



A G E N D A

Town of Chino Valley
Planning & Zoning Commission
General Work Session

May 6, 2025



Town of Chino Valley
General Work Session
PLANNING & ZONING COMMISSION

Chino Valley Town Hall
202 N. State Route 89
May 6, 2025, 6:00 p.m.

The General Work Session of the Planning and Zoning Commission will meet to:

- Discuss the following items:
 - TA-2025-04 - Discussion regarding potential changes to the Noise Ordinance
 - TA-2025-03 - Discussion on possible AR-36 Ordinance

Dated this 23rd day of April, 2025.

By: Laurie Lineberry, Development Services Director

A copy of the agenda and background material provided to the Commissioners is available for public inspection at the Marion Lassa/Chino Valley Library, 1020 W. Palomino Road, Chino Valley, Arizona. Further details may be obtained by contacting Development Services Department at 1982 Voss, Chino Valley, Arizona (928) 636-4427. The Town endeavors to make all public meetings accessible to persons with disabilities. With 72 hours advance notice, special assistance can also be provided for sight and/or hearing-impaired persons at public meetings. Please call 636-2646 (voice) or use 711 (Telecommunications Arizona Relay Service) to request accommodation to participate in this meeting.

CERTIFICATION OF POSTING

The undersigned hereby certifies that a copy of this notice was duly posted at Town Hall, Chino Valley Post Office and the Chino Valley Library in accordance with the statement filed by the Town Council with the Town Clerk.

Date & Time: _____ By: _____

C.1 – TA-2025-04 – Discussion regarding potential changes to the Noise Ordinance

Noise

1. Definitions.

- A. "A Band Level" means the total sound level of all noise as measured with a sound level meter using a-weighting network. The unit is the dB(A).
- B. "Community Noise Standards" shall mean the noise standards set forth in subsection B, unless modified pursuant to subsection E or F.
- C. "Decibel (dB)" means a sound pressure that is 20 times the logarithm to the base ten of the ratio of the pressure of the sound measured to the reference pressure, two $\times 10^{-5}$ newton/meter².
- D. "Emergency Work" means any work performed to prevent or alleviate physical trauma or property damage threatened or caused by an emergency which has or may result in a disruption of service and which is necessary to restore property to a safe condition following a public calamity or work required to protect the health, safety or welfare of persons or property or work by private or public utilities when restoring utility service.
- E. "Sound Level (noise level)" in decibels (dB) is the sound measured with the a-weighting and slow response by a sound level meter.
- F. "Sound Level Meter" means an instrument including a microphone, an amplifier, an output meter, and frequency weighting networks used to measure sound levels which satisfies the pertinent requirements in American National Standard specifications for sound level meters S1.4-1971 or the most recent revision thereof.

2. **Allowable Noise Levels.** It is unlawful for any person to create or permit any noise that produces a dB(A) beyond that person's property line exceeding the levels specified in Table I. Where property is used for both residential and commercial purposes, the residential sound levels shall be used only for measurements made on the portion of the property used solely for residential purposes.

TABLE 1

Zone	Day of the Week	TIME	dB(A)
Residential	Sunday through Thursday	7:00 A.M. TO 10:00 P.M.	70
	Sunday through Thursday	10:00 P.M. TO 7:00 A.M.	62
	Friday and Saturday	7:00 A.M. TO Midnight	70
	Friday and Saturday	Midnight TO 7:00 A.M.	62
Commercial	Sunday through Thursday	5:00 A.M. TO 10:00 P.M.	72
	Sunday through Thursday	10:00 P.M. TO 7:00 A.M.	65
	Friday and Saturday	5:00 A.M. TO Midnight	72
	Friday and Saturday	Midnight TO 7:00 A.M.	65
Industrial	Sunday through Thursday	5:00 A.M. TO 10:00 P.M.	85
	Sunday through Thursday	10:00 P.M. TO 7:00 A.M.	70
	Friday and Saturday	5:00 A.M. TO Midnight.	85
	Friday and Saturday	Midnight TO 7:00 A.M.	70

3. Other Noises Prohibited; Standards for Excessive Noise.

- A. Notwithstanding any other provisions of this section, and in addition thereto, it shall be unlawful for any person without justification to make or continue, or cause or permit to be made or continued, any unnecessary, excessive or offensive noise, which disturbs the peace or quiet of any neighborhood or which causes discomfort or annoyance to any reasonable person of normal sensitiveness residing in the area.
- B. It shall be unlawful for any person engaging in the following activities to produce noise beyond the property line of the property on which the activities are conducted and which disturbs the peace and quiet of a neighborhood or person:
 - 1. Creating or allowing a loud, disturbing noise in connection with the loading or unloading of any vehicle;
 - 2. Owning, possessing, harboring or permitting any domesticated animal or bird (excluding dogs: see TC section 90.05) which frequently or for continuous duration howls, barks, meows, squawks or makes other sounds;
 - 3. Allowing or causing any shouting, yelling, screaming or any other form of raucous vocalization by a person or group of people; this provision is not intended to preclude any group from exercising their constitutional first amendment right to lawful, peaceful assembly.
 - 4. Any noise created by construction activities including, but not limited to, repair, remodeling, demolition, drilling, wood cutting or excavation work conducted from 8:00 p.m. through sunrise; except that a person may engage in the above listed activities at that person's own residence from sunrise through 8:00 p.m.
 - 5. Outdoor holiday music after 10:00 p.m. and before 8:00 a.m.

4. General Exemptions. The following activities are exempted from the provisions of subsections A and B above:

- A. Heating, Cooling and Pool Equipment, when functioning in accord with manufacturer's specifications and is in proper operating condition, shall be exempt from the noise ordinance requirements. (Ord 1177/11-20-17)
- B. Lawn maintenance equipment when it is functioning in accord with manufacturer's specifications and with all mufflers and noise-reducing equipment in use and in proper operating condition;
- C. Non-amplified noises resulting from the activities such as those planned by school, governmental or community groups;
- D. Athletic, musical or cultural activities or events (including practices and rehearsals) conducted by or under the auspices of public or private schools, and public or private colleges or universities;
- E. Noises of safety signals, warning devices and emergency pressure relief valves;
- F. Noises resulting from any authorized emergency vehicle when responding to an emergency call or acting in time of emergency;
- G. Emergency work necessary to restore property to a safe condition following a fire, flood, accident or natural disaster; to restore public utilities or internet; or to protect persons or property from an imminent danger;
- H. Normal noises associated with the taking off or landing of aircraft;
- I. Parades, concerts, festivals, fairs or similar activities that remain within any sound limits approved by the town and permitted by a special event permit;
- J. Church chimes;
- K. All utility equipment, including well pumps, transmission lines, power plant equipment, during normal operation provided that no plant equipment may cause the noise level measured inside any sleeping or living room inside any residential dwelling unit to exceed forty-five (45) dB(a) between the hours of 10:00 p.m. and 7:00 a.m., nor fifty-five (55) dB(a) between the hours of 7:00 a.m. and 10:00 p.m.;
- L. An event being held pursuant to a Town-issued Special Events Permit or Conditional Use Permit, provided that the business is operating in accordance with the conditions of the special use permit.

M. Noises made by livestock located on property zoned to allow for the keeping of livestock.

5. **Temporary Exemptions.** The Town Manager is authorized to grant a temporary exemption from the allowable noise levels established by this section if such temporary exemption would be in the public interest and there is no feasible and prudent alternative to the activity, or the method of conducting the activity, for which the temporary exemption is sought. A temporary exemption must be in writing and signed by the Town Manager and must set forth the name of the party granted the exemption, the location of the property for which it is authorized and the date(s) and time(s) for which it is effective. A temporary exemption may be granted only for the period of time that is reasonably necessary to conduct the activity and, in no case shall exceed thirty (30) days. The following factors shall be considered by the Town Manager in determining whether to grant a temporary exemption:

- A. The balancing of the hardship to the applicant, the community and other persons in not granting the variance against the adverse impact on the health, safety and welfare of persons adversely affected and any other adverse effects of the granting of the variance;
- B. The nearness of any residence or residences, or any other use which would be adversely affected by sound in excess of the limits prescribed by this article;
- C. The level of the sound to be generated by the event or activity;
- D. Whether the type of sound to be produced by the event or activity is usual or unusual for the location or area for which the variance is requested;
- E. The density of population of the area in which the event or activity is to take place;
- F. The time of day or night which the activity or event will take place;
- G. The nature of the sound to be produced, including but not limited to whether the sound will be steady, intermittent, impulsive or repetitive.

6. **Deviations.** Persons wishing to continue activities which commenced prior to the effective date of this section and which create noise in excess of the allowable noise levels may seek a deviation from the Town Manager. A request for deviation must be in writing and signed by the requesting party. If approved, the deviation shall be signed by the Town Manager and shall set forth the name of the party granted the exemption, the location of the property for which it is authorized, the date(s) and time(s) for which it is effective and the dB(A) level(s) authorized. A deviation shall be granted only if the Town Manager finds that strict enforcement of the terms of this section would cause a hardship and no other reasonable alternative of engaging in the activity exists. The following factors shall be considered by the Town Manager in determining whether to grant a deviation:

- A. The balancing of the hardship to the applicant, the community and other persons in not granting the deviations against the adverse impact on the health, safety and welfare of persons adversely affected and any other adverse effects of the granting of the deviation;
- B. The nearness of any residence or residences, or any other use which would be adversely affected by sound in excess of the limits prescribed by this article;
- C. The level of the sound to be generated by the event or activity;
- D. Whether the type of sound to be produced by the event or activity is usual or unusual for the location or area for which the deviation is requested;
- E. The density of population of the area in which the event or activity is to take place;
- F. The time of day or night which the activity or event will take place;
- G. The nature of the sound to be produced, including but not limited to whether the sound will be steady, intermittent, impulsive or repetitive.

7. **Other Prohibited Noise.**

- A. No person may use any automobile, motorcycle or other vehicle, engine or motor of whatever size, stationary or moving, instrument, device or thing, in such a manner as to create loud and unnecessary grating, grinding, rattling or other noise.
- B. No person may operate any mechanical device operated by gasoline, or otherwise, without having a muffler, in good working order and in constant operation, to prevent excessive or unusual noise and smoke; and no person shall use a muffler cutout, bypass or similar device.

- C. No person may operate or use any automobile, motorcycle or other vehicle, engine or motor of whatever size, stationary or moving, on race tracks, race courses, or other similar tracks or courses at places of amusement, not being public highways, between the hours of 10:30 p.m. and 8:00 a.m. on Sundays through Thursdays, or between the hours of 12:00 midnight and 8:00 a.m. on Fridays and Saturdays.
- D. No person shall operate sound amplification systems in a vehicle at an excessive level that disturbs the peace and quiet of a neighborhood or other persons.
- E. Except as authorized by law, no person shall operate or permit the operation of any sound amplification system in or on a vehicle in such a manner that the sound is plainly audible at a distance of fifty (50) feet, or in such a manner that it causes a person to be aware of vibration accompanying the sound at a distance of fifty (50) feet.
- F. It shall be unlawful for an operator of a diesel-powered motor vehicle having a load capacity of two (2) tons or more to allow said vehicle to idle for a period of time in excess of two (2) hours while located within the town limits. This provision shall not apply to vehicles being repaired nor to vehicles immediately engaged in loading or unloading cargo.

8. **Enforcement.** The Police Department, the Building Inspector, Animal Control Officer for animal noises and Town Prosecutor are authorized to enforce the provisions of this section.

C.2 – TA-2025-03 – Discussion on possible AR-36 Ordinance

"AR-36"
AGRICULTURAL
RESIDENTIAL
36-Acre Minimum

A. PURPOSE

This district is intended to allow for agricultural activities, residences and customary accessory uses and buildings, and for other uses that occupy large acreage land.

B. PERMITTED USES

1. One (1) single-family dwelling as the principal residence.
2. One (1) guesthouse, accessory to an existing principal residence, not to exceed 50 percent of the size of the principal residence.
3. Farming and agriculture including the keeping of cattle, horses, swine, sheep, goats, fowl, but not feedlots, slaughterhouses, fertilizer yards or plants for the reduction of animal matter.
4. Customary accessory structures such as barns, corrals, arenas, training tracks, coops and storage sheds for the care and keeping of non-household animals, fowl, produce, farm machinery and equipment.
5. Home occupations.
6. Stands for sale of farm produce.
7. Equestrian Recreational Facilities
8. Libraries/Museums
9. Bed and Breakfast Inns
10. Dude Ranches

C. CONDITIONAL USES (Conditional Use Permit Required)

1. Privately owned and operated parks and recreation facilities.
2. Colleges, universities, and trade schools.
3. Golf, rod and gun, tennis and country clubs.
4. Rodeos, fair grounds, riding academies.
5. Airports or aircraft landing fields
6. Cemeteries
7. Livestock auction
8. Feed yards
9. Public utility buildings, structures, or appurtenances thereto for public service use. Extension of public lines in public or private right-of-way is exempt from this requirement.

10. Indoor and outdoor kennels.
11. Commercial ranches
12. Commercial stables.

Because no list of uses can be complete, decisions on unspecified uses will be rendered by the Community Development Director with appeal to the Town Council.

D. Property Development Standards

1. Minimum Lot Area: 36 acres
2. Minimum Average Lot Width: 3000 feet
3. Minimum Lot Frontage: 200 feet
4. Minimum Front Yard Setback: 100 feet
5. Minimum Side Yard Setback: 50 feet
6. Minimum Street Side Yard Setback: 50 feet
7. Minimum Rear Yard Setback: 100 feet
8. Maximum Building Height: 50 feet
9. Maximum Lot coverage 10%