1. Planning & Zoning Commission - Agenda

   Documents: 2016_03_01_PZ_RG_AG.PDF

2. Planning & Zoning Commission - Agenda Packet

   Documents: 2016_03_01_PZ_RG_AG_PK.PDF

Town of Chino Valley

MEETING NOTICE
PLANNING AND ZONING COMMISSION

REGULAR MEETING
March 1, 2016
6:00 P.M.

Council Chambers
202 N. State Route 89
Chino Valley, Arizona

AGENDA

1. CALL TO ORDER

2. PLEDGE OF ALLEGIANCE

3. ROLL CALL

4. MINUTES

a. Consideration and possible action to approved the February 2, 2016 meeting minutes.

5. STAFF REPORTS

a. Presentation of upcoming UDO amendments to Section 4.21, Sign Regulations, and methods for community and business outreach on this process.

6. PUBLIC HEARING

a. Consideration and possible action to hold a public hearing to recommend adoption to the Town Council of Ordinance 16-814, to rezone approximately 2.31 acres of real property, located at 868 Adams Dr., Chino Valley, AZ, consisting of a portion of the North half of the Northeast quarter of Section 15, Township 16 North, Range 02 West, Gila and Salt River Base and Meridian (Yavapai County Assessor's Parcel Number 306-20-103) from SR-2.5 (Single Family Residential, 2.5 acre minimum) to SR-1 (Single Family Residential, 1 acre minimum). Applicant: Jeb Merlyn. Staff: James Gardner

b. Consideration and possible action to recommend approval of Ordinance 16-812 amending the Unified Development Ordinance ("UDO"), Chapter 1, Administration and Procedures, Section 1.9 Review and Approval Processes, Sub-Section 1.9.5 Citizen Review Process, changing requirements for Neighborhood Meetings for Conditional Use Permits, Zone Changes, and Planned Area Developments in the Town of Chino Valley, to provide citizens with another opportunity to give comments regarding the proposed amendments.

c. Consideration and possible action to recommend approval of Ordinance 16-813 to the Town Council, amending the Unified Development Ordinance Chapter 4, General Regulations, Section 4.22 Off-Street Parking and Loading, Subsection 4.22.5 Parking Standards for Non-Residential and Mixed Uses, Sub-subsections 4.22.5(E) Joint Use Parking for PAD, and Subsection 4.22.8 Determination of Required Parking, by deleting Sub-subsections (B) and (H) and renumbering the remaining subsections to conform, and amending the Table. The proposed amendments include: expansion of Joint Use Parking to non-Planned-Area-Development uses (4.22.5(E)); removal of maximum parking requirements; and removal of requirements for Recreational Vehicle

(RV) parking at apartment and condominium complexes (4.22.8).

7. NON-PUBLIC HEARING ACTION ITEMS

8. DISCUSSION ITEMS

9. PUBLIC COMMENTS

10. ADJOURN

Dated this 25th day of February, 2016.

By: **Ruth Mayday, 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 an accommodation to participate in this meeting.

Town of Chino Valley

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(RV) parking at apartment and condominium complexes (4.22.8).

7. NON-PUBLIC HEARING ACTION ITEMS

8. DISCUSSION ITEMS

9. PUBLIC COMMENTS

10. ADJOURN

Dated this 25th day of February, 2016.

By: **Ruth Mayday, Development Services Director**

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Planning and Zoning Commission Regular **4. a.**

Meeting Date: 03/01/2016

Approval of 2-02-2016 meeting minutes

CASE DESCRIPTION:

Consideration and possible action to approved the February 2, 2016 meeting minutes.

FACTS:

1. Applicant:.....
2. Owner:.....
3. Parcel Number.....
4. Site Area.....
5. Existing zoning:.....
6. Intended Use.....

ANALYSIS:

RECOMMENDATION

Attachments

February 2, 2016 Draft Meeting Minutes

D R A F T

MINUTES OF THE REGULAR PLANNING AND ZONING MEETING OF THE TOWN OF CHINO VALLEY

February 2, 2016
6:00 P.M.

The Planning and Zoning Commission of the Town of Chino Valley, Arizona, met for a Regular Meeting in the Chino Valley Council Chambers, located at 202 N. State Route 89, Chino Valley, Arizona.

1) CALL TO ORDER

Chair Merritt called the meeting to order at 6:00 pm.

2) PLEDGE OF ALLEGIANCE

Commissioner Baker led the Pledge of Allegiance.

3) ROLL CALL

Present: Chair Chuck Merritt; Vice-Chair Gary Pasciak; Commissioner Michael Bacon; Commissioner Claude Baker; Commissioner Annie Lane; Alternate Commissioner Julie Van Wuffen

Absent: Commissioner Florence Sloan

Staff Present: Associate Planner James Gardner; Town Clerk Assistant Amy Lansa (recorder)

4) MINUTES

a) Consideration and possible action to approve the January 5, 2016 regular meeting minutes.

MOVED by Vice-Chair Gary Pasciak, seconded by Commissioner Michael Bacon to approve the January 5, 2016 regular meeting minutes.

Vote: 6 - 0 PASSED - Unanimously

6) STAFF REPORTS

a) Consideration and possible action to recommend approval of Ordinance 16-813 to the Town Council, amending the Unified Development Ordinance Chapter 4, General Regulations, Section 4.22 Off-Street Parking and Loading, Subsection 4.22.5 Parking Standards for Non-Residential and Mixed Uses, Sub-subsections 4.22.5(E) Joint Use Parking for PAD?, and Subsection 4.22.8 Determination of Required Parking, by deleting Sub-subsections (B) and (H) and renumbering the remaining subsections to conform, and amending the Table. The proposed amendments include: expansion of Joint Use Parking to non-Planned-Area-Development uses (4.22.5(E)), and

removal of maximum parking requirements as well as the removal of requirements for Recreational Vehicle (RV) parking at apartment and condominium complexes (4.22.8).

Planner Gardner presented the proposed amendments to the UDO regarding parking.

Proposed amendments
UDO Section 4.22.5 (E)

- E. Joint Use Parking ~~for PAD~~
- If an applicant ~~for a mixed use PAD~~ can demonstrate through a parking study supplied by the applicant and approved by the Development Services Director, or his/her designee, that the peak parking demand for the JOINT ~~mixed~~ uses will be less than the sum of the parking spaces required for each use served, a reduction in spaces may be allowed.

UDO Section 4.22.8(B&H) Maximum Parking Allowed

- B. The maximum number of parking spaces provided shall not exceed the minimum number of spaces and an additional twenty (20) percent of parking spaces, except as otherwise provided in this Ordinance.
- H. Alternative Design Standards: To provide flexibility in design and development of projects, alternative design standards are provided. The total number of parking spaces may be increased by ten (10) percent, above the maximum, however in no case may the total number of parking spaces be increased by more than forty (40) percent above the base maximum allowed.

The above maximum parking limitations would be removed from the UDO, effectively lifting maximum parking limits from future projects.

Effect of Proposed Amendment

- Currently, a maximum limit is set on the number of parking spaces each development may have.
- Current provisions conflict with each other
- Removing both would allow for clarity in the UDO, as well as an approach that allows the market to dictate the amount of parking business owners provide
- Example: A business owner wants to provide 7 parking spaces for her customers, but the minimum is 5, under current code, it is unclear whether she is allowed to do so.
- UDO Section 4.22.8 Table

Burden to property managers

- Requiring RV parking at apartment complexes is a burden to property managers in a number of ways:
    - Enforcement of a time limit
    - Removal of RV from premise upon time expiration
    - Monitoring RV
    - Expenditure for pavement of actual spots as well as widening turning radii and travel lanes to accommodate RV

b) Consideration and possible action to recommend approval of Ordinance 16-812 to the Town Council, amending the Unified Development Ordinance Chapter 1, Administration and Procedures, Section 1.9 Review and Approval Process, Subsection 1.9.5 Citizen Review Process. The proposed amendment would remove the requirement for the Zoning Administrator or his/her designee to attend neighborhood meetings.

Planner Gardner presented the proposed amendments to the UDO regarding the the Citizen Review Process.

UDO Section 1.9.5 Citizen Review Process

Current Language:

- The Zoning Administrator, upon consultation with the applicant, shall establish a time, date and place for the neighborhood meeting that provides a reasonable opportunity for the applicant, adjacent landowners and those other potentially affected citizens to discuss and express their respective views concerning the application and any issues or concerns that they may have with the zoning or change of zoning and Use Permit proposed by the application. The Zoning Administrator, or his/her designee, shall attend the meeting, but is not required to conduct the meeting. The Zoning Administrator, or his/her designee, shall report the results of the neighborhood meeting to the Commission and Town Council at such time as they take action on the application.

Proposed Language

- The APPLICANT, upon consultation with the ZONING ADMINISTRATOR, shall establish a time, date and place for the neighborhood meeting that provides a reasonable opportunity for the applicant TO INFORM adjacent landowners and other potentially affected citizens OF THE SUBSTANCE OF THE PROPOSED ACTION AND ADJACENT LANDOWNERS AND OTHER POTENTIALLY AFFECTED CITIZENS WILL BE PROVIDED AN OPPORTUNITY to express ANY ISSUES OR CONCERNS THAT THEY MAY HAVE WITH THE PROPOSED zoning or change of zoning OR Use Permit proposed by the application BEFORE THE PUBLIC HEARING. THE CITIZEN REVIEW MEETING SHALL BE HELD NOT LESS THAN FIVE DAYS PRIOR TO THE PUBLIC HEARING ON THE APPLICATION.The Zoning Administrator, or his/her designee, MAY attend the meeting, but is not required to conduct the meeting. The APPLICANT, or his/her designee, shall SUBMIT A WRITTEN REPORT OF THE OUTCOMES OF THE MEETING, TO THE ZONING ADMINISTRATOR, WHO SHALL INCLUDE THEM IN REPORTS to Commission and Town Council at such time as they take action on the application.

Effect of Proposed Language

- Applicant must host the neighborhood meeting, and must report results of the meeting to the Zoning Administrator/Designee (ZA)
- ZA no longer required to attend neighborhood meetings
- Free discussion of the proposed project can take place
- Perception, whether base in reality or rumor, of Town support is removed.

Planner Gardner addressed questions regarding the following:

- Whether Town Hall would be available for neighborhood meetings
- Accountability by the applicant in accurately reporting comments from the meeting
- Request an affidavit to be completed by applicant

- Require sign-in sheet
- Request that applicant stay until 6:30 pm
- Use professional judgment in whether staff needs to attend.
- Will bring the application as well as proposed new forms to the next meeting

7) PUBLIC HEARING

There was no public hearing.

8) NON-PUBLIC HEARING ACTION ITEMS

a) Consideration and possible action to elect a new Chairperson and Vice-Chairperson.

Chair Merritt moved 8 a. to be the first item discussed. Charles Merritt agreed to assume the role of Commission Chair.

MOVED by Commissioner Michael Bacon, seconded by Commissioner Claude Baker to approve Commissioner Pasciak as vice-chair.

Vote: 4 - 0 PASSED - Unanimously

9) DISCUSSION ITEMS

a) Discussion of upcoming Unified Development Ordinance amendments with regard to Section 4.21, Sign Regulations.

Planner Gardner advised the Commission that over the course of several meetings he will present proposed amendments to UDO Section 4.21 Sign Regulations, including changes regarding political campaign signs.

10) PUBLIC COMMENTS

There were no public comments.

11) ADJOURN

MOVED by Vice-Chair Gary Pasciak, seconded by Alternate Commissioner Julie Van Wuffen to adjourn the meeting at 7:02 pm.

Vote: 6 - 0 PASSED - Unanimously

_____

Chair Charles Merritt

_____

Date

Planning and Zoning Commission Regular **5. a.**

Meeting Date: 03/01/2016

Presentation of Upcoming UDO Amendments Regarding Signage Regulations

---

CASE DESCRIPTION:

Presentation of upcoming UDO amendments to Section 4.21, Sign Regulations, and methods for community and business outreach on this process.

LOCATION:

N/A

FACTS:

N/A

ANALYSIS:

RECOMMENDATION

None - presentation for informational purposes only.

Planning and Zoning Commission Regular **6. a.**

Meeting Date: 03/01/2016

Merlyn Rezone (868 Adams Dr.)

CASE DESCRIPTION:

Consideration and possible action to hold a public hearing to recommend adoption to the Town Council of Ordinance 16-814, to rezone approximately 2.31 acres of real property, located at 868 Adams Dr., Chino Valley, AZ, consisting of a portion of the North half of the Northeast quarter of Section 15, Township 16 North, Range 02 West, Gila and Salt River Base and Meridian (Yavapai County Assessor's Parcel Number 306-20-103) from SR-2.5 (Single Family Residential, 2.5 acre minimum) to SR-1 (Single Family Residential, 1 acre minimum). Applicant: Jeb Merlyn. Staff: James Gardner

LOCATION:

868 Adams Dr. Chino Valley, Arizona, 86323; a portion of the North half of the Northeast quarter of Section 15, Township 16 North, Range 02 West, Gila and Salt River Base and Meridian (Yavapai County Assessor's ParcelNumber 306-20-103)

FACTS:

1. Applicant:.....Jeb Merlyn
2. Owner:.....Jeb Merlyn
3. Parcel Number.....306-20-103
4. Site Area.....2.31 acres
5. Existing zoning:.....SR 2.5
6. Intended Use.....Two single family residences

ANALYSIS:

Jeb Merlyn, property owner at 868 Adams Dr., Chino Valley, AZ 86323, is proposing a zone change from SR 2.5 (Single Family Residential, 2.5-acre minimum) to SR 1 (Single Family Residential, 1-acre minimum), to enable him to split the parcel into two parcels and install and rent to another party,a manufactured home on one of the newly created parcels. A well-sharing agreement will be required in order for the new manufactured home to share the existing well with the the existing residence, which is occupied by Mr. Merlyn. A septic permit has been applied for through Yavapai County Environmental Services, and the residential building permit was submitted to the Town of Chino Valley Development Services Department, which prompted this rezone.

TECHNICAL REVIEW:

No technical review was required for this application, given its straightforward nature as a single-family residential development.

SITE PLAN

See attached

RECOMMENDATION

Recommend approval of Ordinance 16-814 to the Town Council to rezone approximately 2.3 acres of real property located at 868 Adams Drive, Chino Valley, Arizona, as legally described in Exhibit A to the Ordinance from SR-2.5 (Single-family Residential, 2.5-acre minimum) to SR-1 (Single-family Residential, 1-acre minimum).

Attachments

Ordinance 16-814

Legal Description Exhibit A

Zoning Map

Staff Brief

ORDINANCE NO. 16-814

AN ORDINANCE OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF CHINO VALLEY, ARIZONA, APPROVING A CHANGE OF ZONING AND AMENDMENT TO THE OFFICIAL ZONING MAP FOR APPROXIMATELY 2.31 ACRE(S) OF REAL PROPERTY GENERALLY LOCATED AT 868 ADAMS DRIVE, CHINO VALLEY, ARIZONA, FROM SINGLE-FAMILY RESIDENTIAL, 2.5 ACRE MINIMUM (SR-2.5) ZONING DISTRICT TO SINGLE-FAMILY RESIDENTIAL - 1 ACRE MINIMUM (SR-1) ZONING DISTRICT; PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES, PROVIDING FOR NON-SEVERABILITY; AND PROVIDING PENALTIES.

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

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

WHEREAS, the Planning and Zoning Commission, by a vote of ___-___ recommends approval of the rezoning;

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

Section 1. In General.

1. The Change of Zoning and amendment to the Official Zoning Map is hereby approved for property consisting of approximately 2.31 acre(s) of real property, as legally described in Exhibit A and as shown on the Zoning Exhibit (map) in Exhibit B (the "Property"), both attached hereto and incorporated herein by this reference, changing the zoning on the Property from Single-Family Residential, 2.5 Acre Minimum (SR-2.5) Zoning District To Single-Family Residential – 1 Acre Minimum (SR-1) Zoning District.

2. The Property described in Paragraph 1 of this Section shall be used and developed in accordance with the Town of Chino Valley Unified Development Ordinance

Section 2. Providing for Repeal of Conflicting Ordinances.

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

Section 3. Providing for Non-Severability.

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

Section 4. Providing for Penalties.

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

PASSED AND ADOPTED by the Mayor and Common Council of the Town of Chino Valley, Arizona this ___ day of _____, 2016 by the following vote:

AYES: _____ ABSENT: _____

NAYS: _____ ABSTAINED: _____

APPROVED this ___ day of _____, 2016.

_____
Chris Marley, Mayor

ATTEST:

APPROVED AS TO FORM:

_____
Jami C. Lewis, Town Clerk

_____
Phyllis L. N. Smiley, Town Attorney

The following exhibits are attached hereto and incorporated herein:
1. Exhibit A - Legal Description
2. Exhibit B - Zoning Exhibit (map)

I, JAMI C. LEWIS, TOWN CLERK, DO HEREBY CERTIFY THAT A TRUE AND CORRECT COPY OF THE ORDINANCE NO. _____ ADOPTED BY THE COMMON COUNCIL OF THE TOWN OF CHINO VALLEY ON THE ____ DAY OF _____, 2016, WAS POSTED IN THREE PLACES ON THE _____ DAY OF _____, 2016.

_____

Jami C. Lewis, Town Clerk

Exhibit "A"

Lot 6 Adams Acres, an unrecorded plat of a portion of the North half of the Northeast quarter of Section 15, Township 16 North, Range 2 West, Gila and Salt River Base and Meridian, Yavapai County, Arizona. Said Lot 6 being more particularly described as follows:

COMMENCING at the Northeast corner of Section 15;

Thence South 00 degrees, 16 minutes, East along the East line of Section 15, 676.96 feet;

Thence South 89 degrees 53 minutes West parallel to the North line of Section 15, 990 feet to the True Point of Beginning;

Thence North 89 degrees 53 minutes East parallel to the North line of Section 15, 330 feet;

Thence North 00 degrees 16 minutes West parallel to the East line of Section 15, 338.49 feet;

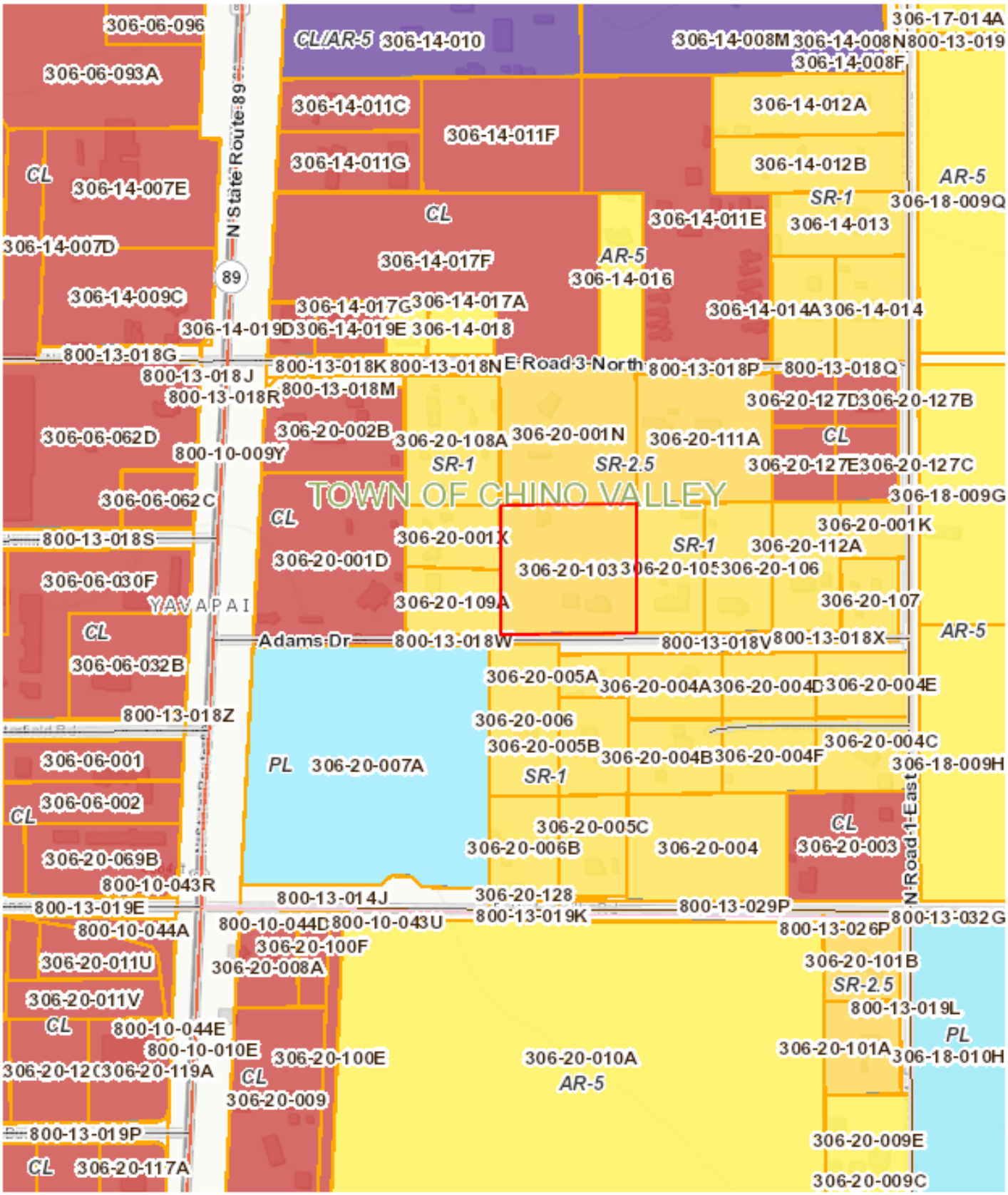
Thence South 89 degrees 53 minutes West parallel to the North line of Section 15, 330 feet;

Thence South 338.49 feet to the True Point of Beginning.

EXCEPT any part lying within the South 643.8 feet of the North half of the Northeast quarter of Section 15.

ALSO EXCEPT any portion of the above described property lying within that parcel of land described in Dedication of Public Highway recorded in Book 2364 of Official Records, page 11 and in Book 2368 of Official Records, page 960.

Zoning Map



Disclaimer: Map and parcel information is believed to be accurate but accuracy is not guaranteed. No portion of the information should be considered to be, or used as, a legal document. The information is provided subject to the express condition that the user knowingly waives any and all claims for damages against Yavapai County that may arise from the use of this data.

Map printed on: 2.22.2016

Development Services Department
1982 N. Voss Drive #203
Chino Valley, AZ 86323

928-636-4427
928-636-6937
www.chinoaz.net

Planning and Zoning Commission Staff Brief

Date: March 1, 2016

Agenda Item: ZC 16-001

Location: 868 Adams Dr.; Parcel #: 306-20-103

Summary

The purpose of this request is to rezone subject parcel 306-20-103, consisting of approximately 2.31 acres. The subject parcel is located in Section 15, Township 16 North, Range 2 West of the Gila and Salt River Base and Meridian, Yavapai County, Arizona. The property is located at 868 Adams Dr., west of State Route 89, on the north side of Adams Dr. Surrounding zoning districts include SR-1 to the west, east, and south, and SR-2.5 to the north. This parcel sits approximately 600 feet west of State Route 89, where parcels are zoned CL in the area, as well as a single parcel zoned PL – the Arizona Department of Transportation's (ADOT) materials yard.

The property is zoned Single-Family Residential, 2.5-acre minimum (SR-2.5) and the applicant would like to rezone to Single-Family Residential, 1-acre minimum (SR-1). The applicant is interested in rezoning the property to SR-1 for the purpose of splitting the parcel, adding a manufactured home to the vacant parcel created by the lot split, and renting that manufactured home to renters. The newly created parcel will be to the west of the existing home onsite, where the application/property owner resides.

History

The subject parcel, located north of Adams Dr., is part of an unrecorded "subdivision", known colloquially as Adams Acres. Adams Acres is bounded to the south by Adams Dr., the north by Road 3 North, the west by Road 1 East, and the east by the rear property line of the commercial properties fronting on State Route 89. (See Figure 1, below)

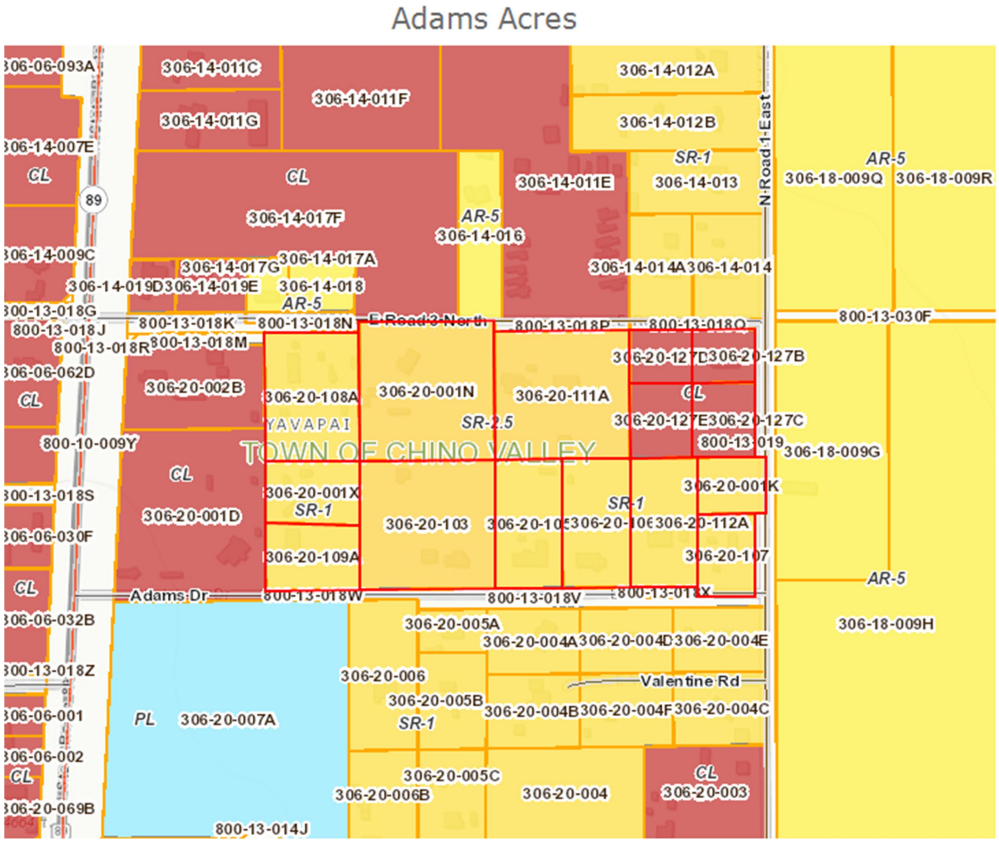


Figure 1, Adams Acres (parcels outlined in Red)

The surrounding parcels have been divided either prior to being in Town limits or without the benefit of a Town issued land split application – which was created with Ordinance number 443, passed on January 15, 2001. The surrounding properties consist primarily of one-acre parcels, with the exception of the parcels to the north and northeast, both of which are 2.5-acre parcels.

Discussion with Public Works on future water infrastructure improvements have indicated a possibility of a water line serving Adams Dr. in the future, once right-of-way is acquired for the entire length. Currently, the water will be served via a shared well with the existing home.

A neighborhood meeting was held on February 17, 2016, at which 3 neighbors were in attendance. One neighbor stated concern of water levels dropping, and the inclusion of another home on the parcel. This concern does not fall within our purview, however, due to the fact that the home is on an exempt well, and the well permit is issued by the Arizona Department of Water Resources (ADWR).

Technical Review

Technical Review was not required for this rezone – the proposed development is a single-family home, which does not require a technical review.

Development Services Department
1982 N. Voss Drive #203
Chino Valley, AZ 86323

928-636-4427
928-636-6937
www.chinoaz.net

Findings of Fact

Single-Family Residential, 2.5-acre minimum (SR-2.5) and the applicant would like to rezone to Single-Family Residential, 1-acre minimum (SR-1).The request to rezone will not be materially detrimental to persons residing in the vicinity adjacent to the property, to the neighborhood, or to the public welfare. The request to rezone is in general conformance with the zoning classifications in the immediate area.

Recommendation

This request will not have a detrimental effect on persons residing in the vicinity and is appropriate for the subject parcel and surrounding properties, given the proximity to other Single-Family Residential, 1-acre minimum (SR-1) zoning.

Staff recommends forwarding the application on to Town Council with the recommendation of approval.

Planning and Zoning Commission Regular **6. b.**

Meeting Date: 03/01/2016

Unified Development Ordinance Amendment Regarding Neighborhood Meetings

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CASE DESCRIPTION:

Consideration and possible action to recommend approval of Ordinance 16-812 amending the Unified Development Ordinance ("UDO"), Chapter 1, Administration and Procedures, Section 1.9 Review and Approval Processes, Sub-Section 1.9.5 Citizen Review Process, changing requirements for Neighborhood Meetings for Conditional Use Permits, Zone Changes, and Planned Area Developments in the Town of Chino Valley, to provide citizens with another opportunity to give comments regarding the proposed amendments.

LOCATION:

N/A

FACTS:

1. Applicant:.....
2. Owner:.....
3. Parcel Number.....
4. Site Area.....
5. Existing zoning:.....
6. Intended Use.....

ANALYSIS:

The purpose of this public hearing is to consider amendments to the UDO, as set forth in Ordinance 16-812, amending Section 1.9, Review and Approval Processes, Subsection 1.9.5, Citizen Review Process to delete the requirement for the Zoning Administrator to attend the neighborhood meeting held as part of the Citizen Review Process. Currently the Chino Valley UDO requires attendance by the Zoning Administrator (Development Services Director), or his/her designee at all neighborhood meetings that are related to zoning actions, Conditional Use Permits (CUPs), or Planned Area Developments (PADs). In many cases, this is not only impracticable, it is also inappropriate. Neighborhood meetings are held either on the site of the proposed project or in Town Council Chambers, depending on the nature of the application.

The proposed text amendment permits, but does not require, the Zoning Administrator to attend: "The Zoning Administrator, or his/her designee, MAY attend the meeting, but is not required to conduct the meeting.THE APPLICANT, OR HIS/HER DESIGNEE, SHALL SUBMIT A WRITTEN REPORT OF THE OUTCOMES OF THE MEETING, TO THE ZONING ADMINISTRATOR, who shall include them in reports to Commission and Town Council at such time as they take action on the application."

The intent of this amendment is threefold:
1) To alleviate the onerous burden upon the Zoning Administrator or his/her designee, created by the requirement to attend after-hours meetings held by private parties for actions brought by said parties; and,
2) To remove the appearance of support for projects by Town staff, which is implied by hosting the neighborhood meetings at Town Council Chambers; and,
3) To allow for the free exchange of comments and concerns at neighborhood meetings.

The UDO requires applicants for zoning actions, CUPs, and PADs to send letters to all neighbors within 300 feet of the property boundaries indicating the date, time, and place of neighborhood meetings and public hearings, post the site for neighborhood meeting and public hearings, and submit sworn affidavits of these actions, the same will be true of publishing a notice for said meetings in the Daily Courier, which is currently a responsibility of staff. Trust in the applicant to adhere to the process is required and the proposed text amendment is a logical step based upon the current trust that is in place with the public.

At the February 2, 2016 meeting, P&Z Commission had concerns about the possibility of applicants supplied dishonest information to Town staff about the outcome of the neighborhood meeting, and stated the desire for a requirement for an affidavit swearing that the report submitted to staff was true. Commission asked staff to consider inserting this language into the

UDO amendments for their consideration at this meeting. In a thorough review of the entirety of Subsection 1.9.5 of the UDO (attached herein, with proposed amendments), it was noted by staff that requirements for specific affidavits to be included in packets were absent. This is typical of development ordinances, based upon staff research of other development ordinances in Arizona; therefore, staff has supplied a sample affidavit to be included in the packet without adding language in the UDO to address said affidavit. This is consistent with current practices for Rezones/CUPS/PADs, which all require several affidavits in each packet (see attached packets herein).

Another topic discussed at the last meeting was the concern about Town Council Chambers being unavailable for use for these neighborhood meetings. Though it is encouraged that the applicant hold these meetings in an alternative location to Town Council Chambers for reasons including an implication of support for a project, whether actual or not, as well as staff time (beyond the Development Services Dept.) for building security, the Town Council Chambers would still be made available if necessary. The intent of the amendments regarding neighborhood meetings is not to reduce customer service, but enhance dialogue between applicants and neighbors, and allow for discretion on the part of staff whether to attend these meetings.

Another consideration is the provision in the UDO that gives the Director discretion to choose an alternative method of public participation which does not include a neighborhood meeting. The proposed amendment would broaden the discretion of the Director on neighborhood meetings beyond a "yes" or "no" decision on holding one, and professional judgment would still be used in each case.

TECHNICAL REVIEW:

N/A

SITE PLAN

N/A

RECOMMENDATION

Staff recommends forwarding Ordinance 16-812 to Town Council with the Recommendation of approval to be heard at the April 12, 2016 Town Council meeting.

Attachments

Sample Affidavit

CUP Packet

PAD Application Packet

Zoning Change Packet

Subsection 1.9.5 Citizen Review Process

Ordinance 16-812

Sample Affidavit of Neighborhood Meeting Report

Date:_____

TO WHOM IT MAY CONCERN:

This letter serves as a statement that on____(date, time)_____, I, _____(name, title, corporation)_____, held a neighborhood meeting at _____(location)_____, and have submitted a true and complete report of that neighborhood meeting to the Development Services Department as part of a _____(type of request)_____ for _____(short description of proposed use)_____ in cooperation with the Town of Chino Valley Development Services Department.

Located on Assessor's Parcel Number: _____-_____-_____

Landowner or Agent Signature: _____ Date: _____

State of Arizona

ss

County of Yavapai

On this _____ date of _____, 20___, before me, the undersigned Notary Public, personally appeared _____ who executed the foregoing instrument for the purpose therein contained.

In witness thereof, I hereby set my hand and official seal.

_____

NOTARY PUBLIC

_____

Date Commission Expires

DRAFT

Development Services Department
1982 N. Voss Drive #203
Chino Valley, AZ 86323

928-636-4427
FAX 928-636-6937
www.chinoaz.net

CONDITIONAL USE PERMIT CHECKLIST

- ☐ Completed Application
- ☐ Application Fee of $400.00, advertising fee of $230.00, and an additional $10.00 per acre
- ☐ Letter of Agency
- ☐ Copy of title or deed showing proof of legal ownership.
- ☐ Copy of legal description or record of survey, showing easements and dedications.
- ☐ Notarized Agreement to Waive Claims for Diminution in Value (Prop 207).
- ☐ Three (3) copies of fully dimensioned Site Plan on a minimum 11 X 17 inch sheet showing all building/structure dimensions, lot dimensions, setbacks, and parking
- ☐ Three (3) copies of Landscape Plan on a minimum 11 X 17 inch sheet.
- ☐ Three (3) copies of Outdoor Lighting Plan on a minimum 11 X 17 inch sheet.
- ☐ Three (3) copies of Submit typical building elevations on a minimum 11 X 17 inch sheet.
- ☐ A note/site map indicating the current zoning and land uses for adjacent properties.
- ☐ Submit one (1) copy each of the “Neighborhood Meeting Letter”, and the “Planning Commission Public Hearing Letter” with date, time, and location of the meeting.
- ☐ Submit one (1) copy each of the “Affidavit of Mailing” and the “Affidavit of Posting”.

At the discretion of the Zoning Administrator/Designee, an alternative citizen review process may be used that does not involve a neighborhood meeting.

It is the applicant’s responsibility to properly notify neighbors via US Mail and to post at the property 15 days prior to the neighborhood meeting and public hearing. Attached is a guide explaining the notification process.

For more information on the Conditional Use Permit Process, Citizen Review Process for Neighborhood Meetings, and the Planning and Zoning Commission meeting, please review Section 1.9.3 and Section 1.9.5 of the Unified Development Ordinance (UDO) on the Town’s website at: http://www.chinoaz.net/dev_services/udo.shtml.

Development Services Department
1982 N. Voss Drive #203
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928-636-4427
928-636-6937
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CONDITIONAL USE PERMIT APPLICATION

Name of Property Owner/s: _____ **Date:** _____

Mailing Address: _____

Phone Number: _____ **Email:** _____

Site Address: _____ **APN:** _____

Name of Applicant/Agent: _____

Current Zoning: _____ **Property Dimensions:** _____

Current Use: _____

Description of requested use: _____

_____

_____

Please explain why the proposed use is appropriate in the intended location: _____

_____

_____

What design or site features are proposed to insure that the intended use will not have an adverse effect on the health, safety, and welfare of the adjacent properties and the surrounding neighborhood?

_____

_____

_____

Owner / Applicant Signature: _____

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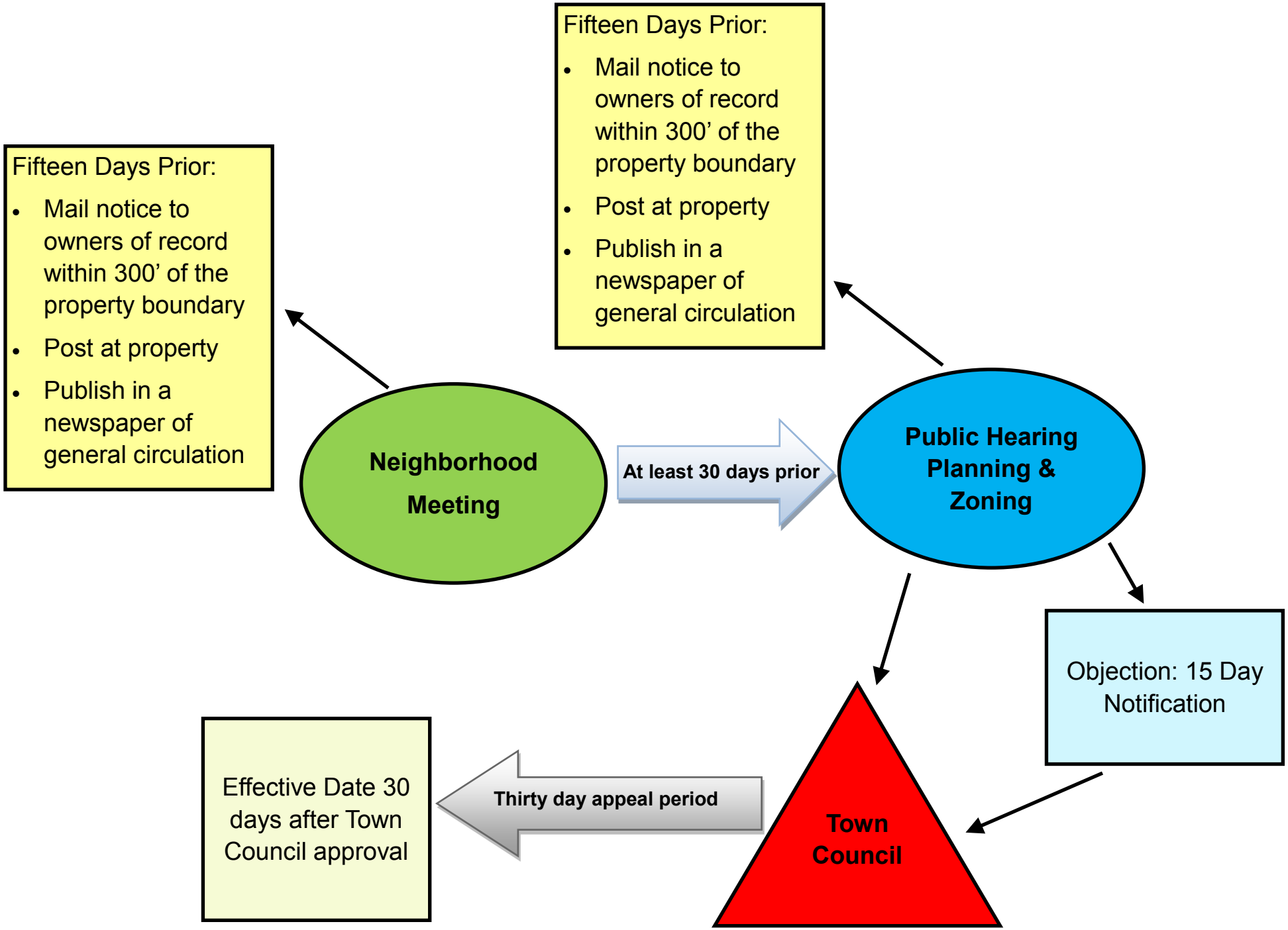
REQUIRED NOTIFICATION FOR NEIGHBORHOOD MEETINGS AND PUBLIC HEARINGS

Arizona Revised Statutes (ARS) requires that the rezoning of land, General Plan Amendments, Conditional Use Permits and other related activities that change the manner in which a property is used undergo a public review and hearing process. The Town of Chino Valley has a three-step process that must be followed prior to Town Council approval of these changes***. IT IS THE RESPONSIBILITY OF THE APPLICANT TO PROPERLY NOTIFY NEIGHBORS VIA US MAIL AND POST AT THE PROPERTY, AND PUBLISH LEGAL NOTICES IN A PAPER OF GENERAL CIRCULATION.***

1) **Neighborhood Meeting:** The neighborhood meeting gives applicants an opportunity to meet with their neighbors to discuss the proposed change, and take comments from surrounding property owners. This meeting must be held at least thirty (30) days prior to the public hearing before the Planning and Zoning Commission. At least fifteen (15) days prior to the Neighborhood Meeting, notice must be provided by first class mail to all property owners within three hundred (300') feet of the subject property; it must be posted with a sign that meets specific requirements, and it must be published in a newspaper of general circulation. The Neighborhood Meeting is conducted by the applicant (or his/her agent); town staff will be present to takes notes.

2) **Public Hearing:** This meeting is held before the Planning and Zoning Commission, which makes recommendations to the Town Council. As with the Neighborhood Meeting, there are statutory deadlines that must be met. The Public Hearing is an official meeting at which adjacent property owners and other persons are given an opportunity to provide comment on the proposed action. The same fifteen (15) day notification deadlines outlined in the Neighborhood Meeting section above apply to the Public Hearing as well.

3) **Town Council:** Final approval for land use actions is given by Town Council. If there were any objections or requests for an additional public hearing to the proposal at the Planning and Zoning Commission public hearing, a second public hearing must be held, including the fifteen (15) day notification. If there were on objections or requests for additional public hearings, the Town Council may consider the request at its next regular meeting. Rezoning of property is effective thirty (30) days after approval of Town Council and cannot be enacted as an emergency measure


Fifteen Days Prior:
Mail notice to owners of record within 300' of the property boundary
Post at property
Publish in a newspaper of general circulation
Fifteen Days Prior:
Mail notice to owners of record within 300' of the property boundary
Post at property
Publish in a newspaper of general circulation
Neighborhood Meeting
At least 30 days prior
Public Hearing Planning & Zoning
Objection: 15 Day Notification
Town Council
Thirty day appeal period
Effective Date 30 days after Town Council approval

Development Services Department
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Chino Valley, AZ 86323

928-636-4427
FAX 928-636-6937
www.chinoaz.net

NOTIFICATION CALENDAR

Fifteen days before Neighborhood Meeting

POST PROPERTY/MAIL LETTERS: _____

(PUBLISH IN PAPER OF GENERAL CIRCULATION) _____

NEIGHBORHOOD MEETING DATE: _____
At least 30 days prior to Public Hearing

Fifteen days before Public Hearing

POST PROPERTY/MAIL LETTERS: _____

(PUBLISH IN PAPER OF GENERAL CIRCULATION) _____

PUBLIC HEARING PLANNING AND ZONING COMMISSION _____
At least 30 days after Neighborhood Meeting

TOWN COUNCIL MEETING _____

EFFECTIVE DATE _____
30 days after Town Council Meeting

Protest/Objection at Planning and Zoning Public Hearing:

Fifteen days before Second Public Hearing:

POST PROPERTY/MAIL LETTERS _____

(PUBLISH IN PAPER OF GENERAL CIRCULATION) _____

TOWN COUNCIL MEETING: _____

EFFECTIVE DATE _____
30 days after Town Council Meeting

Applicant Signature Date

Staff Signature Date

Development Services Department
1982 N. Voss Drive #203
Chino Valley, AZ 86323

928-636-4427
928-636-6937
www.chinoaz.net

Date

From: Applicant Name
Applicant Address
Applicant City, State, Zip

To: Property Owner Name
Property Owner Address
Property Owner City, State, Zip

RE: (General description of location)
(Property Address/APN optional)

Type of Application: **(TYPE)**

Location Map

Dear Property Owner:

(APPLICANT/DEVELOPER) is proposing **(REQUEST)** for Assessor's Parcel Number(s) **(NUMBER)** This **(ACRES OR AREA)** parcel is located **(Street Address and major cross streets)**.

The Town of Chino Valley Unified Development Ordinance (UDO) requires the applicant to conduct a neighborhood meeting prior to holding a public hearing before the Planning and Zoning Commission. The meeting is designed to allow adjacent landowner(s) or other potentially affected citizens an opportunity to discuss the proposed action and express their respective views concerning the application.

A neighborhood meeting will be held at **(TIME),** on **(Day)**, **(DATE)**, at the **Chino Valley Town Council Chambers, 202 N. State Route 89, Chino Valley, AZ. (APPLICANT/DEVELOPER)** will describe the proposal and answer any questions. Staff may attend the meeting and report the results of the neighborhood meeting to the Commission and Town Council at such time as they take action on the application. All interested parties are invited to attend.

This item has tentatively been scheduled for a public hearing before the Planning and Zoning Commission on DATE 2015 and Town Council on DATE 2015. Both Public Hearings will be held at **6:00 pm** at the **Town Council Chambers, 202 N. State Route 89, Chino Valley, AZ.** Staff will present the item to the Commission/Town Council, including a recommendation for approval or denial. The **(APPLICANT/DEVELOPER)** will describe the proposal and answer any questions. Town Council may take additional comment and will render a final decision. All interested parties are invited to attend.

If you and would like more information please contact the Town of Chino Valley Development Services Department at 928-636-4427, or the (**APPLICANT)** at (**PHONE NUMBER).**

Sincerely,

(Applicants name)

Development Services Department
1982 N. Voss Drive #203
Chino Valley, AZ 86323

928-636-4427
928-636-6937
www.chinoaz.net

AFFIDAVIT OF MAILING- NEIGHBORHOOD MEETING AND PUBLIC HEARING

STATE OF ARIZONA)
) ss.
COUNTY OF YAVAPAI)

I, _____, being the □ applicant or □ agent of the applicant for the following action: _____ for Assessor's Parcel Number(s) 306-_____-_____, do hereby swear that I personally mailed or caused notification letters to be mailed to all owners of record according to the Yavapai County Assessor's Office that are located within 300 feet of the property boundaries of the aforementioned parcel(s) on (date) _____, 20___ at _____ □a.m. □p.m. Said letters contained the appropriate words for the type of request being made of the Town of Chino Valley, and the date, time and place of public hearing. The total number of letters mailed is _____, and are listed on sheet attached hereto and made a part hereof.

_____
Signature of Applicant or Agent

Subscribed and sworn before me this _____ day of_____20_____.

_____
Notary Public

My Commission expires on _____

Development Services Department
1982 N. Voss Drive #203
Chino Valley, AZ 86323

928-636-4427
928-636-6937
www.chinoaz.net

NEIGHBORHOOD MEETING
TIME DATE
LOCATION
TYPE OF ACTION

- Must be visible from public right-of-way and at least 100' away
- Type of Action must include current zoning and proposed zoning, or "Conditional Use Permit" or "Variance"
- General Plan Amendments must say "General Plan Amendment" and include the current GP designation as well as the proposed designation

General Description of Property size and location

Example:
"Approximately 15 acres at the northwest corner of the intersection of North Road 1 East and Perkinsville Road"

Brief description of proposed action
Example: *(Rezone property from Commercial Light (CL) to Commercial Heavy to construct and operate an automotive dealership)*

For more information, please contact The Town of Chino Valley Development Services Department at 928-636-4427

11"

Sign Posting:

1) Sign must be AT LEAST 11 X 17 and posted on each street frontage of the subject property. If there is no street frontage, sign must be posted as close to a public street as possible.
2) Background must be a color that is in contrast with the background area in which it is to be posted and the ink used for the content of the sign.
3) Bottom edge of sign must be no greater than 3' from grade; top must be no higher than 6' from grade.

Development Services Department
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928-636-4427
928-636-6937
www.chinoaz.net

AFFIDAVIT OF POSTING- NEIGHBORHOOD MEETING

STATE OF ARIZONA)
) ss.
COUNTY OF YAVAPAI)

I, _____, being the □ applicant or □ agent of the applicant for the following action: _____ for Assessor's Parcel Number(s) _____do hereby swear that I personally posted said property on all sides fronting a public street or way and within the property boundaries of the aforementioned parcel(s) on (date) _____, 20___ at _____ □a.m. □p.m. One (1) photo for each sign posted is attached to this document and made a part hereof.

_____
Signature of Applicant or Agent

Subscribed and sworn before me this _____ day of_____20_____.

_____
Notary Public

My Commission expires on _____

Development Services Department
1982 N. Voss Drive #203
Chino Valley, AZ 86323

928-636-4427
928-636-6937
www.chinoaz.net

Date

From: Applicant Name
Applicant Address
Applicant City, State, Zip

To: Property Owner Name
Property Owner Address
Property Owner City, State, Zip

RE: (General description of location)
(Property Address/APN optional)

Location Map

Type of Application: **(TYPE)**

Dear Property Owner:

(APPLICANT/DEVELOPER) is proposing **(REQUEST)** for Assessor's Parcel Number(s) **(NUMBER)** This **(ACRES OR AREA)** parcel is located **(Street Address and major cross streets)**.

The Town of Chino Valley Unified Development Ordinance (UDO) and Arizona Revised Statutes requires a public hearing be held before the Planning and Zoning Commission. The meeting is designed to allow adjacent landowner(s) or other potentially affected citizens an opportunity to discuss the proposed action and express their respective views concerning the application.

Said Public Hearing will be held at **(TIME),** on **(Day)**, **(DATE)**, at the **Chino Valley Town Council Chambers, 202 N. State Route 89, Chino Valley, AZ.** Staff will present the item to the Commission, including finding of fact to support recommendation of approval or denial to the Town Council. The **(APPLICANT/DEVELOPER)** will describe the proposal and answer any questions. All interested parties are invited to attend.

This action is tentatively been scheduled to be heard by the Town Council on **(DATE)** at **6:00 pm** at the **Town Council Chambers, 202 N. State Route 89, Chino Valley, AZ**

If you and would like more information please contact the Town of Chino Valley Development Services Department at 928-636-4427, or the (**APPLICANT)** at (**PHONE NUMBER).**

Sincerely,

(Applicants name)

Development Services Department
1982 N. Voss Drive #203
Chino Valley, AZ 86323

928-636-4427
928-636-6937
www.chinoaz.net

PUBLIC HEARING
TIME DATE
LOCATION
TYPE OF ACTION

- Must be visible from public right-of-way and at least 100' away
- Type of Action must include current zoning and proposed zoning, or "Conditional Use Permit" or "Variance"
- General Plan Amendments must say "General Plan Amendment" and include the current GP designation as well as the proposed designation

General description of property size and location

Example:
"Approximately 15 acres at the northwest corner of the intersection of North Road 1 East and Perkinsville Road"

Brief description of proposed action
Example: *(Rezone property from Commercial Light (CL) to Commercial Heavy to construct and operate an automotive dealership)*

For more information, contact The Town of Chino Valley Development Services Department at 928-636-4427

11"

Sign Posting:

1) Sign must be AT LEAST 11 X 17 and posted on each street frontage of the subject property. If there is no street frontage, sign must be posted as close to a public street as possible.
2) Background must be a color that is in contrast with the area in which it is to be posted and the ink used for the content of the sign.
3) Bottom edge of sign must be no greater than 3' from grade; top must be no higher than 6' from grade.

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AFFIDAVIT OF POSTING- PUBLIC HEARING

STATE OF ARIZONA)
) ss.
COUNTY OF YAVAPAI)

I, _____, being the □ applicant or □ agent of the applicant for the following action: _____ for Assessor's Parcel Number(s) _____do hereby swear that I personally posted said property on all sides fronting a public street or way and within the property boundaries of the aforementioned parcel(s) on (date) _____, 20___ at _____ □a.m. □p.m. One (1) photo for each sign posted is attached to this document and made a part hereof.

_____
Signature of Applicant or Agent

Subscribed and sworn before me this _____ day of_____20_____.

_____
Notary Public

My Commission expires on _____

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Chino Valley, AZ 86323

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928-636-6937
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TOWN OF CHINO VALLEY AGREEMENT TO WAIVE CLAIMS FOR DIMINUTION IN VALUE

PURSUANT TO A.R.S. §12-1134

I/We, _____, ("Owner") am/are all the owner(s) of real property ("Property") generally located at _____, consisting of approximately_____ acres, as shown in the evidence of ownership attached as Exhibit A and legally described in Exhibit B, both of which are attached to this Agreement.

The Property is subject to the land use laws of the Town of Chino Valley, Arizona or to be annexed by the Town. For purposes of this Waiver, "land use law" shall be defined as set forth in A.R.S. **§ 12-1136.**

I/We have requested that the Town take/approve the land use action ("Requested Action") as set forth in Exhibit C, which is attached to this Agreement.

I/We acknowledge that as the request is processed for approval, changes may be made to the details and requirements for approval of the request. Some of these changes may materially alter the request, so that the final approval may be substantially different than originally requested. I/We understand and agree that execution of an additional waiver will be required for approval if the request is altered.

I/We acknowledge that the Requested Action may alter my/our rights to use, divide, sell or possess our Property, and that, pursuant to A.R. S. **§ 12-1134,** as the owner of property directly regulated by a land use law, I/we may be entitled to compensation from the Town for diminution of value in the property if the action I/we have requested from the Town reduces the fair market value of the above described property.

By signing this Agreement, I/We together with Owner's heirs, successors or assignees, hereby voluntarily agree to waive any and all claims for diminution in value for the Property which may arise pursuant to A.R.S. **§ 12-1134** as a result of the Town's actions, including but not limited to approvals, denials or conditions of approvals with respect to the above-described Requested Action. Owner

understands that this Agreement shall run with the Property and be binding upon subsequent landowners and shall be recorded by Owner.

I/we hereby further understand that the Town is acting in reliance upon my/our representations in this waiver.

Dated this _____ day of _____ , _____

_____
(Property Owner)

_____
(Property Owner)

State of Arizona)
) ss
County of Yavapai)

SUBSCRIBED and SWORN to before me this ____ day of _____ , _____

Notary Public: _____ My Commission Expires: _____

Development Services Department
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928-636-6937
www.chinoaz.net

PRELIMINARY PLANNED AREA DEVELOPMENT APPLICATION (PAD)

Preliminary Planned Area Development Fee: _____ Date Paid _____

SECTION 1.9.4.1 PRELIMINARY PAD APPLICATION

A Master development plan (showing general land use concepts, but not requiring lotting plans at this stage) shall be submitted to and accepted by the Development Services Director, or his designee, for consistency with Chino Valley Ordinances, policies and plans, and shall indicate the following (Development Services need 14 Copies of the plan to distribute to various disciplines):

A. Locational information including an area map showing adjacent property ownership and existing uses within three hundred (300) feet of the parcel, and a legal description of the metes and bounds of the parcel.
B. Physical constraints to the site's development: existing topographical features, including any portions of the site that are subject to flooding (indicating the extent and frequency, retention areas, calculations and maintenance responsibility); proposed roadway or major utility line extensions which may impact development; areas within aircraft approach and holding patterns and such other impediments to the property's use and improvement as may be present or planned for the future.
C. Proposed site development addressing:
    1. The location and nature of the various uses and their areas in acres (summarizing land use areas, total number of dwelling units and approximate percentage allocation by dwelling type, calculation of the residential density in dwelling units per gross acre as defined in the General Plan;
    2. The proposed circulation system, including any improvements (public or private) needed to accommodate additional traffic;
    3. The open space system (including a general statement regarding ownership and maintenance) with indication of responsiveness to General Plan recreation/open space and perimeter treatments;
    4. Relationship of the project to surrounding land uses; and,
    5. Evidence of proposed land use compatibility with existing and projected community requirements, with the goals of the General Plan.

SECTION 1.9.4.2 PRELIMINARY PAD REVIEW

The Zoning Administrator, or his designee, in writing, may waive any of the above-required information that is not applicable; or require any additional information when necessary to clarify any aspect of the project or its potential impacts on the community.

Development Services Department
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A. The preliminary development plan shall be reviewed by the Town Development Services Department and any other agencies deemed appropriate by the department. The department shall compile and return written comments within thirty (30) business days.
B. Thereafter, the Commission shall conduct a public hearing on the preliminary development plan and transmit recommendations to Council for review.
C. Council may adopt the recommendations of C01nmission without holding a second public hearing if there is no objection, request for public hearing, or protest. The Council shall hold a public hearing if requested by the applicant, any person appearing in opposition at the Commission hearing or who has filed a written protest, or any member of Council.
    1. Council may approve a Preliminary PAD only upon finding that the proposal meets the intent, objectives and general requirements of the PAD process; and is in conformance with the Town General Plan, amendments thereto, and all pertinent Ordinances and policies.
    2. The Council may, as necessary, attach conditions to PAD approval, which may include but are not limited to the following considerations: intensities and densities of less than the maximum allowed above; use limitations; landscaping; screen planting; setback and height of building; paving, location of drives and parking areas; storm drainage and storm water retention; public and/or private open space; shape and size of lots; grouping and uses of buildings; maintenance of grounds; regulation of signs; fences and walls; adequacy of vehicle and pedestrian circulation and access; timing and phasing; elevations and architectural theme; or any other reasonable considerations the Council finds germane to maintain community character and neighborhood quality.
    3. Unless otherwise specified by Council approval, the preliminary development plan shall be submitted, in its entirety or for initial development phases, for preliminary plat approval within two (2) years from Council adoption.

Application	$800 and $20 per lot
Advertisement fee 1. Neighborhood meeting 2. Planning Commission hearing	$115.00 per advertisement

Development Services Department
1982 N. Voss Drive #203
Chino Valley, AZ 86323

928-636-4427
928-636-6937
www.chinoaz.net

PRELIMINARY PLANNED AREA DEVELOPMENT SUBMITTAL REQUIREMENTS

ALL PRELIMINARY PLAT APPLICATIONS ARE TO BE SUBMITTED TO THE DEVELOPMENT SERVICES DEPARTMENT (DSD)

1. Please provide a copy of the title, deed or contract showing proof of legal owner or contract purchaser.
2. Please provide the original notarized copy of the "Agreement to Waive Claims for Diminution in Value" (see page 12 of this application).
3. Preliminary plat filing fees.
4. Submit 14 application forms.
5. Submit 14 (24 x 36) copies of the preliminary plat.
6. Submit 14 (11x17) copies of the preliminary plat.
7. Email a PDF or JPEG to dsd@chinoaz.net of the plat and any additional electronic documents.
8. Email and electronic (Microsoft Word, PDR or JPEG) legal description and record of survey.
9. List of requested modifications to the requirements of the zoning ordinance.
10. Submit 5 (24 x 36) copies of the Grading & drainage plan.
11. Submit 14 (11 x 17) copies of the Street cross section - typical per 4. 26.5 and 5.3 of the
1. UDO.
12. Submit 14 (11 x 17) copies of the Landscape plan per section 4.26 of the UDO (14 copies)
13. Submit 14 (11 x 1 7) copies of the Outdoor lighting plan per section 4.24 of the UDO
14. Submit 14 (8½ x 11) copies of the typical building elevations (14 copies), and
    a. One Colors & materials board

Fold and distribute a full size copy (24x36)

DSD forward Preliminary Plat Submittal, Technical Review Letter, Planning Commission staff report, and approved Ordinance for the Preliminary Plat to all staff members on the technical review letter.

The DSD shall refer copies of the preliminary plat to the following reviewing offices that shall make known their recommendations in writing addressed to the Planning and Zoning Commission:

a. Town Engineer
b. Yavapai County Highway Department (YCHD). YCHD will receive a copy of the preliminary plat when Plat abuts a County Highway.
c. Local health department
d. State Department of Transportation (SDT). SDT will receive a copy of the preliminary plat when Plat abuts a State Highway.
e. All interested utilities and agencies (including the soil conservation district and county flood control district)
    1. APS (11x17)
    2. Gas (11x17)
    3. Phone (11x17)

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4. Cable (11x17)
5. City of Prescott (llx17)
6. Chino Valley utilities (24x36) will get a copy with technical review letter and
7. Planning Commission staff report
8. Fire Department (24x36) will get a copy with teclu1ical review letter and Planning
9. Commission staff report
10. WATER RESOURCES

Town code § 50.56 Effluent Collection, Treatment, and Recharge Policy
(A) All new developments, subdivided and un-subdivided, containing 1 or more lots of less than 1 acre shall be required to construct an effluent collection system as approved by the Town and connect to the Town's effluent CTR system.

(B) The Town will design, build, and operate an effluent CTR system on its own schedule. If a development requires additional effluent collection, treatment, and recharge capacity prior to the time such services or capacity is available from the Town, the Development shall provide financial resources sufficient to construct the additional capacity as requested, at their own expense, at the Town's facilities only. The Development shall receive reimbursement of financial resources provided according to the schedule as per the development agreement(s).

(F) All new developments, subdivided and un-subdivided, shall be required to demonstrate adequate financial capability and assurance, as approved by the Town of Chino Valley, to design and construct the effluent CTR system components sufficient to serve the new development and other areas as approved by the Town.

Town code § 51.036 Residential Assured Water Supply
All new subdivisions shall demonstrate to the satisfaction of the Town an application has been submitted to the Arizona Department of Water Resources (ADWR) for a 1 00-year Assured Water Supply for any new development in the Prescott Active Management Area with the filing for preliminary plat approval of the Town. The 1 00-year Assured Water Supply certificate, issued by ADWR, shall be submitted with the final plat application.

Town code § 51.055 Approval by Town Engineer and Public Works Director Required
No public water or sewer extension shall be made until the plans and specifications are approved by the Town engineer and the Public Works Director. Water and Sewer extensions shall be designed and constructed in accordance with ADEQ Bulletin 10, ADEQ Bulletin 11, AWWA Standards, YAG and MAG Standards when appropriate. With concurrence with the Town Engineer the Director may authorize variances from the standards and specifications.

Town code § 51.057 Extensions, Construction, Ownership, and Maintenance
In new subdivisions and developments where public sewers and water mains are authorized by the Director, the mains, service lines and appurtenances, including storage tanks and pumps stations, shall be designed and constructed at the developer’s expense in accordance with plans and specifications approved by the Public Works Director.

Development Services Department
1982 N. Voss Drive #203
Chino Valley, AZ 86323

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Town code § 51.041 Development of Water System Master Plan
(B) The Developer will be responsible for all costs for the design, and construction of all water or CTR system infrastructure in general conformance with the Town's Water and Sewer Master Plans, or any revisions thereto.

CITIZEN REVIEW PROCESS FOR NEIGHBORHOOD MEETING

Additional information can be found in Section 1.9.5 on page eight (8) of this application.

1. To set up a neighborhood meeting you must choose a date that is a minimum of 25 days after the date the application for a PAD is received by the Town of Chino Valley. The preferred start time of the neighborhood meeting is between 4 and 5 p.m.
2. Please complete and submit one (1) copy of the "Sample Neighborhood Meeting Letter" that is to be sent to property owners notifying them of the time, date and location of the Neighborhood Meeting. A sample letter is included in this application packet.
3. Using the Yavapai County Assessor's office Web-Site or another source, the applicant shall create a vicinity map showing the areas within 3 00 feet of the property boundaries and a mailing list which includes the names and addresses of the property owners located within 300 feet of the property boundaries.
    a. The Planning Division will review the materials and get back to the applicant to confirm the meetings time and date.
4. AFFIDAVIT OF MAILING: Please provide the original notarized copy of the affidavit of mailing once the neighborhood meeting letters have been mailed out.
5. At least 15 days prior to the neighborhood meeting, the Development Services Department shall publish an ad in a newspaper of general circulation in the Town which includes the time date and location of the neighborhood meeting.

CITIZEN REVIEW PROCESS FOR THE PLANNING COMMISSION MEETING

1. The Development Services Department will provide the date that the request will be placed on the Planning Commission agenda.
2. Please complete and submit one (1) copy of the "Sample Public Meeting Letter" that is to be sent to property owners notifying them of the time, date and location of the Planning
3. Commission Public Hearing. A sample letter is included in this application packet.
4. AFFIDAVIT OF MAILING: Please provide the original notarized copy of the affidavit of mailing once the Planning Commission Public Hearing Letters have been mailed out.
5. At least 15 days prior to the Planning Commission Public Hearing, the Development Services
6. Department shall publish an ad in a newspaper of general circulation in the Town which includes the time date and location of the Hearing.

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PLANNED AREA DEVELOPMENT APPLICATION

1	**PROPERTY OWNER NAME**		
	Mailing Address		
	Telephone Number		
	Fax Number		
	E-Mail Address		
2	**APPLICANT NAME**		
	Mailing Address		
	Telephone Number		
	Fax Number		
	E-Mail Address		
3	**ENGINEER NAME**		
	Mailing Address		
	Telephone Number		
	Fax Number		
	E-Mail Address		
4	**ARCHITECT/DESIGNER**		
	Mailing Address		
	Telephone Number		
	Fax Number		
	E-Mail Address		
5	**PROJECT SITE LOCATION**		
6	**ASSESSORS PARCEL NUMBER (S)**		
7	**EXISTING ZONING**		
8	**REQUESTED ZONING**		
9	**EXISTING LAND USE**		
10	**EXISTING STRUCTURES**		
11	**FLOOD ZONE DESIGNATION**		
12	**ADJACENT ZONING**	12a	**ADJACENT LAND USE**
	North _____		North _____
	South _____		South _____
	East _____		East _____
	West		West
13	**TOPOGRAPHY**		
14	**INTENT OF SUBDIVISION**	**A**	Lots Only _____
		B	Lots & Dwellings _____
		C	Condominiums _____
		D	Other

15	**SITE DIMENSIONS**		
16	**SITE AREA**	Gross	
17	**SITE AREA**	Net	
18	**TOTAL NUMBER OF LOTS/UNITS**		
19	**DENSITY**		
20	**LARGEST LOT**		
21	**SMALLEST LOT**		
22	**AVERAGE LOT SIZE**		
23	**MINIMUM LOT FRONTAGE**		
24	**PERCENTAGE OF OPEN SPACE**		
25	**PERCENTAGE OF ACTIVE OPEN SPACE**		
26	**RIGHT OF WAY AREA**		
27	**UTILITIES PROVIDED BY**	Electric	
		Gas	
		Water	
		Sewer	
		Cable	
		Fire Protection	
28	**STATEMENT OF INTENT**		

Applicant Signature: _____ _____
Date

Owner Signature: _____ _____
Date

(OFFICE USE ONLY)

Date of Meeting _____ **Time of Meeting** _____

Agency's Notified _____

Log# _____

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CITIZEN REVIEW PROCESS

1.9.5 CITIZEN REVIEW PROCESS

Prior to any public hearing, as required under this Ordinance, on any application for any Ordinance that changes any property from one zoning district to another, a use or conditional use permit application that imposes any regulation not previously imposed, or that removes or modifies any such regulation previously imposed, the Zoning Administrator, or his/her designee, shall require the applicant to conduct a neighborhood meeting or an acceptable alternative prior to a public hearing to consider the proposal. A written notice of the application shall be mailed to all landowners of property within three hundred (300) feet of the property that is subject to a rezone, use or conditional use permit application and to such other persons as the Zoning Administrator, or his/her designee, reasonably determines to be other potentially affected citizens. In determining the number of potentially affected citizens, the Zoning Administrator, or his/her designee, shall review the density and intensity of residential development in the general vicinity, the existing street system, and other factors that may be related to the zoning or Use Permit's impact on the character of the neighborhood.

The written notice shall also include a general explanation of the substance of the proposed rezoning, Use Permit application and shall state the date, time and place scheduled for a neighborhood meeting, at which any adjacent landowner(s) or those other potentially affected citizens, will be provided a reasonable opportunity to express any issues or concerns that the landowner or citizen may have with the proposed zoning or Use Permit application before any required public hearing. The written notice shall be given at least fifteen (15) days before the neighborhood meeting in the following manner:

The notice shall be published once in a newspaper of general circulation published or circulated in the Town.

The notice shall be posted upon the sign required in this Ordinance, unless waived by the Zoning Administrator or his/her designee.

The notice shall be mailed in accordance with the same procedures as required in, and delivered in accordance with the provisions of the Ordinance.

The Zoning Administrator, upon consultation with the applicant, shall establish a time, date and place for the neighborhood meeting that provides a reasonable opportunity for the applicant, adjacent landowners and those other potentially affected citizens to discuss and express their respective views concerning the application and any issues or concerns that they may have with the zoning or change of zoning and Use Permit proposed by the application. The Zoning Administrator, or his/her designee, shall attend the meeting, but is not required to conduct the meeting. The Zoning Administrator, or his/her designee, shall report the results of the neighborhood meeting to the Commission and Town Council at such time as they take action on the application.

Development Services Department
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At the discretion of the Zoning Administrator, or his/her designee, an alternative citizen review process may be used that does not involve a neighborhood meeting. The alternative process shall consist, at a minimum, of the following:

Written notice as described above, except that the notice shall only indicate the name, address and phone number of the member of the planning staff to whom adjacent landowners within three hundred (300) feet or other potentially affected citizen, may contact to express any issues or concerns that the landowner or citizen may have with the proposed rezoning.

A staff report summarizing any issues or concerns expressed by adjacent landowners shall be presented to the Commission and Mayor and Council at such time as they take action on the application.

Development Services Department
1982 N. Voss Drive #203
Chino Valley, AZ 86323

928-636-4427
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www.chinoaz.net

Date

From: Applicant Name
Applicant Address
Applicant City, State, Zip

To: Property Owner Name
Property Owner Address
Property Owner City, State, Zip

RE: (General description of location)
(Property Address/APN optional)

Type of Application: **(TYPE)**

Location Map

Dear Property Owner:

(APPLICANT/DEVELOPER) is proposing **(REQUEST)** for Assessor's Parcel Number(s) **(NUMBER)** This **(ACRES OR AREA)** parcel is located **(Street Address and major cross streets)**.

The Town of Chino Valley Unified Development Ordinance (UDO) requires the applicant to conduct a neighborhood meeting prior to holding a public hearing before the Planning and Zoning Commission. The meeting is designed to allow adjacent landowner(s) or other potentially affected citizens an opportunity to discuss the proposed action and express their respective views concerning the application.

A neighborhood meeting will be held at **(TIME),** on **(Day)**, **(DATE)**, at the **Chino Valley Town Council Chambers, 202 N. State Route 89, Chino Valley, AZ. (APPLICANT/DEVELOPER)** will describe the proposal and answer any questions. Staff may attend the meeting and report the results of the neighborhood meeting to the Commission and Town Council at such time as they take action on the application. All interested parties are invited to attend.

This item has tentatively been scheduled for a public hearing before the Planning and Zoning Commission on DATE 2015 and Town Council on DATE 2015. Both Public Hearings will be held at **6:00 pm** at the **Town Council Chambers, 202 N. State Route 89, Chino Valley, AZ.** Staff will present the item to the Commission/Town Council, including a recommendation for approval or denial. The **(APPLICANT/DEVELOPER)** will describe the proposal and answer any questions. Town Council may take additional comment and will render a final decision. All interested parties are invited to attend.

If you and would like more information please contact the Town of Chino Valley Development Services Department at 928-636-4427, or the (**APPLICANT)** at (**PHONE NUMBER).**

Sincerely,

(Applicants name)

Development Services Department
1982 N. Voss Drive #203
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www.chinoaz.net

PUBLIC MEETING SAMPLE LETTER

Applicant Name
Applicant Address
Applicant City, State, Zip

Date

Property Owner Name
Property Owner Address
Property Owner City, State, Zip

RE: *Property Parcel Number*

Property Address

TYPE OF APPLICATION:

Dear Property Owner:

It is the intent of *applicant name* who reside(s) at the above address to *(rezone, conditional use permit to, preliminary plat .... on)* parcel # *xxx-xx-xxx* from the current zoning of *xxx* to *xxx.* This parcel is located at *xxxxxxxx.* (*Describe reason for the rezone/conditional use permit request.)*

A public hearing will be held before the Planning and Zoning Commission on *date* at the Chino Valley Council Chambers-South Campus, located at 202 N. State Route 89, Chino Valley, Arizona at 6:00p.m. All interested parties are invited to attend.

Please return the lower portion of this letter with your comments to: Town of Chino Valley, Development Services Department, 1982 Voss Dr. # 203, Chino Valley, AZ, 86323 or you can express any concerns by contacting the Town of Chino Valley Development Services Department at 928-636-4427.

Thank you for your consideration in this matter.

Detach Here

Please Check One

Applicant Name _____
Applicant APN# _____

_____ I approve of this rezoning/conditional use permit

_____ I oppose this rezoning/conditional use permit

Comments: _____

_____

_____

Name _____

Signature _____

Address _____

PLEASE RESPOND BY DATE

PLEASE NOTE: Comment letters may be submitted to the Development Services Department 24 hours prior to the scheduled Public Meeting.

Development Services Department
1982 N. Voss Drive #203
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AFFIDAVIT OF MAILING- NEIGHBORHOOD MEETING AND PUBLIC HEARING

STATE OF ARIZONA)
) ss.
COUNTY OF YAVAPAI)

I, _____, being the □ applicant or □ agent of the applicant for the following action: _____ for Assessor's Parcel Number(s) 306-_____-_____, do hereby swear that I personally mailed or caused notification letters to be mailed to all owners of record according to the Yavapai County Assessor's Office that are located within 300 feet of the property boundaries of the aforementioned parcel(s) on (date) _____, 20___ at _____ □a.m. □p.m. Said letters contained the appropriate words for the type of request being made of the Town of Chino Valley, and the date, time and place of public hearing. The total number of letters mailed is _____, and are listed on sheet attached hereto and made a part hereof.

_____
Signature of Applicant or Agent

Subscribed and sworn before me this _____ day of_____20_____.

_____
Notary Public

My Commission expires on _____

Development Services Department
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TOWN OF CHINO VALLEY AGREEMENT TO WAIVE CLAIMS FOR DIMINUTION IN VALUE

PURSUANT TO A.R.S. §12-1134

I/We, _____, ("Owner") am/are all the owner(s) of real property ("Property") generally located at _____, consisting of approximately_____ acres, as shown in the evidence of ownership attached as Exhibit A and legally described in Exhibit B, both of which are attached to this Agreement.

The Property is subject to the land use laws of the Town of Chino Valley, Arizona or to be annexed by the Town. For purposes of this Waiver, "land use law" shall be defined as set forth in A.R.S. **§ 12-1136.**

I/We have requested that the Town take/approve the land use action ("Requested Action") as set forth in Exhibit C, which is attached to this Agreement.

I/We acknowledge that as the request is processed for approval, changes may be made to the details and requirements for approval of the request. Some of these changes may materially alter the request, so that the final approval may be substantially different than originally requested. I/We understand and agree that execution of an additional waiver will be required for approval if the request is altered.

I/We acknowledge that the Requested Action may alter my/our rights to use, divide, sell or possess our Property, and that, pursuant to A.R. S. **§ 12-1134,** as the owner of property directly regulated by a land use law, I/we may be entitled to compensation from the Town for diminution of value in the property if the action I/we have requested from the Town reduces the fair market value of the above described property.

By signing this Agreement, I/We together with Owner's heirs, successors or assignees, hereby voluntarily agree to waive any and all claims for diminution in value for the Property which may arise pursuant to A.R.S. **§ 12-1134** as a result of the Town's actions, including but not limited to approvals, denials or conditions of approvals with respect to the above-described Requested Action. Owner

understands that this Agreement shall run with the Property and be binding upon subsequent landowners and shall be recorded by Owner.

I/we hereby further understand that the Town is acting in reliance upon my/our representations in this waiver.

Dated this _____ day of _____ , _____

_____
(Property Owner)

_____
(Property Owner)

State of Arizona)
) ss
County of Yavapai)

SUBSCRIBED and SWORN to before me this ____ day of _____ , _____

Notary Public: _____ My Commission Expires: _____

Development Services Department
1982 N. Voss Drive #203
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928-636-6937
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TOWN OF CHINO VALLEY AGREEMENT TO WAIVE CLAIMS FOR DIMINUTION IN VALUE

PURSUANT TO A.R.S. §12-1134

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understands that this Agreement shall run with the Property and be binding upon subsequent landowners and shall be recorded by Owner.

I/we hereby further understand that the Town is acting in reliance upon my/our representations in this waiver.

Dated this _____ day of _____ , _____

_____
(Property Owner)

_____
(Property Owner)

State of Arizona)
) ss
County of Yavapai)

SUBSCRIBED and SWORN to before me this ____ day of _____ , _____

Notary Public: _____ My Commission Expires: _____

Development Services Department
1982 N. Voss Drive #203
Chino Valley, AZ 86323

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EXHIBIT A
EVIDENCE OF OWNERSHIP

Development Services Department
1982 N. Voss Drive #203
Chino Valley, AZ 86323

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928-636-6937
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EXHIBIT B
LEGAL DESCRIPTION

Development Services Department
1982 N. Voss Drive #203
Chino Valley, AZ 86323

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EXHIBIT C
REQUESTED LAND USE ACTION

Development Services Department
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www.chinoaz.net

ZONE CHANGE PERMIT APPLICATION

Name of Applicant: _____ **Date:** _____

Mailing Address: _____

Phone Number: _____ **Email:** _____

Name of Property Owner/s: _____

Mailing Address: _____

Phone Number: _____ **Email:** _____

Site Address: _____ **APN:** _____

Description of Site Access: _____

Current Zoning: _____ **Requested Zoning:** _____

Existing Structures & Current Use: _____

_____

Explain the intent of the Zone Change and why it is appropriate for the area: _____

_____

_____

What design or site features are proposed to insure that the intended use will not have an adverse effect on the health, safety, and welfare of the adjacent properties and surrounding neighborhood?

_____

_____

_____

Owner / Applicant Signature: _____ **Date:** _____

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ZONE CHANGE SUBMITTAL CHECKLIST

- ☐ Completed Application.
- ☐ Application Fee of $400.00, advertising fee of $230.00, and an additional $10.00 per acre.
- ☐ Pre-submittal meeting with Development Service Staff.
- ☐ Copy of title or deed showing proof of legal ownership.
- ☐ Copy of legal description, record of survey, easements, dedications, and any other referenced recorded documents.
- ☐ Notarized Agreement to Waive Claims for Diminution in Value (Prop 207 Waiver).
- ☐ Three (3) copies of fully dimensioned site plan (minimum 11 X 17 inch).
- ☐ A site map indicating the current zoning and land uses for adjacent properties.
- ☐ Submit one (1) copy each of the “Sample Neighborhood Meeting Letter”, and the “Planning Commission Public Hearing Letter” with date, time, and location of the meeting.
- ☐ Submit one (1) copy each of the “Affidavit of Mailing” and the “Affidavit of Posting”.

Additional Information:

At the discretion of the Zoning Administrator/Designee, an alternative citizen review process may be used that does not involve a neighborhood meeting.

It is the applicant’s responsibility to properly notify neighbors via US Mail and to post at the property 15 days prior to the neighborhood meeting and public hearing. Attached is a guide explaining the notification process.

For more information on the Conditional Use Permit Process, Citizen Review Process for Neighborhood Meetings, and the Planning and Zoning Commission meeting, please review Section 1.9.3 and Section 1.9.5 of the Unified Development Ordinance (UDO) on the Town’s website at:
http://www.chinoaz.net/269/Unified-Development-Ordinance

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TOWN OF CHINO VALLEY AGREEMENT TO WAIVE CLAIMS FOR DIMINUTION IN VALUE

PURSUANT TO A.R.S. §12-1134

I/We, _____, ("Owner") am/are all the owner(s) of real property ("Property") generally located at _____, consisting of approximately_____ acres, as shown in the evidence of ownership attached as Exhibit A and legally described in Exhibit B, both of which are attached to this Agreement.

The Property is subject to the land use laws of the Town of Chino Valley, Arizona or to be annexed by the Town. For purposes of this Waiver, "land use law" shall be defined as set forth in A.R.S. **§ 12-1136.**

I/We have requested that the Town take/approve the land use action ("Requested Action") as set forth in Exhibit C, which is attached to this Agreement.

I/We acknowledge that as the request is processed for approval, changes may be made to the details and requirements for approval of the request. Some of these changes may materially alter the request, so that the final approval may be substantially different than originally requested. I/We understand and agree that execution of an additional waiver will be required for approval if the request is altered.

I/We acknowledge that the Requested Action may alter my/our rights to use, divide, sell or possess our Property, and that, pursuant to A.R. S. **§ 12-1134,** as the owner of property directly regulated by a land use law, I/we may be entitled to compensation from the Town for diminution of value in the property if the action I/we have requested from the Town reduces the fair market value of the above described property.

By signing this Agreement, I/We together with Owner's heirs, successors or assignees, hereby voluntarily agree to waive any and all claims for diminution in value for the Property which may arise pursuant to A.R.S. **§ 12-1134** as a result of the Town's actions, including but not limited to approvals, denials or conditions of approvals with respect to the above-described Requested Action. Owner

understands that this Agreement shall run with the Property and be binding upon subsequent landowners and shall be recorded by Owner.

I/we hereby further understand that the Town is acting in reliance upon my/our representations in this waiver.

Dated this _____ day of _____ , _____

_____
(Property Owner)

_____
(Property Owner)

State of Arizona)
) ss
County of Yavapai)

SUBSCRIBED and SWORN to before me this ____ day of _____ , _____

Notary Public: _____ My Commission Expires: _____

Development Services Department
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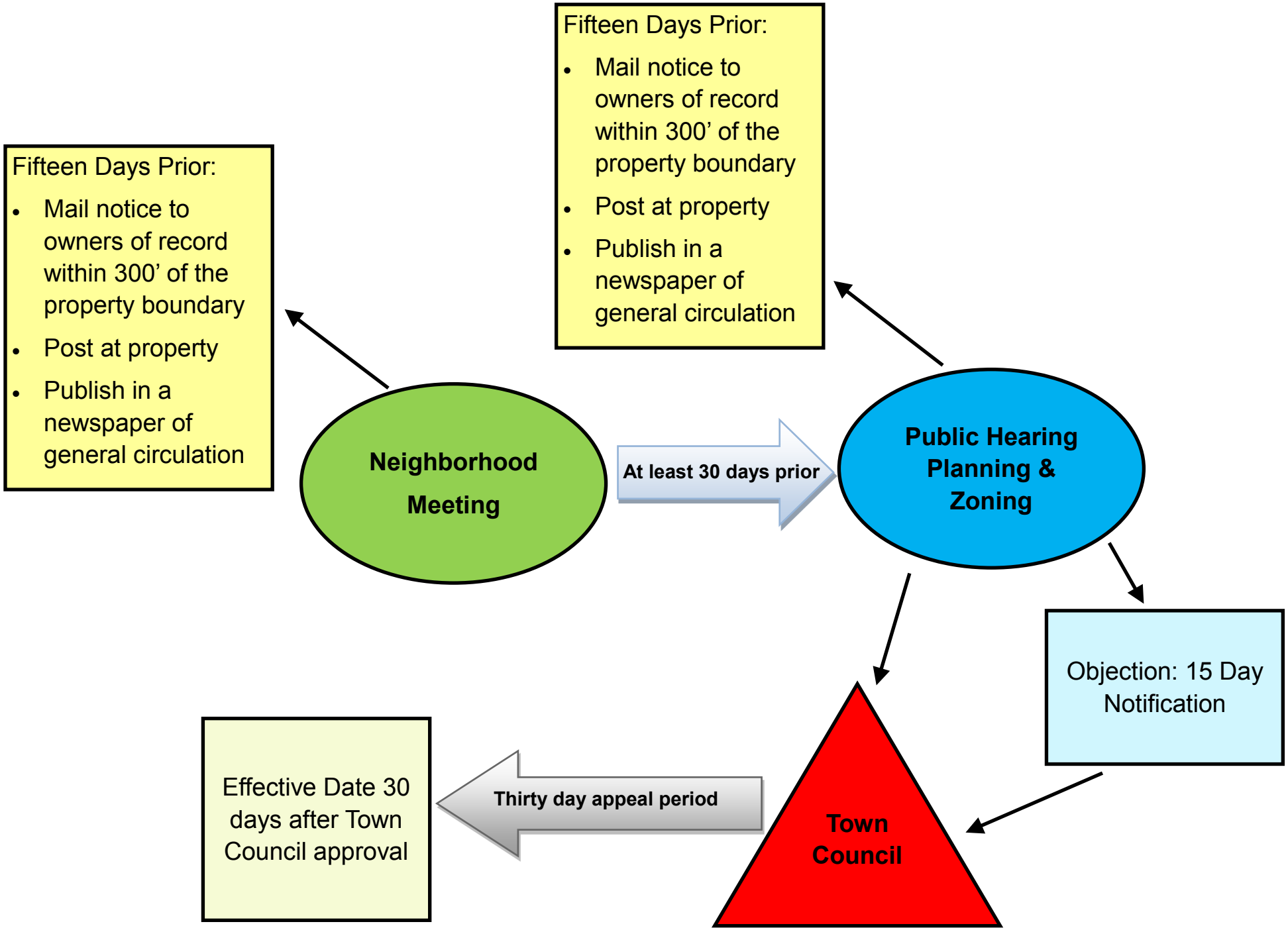
REQUIRED NOTIFICATION FOR NEIGHBORHOOD MEETINGS AND PUBLIC HEARINGS

Arizona Revised Statutes (ARS) requires that the rezoning of land, General Plan Amendments, Conditional Use Permits and other related activities that change the manner in which a property is used undergo a public review and hearing process. The Town of Chino Valley has a three-step process that must be followed prior to Town Council approval of these changes***. IT IS THE RESPONSIBILITY OF THE APPLICANT TO PROPERLY NOTIFY NEIGHBORS VIA US MAIL AND POST AT THE PROPERTY, AND PUBLISH LEGAL NOTICES IN A PAPER OF GENERAL CIRCULATION.***

1) **Neighborhood Meeting:** The neighborhood meeting gives applicants an opportunity to meet with their neighbors to discuss the proposed change, and take comments from surrounding property owners. This meeting must be held at least thirty (30) days prior to the public hearing before the Planning and Zoning Commission. At least fifteen (15) days prior to the Neighborhood Meeting, notice must be provided by first class mail to all property owners within three hundred (300') feet of the subject property; it must be posted with a sign that meets specific requirements, and it must be published in a newspaper of general circulation. The Neighborhood Meeting is conducted by the applicant (or his/her agent); town staff will be present to takes notes.

2) **Public Hearing:** This meeting is held before the Planning and Zoning Commission, which makes recommendations to the Town Council. As with the Neighborhood Meeting, there are statutory deadlines that must be met. The Public Hearing is an official meeting at which adjacent property owners and other persons are given an opportunity to provide comment on the proposed action. The same fifteen (15) day notification deadlines outlined in the Neighborhood Meeting section above apply to the Public Hearing as well.

3) **Town Council:** Final approval for land use actions is given by Town Council. If there were any objections or requests for an additional public hearing to the proposal at the Planning and Zoning Commission public hearing, a second public hearing must be held, including the fifteen (15) day notification. If there were on objections or requests for additional public hearings, the Town Council may consider the request at its next regular meeting. Rezoning of property is effective thirty (30) days after approval of Town Council and cannot be enacted as an emergency measure


Fifteen Days Prior:
Mail notice to owners of record within 300' of the property boundary
Post at property
Publish in a newspaper of general circulation
Fifteen Days Prior:
Mail notice to owners of record within 300' of the property boundary
Post at property
Publish in a newspaper of general circulation
Neighborhood Meeting
At least 30 days prior
Public Hearing Planning & Zoning
Objection: 15 Day Notification
Town Council
Thirty day appeal period
Effective Date 30 days after Town Council approval

Development Services Department
1982 N. Voss Drive #203
Chino Valley, AZ 86323

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NOTIFICATION CALENDAR

Fifteen days before Neighborhood Meeting

POST PROPERTY/MAIL LETTERS: _____

(PUBLISH IN PAPER OF GENERAL CIRCULATION) _____

NEIGHBORHOOD MEETING DATE: _____
At least 30 days prior to Public Hearing

Fifteen days before Public Hearing

POST PROPERTY/MAIL LETTERS: _____

(PUBLISH IN PAPER OF GENERAL CIRCULATION) _____

PUBLIC HEARING PLANNING AND ZONING COMMISSION _____
At least 30 days after Neighborhood Meeting

TOWN COUNCIL MEETING _____

EFFECTIVE DATE _____
30 days after Town Council Meeting

Protest/Objection at Planning and Zoning Public Hearing:

Fifteen days before Second Public Hearing:

POST PROPERTY/MAIL LETTERS _____

(PUBLISH IN PAPER OF GENERAL CIRCULATION) _____

TOWN COUNCIL MEETING: _____

EFFECTIVE DATE _____
30 days after Town Council Meeting

Applicant Signature Date

Staff Signature Date

Development Services Department
1982 N. Voss Drive #203
Chino Valley, AZ 86323

928-636-4427
928-636-6937
www.chinoaz.net

Date

From: Applicant Name
Applicant Address
Applicant City, State, Zip

To: Property Owner Name
Property Owner Address
Property Owner City, State, Zip

RE: (General description of location)
(Property Address/APN optional)

Type of Application: **(TYPE)**

Location Map

Dear Property Owner:

(APPLICANT/DEVELOPER) is proposing **(REQUEST)** for Assessor's Parcel Number(s) **(NUMBER)** This **(ACRES OR AREA)** parcel is located **(Street Address and major cross streets)**.

The Town of Chino Valley Unified Development Ordinance (UDO) requires the applicant to conduct a neighborhood meeting prior to holding a public hearing before the Planning and Zoning Commission. The meeting is designed to allow adjacent landowner(s) or other potentially affected citizens an opportunity to discuss the proposed action and express their respective views concerning the application.

A neighborhood meeting will be held at **(TIME),** on **(Day)**, **(DATE)**, at the **Chino Valley Town Council Chambers, 202 N. State Route 89, Chino Valley, AZ. (APPLICANT/DEVELOPER)** will describe the proposal and answer any questions. Staff may attend the meeting and report the results of the neighborhood meeting to the Commission and Town Council at such time as they take action on the application. All interested parties are invited to attend.

This item has tentatively been scheduled for a public hearing before the Planning and Zoning Commission on DATE 2015 and Town Council on DATE 2015. Both Public Hearings will be held at **6:00 pm** at the **Town Council Chambers, 202 N. State Route 89, Chino Valley, AZ.** Staff will present the item to the Commission/Town Council, including a recommendation for approval or denial. The **(APPLICANT/DEVELOPER)** will describe the proposal and answer any questions. Town Council may take additional comment and will render a final decision. All interested parties are invited to attend.

If you and would like more information please contact the Town of Chino Valley Development Services Department at 928-636-4427, or the (**APPLICANT)** at (**PHONE NUMBER).**

Sincerely,

(Applicants name)

Development Services Department
1982 N. Voss Drive #203
Chino Valley, AZ 86323

928-636-4427
928-636-6937
www.chinoaz.net

AFFIDAVIT OF MAILING- NEIGHBORHOOD MEETING AND PUBLIC HEARING

STATE OF ARIZONA)
) ss.
COUNTY OF YAVAPAI)

I, _____, being the □ applicant or □ agent of the applicant for the following action: _____ for Assessor's Parcel Number(s) 306-_____-_____, do hereby swear that I personally mailed or caused notification letters to be mailed to all owners of record according to the Yavapai County Assessor's Office that are located within 300 feet of the property boundaries of the aforementioned parcel(s) on (date) _____, 20___ at _____ □a.m. □p.m. Said letters contained the appropriate words for the type of request being made of the Town of Chino Valley, and the date, time and place of public hearing. The total number of letters mailed is _____, and are listed on sheet attached hereto and made a part hereof.

_____
Signature of Applicant or Agent

Subscribed and sworn before me this _____ day of_____20_____.

_____
Notary Public

My Commission expires on _____

Development Services Department
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928-636-6937
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NEIGHBORHOOD MEETING
TIME DATE
LOCATION
TYPE OF ACTION

- Must be visible from public right-of-way and at least 100' away
- Type of Action must include current zoning and proposed zoning, or "Conditional Use Permit" or "Variance"
- General Plan Amendments must say "General Plan Amendment" and include the current GP designation as well as the proposed designation

General Description of Property size and location

Example:
"Approximately 15 acres at the northwest corner of the intersection of North Road 1 East and Perkinsville Road"

Brief description of proposed action
Example: *(Rezone property from Commercial Light (CL) to Commercial Heavy to construct and operate an automotive dealership)*

For more information, please contact The Town of Chino Valley Development Services Department at 928-636-4427

11"

Sign Posting:

1) Sign must be AT LEAST 11 X 17 and posted on each street frontage of the subject property. If there is no street frontage, sign must be posted as close to a public street as possible.
2) Background must be a color that is in contrast with the background area in which it is to be posted and the ink used for the content of the sign.
3) Bottom edge of sign must be no greater than 3' from grade; top must be no higher than 6' from grade.

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AFFIDAVIT OF POSTING- NEIGHBORHOOD MEETING

STATE OF ARIZONA)
) ss.
COUNTY OF YAVAPAI)

I, _____, being the □ applicant or □ agent of the applicant for the following action: _____ for Assessor's Parcel Number(s) _____do hereby swear that I personally posted said property on all sides fronting a public street or way and within the property boundaries of the aforementioned parcel(s) on (date) _____, 20___ at _____ □a.m. □p.m. One (1) photo for each sign posted is attached to this document and made a part hereof.

_____
Signature of Applicant or Agent

Subscribed and sworn before me this _____ day of_____20_____.

_____
Notary Public

My Commission expires on _____

Development Services Department
1982 N. Voss Drive #203
Chino Valley, AZ 86323

928-636-4427
928-636-6937
www.chinoaz.net

Date

From: Applicant Name
Applicant Address
Applicant City, State, Zip

To: Property Owner Name
Property Owner Address
Property Owner City, State, Zip

RE: (General description of location)
(Property Address/APN optional)

Location Map

Type of Application: **(TYPE)**

Dear Property Owner:

(APPLICANT/DEVELOPER) is proposing **(REQUEST)** for Assessor's Parcel Number(s) **(NUMBER)** This **(ACRES OR AREA)** parcel is located **(Street Address and major cross streets)**.

The Town of Chino Valley Unified Development Ordinance (UDO) and Arizona Revised Statutes requires a public hearing be held before the Planning and Zoning Commission. The meeting is designed to allow adjacent landowner(s) or other potentially affected citizens an opportunity to discuss the proposed action and express their respective views concerning the application.

Said Public Hearing will be held at **(TIME),** on **(Day)**, **(DATE)**, at the **Chino Valley Town Council Chambers, 202 N. State Route 89, Chino Valley, AZ.** Staff will present the item to the Commission, including finding of fact to support recommendation of approval or denial to the Town Council. The **(APPLICANT/DEVELOPER)** will describe the proposal and answer any questions. All interested parties are invited to attend.

This action is tentatively been scheduled to be heard by the Town Council on **(DATE)** at **6:00 pm** at the **Town Council Chambers, 202 N. State Route 89, Chino Valley, AZ**

If you and would like more information please contact the Town of Chino Valley Development Services Department at 928-636-4427, or the (**APPLICANT)** at (**PHONE NUMBER).**

Sincerely,

(Applicants name)

Development Services Department
1982 N. Voss Drive #203
Chino Valley, AZ 86323

928-636-4427
928-636-6937
www.chinoaz.net

PUBLIC HEARING
TIME DATE
LOCATION
TYPE OF ACTION

- Must be visible from public right-of-way and at least 100' away
- Type of Action must include current zoning and proposed zoning, or "Conditional Use Permit" or "Variance"
- General Plan Amendments must say "General Plan Amendment" and include the current GP designation as well as the proposed designation

General description of property size and location

Example:
"Approximately 15 acres at the northwest corner of the intersection of North Road 1 East and Perkinsville Road"

Brief description of proposed action
Example: *(Rezone property from Commercial Light (CL) to Commercial Heavy to construct and operate an automotive dealership)*

For more information, contact The Town of Chino Valley Development Services Department at 928-636-4427

11"

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1) Sign must be AT LEAST 11 X 17 and posted on each street frontage of the subject property. If there is no street frontage, sign must be posted as close to a public street as possible.
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3) Bottom edge of sign must be no greater than 3' from grade; top must be no higher than 6' from grade.

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AFFIDAVIT OF POSTING- PUBLIC HEARING

STATE OF ARIZONA)
) ss.
COUNTY OF YAVAPAI)

I, _____, being the □ applicant or □ agent of the applicant for the following action: _____ for Assessor's Parcel Number(s) _____do hereby swear that I personally posted said property on all sides fronting a public street or way and within the property boundaries of the aforementioned parcel(s) on (date) _____, 20___ at _____ □a.m. □p.m. One (1) photo for each sign posted is attached to this document and made a part hereof.

_____
Signature of Applicant or Agent

Subscribed and sworn before me this _____ day of_____20_____.

_____
Notary Public

My Commission expires on _____

1.9.5 Citizen Review Process

Prior to any public hearing, as required under this Ordinance, on any application for any Ordinance that changes any property from one zoning district to another, a use or conditional use permit application that imposes any regulation not previously imposed, or that removes or modifies any such regulation previously imposed, the Zoning Administrator, or his/her designee, shall require the applicant to conduct a neighborhood meeting or an acceptable alternative prior to a public hearing to consider the proposal. A written notice of the application shall be mailed to all landowners of property within three hundred (300) feet of the property that is subject to a rezone, use or conditional use permit application and to such other persons as the Zoning Administrator, or his/her designee, reasonably determines to be other potentially affected citizens. In determining the number of potentially affected citizens, the Zoning Administrator, or his/her designee, shall review the density and intensity of residential development in the general vicinity, the existing street system, and other factors that may be related tothe zoning or Use Permit's impact on the character of the neighborhood.

The written notice shall also include a general explanation of the substance of the proposed rezoning, Use Permit application and shall state the date, time and place scheduled for a neighborhood meeting, at which any adjacent landowner(s) or those other potentially affected citizens, will be provided a reasonable opportunity to express any issues or concerns that the landowner or citizen may have with the proposed zoning or Use Permit application before any required public hearing.

The written notice shall be given at least fifteen (15) days before the neighborhood meeting in the following manner:

The notice shall be published once in a newspaper of general circulation published or circulated in the Town.

The notice shall be posted upon the sign required in this Ordinance, unless waived by the Zoning Administrator or his/her designee.

The notice shall be mailed in accordance with the same procedures as required in, and delivered in accordance with the provisions of the Ordinance.

The ~~Zoning Administrator~~ APPLICANT, upon consultation with the ~~applicant~~ ZONING ADMINISTRATOR, shall establish a time, date and place for the neighborhood meeting that provides a reasonable opportunity for the applicant TO INFORM adjacent landowners and ~~those~~ other potentially affected citizens OF THE SUBSTANCE OF THE PROPOSED ACTION AND ADJACENT LANDOWNERS AND OTHER POTENTIALLY AFFECTED CITIZENS WILL BE PROVIDED AN OPPORTUNITY to ~~discuss and~~ express ANY ISSUES OR CONCERNS THAT THEY MAY HAVE WITH THE PROPOSED ~~their respective views concerning the application and any issues or concerns that they may have with the~~ zoning or change of zoning ~~and~~ OR Use Permit proposed by the application BEFORE THE PUBLIC HEARING. THE CITIZEN REVIEW MEETING SHALL BE HELD NOT LESS THAN FIVE DAYS PRIOR TO THE PUBLIC HEARING ON THE APPLICATION. The Zoning Administrator, or his/her designee, MAY ~~shall~~ attend the meeting, but is not required to conduct the meeting. The ~~Zoning Administrator~~ APPLICANT, or his/her designee, shall ~~report the results of the neighborhood meeting~~ SUBMIT A WRITTEN REPORT OF THE OUTCOMES OF THE

MEETING, TO THE ZONING ADMINISTRATOR, WHO SHALL INCLUDE THEM IN REPORTS to Commission and Town Council at such time as they take action on the application.

At the discretion of the Zoning Administrator, or his/her designee, an alternative citizen review process may be used that does not involve a neighborhood meeting. The alternative process shall consist, at a minimum, of the following:

Written notice as described above, except that the notice shall only indicate the name, address and phone number of the member of the planning staff to whom adjacent landowners within three hundred (300) feet or other potentially affected citizen, may contact to express any issues or concerns that the landowner or citizen may have with the proposed rezoning.

A staff report summarizing any issues or concerns expressed by adjacent landowners shall be presented to the Commission and Mayor and Council at such time as they take action on the application.

ORDINANCE NO. 16-812

AN ORDINANCE OF THE COMMON COUNCIL OF THE TOWN OF CHINO VALLEY, ARIZONA, AMENDING THE UNIFIED DEVELOPMENT ORDINANCE OF THE TOWN OF CHINO VALLEY, ARIZONA, CHAPTER 1 ADMINISTRATION AND PROCEDURES, SECTION 1.9 REVIEW AND APPROVAL PROCESSES; SUBSECTION 1.9.5 CITIZEN REVIEW PROCESS RELATED TO NOT REQUIRING STAFF ATTENDANCE AT NEIGHBORHOOD MEETINGS; PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY; AND PROVIDING PENALTIES.

WHEREAS, after proper notice required by law and in accordance with ARS 9-462.04, the Planning and Zoning Commission held a citizen review meeting on February 2, 2016 and held a public hearing on March 1, 2016, during which the Commission took comment from the public and, after consideration and discussion, recommended approval of the proposed amendments to the Town Council; and

WHEREAS, the Unified Development Ordinance of the Town of Chino Valley, Chapter 1 Administration and Procedures, Section 1.9 Review and Approval Processes, Subsection 1.9.5 Citizen Review Process requires the Zoning Administrator, or his/her designee, to attend neighborhood meetings related to zoning actions, Conditional Use Permits, and Planned Area Developments; and

WHEREAS, the purpose of neighborhood meetings is for the applicant to describe and advocate for their proposed project, be it a zoning change, a Conditional Use Permit, or a Planned Area Development; and

WHEREAS, staff attendance at neighborhood meetings may give the appearance of implicit support of said project, and may also limit the free exchange of comments and concerns at neighborhood meetings; and

WHEREAS, after proper notice in accordance with ARS 9-462.04, the Planning and Zoning Commission held a public hearing on February 2, 2016, during which the Commission took comment from the public and, after consideration and discussion, recommended approval of the ordinance to the Town Council; and

WHEREAS, the Town Council finds this proposed amendment reasonable and in accordance with state regulations governing the citizen review process related to zoning actions, Conditional Use Permits, and Planned Area Developments;

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

Section 1. In General.

The Unified Development Ordinance of the Town of Chino Valley, Arizona, Chapter 1 Administration and Procedures, Section 1.9 Review and Approval Processes, Subsection 1.9.5 Citizen Review Process is hereby amended to read as follows (additions shown in ALL CAPS; deletions shown in ~~strikeout~~):

1.9.5 Citizen Review Process

* * *

The ~~Zoning Administrator~~ APPLICANT, upon consultation with the ~~applicant~~ ZONING ADMINISTRATOR, shall establish a time, date and place for the neighborhood meeting that provides a reasonable opportunity for the applicant TO INFORM adjacent landowners and ~~those~~ other potentially affected citizens OF THE SUBSTANCE OF THE PROPOSED ACTION AND ADJACENT LANDOWNERS AND OTHER POTENTIALLY AFFECTED CITIZENS WILL BE PROVIDED AN OPPORTUNITY to ~~discuss and~~ express ANY ISSUES OR CONCERNS THAT THEY MAY HAVE WITH THE PROPOSED ~~their respective views concerning the application and any issues or concerns that they may have with the~~ zoning or change of zoning ~~and~~ OR Use Permit proposed by the application BEFORE THE PUBLIC HEARING. THE CITIZEN REVIEW MEETING SHALL BE HELD NOT LESS THAN FIVE DAYS PRIOR TO THE PUBLIC HEARING ON THE APPLICATION. The Zoning Administrator, or his/her designee, MAY ~~shall~~ attend the meeting, but is not required to conduct the meeting. The ~~Zoning Administrator~~ APPLICANT, or his/her designee, shall ~~report the results of the neighborhood meeting~~ SUBMIT A WRITTEN REPORT OF THE OUTCOMES OF THE MEETING, TO THE ZONING ADMINISTRATOR, WHO SHALL INCLUDE THEM IN REPORTS to Commission and Town Council at such time as they take action on the application.

Section 2. <u>Providing for Repeal of Conflicting Ordinances</u>.

All ordinances and parts of ordinances in conflict with the provisions of this Ordinance or any part of the Code adopted herein by reference, are hereby repealed.

Section 3. <u>Providing for Severability</u>.

If any section, subsection, sentence, clause, phrase or portion of this Ordinance or any part of the Code adopted herein by reference, is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions thereof.

Section 4. <u>Providing for Penalties</u>

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

PASSED AND ADOPTED by the Mayor and Common Council of the Town of Chino Valley, Arizona, this ___ day of _____, 2016 by the following vote:

AYES: _____

NAYES: _____ ABSENT: _____

EXCUSED: _____ ABSTAINED: _____

APPROVED this ____ day of _____, 2016.

_____
Chris Marley, Mayor

ATTEST:

_____
Jami Lewis, Town Clerk

APPROVED AS TO FORM:

_____
Phyllis L.N. Smiley, Town Attorney

I, JAMI LEWIS, TOWN CLERK, DO HEREBY CERTIFY THAT A TRUE AND CORRECT COPY OF THE ORDINANCE NO. _____ ADOPTED BY THE COMMON COUNCIL OF THE TOWN OF CHINO VALLEY ON THE ____ DAY OF _____, 2016, WAS POSTED IN THREE PLACES ON THE _____ DAY OF _____, 2016.

_____
Jami Lewis, Town Clerk

Planning and Zoning Commission Regular **6. c.**

Meeting Date: 03/01/2016

Unified Development Ordinance Amendment Regarding Parking Requirements

---

CASE DESCRIPTION:

Consideration and possible action to recommend approval of Ordinance 16-813 to the Town Council, amending the Unified Development Ordinance Chapter 4, General Regulations, Section 4.22 Off-Street Parking and Loading, Subsection 4.22.5 Parking Standards for Non-Residential and Mixed Uses, Sub-subsections 4.22.5(E) Joint Use Parking for PAD, and Subsection 4.22.8 Determination of Required Parking, by deleting Sub-subsections (B) and (H) and renumbering the remaining subsections to conform, and amending the Table. The proposed amendments include: expansion of Joint Use Parking to non-Planned-Area-Development uses (4.22.5(E)); removal of maximum parking requirements; and removal of requirements for Recreational Vehicle (RV) parking at apartment and condominium complexes (4.22.8).

LOCATION:

N/A

FACTS:

N/A

ANALYSIS:

As projects are presented to the Development Services Department during feasibility and Technical Review meetings, it is often called to the attention of staff that Unified Development Ordinance (UDO) provisions need to be amended. The text amendments presented within Ordinance 16-813 are intended to allow more flexibility in parking lot design, reduce redundancies in parking efforts, and to apply common sense principals to the off-street parking requirements imposed upon non-residential uses in the UDO.

The first proposed text amendment affects Subsection 4.22.5 Subsection (E) Joint Use Parking for PAD. The UDO currently allows for parking reductions and joint use parking agreements for a mixed-used PAD (Planned Area Development). The proposed amendment would extend those rights to uses that do not have the formal designation of a Planned Area Development. The intent of this relaxation of off-street parking standards is to allow for a reduction in required parking spaces for uses that have different peak parking demand, such as a breakfast restaurant and a bar and grill. Requirements for joint use parking agreements include: 1) a parking study supplied by applicant and approved by the Development Services Director, 2) submittal of an executed parking agreement to the Department for records; and, 3) upon a change of use, operating hours, or intensities of use, or upon findings that the parking facilities are inadequate, the parking requirements may be expanded or otherwise changed.

The following text amendments all fall under Subsection 4.22.8 Determination of Required Parking. The proposed amendments eliminate conflicting provisions as well as onerous parking standards for apartment complexes. Parts B and H of Subsection 4.22.8 both impose a maximum parking limit for developments. See below: B. The maximum number of parking spaces provided shall not exceed the minimum number of spaces and an additional twenty (20) percent of parking spaces, except as otherwise provided in this Ordinance. H. Alternative Design Standards: To provide flexibility in design and development of projects, alternative design standards are provided. The total number of parking spaces may be increased by ten (10) percent, above the maximum, however in no case may the total number of parking spaces be increased by more than forty (40) percent above the base maximum allowed. The above maximum parking limitations would be removed from the UDO, effectively lifting maximum parking limits from future projects. It is not anticipated that developers will desire to increase the amount of parking they provide, in most cases, it is a desire to provide less than the minimum required. All commercial projects are routed through Technical Review, a process wherein staff consults with prospective developers, and during this process, parking is reviewed; if during this process, a project with a major excess of parking is proposed, this is discouraged, however, it is not often the case that a developer wants to pay to provide extra parking beyond the minimum, as well as give up valuable square footage to parking, rather than a use that generates income.

Finally, an amendment to the Table of Required Off-Street Parking Spaces is proposed. Currently, requirements for apartment and condominium complexes include recreational vehicle (RV) parking spaces. At a complex with multi-family units, it is not desirable for the Town to have RV spaces, given the possibility of long-term stay in the RV on these sites. This would be undesirable from the standpoint of the real estate management company or property owner in these cases, as well. Providing RV spaces also causes interior traffic flow issues, as well as fire department access issues, if an RV is parked in an area where maneuvering of fire suppression vehicles is required. These changes are meant to remove requirements that are out-of-line with desired outcomes for property development.

As requested, staff has edited the Table of Required Off-Street Parking Spaces to clarify required parking.

RECOMMENDATION

Recommend approval of Ordinance 16-813 to Town Council, amending Chapter 4 of the Unified Development Ordinance related to changing the parking requirements.

Attachments

Ordinance 16-813

ORDINANCE NO. 16-813

AN ORDINANCE OF THE COMMON COUNCIL OF THE TOWN OF CHINO VALLEY, ARIZONA, AMENDING THE UNIFIED DEVELOPMENT ORDINANCE OF THE TOWN OF CHINO VALLEY, ARIZONA, CHAPTER 4 GENERAL REGULATIONS, SECTION 4.22 OFF-STREET PARKING AND LOADING, BY AMENDING SUBSECTION 4.22.5 PARKING STANDARDS FOR NON-RESIDENTIAL AND MIXED USES, SUB-SUBSECTION (E) JOINT USE PARKING FOR PAD TO CHANGE THE TITLE TO JOINT USE PARKING AND TO EXTEND JOINT USE PARKING AGREEMENTS TO NON-PLANNED-AREA-DEVELOPMENT USES; AND AMENDING SUBSECTION 4.22.8 DETERMINATION OF REQUIRED PARKING, BY DELETING SUB-SUBSECTIONS (B) AND (H) AND RENUMBERING FOR CONSISTENCY AND BY NAMING THE TABLE FOLLOWING NEW SUB-SUBSECTION K AND AMENDING THE TABLE, RELATED TO REMOVING THE MAXIMUM NUMBER OF PARKING SPACES AND THE REQUIREMENT FOR RECREATIONAL VEHICLE PARKING SPACES FOR APARTMENT AND CONDOMINIUM COMPLEXES WITH FIVE (5) OR MORE UNITS; PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY; AND PROVIDING PENALTIES.

WHEREAS, after proper notice required by law and in accordance with ARS 9-462.04, the Planning and Zoning Commission held a citizen review meeting on February 2, 2016 and held a public hearing on March 1, 2016, during which the Commission took comment from the public and, after consideration and discussion, recommended approval of the proposed amendments to the Town Council; and

WHEREAS, the Town Council finds this proposed amendment reasonable and in conformance with the Town of Chino General Plan's Transportation Element, Target Strategy 4, which states: Encourage all modes of alternative transportation including installation of bicycling and pedestrian route networks, local non-profit vans and YRTI

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

Section 1. In General.

The Unified Development Ordinance of the Town of Chino Valley, Arizona, Chapter 4 General Regulations, Section 4.22 Off-Street Parking and Loading, Subsection 4.22.5 Parking Standards for Non-Residential or Mixed Uses, Sub-subsection (E) Joint Use Parking is hereby amended to read as follows (additions shown in ALL CAPS; deletions shown in ~~strikeout~~):

E. Joint Use Parking ~~for PAD~~

If an applicant ~~for a mixed use PAD~~ can demonstrate through a parking study supplied by the applicant and approved by the Development Services Director, or

his/her designee, that the peak parking demand for the JOINT~~mixed~~ uses will be less than the sum of the parking spaces required for each use served, a reduction in spaces may be allowed.

* * *

The Unified Development Ordinance of the Town of Chino Valley, Arizona, Chapter 4 General Regulations, Section 4.22 Off-Street Parking and Loading, Subsection 4.22.8 Determination of Required Spaces, is hereby amended to delete Sub-subsections (B) and (H) and renumber to maintain consistency and to amend and name the table following Sub-subsection M to read as follows (additions shown in ALL CAPS; deletions shown in strikeout):

4.22.8 Determination of Required Parking

*** * ***

~~B. The maximum number of parking spaces provided shall not exceed the minimum number of spaces and an additional twenty (20) percent of parking spaces, except as otherwise provided in this Ordinance.~~

~~C~~B. Parking lots shall be designed with a clear hierarchy of circulation with major access drives providing access from the major street, major circulation drives forming circulation through the parking area, and parking aisles whose purpose is to provide access to parking spaces.

~~D~~C. Reciprocal access between adjacent commercial developments is required.

~~E~~D. Large parking lots shall be divided into a series of smaller lots of approximately one hundred-fifty (150) spaces each, using raised landscape island(s) at least ten (10) feet in width, and at least 500 square feet in total area, located along the sides of the parking areas to separate large parking areas. Walkways should be considered as part of these landscape areas. Raised landscape strips at least five (5) feet wide and at least ninety-five (95) square feet in total area, should be located on the ends of parking rows, extending the full length of parking spaces. Additional landscape islands should be considered in the interior of the individual parking areas to provide shade and break up large expanses of parking area. As part of Site Plan review, the Site Plan Review Committee shall review parking lot and landscape layouts to determine if they are in keeping with the requirements of this Ordinance.

* * *

~~F~~E. Parking areas may be combined and share the required landscape buffers.

* * *

~~G~~F. Parking lots shall be separated from the sides of buildings by a raised walkway (with a minimum width of six (6) feet).

~~H. Alternative Design Standards: To provide flexibility in design and development of projects, alternative design standards are provided. The total number of parking spaces may be increased by ten (10) percent, above the maximum,~~

~~however in no case may the total number of parking spaces be increased by more than forty (40) percent above the base maximum allowed.~~

~~I~~G. In the case of fractional results in calculating parking requirements, the required number shall be rounded up to the nearest whole number if the fraction is 0.5 or greater.

~~J~~H. All uses not specifically designated, or similar to a specified use, shall have parking space requirements determined by the Zoning Administrator.

~~K~~I. Handicapped Parking Spaces: In multiple-family, commercial (excluding health care uses), and industrial districts, handicapped parking spaces shall be provided at the ratio of one space for the 1st 20 parking spaces provides, and one (1) space every twenty five (25) thereafter.

~~L~~J. Handicapped parking spaces ratio for health care uses shall be as follow~~ing~~S:

1-10 spaces Require 1 HC space
11-20 spaces Require 2 HC spaces
21-30 spaces Require 3 HC spaces
31-50 spaces Require 4 HC spaces
51-75 spaces Require 5 HC spaces
1 HC space Each 25 thereafter

~~M~~K. Handicapped parking spaces shall use the "universal parking space" dimensions for all new handicapped spaces within the Town. Dimensions: 11x20 with a 5 foot aisle. This size will accommodate both cars and vans.

* * *

TABLE 4.22.8 REQUIRED PARKING SPACES

USE	**MINIMUM STANDARDS**
* * *	* * *
Multiple Residence, apartments:	
Efficiencies, studios	1 space per dwelling unit
One-two bedroom unit	1.5 spaces per dwelling unit
Two + bedroom units	2 spaces per dwelling unit
All apartment COMPLEXES ~~developments~~ with 5 or more units ~~shall also provide guest parking and recreational vehicle parking~~	THE ABOVE NUMBER OF SPACES PER UNIT, PLUS, 1 ADDITIONAL guest space per 10 dwelling units
Condominium, Townhomes WITH 5 OR MORE UNITS	2 spaces per unit plus 1 ADDITIONAL ~~guest~~ space PER 10 DWELLING UNITS~~for each additional and one (1) recreational vehicle space for each ten units~~
* * *	* * *

Section 2. Providing for Repeal of Conflicting Ordinances.

All ordinances and parts of ordinances in conflict with the provisions of this Ordinance or any part of the Code adopted herein by reference, are hereby repealed.

Section 3. Providing for Severability.

If any section, subsection, sentence, clause, phrase or portion of this Ordinance or any part of the Code adopted herein by reference, is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions thereof.

Section 4. Providing for Penalties

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

PASSED AND ADOPTED by the Mayor and Common Council of the Town of Chino Valley, Arizona, this ___ day of _____, 2016 by the following vote:

AYES: _____

NAYES: _____ ABSENT: _____

EXCUSED: _____ ABSTAINED: _____

APPROVED this ____ day of _____, 2016.

_____
Chris Marley, Mayor

ATTEST:

_____
Jami Lewis, Town Clerk

APPROVED AS TO FORM:

_____
Phyllis L.N. Smiley, Town Attorney

I, JAMI LEWIS, TOWN CLERK, DO HEREBY CERTIFY THAT A TRUE AND CORRECT COPY OF THE ORDINANCE NO. _____ ADOPTED BY THE COMMON COUNCIL OF THE TOWN

OF CHINO VALLEY ON THE ____ DAY OF _____, 2016, WAS POSTED IN THREE PLACES ON THE _____ DAY OF _____, 2016.

_____
Jami Lewis, Town Clerk