link Cable	NR	-			
Unisource Gas	NR	-			
CVUSD	NR	-			
United States Postal Service	NR	-			
<i>Town of Chino Valley Internal List (Conditions)</i>	Response Received	Date Received	"No Conditions"	Written Conditions	Comments Attached
Bethan Heng – Planner (DS)	NR	-			
Will Dingee – Senior Planner (DS)	NR	-			
Laurie Lineberry – DS Director	Y	-		Y	Y
Frank Marbury – PW Director	NR	-			
Steve Sullivan – Assistant Engineer (PW)	NR	-			
Jim Shinost – Plans Examiner (DS)	NR	-			
Dan Trout – CBO (DS)	NR	-			
David Jamie – Code Enforcement	NR	-			
Damon Stanley – Code Enforcement	NR	-			
Chuck Winn – Chief of Police (Police)	NR	-			

ATTACHMENT F
PUBLIC COMMENT

March 23, 2022

Development Services
Planning Division

Subject: Case #ZC 2022-03

I am the owner of property located at 895 W. Rd. 1 S. Chino Valley, Az.
My property acreage —back area—touches the above parcel.

I moved here to enjoy my animals, and not have any neighbors any closer than existing ones when I purchased this property 4 years ago....and being agricultural zoned—thought this to be a great location, and no more people moving in or building would be happening.

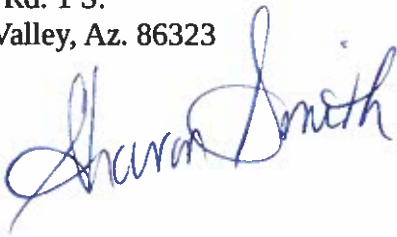
When a property becomes residential along come more rules/regulations—people—children—traffic, barking dogs, etc. -general complaints about animals, noise,—etc.

Water being necessary—will another well be dug?? if so there is only so much water available at certain depths and the North end of Chino is already experiencing well problems, and so close to my property—will it have any effect on my well??? who knows?? will water come from Prescott??

Building and turning agricultural farm land into residential is no doubt a money maker but what happens when no larger agricultural parcels are left??? what about gardens/planting crops for food and general farming?? Chino used to raise a lot of hay grain crops, and guess that is now a thing of the past due to “progress.”

In summary,, I hope the town of Chino will call a halt to subdividing larger parcels of land or consider appropriate locations thereof.

Sharon Smith
895 W. Rd. 1 S.
Chino Valley, Az. 86323



From: Ken Haley <khaley4@gmail.com>
Sent: Wednesday, April 6, 2022 5:12 PM
To: Bethan Heng
Subject: Case # ZC-2022-03

We oppose this rezoning proposal for the following reasons:

First, since the proposed rezoning will create land-locked parcels, it's unclear how access will be provided, what easements will need to be modified or created, etc. Furthermore, regardless of how this is solved, there will be an increase in traffic on whatever road is used to access these parcels. Existing roads are already in less than ideal condition.

Second, we moved here after searching for a pleasant rural environment for our horses and other animals, as well as the peace and quiet that we find here. Rezoning such as this erodes that environment.

Thirdly, we worry about water resources, which are reportedly dwindling in this area. Without a plan to address this issue, it seems irresponsible to allow such subdivision.

Sincerely
Ken and Vicki Haley
751 S. Road 1 W.

PLEASE BE AWARE THIS MESSAGE CAME FROM A SENDER OUTSIDE THE TOWN!

April 6, 2022

Town Contact: Planner Bethan Hang

Re: CASE #ZC-2022-03
APN #306-29-052A

This response is made regarding the request by Thomas Langston, for approval of a rezoning from agricultural residential AR-5 to single-family resident 2 acre minimum SR-2 for property located at 735 South Rd 1 W, Chino Valley, AZ. We oppose this rezoning.

As residents in very close proximity we are writing to oppose this plan. This parcel of approximately 6.15 acres is landlocked and will need allocation for access to proposed rezoning SR-2 family resident 2 acre minimum. There is no access.

We have resided in Chino Valley for over a quarter of a century. We intentional chose this area because of the agricultural residential zoning which provides ability to keep horses, farm animals, etc. on our property. We oppose this rezoning.

It makes no sense to have a suburban neighborhood in the middle of agricultural properties. How many of those prospective Suburban families will appreciate the smell of manure, crowing of roosters before sunrise, etc. How many complaints do you think the city will have to deal with?

We are appealing to keep Chino Valley unique! We are known as a community that invites property owners who choose agricultural zoning acreage purposefully! Let's keep it that way!

Respectfully,

Julie A Tarpley
Delton H Tarpley
APN #306-29-05002



TOWN OF CHINO VALLEY
Planning Commission Staff Report
May 3, 2022
File Number TA-2022-07
Text Amendment

PROJECT DESCRIPTION: This is a request for a Text Amendment to Section 2.1 of the Chino Valley Unified Development Ordinance revising the definition of Guest House and replacement of existing Section 4.1 with General Regulations for Guest House development.

BACKGROUND AND ANALYSIS:

The Unified Development Ordinance (UDO) states that it “may be amended, supplemented, changed, modified or repealed when deemed necessary to best serve the public interest, health, comfort, convenience, safety and general welfare of the citizens of the Town.” This current text amendment request from staff, is deemed necessary to best serve the public interest. The proposal is to modify Chapters 2 and 4 of the UDO as they pertain to Guest Houses. The primary purposes of the modifications are to revise the definition of a Guest House to allow for renting of the unit under certain circumstances and to outline the general provisions that would allow a Guest Home to be built and to be rented.

Nation-wide and within the state of Arizona, housing availability is at an all-time low. The lack of home numbers for sale or rent, along with the recent increase in housing values, has made it nearly impossible for young families, teachers, police officers and other similar workers to acquire adequate housing within the Town of Chino Valley. Current zoning regulations allow for the construction and use of a Guest House on lots within the following districts: AR-5, AR-4, SR-2.5, SR-2, SR-1.6, and SR-1. Existing code does not allow Guest Houses to be rented out. Since 2014, 28 Guest Houses have been built within the Town of Chino Valley.

Within the 2014 General Plan Land Use Element, it discusses the trend of the increasing number of older generations in Chino Valley, reflecting a need for multi-generational housing (where at least two generations of family live on the same lot). This concept supports the renting of Guest Houses to others, to provide income to the primary resident and to create housing for the families and professionals that cannot find or afford available single-family housing.

This proposed amendment emphasizes the need for the property owner to live on the lot with the rented Guest House. This is a requirement that helps to ensure oversight of the renters and the upkeep of the unit, protects the private property rights of neighboring property owners, while maintaining neighbor relations and positive property values.

If an owner desires to rent out a guest house, they will be required to register with an affidavit stating that they acknowledge that as the property owner, they agree to live on the property. The Town will record the acknowledgement so that it reflects in a Title Search when the property changes hands. If the Guest House is not being rented out, the owner is not required to live on the site.

Additional requirements for all Guest Houses include:

- No separate primary address for the Guest House,
- No separate utility meters for the Guest House,
- One off-street parking space,
- The main house and the guest house must share a common driveway,
- The Guest House must be stick-built.

This proposal was discussed with the Town Council at the work session on November 9th, 2021 and with the Planning and Zoning Commission during the November 16th, 2021 and April 5th 2022 work sessions. Based on these discussions with the Commission and Council, Staff is proposing the attached amendment to the provisions of Guest Houses within the UDO.

The proposed text amendment is reflected in Attachment A

Staff Recommendation: Staff recommends **APPROVAL** of the text amendment to the Town of Chino Valley Unified Development Ordinance, Chapter 154, by amending Chapter 2 Definitions and Chapter 4 General Regulations, by revising the definition and adding a new section outlining General Regulations for Guest Houses.

SUGGESTED COMMISSION MOTION: Move to **APPROVE** Text Amendment T-2022-07 as reflected in Attachment A, subject to the staff report and information provided during this hearing.

Effect of the Approval: By approving the Text Amendment, the Planning and Zoning Commission is recommending that the Town Council approve the text amendment to amend Chapters 2 and 4 of the UDO which creates new general regulations for Guest Houses.

Attachments

A
Text Amendment Language

By: 

Date: May 3, 2022

Laurie Lineberry, AICP
Development Services Director
llineberry@chinoaz.net
(928)636-4427, x1217

Attachment A
Text Amendment Language

2 DEFINITIONS

2.1 Meanings of Words and Terms

Guest House – A guest house is an additional dwelling unit established in conjunction with a single-family dwelling on the same lot. A guest house is a site-built unit on a permanent foundation featuring a kitchen, sleeping and full bathroom facilities; the guest house is subordinate in size and intensity in comparison to the principle dwelling unit, per individual zoning district requirements. A guest house may be rented out, subject to UDO §4.1 Guest House. See General Regulations 4.1 for requirements and restrictions.

4 GENERAL REGULATIONS

4.1 Guest House.

Purpose. The purpose of this section is to allow for and regulate the establishment of accessory dwelling units, whether for rent or not, while preserving the character and property values of the neighborhood. The ability to rent guest houses is one way of expanding the existing housing supply. It also allows older homeowners to remain in their homes and obtain extra income, companionship and security. It allows extended family members a place to stay within the confines of their own residence, while paying rent. In no case shall a guest house be required to be rented.

Applicability. One guest house is permitted as an accessory dwelling to an existing or planned single-family dwelling unit, provided that the provisions in this section are met. In no case can more than two residential units exist on one lot (one primary residence and one guest house).

Lot Size. Guest houses are permitted on lots zoned one acre or larger. The lot must meet the minimum size required for the zoning district where the guest house is proposed.

Unit Size and Placement. Unit size maximums are reflected in the zoning district in which the unit is being built. Each guest house shall have a minimum size of 400 square feet. Guest houses shall meet all setbacks and building separation requirements as the primary residence and shall be located to the rear of the primary residence.

Owner Occupancy and Registration. It is required that the property owner reside on the property, whether it be in the principal unit or the guest house, if the guest house is to be rented. Owner occupancy is intended to help protect the stability and character of a neighborhood and reduce potential conflicts with surrounding single-family and agricultural neighbors.

If a guest house is to be used as a rental, the property owner shall sign and the Town shall record an affidavit for the guest house as a rental unit, acknowledging that the owner must also reside on the property as long as the guest house is being rented.

Existing Units. Guest houses existing at the date of adoption of this ordinance can qualify as a rental unit if the property is brought into compliance with the provisions of this section.

Additional Requirements:

- a. The guest house shall not have a separate primary property address.
- b. The guest house shall not have a separate set of utility meters for water, electricity, or sewer connections.
- c. A minimum of one additional off-street parking space shall be required for the guest house.
- d. The guest house shall share a common driveway with the primary residence with no additional driveway access allowed from the street to accommodate the guest house.
- e. Manufactured homes, mobile homes, travel trailers, park models, recreational vehicles and other similar structures shall be prohibited for use for all guest houses in all districts.