



Commissioner's Agenda
Planning & Zoning Commission
Chino Valley Town Hall
202 N. State Route 89
July 5, 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 –JUNE 7, 2022 REGULAR MEETING
JUNE 7, 2022 TRAINING SESSION
 - C.2 WITHDRAWALS BY APPLICANT – NONE
 - C.3 TIME EXTENSIONS – NONE
 - C.4 CONTINUANCES – NONE
 - C.5 APPROVALS – NONE
- D. PUBLIC HEARINGS – ONE
 - D.1 **ZC-2022-04** - A request by Jacob and Autumn Rokey to rezone approximately 1 acre of land from Industrial (I) to Single Family Residential 1 Acre Minimum (SR-1), for property generally located on the north side of Granite Creek Road, between Home Lane and Misty Lane, Chino Valley, Arizona.
- E. ACTION ITEMS – NONE
- F. INFORMATION ITEMS
 - F.1 Staff
 - Council Action on prior P&Z Cases
 - 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 June 7, 2022

A regular meeting of the Town of Chino Valley Planning and Zoning Commission was held on Tuesday, June 7, 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 Robert Switzer, and Commissioner William Welker and Alternate Commissioner Richard Zamudio. Commissioner David Somerville was absent.

STAFF MEMBERS present were Laurie Lineberry, Development Services Director; Will Dingee, Senior Planner; Bethan Heng, Planner; Dee Dee Moore, Process Coordinator; 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 Switzer to approve the items on the Consent Calendar with the following changes as noted below:

Page 4, paragraph 6 – that his (Merritt) statement was intended to state that regarding to this zoning case, that property is currently surrounded by residential.

Page 5, paragraph 5 – (Meadors) mentioned that the word guesthouse in the first sentence should be primary residence, not guesthouse. This motion passed unanimously by a 7-0 vote.

CASE# TA-2022-08: - *This is a request to amend the Town of Chino Valley Unified Development Ordinance, Chapter 154, Chapter 4.21 Sign Regulations, by deleting section 4.21.10 Sunset Provision, in its entirety.*

Will Dingee, Senior Planner, presented the staff report and shared that Staff was recommending **APPROVAL** as written in the staff report. This included, deleting in its entirety, Section 4.21.10 the Sunset Provision for Auxiliary Signs. Prior to this amendment the section included a Sunset Provision that was set to expire on July 1, 2022. As a result of the lack of code enforcement complaints and non-conformance issues, the Council supported removing the sunset clause and allowing these types of signs to continue to be used in the community. This text amendment, TA-2022-08, was generated for this purpose.

There were no questions from the Commission.

Merritt opened the meeting for public comment.

Rachel Fernow asked about the signs that are placed on personal property and shared that she had seen some local signs removed. She also wanted to know how long they can stay on a site.

Mary Seale asked if the Text Amendment presentation page could be returned to the monitor so that the public could read it. **Dingee** complied. A moment was given for the public to read the code section.

There were no further requests to speak from the public and **Merritt** closed the public comment period.

Dingee returned to answer the question regarding signs on personal property. He stated that this section of the code pertained to only commercial properties, not residential properties.

The Commission discussed the existence of state statutes regarding political signs and where they can be placed, acknowledging that these Auxiliary Signs were a separate type of sign.

MOTION - A motion was made by Vice Chair Pasciak and seconded by Commissioner Switzer to approve TA-2022-08, as presented by staff. This motion passed with a 7-0 vote.

ACTION ITEMS: THERE WERE NO ACTION ITEMS

INFORMATION ITEMS – FROM STAFF: COUNCIL ACTION ON PRIOR P&Z CASES: **Dingee** shared that both Zone Change cases, for applicants American Heritage and the Langstons that were forwarded to council with a recommendation were approved.

INFORMATION ITEMS – FROM THE COMMISSIONERS: There were no items from the Commissioners

INFORMATION ITEMS – FROM THE PUBLIC: There were no comments from the public.

ADJOURN – A motion was made by Meadors and seconded by Pasciak to adjourn the meeting at 6:12 p.m.

Charles Merritt
Chair

Dee Dee Moore
Prepared By

Planning and Zoning Commission Study Session Minutes

Study Session – June 7, 2022

A study session meeting of the Town of Chino Valley Planning and Zoning Commission was held at 6:30 pm on Tuesday, June 7, 2022, at the Town of Chino Valley Council Chambers, 202 N. State Route 89, Chino Valley, Arizona.

PLANNING AND ZONING COMMISSION MEMBERS present: Chair Chuck Merritt, Vice-Chair Pasciak, Commissioner Teena Meadors, Commissioner Ron Penn, Commissioner Robert Switzer, Commissioner William Welker, Alternate Commissioner Richard Zamudio. Commissioner David Somerville was absent

STAFF MEMBERS present: Laurie Lineberry, Development Services Director; Will Dingee, Senior Planner; Bethan Heng, Planner; Dee Dee Moore, Process Coordinator.

The following topics were discussed at the June 5, 2022 Study Session.

Discussion: Water and Sewer Code Changes: Public Works Director Frank Marbury covered Administrative changes and items that would impact Policies and Development in regards to code changes to Section 50 and Section 51. Will Dingee, Senior Planner discussed code related changes that would need to be made in the Subdivision Code.

Discussion: Planning Authority: Laurie Lineberry, Development Service Director, shared that the Commissions' authority to rezone, general plan, and subdivide properties was via the State Enabling Act, which is a Police Power provided to the states from the federal government and then passed down to cities, towns and counties via Arizona Revised Statutes (ARS).

Discussion: Industrial Zoning District – Dingee provided the setback provisions of the Industrial code to clarify mis-information that was received during the public comment period at the last rezone on Granite Creek.

Discussion: How Code Books are Updated - Lineberry shared the process of codification of new text amendments, how to replace pages, how they receive copies of the official ordinance to have in their code books for use until the codified pages are done by the code company. She offered to assist them in this process to avoid pages being removed accidentally.

Discussion: RV Park Ordinance - Lineberry identified that currently the only provisions in the UDO were found under "Campgrounds" in General Provisions. She shared a matrix including RV Park regulations from other jurisdictions and discussed possibilities for an ordinance in Chino Valley. The proposed ordinance would be a stand-alone ordinance that would require a Multi-Family zoning district in order to develop. This topic would be discussed at an upcoming Planning and Zoning Commission meeting.

Discussion: Solar and Wind Farms - Dingee discussed the properties of solar and wind farms and past direction (like rezoning) and how staff is exploring solar and wind farms in the Open Space District – which is a form of conservation and preserving the land for future developments after the life of the solar/wind farm is over. One commissioner suggested a provision for reclamation of the land when the solar/wind farm life is over, such as removing the concrete and restoring the land to its natural setting.

Discussion: Neighboring Property Owner's Notification - Lineberry discussed the possible expansion of the current 300' property owner notification. The commission thought that the greater distance made sense on larger parcels. General discussion showed an interest in having a minimum number of parcels to notify, such as 30.

Meeting was adjourned at 8:32 pm.

Charles Merritt
Chair

Dee Dee Moore
Prepared By



TOWN OF CHINO VALLEY
Planning Commission Staff Report
July 5, 2022
File Number ZC-2022-04
Rezone

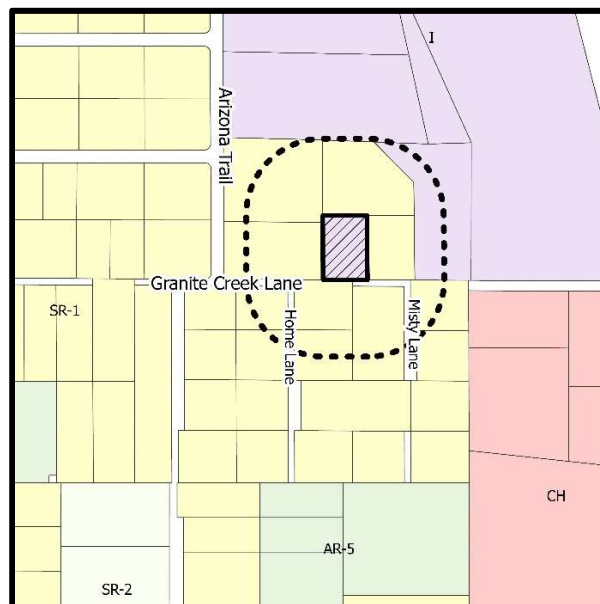
PROJECT DESCRIPTION

This is a request by Jacob and Autumn Rokey to rezone approximately 1 acre of land from Industrial (I) to Single Family Residential 1 Acre Minimum (SR-1), for property generally located on the north side of Granite Creek road, between Home Lane and Misty Lane.

LOCATION DATA

	Existing Zoning	Use(s) on-site	General Plan Designation
Site	Industrial (I)	Vacant Land	Medium Density Residential (2 ac or less)
North	Single Family Residential 1 Acre Minimum (SR-1)	Residential	Medium Density Residential (2 ac or less)
South	Single Family Residential 1 Acre Minimum (SR-1)	Residential	Medium Density Residential (2 ac or less)
East	Single Family Residential 1 Acre Minimum (SR-1)	Residential	Medium Density Residential (2 ac or less)
West	Single Family Residential 1 Acre Minimum (SR-1)	Residential	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** to rezone approximately 1 acre of land from Industrial (I) to Single Family Residential 1 Acre Minimum (SR-1), for property generally located on the north side of Granite Creek road, between Home Lane and Misty Lane, with Conditions of Approval found in Attachment A.

SUGGESTED MOTION: Move to **APPROVE** Rezone ZC-2022-04 as presented, subject to the staff report and information provided during this hearing, and the Conditions of Approval in Attachment A

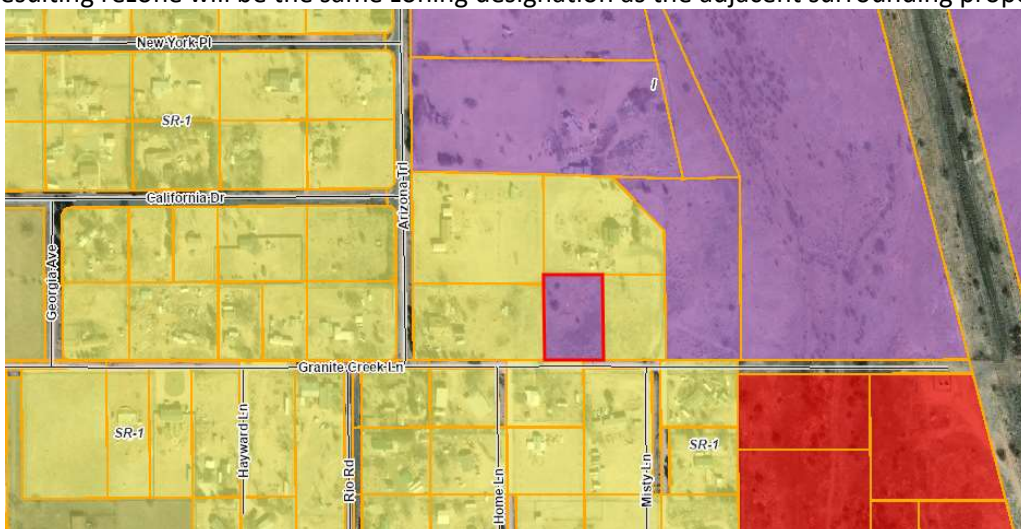
EFFECT OF THE APPROVAL: By approving this Rezone, the Planning and Zoning Commission is recommending approval to Town Council to approve the rezoning of approximately 1 acre of land from Industrial (I) to Single Family Residential 1 Acre Minimum (SR-1), for property generally located on the north side of Granite Creek road, between Home Lane and Misty Lane, subject to the staff report and information provided during this hearing, and affirmatively finds that the request is in conformance with the General Plan.

Staff Analysis:

The applicant is applying for a Rezone from the Industrial (I) zoning district to Single Family Residential 1 Acre (SR-1) zoning district, with the intent to use the property as a residential lot.

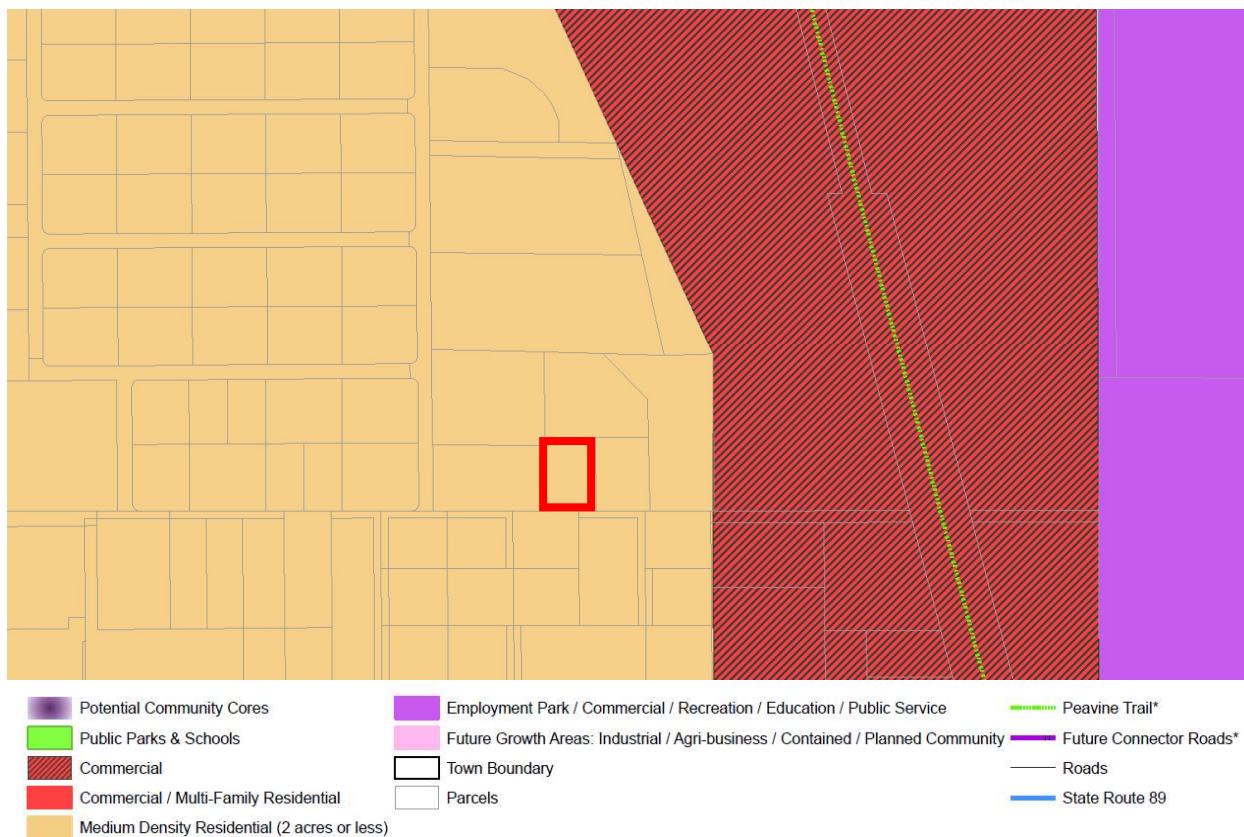
Zoning

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 adjacent surrounding properties.



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.



EXTERNAL AGENCY COMMENTS: One comment received - APS. See Attachment B

NEIGHBORHOOD MEETING COMMENTS: No community members were in attendance.

PROPOSED CONDITIONS DELIVERED June 20, 2022
TO APPLICANT ON:

X	Applicant agreed with all of the conditions of approval on (June 20, 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
Conditions of Approval	External Agency Comments	Neighborhood Meeting Comments	Site Plan & Exhibits	Staff Research

PREPARED BY:


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

DATE:

JUNE 20, 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:	5/12/2022	NAME:	MONIQUE HOLIDAY	TITLE:	CUSTOMER PROJECT REPRESENTATIVE
AGENCY:	APS			PHONE	(928) 443-6612
The only comments I have from APS is that there should be an electric utility easement that cuts straight across the parcel. If the customer is wanting to build at the location of the easement, they will be responsible for relocating that line at their cost and the new easement will need to be secured before they can build.					

ATTACHMENT C
NEIGHBORHOOD MEETING COMMENTS

DATE MEETING HELD: MAY 25, 2022

LOCATION: BETWEEN HOME LANE AND MISTY LANE

ATTENDEES:

PROPERTY OWNER: JACOB ROKEY

TOWN STAFF: WILL DINGEE (SENIOR PLANNER) & BETHAN HENG (PLANNER)

NEIGHBORS IN ATTENDANCE: NONE

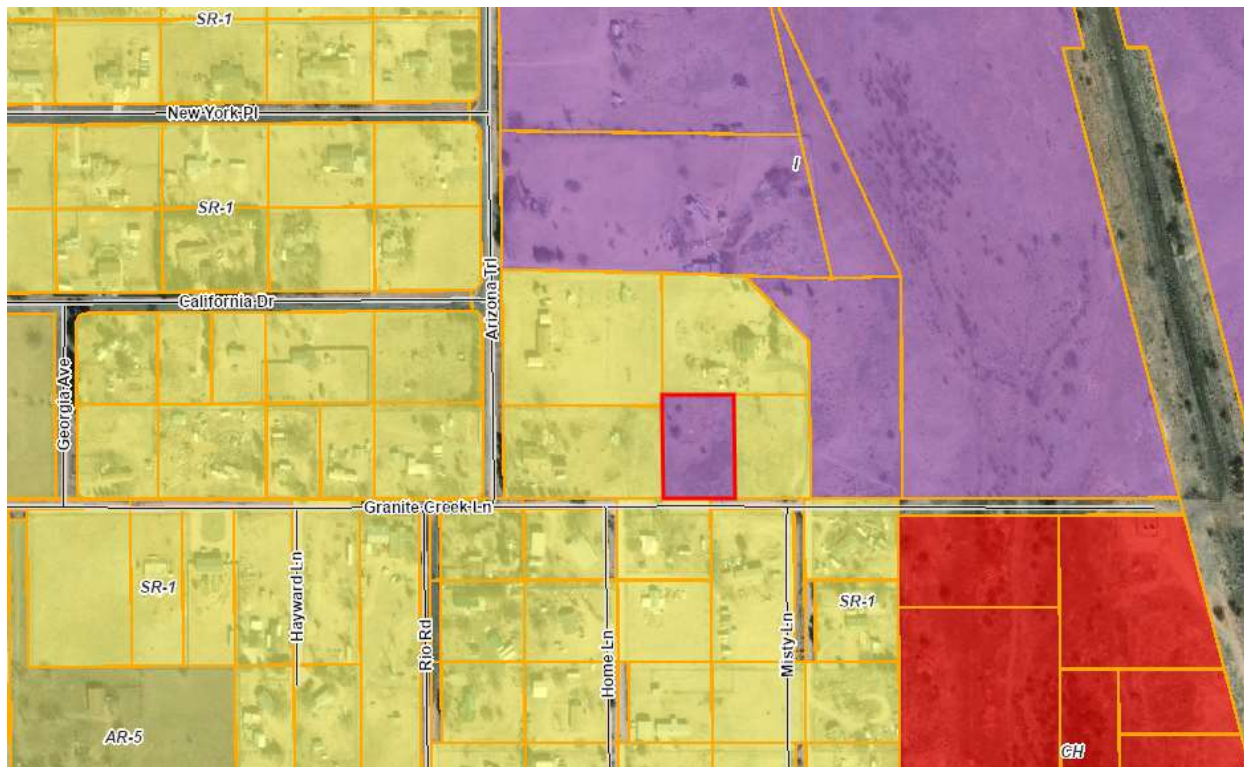
SUMMARY OF ATTENDEE(S') COMMENTS RELATED TO THE PROJECT:

NO COMMUNITY MEMBERS WERE IN ATTENDANCE.

ATTACHMENT D
SITE PLAN AND EXHIBITS

APN# 306-17-110D

ADDRESS: GRANITE CREEK ROAD



ATTACHMENT E
STAFF RESEARCH



STAFF RESEARCH – REZONE

CASE #: ZC-2022-04
CASE PLANNER: BETHAN HENG

I. PROJECT DATA

Project Location:	Granite Creek Lane						
Parcel Number(s):	306-17-110D						
Parcel Size(s):	1 Acre						
Total Acreage:	1 Acre						
Proposed Dwelling Units:	N/A						
Address:	1638 Granite Creek Lane						
Applicant:	Jacob and Autumn Rokey						
Applicant's Agent:	-						
Land Use Conformity Matrix:	Conforms:	Yes	X	No			

Zoning Overlay	PAD	N/A
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	Existing Zoning	Use(s) on-site	General Plan Designation
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Prior Cases or Related Actions:

Type	Conforms				Cases, Actions or Agreements
Pre-Annexation Agreement	Yes		No	X	
Annexation	Yes	X	No		Original Town – September 21, 1970
General Plan Amendment	Yes		No	X	
Development Agreement	Yes		No	X	
Rezone	Yes		No	X	Zoned as “Light Manufactured” (Industrial) at time of Annexation.
Subdivision	Yes	X	No		Resulting lot from a lot split in 2016. (Sister Parcel 306-17-110D)
Conditional Use Permit	Yes		No	X	
Pre-Application Meeting	Yes	X	No		April 6, 2022
Enforcement Actions	Yes		No	X	

Land Division Status:	N/A					
Irrigation District:	N/A					

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 subject property	
Sewer Facility Plan:	Treatment:	Applicant plans to use private septic system on subject property	
Issues:	X		
Safety Element:			
Flood Plain Designation:		N/A	
Issues:		N/A	
Transportation Element:			
Road Classification		N/A	
Issues:		N/As	
Parks and Rec Element:			
Closest Park:		Chino Valley Equestrian Park – 1.14 Miles	
Within 1 mile of the Peavine Trail?		Yes	

NOTIFICATION

- **Legal Ad Published: The Sun** (06/07/2022)
- **300' Vicinity Mailing:** (05/16/2022)
- **21 Commenting/Reviewing Agencies noticed:** (05/23/2022)
- **Neighborhood Meeting:** (05/25/2022)
- **Hearing Dates:** (07/05/2022)
- **Comments Due:** (05/30/2022)

<i>External List (Comments)</i>	Response Received	Date Received	"No Comment"	Written Comments	Comments Attached
Chuck Dowdy – CAFMA	N	-			
Monica Holiday – APS	Y	5/12/2022		Y	Y
Richard Perez - A.D.O.T.	Y	5/12/2022	Y		
Ralph Baker – C.V.I.D.	N	-			
Suzann E. – YC ENV	N	-			
Jon Groulx – YC Health	N	-			
SparkLite Cable	N	-			
Century Link Cable	N	-			
Unisource Gas	N	-			
CVUSD	N	-			
United States Postal Service	N	-			

<i>Town of Chino Valley Internal List (Conditions)</i>	Response Received	Date Received	"No Conditions	Written Conditions	Comments Attached
Bethan Heng – Planner (DS)	N/A	-			
Will Dingee – Senior Planner (DS)	N/A	-			
Laurie Lineberry – DS Director	N/A	-			
Frank Marbury – PW Director	N/A	-		s	
Steve Sullivan – Assistant Engineer (PW)	N/A	-			
Jim Shinost – Plans Examiner (DS)	N/A	-			
Dan Trout – CBO (DS)	N/A	-			
David Jamie – Code Enforcement	N/A	-			
Damon Stanley – Code Enforcement	N/A	-			
Chuck Winn – Chief of Police (Police)	N/A	-			