



A G E N D A

Town of Chino Valley Planning
& Zoning Commission

March 5, 2024



Commissioner's Agenda
Planning & Zoning Commission
Chino Valley Town Hall
202 N. State Route 89
March 5, 2024, 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 – DECEMBER 5, 2023 REGULAR MEETING
 - C.2. APPROVAL OF MINUTES – FEBRUARY 6, 2024 STUDY SESSION
 - C.3. WITHDRAWALS BY APPLICANT – NONE
 - C.4. TIME EXTENSIONS – NONE
 - C.5. CONTINUANCES – **TA-2024-02** - KEEPING OF NON-DOMESTIC ANIMALS, TO APRIL 2, 2024
 - C.6. APPROVALS – NONE
- D. PUBLIC HEARINGS – THREE
 - D.1 **ZC-2024-01** — This is a request by Travis and Lisa Bates, to rezone approximately 14.23 acres from Commercial Light (CL) to Agricultural/Residential-Minimum 4 acres (AR-4) at 700 W Road 5 1/2 North, Chino Valley, Arizona. APN# 306-46-003F.
 - D.2 **FP-2021-05-R, FP-2021-06-R and FP-2022-04-R** – This is a request by Adam Haywood on behalf of Right Homes LLC, for approval of an amendment to the Del Sol Minor Subdivision Final Plats to include a new 30-foot utility easement along the western boundary of the approved Subdivisions located at the western end of Salida Del Sol, Chino Valley, Arizona.
 - D.3 **TA-2024-01** - Metal Storage Containers - A request to amend the Town of Chino Valley Unified Development Ordinance, Chapter 154 Section 4 General Regulations, to create Section 4.32 – Metal Storage Containers.
- E. ACTION ITEMS - None
- F. INFORMATION ITEMS
 - F.1 Staff - 1. Prior Cases to Town Council – ZC-2023-06 & CUP-2023-05 – Toy Storage Partners.
 - F.2 Commission
 - F.3 Chairman
 - F.4 Public
- G. ADJOURN

Zoom Instructions: Please use the link to join the webinar: <https://us02web.zoom.us/j/87259196175>, or by phone: 1 888 788-0099 (Toll Free) or 1 877 853-5247 (Toll Free); Webinar ID: 872 5919 6175

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 December 5, 2023

A regular meeting of the Town of Chino Valley Planning and Zoning Commission was held on Tuesday, December 5, 2023, at the Town of Chino Valley Council Chambers, 202 N. State Route 89, Chino Valley, Arizona.

PLANNING AND ZONING COMMISSION MEMBERS present: Vice-Chair Gary Pasciak, Commissioner Teena Meadors, Commissioner Ron Penn, Commissioner Robert Switzer, Commissioner Richard Zamudio. Chair Chuck Merritt and Commissioner William Welker were not present.

STAFF MEMBERS present: Laurie Lineberry, Development Service Director, Will Dingee, Assistant Director, Jessica Barragan, Senior Planner, Gerreann Froberg, Senior Processing Coordinator, Laurence Diggs, Audio/Video.

CALL TO ORDER: Vice-Chair Pasciak called the meeting to order at 6:00 p.m. Commission meeting began with the Pledge of Allegiance led by Commissioner Penn.

CONSENT CALENDAR – A motion was made by Commissioner Meadors to accept the consent agenda. The motion was seconded by Commissioner Zamudio and passed unanimously by a 5-0 vote.

PUBLIC HEARING #D.1 – Case # ZC-2023-06 & CUP-2023-05 — This is a request by Dane Astle, on behalf of Toy Storage Partners Chino Valley, for a Rezone of approximately 3.32 acres of land from Commercial Heavy (CH) to Commercial Light (CL) and a Conditional Use Permit over approximately 7.63 acres of land for the expansion and redevelopment of the existing Mini and RV Storage use. The properties are located at 2535 N. State Route 89, Chino Valley, Arizona.

Vice-Chair Pasciak asked if anyone on the commission had a disclosure to declare regarding this project. There were none.

Senior Planner **Jessica Barragan** presented the staff report and stated the applicant was in attendance. The applicant was asking for a rezone to combine all parcels and consolidate boundary lines to expand the existing storage facility. The applicants intend to landscape and buffer, according to Code. A letter was received by staff asking about light pollution but stated they were not opposed to the project. There was no written opposition. A revision was made to Condition, # 13, and was provided to the Commission. The revised condition read as follows: “The applicant shall agree that all required parking and loading spaces, maneuvering areas, driveways, and fire lanes shall be paved with asphaltic concrete over an A.B. base, concrete or masonry to a thickness and structure that will support the type and intensity of vehicular traffic generated by the proposed use.” Staff recommended approval.

Gerry Burnett – Applicant stated they purchased the Fort Knox facility on July 1 2022. He is proposing to bring a class A facility to town. He would offer storage options that don't currently exist in town, including climate-controlled self-storage, enclosed RV storage as well as additional covered RV storage. He stated he has been in self-storage business for 25 years.

Vice-Chair Pasciak asked if Commission had any questions for the applicant. There were none.

Vice-Chair Pasciak opened the meeting for public comments. There were none.

Pasciak closed the public hearing.

Motion was made by Switzer, seconded by Meadors to approve ZC-2023-06 & CUP-2023-05, as presented, subject to the staff report and the revised Condition of Approval #13, and information

provided during the hearing, and the Conditions of Approval in Attachment A. A vote was taken and the motion passed with a 5-0 vote.

ACTION ITEMS: There were no action items for this meeting.

INFORMATION ITEMS – FROM STAFF: COUNCIL ACTION OF PRIOR P&Z CASE: Dingee updated the Commission about prior case heard by Town Council on October 24, 2023. PP-2023-02 – Right Homes LLC, was approved by Council.

GENERAL PLAN: Lineberry presented the implementation plan from the General Plan and requested Planning Commission to help prioritize the list of action items that need to be done over the next ten years.

DARK SKY ORDINANCE: Barragan gave an overview of dark sky criteria and discussed needed updates to the current Code.

INFORMATION ITEMS – FROM THE COMMISSIONERS: no comment.

INFORMATION ITEMS – FROM THE VICE-CHAIR: Pasciak – no comment.

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

Pasciak – There will be no meeting in January, the next meeting will be February 6, 2024.

ADJOURN – A motion was made by Meadors and seconded by Switzer to adjourn the meeting at 7:00 p.m.

Gary Pasciak – Vice-Chair

Prepared By: Gerreann Froberg

Planning and Zoning Commission Study Session Minutes Study Session – February 6, 2024

A study session meeting of the Town of Chino Valley Planning and Zoning Commission was held at 6:00 p.m. on Tuesday, February 6, 2024, 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 Gary Pasciak, Commissioner Ron Penn, Commissioner Richard Zamudio. Commissioners Teena Meadors, Robert Switzer and William Welker were absent.

STAFF MEMBERS present: Laurie Lineberry, Development Services Director; Will Dingee, Assistant Director, Jessica Barragan, Senior Planner, Gerreann Froberg, Senior Processing Coordinator.

Also present were Tom and Donna Armstrong, Larry Holt, John McCafferty, Bob Schacherer and Officer Scott Unterseher.

The following topics were discussed at the February 6, 2024 Study Session:

Discussion: Keeping of non-domestic animals – Will Dingee, Assistant Director, shared the current Code and potential recommendations for number of non-domestic animals per Zoning Districts, along with Animal Ordinance comparison to surrounding Counties and Towns. Chair **Merritt** requested more research and further discussion on the item.

Discussion: Dark Sky Ordinance – Jessica Barragan, Senior Planner, gave an overview of dark sky criteria and discussed needed updates to the current Code. Discussion was held on compliance for existing and future developments, both residential and commercial.

Discussion: Cargo storage containers – Laurie Lineberry, Development Services Director, presented a draft Ordinance and proposed Zoning Code Text Amendment showing staff recommendations for numbers of permitted containers per acre/Zoning District versus Town Council and Yavapai County standards. The Commission discussed numbers of containers on various lot sizes. The item will be on the March 5th Planning and Zoning Commission Agenda for further discussion and action.

Discussion: General Plan implementation – this discussion will be moved to the next Planning and Zoning Study Session.

Meeting was adjourned at 8:00 p.m.

Charles Merritt - Chair

Prepared By: Gerreann Froberg



TOWN OF CHINO VALLEY
Planning Commission Staff Report
March 5, 2024
File Number ZC-2024-01
Rezone

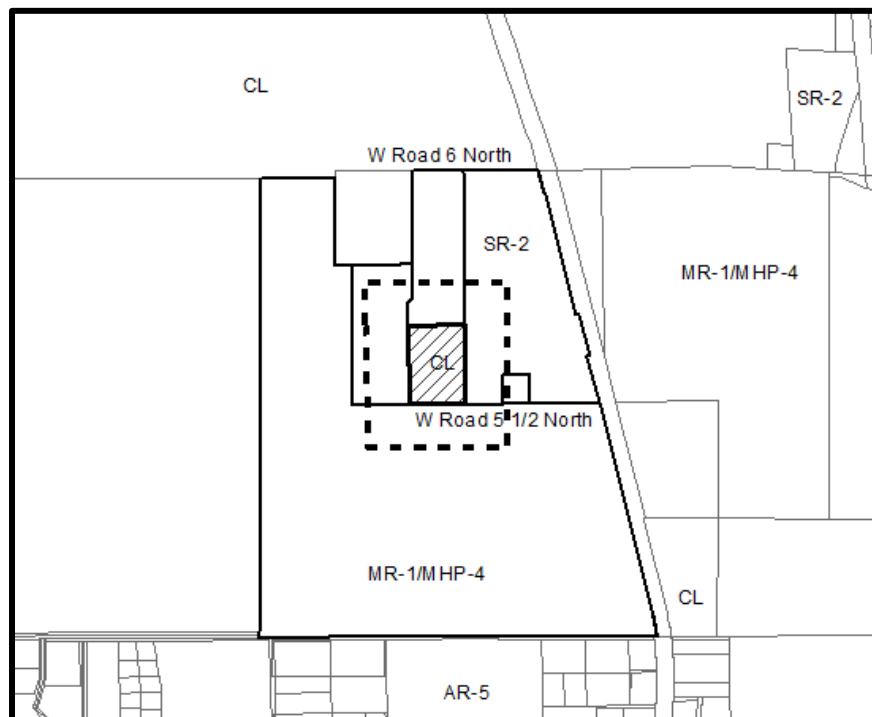
PROJECT DESCRIPTION

This is a request by Travis and Lisa Bates, to rezone approximately 14.23 acres from Commercial Light (CL) to Agricultural/Residential-Minimum 4 acres (AR-4) at 700 W Road 5 1/2 North, Chino Valley, Arizona. APN# 306-46-003F

LOCATION DATA

	Existing Zoning	Use(s) on-site	General Plan Designation
Site	Commercial Light (CL)	Single Family Residence (CUP-2023-01)	Ranch/Agricultural (1 du/4acres)
North	Commercial Light (CL)	Vacant	Ranch/Agricultural (1 du/4acres)
South	Multiple Family Residential (MR-1) / Mobile Home Park (MHP-4)	Vacant	Neighborhood Residential (4 du/acre)
East	Single Family Residential 2-Acre Minimum (SR-2)	Old Farmstead Retail Store	Ranch/Agricultural (1 du/4acres)
West	Single Family Residential 2-Acre Minimum (SR-2)	Residential	Ranch/Agricultural (1 du/4acres)

LOCATION MAP



PRIOR SITE ACTIONS:

Code Enforcement

None

Land Action

April 25, 2023 – Conditional Use Permit (CUP-2023-01) to allow construction of a New Single-Family Residence in a CL (Commercial Light) zone.

Land Division History

January 6, 2006 – Lot split of APN 306-46-003D (Sibling parcel APN 306-46-003E).

STAFF RECOMMENDATION:

Staff recommends that the Planning and Zoning Commission forward to the Town Council a recommendation of **APPROVAL** for the Bates Rezone with Conditions of Approval found in Attachment A.

SUGGESTED MOTION:

Move to **APPROVE** Zone Change ZC-2024-01 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:

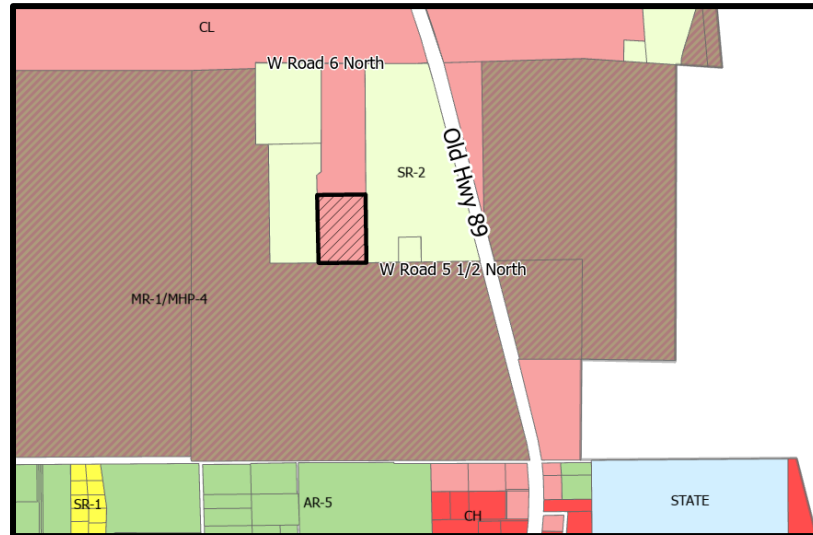
By approving this Zone Change, the Planning and Zoning Commission is recommending approval to Town Council for the Bates Rezone located at the 700 W Road 5 1/2 North, subject to the staff report and information provided during this hearing, and affirmatively finds that the request is in conformance with the General Plan. This action would further nullify the existing CUP.

Staff Analysis:

The applicant is applying to rezone approximately 14.23 acres. This request is being made to bring the current zoning district classification into conformance with the existing single-family residential use that is on the site. The applicant had previously obtained a Conditional Use Permit (CUP-2023-01) in April of 2023, as the applicant needed a residence prior to the 2040 General Plan being approved by the voters in November of 2023. The applicant would like to add a guest house, which is not allowed in the CL zone. Therefore, the applicant is requesting to rezone his property to AR-4. The AR-4 zoning district conforms to the new General Plan. A rezone is the minimum necessary action to allow the property owner reasonable use of the property as a single-family residence with a guest house.

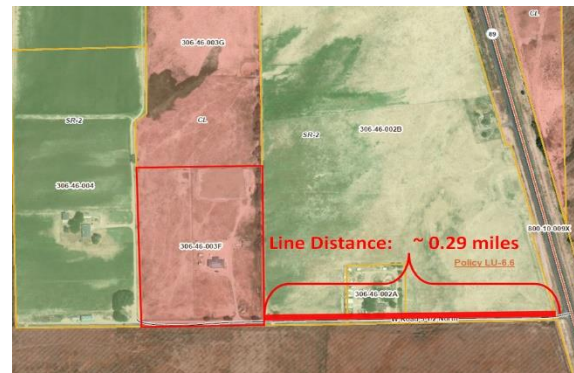
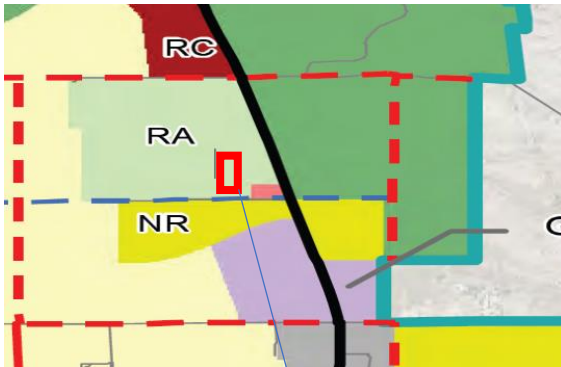
Zoning

The subject property is currently zoned Commercial Light (CL). Section 3.15.C.1 of the Unified Development Ordinance lists “Single-family Residence” as a Conditional Use. There are no options to allow guest houses in Commercial Light (CL) zones. The current zoning classification is out of compliance with the intent of the 2040 general plan.



General Plan

The General Plan assigns the subject property for RA - Ranch/Agricultural (1 du/4 acres). The only viable option for the applicant to utilize the property reasonably for its current and intended purposes is through rezoning. This process will align the parcel's zoning district classification with the General Plan requirements, thereby fulfilling the intended objective.



Land Use Category	Maximum Gross Density (per 1 acre)	Description	Allowed Zoning Districts (as of 2023)
Ranch/ Agricultural (RA)	0.25 du/acre (1 du/4 acres)	This category supports the continuation of rural agricultural functions customary in Chino Valley on large parcels. Densities are very low to preserve open space and views and to minimize infrastructure needs. This category applies to areas that should not be intensified or developed by 2040. All lots are required to be greater than four acres. Detached single-family homes and accessory dwelling units are allowed along with related garages, sheds, barns, silos, and other agricultural structures. Storage and use of farm implements, equipment, vehicles and materials, livestock, and agricultural elements including animals, pastures, croplands, vineyards, apiaries, "you-pick" farms, solar energy development, agritourism, and agricultural product retail sales are also allowed.	AR-36 AR-5 AR-4 PL

PUBLIC COMMENTS RECEIVED: None Received

EXTERNAL AGENCY COMMENTS: No Comments

NEIGHBORHOOD MEETING Not Required
COMMENTS:

PROPOSED CONDITIONS DELIVERED January 29, 2024
TO APPLICANT ON:

☒	Applicant agreed with all of the conditions of approval on (2/12/2024)
☐	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:

DATE:

JESSICA BARRAGAN – SENIOR PLANNER
JBARRAGAN@CHINOAZ.NET
928-636-3473

2/20/2024

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 conditional use for the site:

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

1. The Owner shall comply with all conditions listed below, along with all applicable State, County, and Town codes, rules, fees, and regulations that are applicable to this action.
2. The Owner shall sign a Waiver of Claims form, which the Town will provide and record with the Yavapai County Recorder's Office, prior to the public hearing and final decision of this item by the Town Council.

Public Works/Engineering: Frank Marbury, Director, 928-636-3401

3. The Owner agrees to dedicate the southern 25 feet of the property to the Town for West Road 5 ½ North right-of-way.

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.

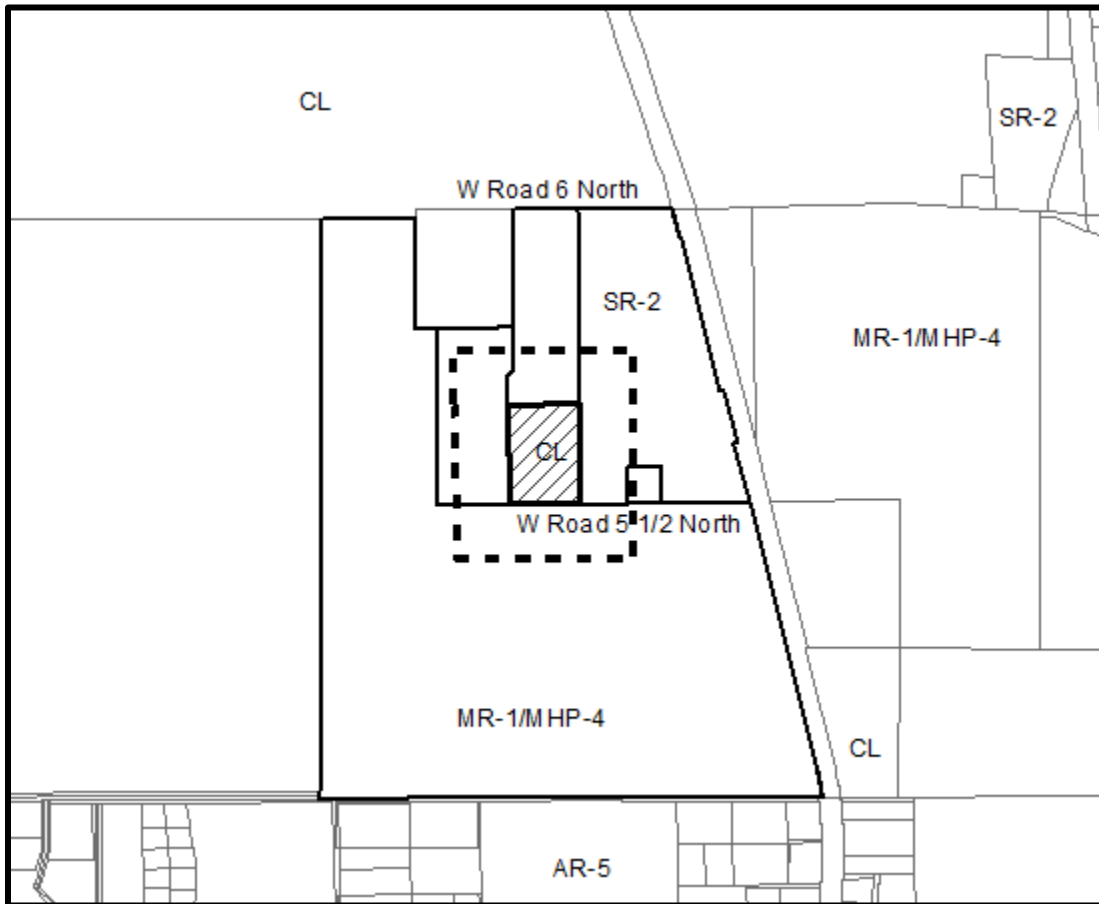
ATTACHMENT B
EXTERNAL AGENCY COMMENTS

STAFF RECEIVED NO COMMENTS FROM EXTERNAL AGENCIES.

ATTACHMENT C
NEIGHBORHOOD MEETING COMMENTS

DATE MEETING HELD: NOT REQUIRED

ATTACHMENT D
SITE PLAN AND EXHIBITS



ATTACHMENT E
STAFF RESEARCH



STAFF RESEARCH – REZONE

CASE #:ZC-2024-01

CASE PLANNER: JESSICA BARRAGAN

I. PROJECT DATA

Project Location:	700 W Road 5 ½ North, Chino Valley, Arizona.					
Parcel Number(s):	APN 306-46-003F					
Parcel Size(s):	14.23 Acres					
Total Acreage:	14.23 Acres					
Proposed Dwelling Units:	1 Guesthouse					
Address:	1650 feet west of SR89 on the north side of W Road 5 ½ North, Chino Valley, Arizona.					
Applicant:	Travis and Lisa Bates					
Applicant's Agent:	N/A					
Land Use Conformity Matrix:	Conforms:	Yes	X	No		
Zoning Overlay	PAD	N/A				

	Existing Zoning	Use(s) on-site	General Plan Designation
Site	Commercial Light (CL)	Single Family Residence	Ranch/Agricultural (1 du/4acres)
North	Commercial Light (CL)	Vacant	Ranch/Agricultural (1 du/4acres)
South	Multiple Family Residential (MR) / Mobile Home Park (MHP)	Vacant	Neighborhood Residential (4 du/acre)
East	Single Family Residential 2-Acre Minimum (SR-2)	Old Farmstead Retail Store	Ranch/Agricultural (1 du/4acres)
West	Single Family Residential 2-Acre Minimum (SR-2)	Residential	Ranch/Agricultural (1 du/4acres)

Prior Cases or Related Actions:					
Type	Conforms				Cases, Actions or Agreements
Pre-Annexation Agreement	Yes		No	X	
Annexation	Yes	X	No		September 5, 2000 – Del Rio Springs Area
General Plan Amendment	Yes		No	X	
Development Agreement	Yes		No	X	
Rezone	Yes	X	No		May 26, 2005 – Ordinance No. 05-608 approved the rezone from SR-2 to CL.
Subdivision	Yes		No	X	
Conditional Use Permit	Yes	X	No		April 25, 2023 - CUP-2023-01
Pre-Application Meeting	Yes	X	No		August 10, 2022 – PA-2022-54

**ATTACHMENT E
STAFF RESEARCH**

Enforcement Actions	Yes		No	X	
Land Division Status:	Yes	X	No		January 6, 2006 – Lot split of APN 306-46-003D (Sibling parcel APN 306-46-003E)
Irrigation District:	N/A				
<u>Detailed Narrative</u>	Request to rezone approximately 14.23 acres from Commercial Light (CL) to Agricultural/Residential -Minimum 4 acres (AR-4)				

II. TOWN OF CHINO VALLEY GENERAL PLAN

Land Use Element:		
Land Use Designation:	Ranch/Agricultural (1 du/4acres)	
Issues:	N/A	
Within half mile of SR 89 Corridor?	Yes (Approximately 0.29 miles)	
Public Services Element:		
Water Facility Plan:	Source:	Well
Sewer Facility Plan:	Treatment:	Septic
Issues:	N/A	
Safety Element:		
Flood Plain Designation:	N/A	
Issues:	N/A	
Transportation Element:		
Road Classification	None	
Issues:	N/A	
Parks and Rec Element:		
Closest Park:	Chino Valley Equestrian Park (4.3 Miles away)	
Within 1 mile of the Peavine Trail?	No	

NOTIFICATION

- | | |
|---|---|
| <ul style="list-style-type: none"> • Legal Ad Published: (02/06/24) • 500' Vicinity Mailing: (02/6/24) • Commenting/Reviewing Agencies noticed: (01/18/24) • Comments Due (1/29/24) | <ul style="list-style-type: none"> • Neighborhood Meeting: (n/a) • Town Council Hearing Dates: (03/26/24) • Planning and Zoning Hearing Dates: (03/05/24) |
|---|---|

<i>External List (Comments)</i>	Response Received	Date Received	"No Comment"	Written Comments	Comments Attached
Samantha Alvarez – APS	N				
Richard Perez - A.D.O.T.	N				
Ralph Baker – C.V.I.D.	N				
Cody Rose - CAFMA	Y	1/6/2024	X		
Suzanne Ehrlich – YC ENV	N				

ATTACHMENT E
STAFF RESEARCH

<i>External List (Comments)</i>	Response Received	Date Received	"No Comment"	Written Comments	Comments Attached
Monica Kriner – YC Health	Y	1/11/2024	X		
SparkLight Cable	N				
LUMEN (Previously Centurylink)	N				
Unisource Gas	N				
CVUSD	N				
United States Postal Service	N				
Mark Holmes – Water Advisor	N				
<i>Town of Chino Valley Internal List (Conditions)</i>	Response Received	Date Received	"No Conditions"	Written Conditions	Comments Attached
Jessica Barragan – Senior Planner (DS)	Y	1/17/2023		X	
Will Dingee – Assistant Director Development Services					
Laurie Lineberry – Development Services Director					
Frank Marbury – Town Engineer/PW Director	N				
Steve Sullivan – Assistant Town Engineer (PW)	N				
Dan Trout – Building Official Development Services	N				
Frank Snowney, Keith Hurtt – Code Enforcement (DS)	N				
Chuck Winn – Police Chief	N				

ATTACHMENT F
PUBLIC COMMENT

NO COMMENTS RECEIVED



TOWN OF CHINO VALLEY
Planning and Zoning Staff Report
March 5, 2024

File Number: FP-2021-05.R (DEL SOL NORTH) - MASTER
FP-2021-06.R (DEL SOL SOUTH)
FP-2022-04.R (CASA DEL SOL)
Final Plat Amendments

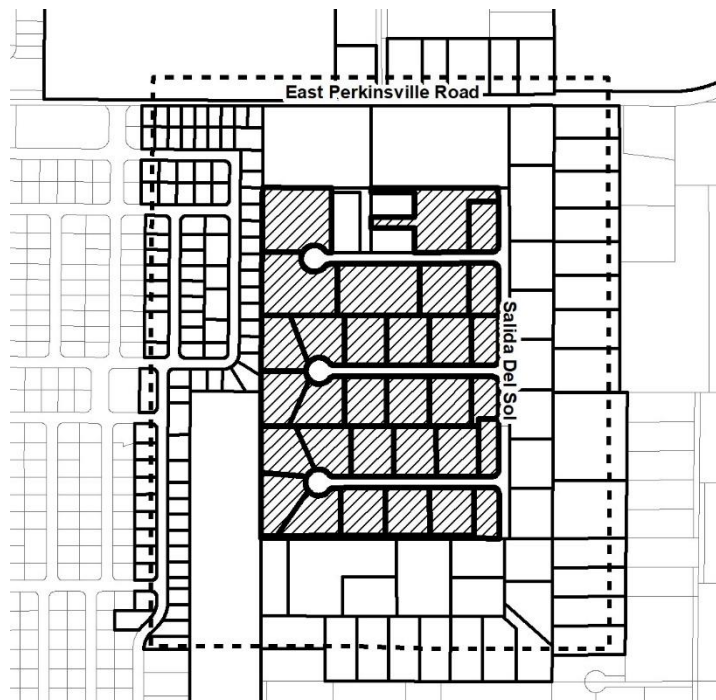
PROJECT DESCRIPTION

This is a request by Adam Haywood on behalf of Right Homes LLC, for approval of an amendment to the Del Sol Minor Subdivision Final Plats to include a new 30-foot sewer and water utility easement along the western boundary of the approved Subdivisions, for subdivisions located on the west side of Salida Del Sol, south of Perkinsville Rd, Chino Valley, Arizona.

LOCATION DATA

	Existing Zoning	Use(s) on-site	General Plan Designation
Site	Single Family Residential 1-Acre Minimum (SR-1)	Vacant / Single Family Residential	Rural Residential (1 du/ac)
North	Commercial Light (CL)	Vacant	Rural Residential (1 du/ac)
South	Single Family Residential 1-Acre Minimum (SR-1)	Single Family Residential	Rural Residential (1 du/ac)
East	Single Family Residential 1-Acre Minimum (SR-1)	Single Family Residential O'Brien Acres	Rural Residential (1 du/ac)
West	Single Family Residential 0.16 -Acre Minimum (SR- 0.16)	Single Family Residential (Chino Meadows)	Neighborhood Residential (1- 4 du/ac)

LOCATION MAP



PRIOR SITE ACTIONS:

Land Division

July 18, 2019 – Lot Combo of APN 306-18-011N & 306-18-011P. New Parcel APN 306-18-039A.

January 4, 2022 – Split from APN 306-18-039A (Sibling Parcels APN 306-18-039B, 306-18-039C, & 306-18-039D).

March 3, 2023 Split from APN 306-18-039D (Sibling parcels 306-18-039E & F).

April 4, 2023 Split from 306-18-039F (306-18-173 thru 179, 800-13-035U).

Pre-Application Meeting

November 29, 2023 – PA-2023-49

Rezone

May 22, 1997 – Rezone to change “the southerly portion of APN 306-18-011D from R-1 (Low Density, Single Family Residential, 2 ½ acre minimum) to R-2 (Medium Density, Single Family Residential, 1 acre minimum). (Ordinance No. 313)

STAFF RECOMMENDATION:

Staff recommends that the Planning and Zoning Commission forward to the Town Council a recommendation of **APPROVAL** for the three Del Sol Final Plat Amendments with Conditions of Approval found in Attachment A.

SUGGESTED MOTION:

Move to APPROVE Final Plat Amendments for FP-2021-05.R, FP-2021-06.R and FP-2022-04.R 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 Amendment to the three Del Sol Final Plats, the Planning and Zoning Commission is recommending approval to Town Council to approve Amendments to the Del Sol North Final Plat, Del Sol South Final Plat and the Casa Del Sol Final Plat, 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.

Proposal

The applicant is applying for Amendments to the three (3) Del Sol Final Plats to install a 30-foot wide water and sewer utility easement along the western boundary of the 25-lot Subdivision(s), including a minor lot line adjustment on Lot 7R (APN No. 306-18-166) to accommodate a well. For latest plans reviewed see Attachment C herein.

Staff Analysis:

The three (3) Del Sol Final Plats meet all requirements set forth by Section 5.2.3 of the Unified Development Ordinance. The requested amendment involves the installation of a 30-foot-wide water and sewer utility line easement; however, the applicant is requesting that all homes continue to be served by well and septic. Additionally, the applicant is requesting a minor lot line adjustment to accommodate the location of a well that was erroneously installed at the Del Sol South Subdivision between parcels 306-18-165 and 306-18-166.

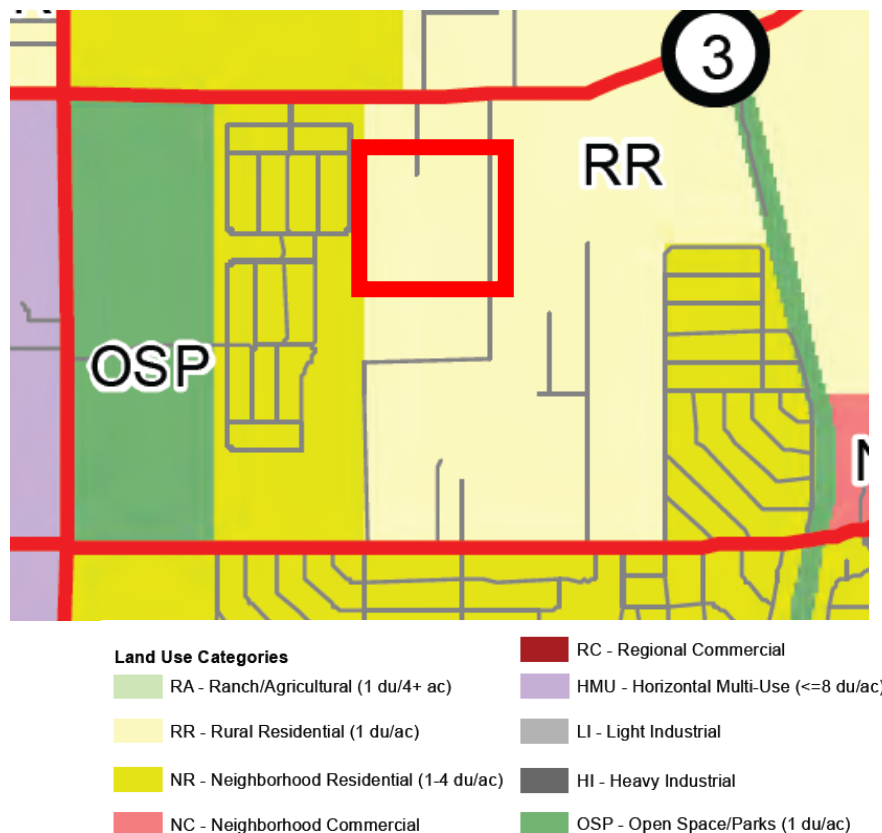
No Neighborhood Meeting was required for this meeting, as the subject property is appropriately zoned and only the westernmost parcels will be impacted by the proposed amendment (306-18-173, 306-18-174, 306-15-148, 306-15-153, 306-18-160, 306-18-165 and 306-18-166) for an easement.

Zoning

The applicant is applying for amendments to three (3) separately filed abutting Final Plats for a total of 25-lots, with manufactured homes for single family residences. The proposed amendments have no impact on the current zoning district classification.

General Plan

The General Plan designates this property Rural Residential (1 du/ac). The proposed amendments to the subdivision would not impact the current land use designation.



PUBLIC COMMENTS RECEIVED: Staff received phone calls from residents directly to the west within the chino meadows subdivision asking how they will be impacted, however there was no opposition to the added easement itself.

EXTERNAL AGENCY COMMENTS: See Attachment B

NEIGHBORHOOD MEETING COMMENTS: No Neighborhood Meeting Required

PROPOSED CONDITIONS DELIVERED TO APPLICANT ON: February 15, 2024

☒	Applicant agreed with all of the conditions of approval on (February 15, 2024)
☐	Applicant did not agree with the following conditions of approval:
☐	If the Planner is unable to make contact with the applicant.

ATTACHMENTS:

A	B	C	D
Conditions of Approval	Agency Comments	Site Plan & Exhibits	Staff Research

PREPARED BY:

DATE:

JESSICA BARRAGAN, SENIOR PLANNER
(JBARRAGAN@CHINOAZ.NET)
928 636-4427 - x1295

FEBRUARY 15, 2024

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 final plat amendments for the site(s):

Development Services Comments: Laurie Lineberry, Director, 928-636-3471

1. The Owner shall comply with all conditions listed below, along with all applicable State, County, and Town codes, rules, fees, and regulations that are applicable to this action.
2. The Owner shall sign a Waiver of Claims form, which the Town will provide and record with the Yavapai County Recorder's Office, prior to the public hearing and final decision of this item by the Town Council.

Planning: Jessica Barragan, Senior Planner, 928-636-3473

3. The owner shall deed-restrict development on the areas of the subdivision impacted by the new water and sewer utility easement and provide updated deeds for each parcel impacted.
4. The owner shall satisfy all reviewer comments on record of survey, prior to final mylar sign off and recordation.

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
AGENCY COMMENTS

2ND ROUND OF CORRECTIONS ON THE MYLARS ARE IN PROGRESS BY THE APPLICANT

ATTACHMENT D
Staff Research

	STAFF RESEARCH – FINAL PLAT AMENDMENT 1 Del Sol Subdivisions CASE #: FP-2021-05.R (DEL SOL NORTH) - MASTER FP-2021-06.R (DEL SOL SOUTH) FP-2022-04.R (CASA DEL SOL) CASE PLANNER: JESSICA BARRAGAN
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I. PROJECT DATA

Project Location:	Salida Del Sol and Perkinsville Road					
Parcel Number(s):	(Del Sol North) (10-Lots on 12.92 Acres) (Del Sol South) (10 -Lots on 13.06 ACRES) (Casa Del Sol) (5 -Lots on 12.64 Acres)					
Parcel Size(s):	25-Lot Subdivision (Lots Ranging from 1.19 to 2.18 Acres)					
Total Acreage:	38.63 Acres					
Proposed Dwelling Units:	25-Lots					
Address:	N/A					
Applicant:	Right Homes LLC					
Applicant's Agent:	Adam Haywood					
Land Use Conformity Matrix:	Conforms:	Yes	X	No		
Zoning Overlay	PAD			N/A		

	Existing Zoning	Use(s) on-site	General Plan Designation
Site	Single Family Residential 1-Acre Minimum (SR-1)	Vacant / Single Family Residential	Rural Residential (1 du/ac)
North	Commercial Light (CL)	Vacant	Rural Residential (1 du/ac)
South	Single Family Residential 1-Acre Minimum (SR-1)	Single Family Residential	Rural Residential (1 du/ac)
East	Single Family Residential 1-Acre Minimum (SR-1)	Single Family Residential O'Brien Acres	Rural Residential (1 du/ac)
West	Single Family Residential 0.16 -Acre Minimum (SR-0.16)	Single Family Residential (Chino Meadows)	Neighborhood Residential (1-4 du/ac)

Prior Cases or Related Actions:	- <u>FP-2021-05 Del Sol North</u> Approved by Town Council September 13, 2022 (minutes attached) - <u>FP-2021-06 Del Sol South</u> (Approved by Town Council September 13, 2022 (minutes attached) - <u>FP-2022-04 Casa Del Sol</u> Approved by Town Council January 24, 2023 (minutes attached)
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**ATTACHMENT D
Staff Research**

<u>Type</u>	<u>Conforms</u>				<u>Cases, Actions or Agreements</u>
Pre-Annexation Agreement	Yes		No	X	
Annexation	Yes	X	No		September 21, 1970 – Original Town
General Plan Amendment	Yes		No	X	
Development Agreement	Yes		No	X	
Rezone	Yes	X	No		May 22, 1997 – Rezone to change the southerly portion of APN 306-18-011D from R-1 (Low Density, Single Family Residential, 2 ½ acre minimum) to R-2 (Medium Density, Single Family Residential, 1 acre minimum). (Ordinance No. 313)
Subdivision	Yes	X	No		Del Sol North, Del Sol South, Casa Del Sol
Conditional Use Permit	Yes		No	X	
Pre-Application Meeting	Yes	X	No		November 29, 2023 -PA-2023-49 (Plat Amendment)
Enforcement Actions	Yes		No	X	
Land Division Status:	Yes	X	No		July 18, 2019 – Lot Combo of APN 306-18-011N & 306-18-011P. New Parcel APN 306-18-039A. January 4, 2022 – Split from APN 306-18-039A (Sibling Parcels APN 306-18-039B, 306-18-039C, & 306-18-039D). March 3, 2023 Split from APN 306-18-039D (Sibling parcels 306-18-039E & F). April 4, 2023 Split from 306-18-039F (306-18-173 thru 179, 800-13-035U).
Irrigation District:	N/A				
<u>Detailed Narrative</u>	The applicant is requesting to Amend approved Final Plats to include a new 30' public utility easement to the west side of each of the three subdivision plats. The final plats are currently approved to be on well and septic.				

II. TOWN OF CHINO VALLEY GENERAL PLAN

Land Use Element:			
Land Use Designation:		Rural Residential (1 du/ac)	
Issues:		N/A	
Public Services Element:			
Water Facility Plan:		Source:	12" Existing Town of Chino Valley Water Main 390 feet away on Perkinsville Road
Sewer Facility Plan:		Treatment:	12" Existing Gravity Main 390 feet away on Perkinsville Road
Issues:		N/A	
Safety Element:			
Flood Plain Designation:		N/A	

ATTACHMENT D Staff Research

Issues:	N/A
Transportation Element:	
Road Classification	Local/Rural.
Issues:	N/A
Parks and Rec Element:	
Closest Park:	Peavine Trail
Within 1 mile of the Peavine Trail?	Yes

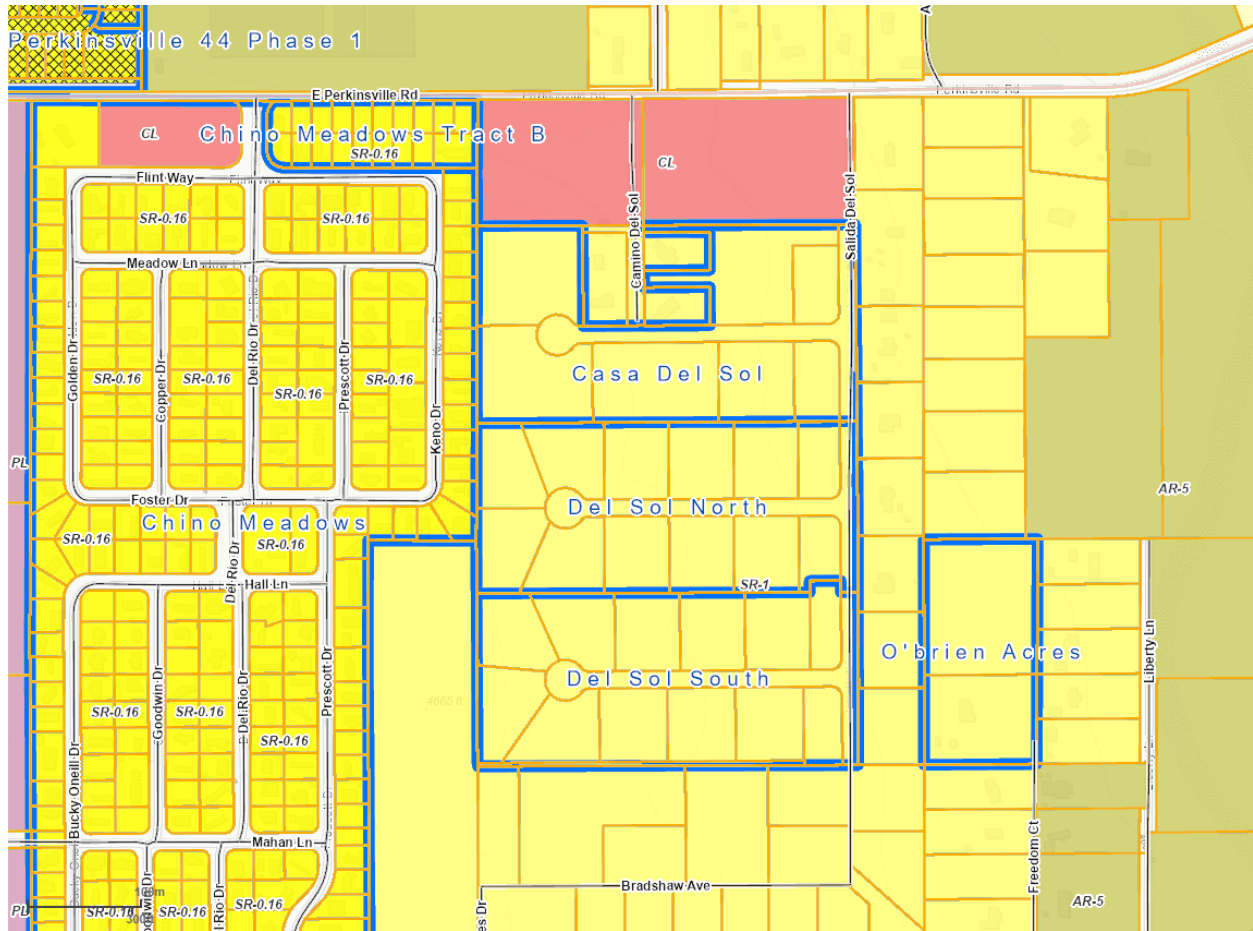
NOTIFICATION

- **Legal Ad Published:** (2/6/2024)
- **400' Vicinity Mailing:** (2/6/2024)
- **Commenting/Reviewing Agencies noticed:** (1/18/2024)
- **Neighborhood Meeting:** (Not Required)
- **Planning and Zoning Hearing:** (3/5/2024)
- **Town Council Hearing:** (3/26/2024)
- **Comments Due:** (01/29/2024)

<i>External List (Comments)</i>	Response Received	Date Received	"No Comment"	Written Comments	Comments Attached
Samantha Alvarez – APS	N				
Ralph Baker – C.V.I.D.	N				
Suzanne Ehrlich – YC ENV	N				
Jose Galvez – YC Health	N				
Unisource Gas	N				
CVUSD	N				
United States Postal Service	N				
Mark Holmes – Water Advisor	N				
<i>Town of Chino Valley Internal List (Conditions)</i>	Response Received	Date Received	"No Conditions"	Written Conditions	Comments Attached
Jessica Barragan – Senior Planner (DS)	Y	2/15/2024		Y	N
Will Dingee – Assistant Director (DS)	N				
Laurie Lineberry – DS Director	N				
Frank Marbury – PW Director	N				
Steve Sullivan – Assistant Town Engineer (PW)	Y	2/15/2024		Y	N
Dan Trout – CBO (DS)	N				
Code Enforcement	N				
Chuck Winn – Chief of Police (Police)	N				

ATTACHMENT D
Staff Research

ZONING MAP





TOWN OF CHINO VALLEY
Planning Commission Staff Report
March 5, 2024
File Number TA-2024-01
Text Amendment

PROJECT DESCRIPTION A request to amend the Town of Chino Valley Unified Development Ordinance, Chapter 154, by adding Section 4.32 Metal Storage Containers.

Staff Analysis:

Metal Storage Containers continue to be an item of demand for securing personal items on larger parcels of land in Chino Valley.

The Unified Development Ordinance states that the UDO “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 convenience and property safety. The proposal is to add a section to the General Regulations that defines metal storage containers and identifies which zones permit metal storage containers, how many containers are allowed on each lot, and other required provisions to ensure compatibility on-site and with neighboring properties.

The use of metal storage containers has been discussed between staff and Council for a number of years; most recently in 2020 and 2021. During that time period, the discussion centered around considering these units “structures”. There was much discussion involving a variety of ways to determine how much storage would be allowed on each individual lot with an effort to reduce over-regulation and to be fair in the application of the new rules.

Consideration of the use of Metal Storage Containers by the UDO Subcommittee, the Planning and Zoning Commission, and the Town Council included the following direction/discussion items during 2020 and 2021:

- **Number and Size:** How to determine the number and size of Containers on parcels:
 - SR-1 or greater with a one acre minimum.
 - Agricultural zones to have two Containers and residential zones to have one container.
 - Containers in commercial zones based on the square footage of the commercial building on site.
 - Number of Containers based on the parcel size.
 - By length or storage amounts, based on zoning classification.
 - Commercial properties - max.one-400 square foot Container per property.
 - 160 square feet of storage container for each 1000 square feet of building on commercial property.
 - For SR-1, SR-2, SR-2.5 zones: 1-20’ Container. For AR-4, AR-5 zones: 2-40’ Containers.
 - Allow up to 50% of the lot in Containers.
 - Number of Containers based on 1% of lot size.
 - Allow 3% of lot for Containers for off highway commercial and industrial (four 40’ Containers per acre), 1.5% for highway commercial (two 40’ Containers per acre). One 40’ Container for ½ acre commercial.
 - Allow 1% of lot for Containers in Residential zones.
 - Anyone could request more Containers than allowed, by applying for a CUP.

- Location: Where the Containers should be allowed to be placed on the lot:
 - Behind the main structure on-site.
 - Screened from public view.
 - In the rear of the parcel.
 - Anywhere.
 - 10' from property lines.
 - Same setbacks as primary structure.
 - Treat Containers like a permanent structure in regard to setbacks.
 - If in a special flood hazard or sheet flow area, units need to be anchored.
- Appearance: Container appearance/visibility:
 - Require Containers to be painted to match the main building or home on the lot.
 - Screen with walls or landscaping.
 - Buffer from neighboring properties.
 - No stacking Containers.
- Process: What review and approval process(es) should be required to place a Container on a lot?
 - CUP – Containers not a listed use in the code, so a CUP is the way to allow them.
 - Site Plan review – a more in-depth process to access the entire lot.
 - Land Use Permit - for setbacks, to ensure initial placement location is right for records/tracking,
 - Building Permit: required for all Containers as Containers are structures; only required for Containers over 200 square feet; required only if the Container is modified; required if connected to any other structure; required if modified for animal use.
- Alterations: Should alterations to the Containers be allowed:
 - Not allow any Container to be modified.
 - Allow ventilation but no plumbing.
 - Any Container, regardless of size, that was modified in any way other than painting, would require a building permit.
 - Not allow electricity or plumbing in any Container.
 - Electrical service for lighting with a building permit.
 - No electrical permits, as there were lighting options available that did not require electricity to the Containers.
- Include a sunset clause in the ordinance.
- Create a sticker system that shows the Container had gone through the appropriate process (which would make it easier for code enforcement).
- A Primary Use is required on-site for a Container, except for contractor lots in Heavy Commercial.
- Temporary containers are allowed with the issuance of a Building Permit and must be removed at Building Permit Final.

These dialog points reflect many viewpoints, some conflicting, on how best to approach the number, review, approval, and placement of Metal Storage Containers.

The prior years' discussions centered on Containers being structures. When Containers are considered structures, they are required to meet all the Building Codes, including being set on foundations, using tie-downs, calculating snow loads, and all the rest of the reviews and requirements that goes along with that designation, including building permit review times and permit fees. This pathway of considering Containers structures complicates a relatively simple solution.

Current staff thought, is to consider the Containers solely storage containers, as an Accessory Use. If we do that, and with NO alterations to the Container, this review and approval can be an over-the-counter same-day approval. Any alteration shifts the Container to the status of a structure and would be required to meet all Building Code and Engineering requirements for placement.

Development Standards

When allowed, Metal Storage Containers shall meet the following development standards:

- (1) Metal Storage Containers are for storage only. No human habitation or occupancy is allowed.
- (2) A primary use is required on the property in order for any Metal Storage Container to be allowed.
- (3) No modification of the Metal Storage Container is allowed, other than painting.
- (4) No addition of plumbing or electrical equipment is allowed.
- (5) Metal Storage Containers shall meet all setback requirements for the primary structure in the district.
- (6) Metal Storage Containers shall be placed at the rear of the lot to reduce the visual prominence of the container.
- (7) Metal Storage Containers shall be painted a single color within 15 days of placement. The container color shall be either the color of the primary/closest structure on-site, or an earth-tone consistent with the surrounding terrain.
- (8) Metal Storage Containers shall not be placed in retention basins or known flood areas.
- (9) Metal Storage Containers shall not occupy any required off-street parking space.
- (10) Metal Storage Containers shall not be stacked.
- (11) No graffiti or signage is allowed on Metal Storage Containers.
- (12) Metal Storage Containers on properties along SR 89 and properties on corner lots shall be screened from public view.
- (13) Contractors may use metal storage containers in any zone for temporary storage of equipment and/or materials at a construction site during construction that is authorized by a Town of Chino Valley building permit. The containers are allowed for the duration of the building permit.
- (14) Homeowners may use cargo containers for temporary storage of equipment and/or materials during construction that is authorized by a Town of Chino Valley building permit. The containers are allowed for the duration of the building permit.
- (15) No metal storage container is allowed to be in any district not specifically authorized by this ordinance.
- (16) An over-the-counter Land Use Permit is required.
- (17) Any alteration to a Metal Storage Container, including but not limited to cutting any openings, adding electrical or plumbing or ventilation, adding a roof structure, or making the unit habitable in any way, reclassifies the Container from an Accessory Use that is allowed by this code, to a structure needing a Building Permit, which requires meeting all Building Codes and Engineering requirements for structures.

It is important to take time and to apply thoughtful rules. With zoning, it is always wise to start small and increase incrementally. Once established, it is very challenging to pull back/reduce/change zoning rules to allow less. Therefore, staff will generally recommend a more cautious code change in order for the proposed change to take hold and for any possible impacts to be felt within the community. Impacts can be immediate, or they may take years.

Staff is recommending the following number of Containers per Zoning District:

Containers by Zoning District

Table 1

Zoning District	Containers per Acre	
AR-36 Agricultural/Residential	1-40'/acre	5 containers max.*
AR-5 Agricultural/Residential	1-40'/acre	5 containers max.*
AR-4 Agricultural/Residential	1-40'/acre	4 containers max.*
SR-2.5 Single Family Residential	1-40'/acre	2 containers max.*
SR-2 Single Family Residential	1-40'/acre	2 containers max.*
SR-1.6 Single Family Residential	1-40'/acre	1 container max.*
SR-1 Single Family Residential	1-40'/acre	1 container max.*
SF-24,000 Single Family Residential	Prohibited	
SF-12,000 Single Family Residential	Prohibited	
MR-1 Multiple Family Residential – 1 acre min	CUP	
MHP-4 Mobile Home Parks - 4 AC min.	CUP	
Along SR-89 CL – Commercial Light CH – Commercial Heavy I - Industrial	1-40'/acre	1 container
Not on SR-89 CL – Commercial Light CH – Commercial Heavy I - Industrial	2-40'/acre	2 containers
PL – Public Land	1-40'/acre	1 container max.*
OS - Open Space/Resource Conservation	CUP	
SR-0.16 Single Family Residential	Prohibited	
PAD	Prohibited	

* - For properties larger than the minimum acreage in the zone: for every 5 acres above the base acreage in the zone, an additional 40' container is allowed.

Two 20-foot containers can be used in place of one 40' container in all zones where permitted.

Property owners requesting more than the maximum # of containers can submit for a CUP.

Staff Recommendation:

Staff recommends **APPROVAL** of the text amendment to create Section 4.32 Metal Storage Containers, as reflected in the 17 Development Standards listed on page 3, and in Table 1, Containers by Zoning District, above.

**SUGGESTED
COMMISSION MOTION:**

Move to **APPROVE** Text Amendment TA-2024-01 as reflected in the 17 Development Standards listed on page 3, and in Table 1 “Containers by Zoning District”, as amended by the Commission, subject to the staff report, information provided during this hearing, and the Planning Commission discussion.

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 provide the ability to place metal storage containers (cargo containers/conex boxes) on certain zoned and sized parcels of land in Chino Valley, subject to specific criteria.

Prepared By:

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Date: February 20, 2024