1. Planning & Zoning Commission - Agenda

   Documents: 2016_04_13_PZ_SP_AG.PDF

2. Planning & Zoning Commission - Agenda Packet

   Documents: 2016_04_13_PZ_SP_PK.PDF

Town of Chino Valley

MEETING NOTICE
PLANNING AND ZONING COMMISSION

SPECIAL MEETING
April 13, 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 accept the March 1, 2016 regular meeting minutes.

5. STAFF REPORTS

6. PUBLIC HEARING

a. Consideration and possible action to hold a citizen review meeting regarding Ordinance 16-816 to amend the Unified Development Ordinance ("UDO"), Chapter 4, General Regulations, Section 4.31 Medical Marijuana Dispensaries, Cultivation and Infusion Facilities, to require a five hundred foot (500') separation from the edge of right-of-way of State Route 89.

b. Consideration and possible action to hold a public hearing and to recommend to the Town Council adoption of Ordinance 16-817 to rezone approximately 2.0 acres of real property, located at 1650 Granite Creek Lane, Chino Valley, Arizona, consisting of a portion of the Northeast quarter of Section 11, Township 16N, Range 02W, Gila and Salt River Base and Meridian (Yavapai County Assessor's Parcel number 306-17-110C) from I (Industrial) to SR-1 (Single Family Residential, 1 acre minimum). (Applicant: TDH Investments) (James Gardner, Associate Planner)

7. NON-PUBLIC HEARING ACTION ITEMS

8. DISCUSSION ITEMS

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

9. PUBLIC COMMENTS

10. ADJOURN

Dated this 5th day of April, 2016.

By: **James Gardner, Associate Planner**

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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PLANNING AND ZONING COMMISSION

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7. NON-PUBLIC HEARING ACTION ITEMS

8. DISCUSSION ITEMS

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9. PUBLIC COMMENTS

10. ADJOURN

Dated this 5th day of April, 2016.

By: **James Gardner, Associate Planner**

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.

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

Meeting Date: 04/13/2016

March 1, 2016 regular meeting minutes.

CASE DESCRIPTION:

Consideration and possible action to accept the March 1, 2016 regular meeting minutes.

FACTS:

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

ANALYSIS:

RECOMMENDATION

Attachments

March 1, 2016 Regular Meeting Minutes

D R A F T

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

March 1, 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 Lane 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; Commissioner Florence Sloan; Alternate Commissioner Julie Van Wuffen

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

4) MINUTES

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

MOVED by Vice-Chair Gary Pasciak, seconded by Commissioner Claude Baker to approve the February 2, 2016 meeting minutes.

Vote: 7 - 0 PASSED - Unanimously

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.

Planner Gardner discussed the effect of Reed v. Gilbert relating to revision of the Sign Code and outlined upcoming steps regarding the Sign Code UDO amendments including:

- Discussion and updates at Planning & Zoning meetings
- Dissemination of survey
- Create Sign Code Committee

- Attend Chamber of Commerce Luncheons
- Continued communication
- Final steps: public hearings at P& Z and Town Council

Items for possible consideration include:

- Increase of maximum sign sizes
- Speed or roadway classification to correlate with sign size
- Minimum size requirements to ensure visibility and reduce visual clutter
- How to manage multiple signs on a single site?
- How to manage temporary signs, especially those in Town or ADOT right-of-way.

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

The property will have a shared well and meets the separation requirement for the septic. The location of the septic was permitted by the County.

MOVED by Commissioner Michael Bacon, seconded by Vice-Chair Gary Pasciak to recommend approval of this rezone from SR-2.5 to SR-1 known as the Merlyn rezone at 868 Adams Drive.

Vote: 7 - 0 PASSED - Unanimously

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.

Planner Gardner responded to Commissioner Bacon's concerns about the Conditional Use Permit forms and submittal requirements.

MOVED by Vice-Chair Gary Pasciak, seconded by Commissioner Michael Bacon to recommend approval of Ordinance 16-812 as written.

Vote: 7 - 0 PASSED - Unanimously

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).

MOVED by Vice-Chair Gary Pasciak, seconded by Commissioner Claude Baker to recommend approval of Ordinance 16-813 and forward it to Town Council, as written.

Vote: 7 - 0 PASSED - Unanimously

7) NON-PUBLIC HEARING ACTION ITEMS

Commissioner Van Wuffen inquired how a traffic study is done before a building is constructed. Commissioner Pasciak responded based on his experience working at ADOT.

8) DISCUSSION ITEMS

There were no discussion items.

9) PUBLIC COMMENTS

There were no public comments.

10) ADJOURN

MOVED by Vice-Chair Gary Pasciak, seconded by Commissioner Florence Sloan to adjourn the meeting at 7:05 pm.

Vote: 7 - 0 PASSED - Unanimously

_____
Chair Charles Merritt

_____
Date

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

Meeting Date: 04/13/2016

Unified Development Ordinance Amendment Regarding Medical Marijuana Separation Requirements

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CASE DESCRIPTION:

Consideration and possible action to hold a citizen review meeting regarding Ordinance 16-816 to amend the Unified Development Ordinance ("UDO"), Chapter 4, General Regulations, Section 4.31 Medical Marijuana Dispensaries, Cultivation and Infusion Facilities, to require a five hundred foot (500') separation from the edge of right-of-way of State Route 89.

LOCATION:

N/A

FACTS:

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

ANALYSIS:

The Arizona Medical Marijuana Act (the "Act"), approved by voters in 2010, established the laws for medical marijuana in Arizona and tasked the Arizona Department of Health Services ("ADHS") with developing regulations to implement the provisions of the Act. Arizona Revised Statutes ("A.R.S.") Section 36-2804 limited the number of medical marijuana dispensaries to no more than one dispensary for every ten registered pharmacies in the state (as registered under Arizona pharmacy statutes). ADHS was required to determine a means to distribute the limited number of dispensaries throughout the state. ADHS established regulations that permitted a single dispensary per Community Health Analysis Area ("CHAA"), the CHAAs are distributed throughout the state, and are nearly equal to the initial number of dispensaries permitted pursuant to A.R.S.§ 36-2804.

Arizona Administrative Code § R9-17-306(B)(1)(b) provides that after the first three years that a dispensary has been issued a Dispensary Registration Certificate, the dispensary may change its location to any other location in the state, and the first dispensaries in Arizona were certified in 2013. This means that those dispensaries that were certified in 2013 would now be allowed to move anywhere with the state, including CHAAs where there is an existing dispensary. Currently, within Chino Valley, there is one dispensary. If the Town Council takes no action, other dispensaries could locate within the Town boundaries, as long as they are in compliance with the UDO. The UDO Amendment set forth in Ordinance 16-816 is proposed in anticipation of the possibility that a duly certified dispensary may desire to move to the Town of Chino Valley.

The proposed amendment requires a five hundred foot (500') separation between medical marijuana uses and the edge of the right-of-way of State Route 89. The purpose of this proposed amendment is to prevent a proliferation of dispensaries from locating near highway frontage, thereby limiting the visibility of this use. Ordinance 16-811, which became effective on February 26, 2016, requires that all dispensaries be located within Industrial (I) zoning districts. Currently there are no industrially zoned properties adjacent to State Route 89. Staff recommends approving Ordinance 16-816 to provide added protection for the Town just in case a property located on State Route 89 is rezoned to Industrial for another purpose, and subsequently sold for medical marijuana uses.

TECHNICAL REVIEW:

N/A

SITE PLAN

N/A

RECOMMENDATION

Hold a citizen review meeting regarding the proposed additional separation requirements from State Route 89 for medical marijuana facilities.

Attachments

Ordinance 16-816

ORDINANCE NO. 16-816

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 4.31 MEDICAL MARIJUANA DISPENSARIES, CULTIVATION, AND INFUSION FACILITIES, BY AMENDING SUBSECTION 4.31.D TO PROVIDE FOR A 500 FOOT SEPARATION FROM THE EDGE OF RIGHT-OF-WAY AT STATE ROUTE 89; 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 April 13, 2016 and held a public hearing on May 3, 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 that reasonable regulations related to the location and operation of medical marijuana facilities is in the best interest of protecting the public's health, safety, and general welfare and consistent with the principles set forth in the Arizona Medical Marijuana Act;

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 4.31 Medical Marijuana Dispensaries, Cultivation and Infusion Facilities, is hereby amended to read as follows (additions shown in ALL CAPS; deletions shown in ~~strikeout~~):

* * *

D. The following separation requirements shall apply to all medical marijuana facilities:

1. Five hundred feet (500') from any school, public or private.
2. Five hundred feet (500') from any public park, public building, or public community center.
3. Five hundred feet (500') from any drug or alcohol rehabilitation facility or correctional transitional housing facility.
4. Five hundred feet (500') from any residential zoning district.
5. FIVE HUNDRED FEET (500') FROM THE EDGE OF THE RIGHT-OF-WAY OF STATE ROUTE 89.

* * *

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

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

Meeting Date: 04/13/2016

Granite Creek Rezoning (TDH Investments)

CASE DESCRIPTION:

Consideration and possible action to hold a public hearing and to recommend to the Town Council adoption of Ordinance 16-817 to rezone approximately 2.0 acres of real property, located at 1650 Granite Creek Lane, Chino Valley, Arizona, consisting of a portion of the Northeast quarter of Section 11, Township 16N, Range 02W, Gila and Salt River Base and Meridian (Yavapai County Assessor's Parcel number 306-17-110C) from I (Industrial) to SR-1 (Single Family Residential, 1 acre minimum). (Applicant: TDH Investments) (James Gardner, Associate Planner)

LOCATION:

1650 Granite Creek Lane, Chino Valley, Arizona, consisting of a portion of the Northeast quarter of Section 11, Township 16N, Range 02W, Gila and Salt River Base and Meridian (Yavapai County Assessor's Parcel number 306-17-110C)

FACTS:

1. Applicant:.....TDH Investments, LLC
2. Owner:.....TDH Investments, LLC
3. Parcel Number.....306-17-110C
4. Site Area.....approx. 2.0 acres
5. Existing zoning:.....Industrial
6. Intended Use.....Residential (existing home)

ANALYSIS:

Summary

The purpose of this request is to rezone subject parcel 306-17-110C, consisting of approximately 2.0 acres. The subject parcel is located in Section 11, Township 16 North, Range 2 West of the Gila and Salt River Base and Meridian, Yavapai County, Arizona. The property is located at approximately 1650 Granite Creek Lane, to the east of Arizona Trail. Surrounding zoning includes Single Family Residential, 1-acre minimum (SR-1) to the west, Industrial (I) to the north, south, and east, and SR-1 to the south, beyond the adjacent parcel.

The property is zoned Industrial (I) 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 selling the property with the existing residence on it to the current occupant.

History

In 1975, the property (APN 306-17-001) was rezoned from Agricultural Residential (AR) to Industrial (I), as part of a "blanket" rezone of an agricultural area to an industrial area, with the intent of heavy commercial and industrial development. Without the benefit of sewer, water, and natural gas utilities, the area has largely developed with residential or light commercial uses that can operate on a private well and septic, and without need for natural gas. The rezone was applied for by Mr. Wells, who still owns a large portion of the area zoned Industrial. In 1982, a permit for a mobile home was pulled and a permit for a garage was pulled, both were issued and in 1984, the first mobile home was replaced with a manufactured home. In 1994, the parcel was issued a residential addition permit as well as a mechanical permit for said addition. The home has not since been expanded. The proposed rezone to residential, which is for the sole purposes of bring the home into compliance with the UDO, was proposed because the buyer cannot secure a residential loan for the property based upon its non-conforming status.

On February 22, 2016, the applicant (current property owner) held a neighborhood meeting onsite (with the buyer's permission), and the representative of one neighbor was in attendance. Said representative (John Kuzicki), was in attendance to represent the interests of the neighbors to the south and to the east (both parcels are owned by a partnership). Mr. Kuzicki voiced opposition to the rezone of the property due to the neighbor's concern that the rezone would lower their property value and restrict their rights as property owners. The property owners also submitted a letter of opposition, which is attached herein.

General Plan Conformance

The proposed rezoning is in conformance with the 2014 Chino Valley General Plan's Future Land Use Map, which places the property in a medium density residential potential land use, as zoning currently reflects, this parcel is on the edge of an industrial/residential border, which is similarly reflected in the Future Land Use Map. (In attached staff brief). The subject property is not located within a "Community Core" area indicated by the General Plan Land Use Element (In attached staff

brief). The proposed rezoning is not expected to impact circulation and traffic given that the use will not change, and will not affect the other focus areas of the General Plan.

Findings of Fact

The purpose of the applicants request is to change the zoning of the parcel from Industrial (I) to Single Family Residential, 1-acre minimum (SR-1). The request to rezone will not be materially detrimental to persons residing or working 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. Surrounding uses include housing to the west, vacant, industrially zoned land to the south, north, and east, and beyond that, to the south, more housing. The nearest SR-1 zoning to this parcel is directly adjacent to the parcel on the west, and the proposed rezone is on a hard border of I/SR-1 zoning. The nearest SR-1 zoning to the south is approximately 240 feet to the south, the depth of one parcel.

Opposition

One neighbor has submitted a letter of opposition to this request, which is attached in the hearing packet. This neighbor owns the parcel directly to the south as well as the parcel directly to the east – the owner is a partnership with the name of MJD Holdings, LLC. The letter is from one of the three partners in that organization. This opposition was also voiced by the Realtor representing those parcels at the February 22, 2016 neighborhood meeting.

TECHNICAL REVIEW:

Technical Review was not required on this property - no new construction is proposed.

SITE PLAN

Attached.

RECOMMENDATION

This request will not have a detrimental effect on persons residing or working in the vicinity and is appropriate for the existing structure and surrounding properties, given the proximity to other residential zoning and the fact that the home is an existing structure. The proposed rezoning will match the actual use of the property.

Staff recommends forwarding the application on to Town Council with the recommendation of approval.of Ordinance 16-817, to rezone approximately 2.0 acres of real property generally located at 1650 Granite Creek Lane (APN 306-17-110C) from industrial (I) to single-family residential, 1-acre minimum (SR-1) zoning district.

Attachments

Ordinance 16-817

Legal Description Exhibit A

Zoning Map (Exhibit B)

Letter of Opposition

Site Plan

ORDINANCE NO. 16-817

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 2.0 ACRES OF REAL PROPERTY GENERALLY LOCATED AT 1650 GRANITE CREEK LANE, SECTION 11, TOWNSHIP 16N, RANGE 2W, FROM INDUSTRIAL ZONING (I) ZONING DISTRICT TO SINGLE-FAMILY RESIDENTIAL (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 ___-___ recommended 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 2.0 acre(s), described in Exhibit A and as shown on the Zoning Exhibit (map) in Exhibit B, both attached hereto and incorporated herein by this reference, from Industrial (I) zoning district to Single-Family Residential (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:

_____
Jami C. Lewis, Town Clerk

APPROVED AS TO FORM:

_____
Phyllis L.N. Smiley, Town Attorney

The following exhibits are attached hereto and incorporated herein:
1. Legal Description
2. 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

PLS:pls 2641813.1 3/30/2016

Exhibit A

PARCEL NO. 1:

All that portion of Section 11, Township 16 North, Range 2 West, Gila and Salt River Base and Meridian, Yavapai County, Arizona, more particularly described as follows:

Commencing at the Northwest corner of said Section 11;

Thence, North 89°58' East, 2974.72 feet along the North line of said Section 11 to a point, said point being the Northeast corner of SUNRISE, a subdivision recorded in Book 19 of Maps and Plats, Page 21, on file in the office of the Yavapai County Recorder;

Thence, South 00°16'10" East, along the East line of said SUNRISE, 1840.00 feet to the Southeast corner thereof;

Thence, South 89°56'40" East, 397.50 feet to a point on the North line of that certain parcel described in Book 767 of Official Records, Page 145, on file in the office of the Yavapai County Recorder;

Thence North 00° 15' 33" West, 250.73 feet to the POINT OF BEGINNING;

Thence continuing North 00 15' 33" West, 291.06 feet;

Thence South 88° 10' 49" East, 192.24 feet;

Thence South 44° 21' 36" East, 221.12 feet;

Thence South 00' 37' 07" East, 127.70 feet;

Thence North 89° 56' 45" West, 346.80 feet to the POINT OF BEGINNING.

PARCEL NO. 2

An easement for ingress, egress, drainage and utilities, 50.0 feet in width, lying 25.0 feet on each side of a centerline located over all that portion of Section 11, Township 16 North, Range 2 West, Gila and Salt River Base and Meridian, Yavapai County, Arizona, said centerline more particularly described as follows:

Commencing at the Northwest corner of said Section 11;

Thence, North 89°58' East, 2974.72 feet along the North line of said Section 11 to a point, said point being the Northeast corner of SUNRISE, a subdivision recorded in Book 19 of Maps and Plats, Page 21, on file in the office of the Yavapai County Recorder;

Thence, South 00°16'10" East, along the East line of said SUNRISE, 1840.00 feet to the Southeast corner thereof;

Thence, South 89°56'40" East, 397.50 feet to a point on the North line of that certain parcel described in Book 767 of Official Records, Page 145, on file in the office of the Yavapai County Recorder;

Thence, continuing South 89°56'40" East, 348.37 feet to the POINT OF BEGINNING of this centerline;

Deputy Recorder

Thence, North 00°37'00" West, 300.75 feet to the END of this centerline;

The sidelines to commence on a line running South 89°56'40" East and North 89°56'40" West from the Point of Beginning and terminating on a line running perpendicular to the End point.

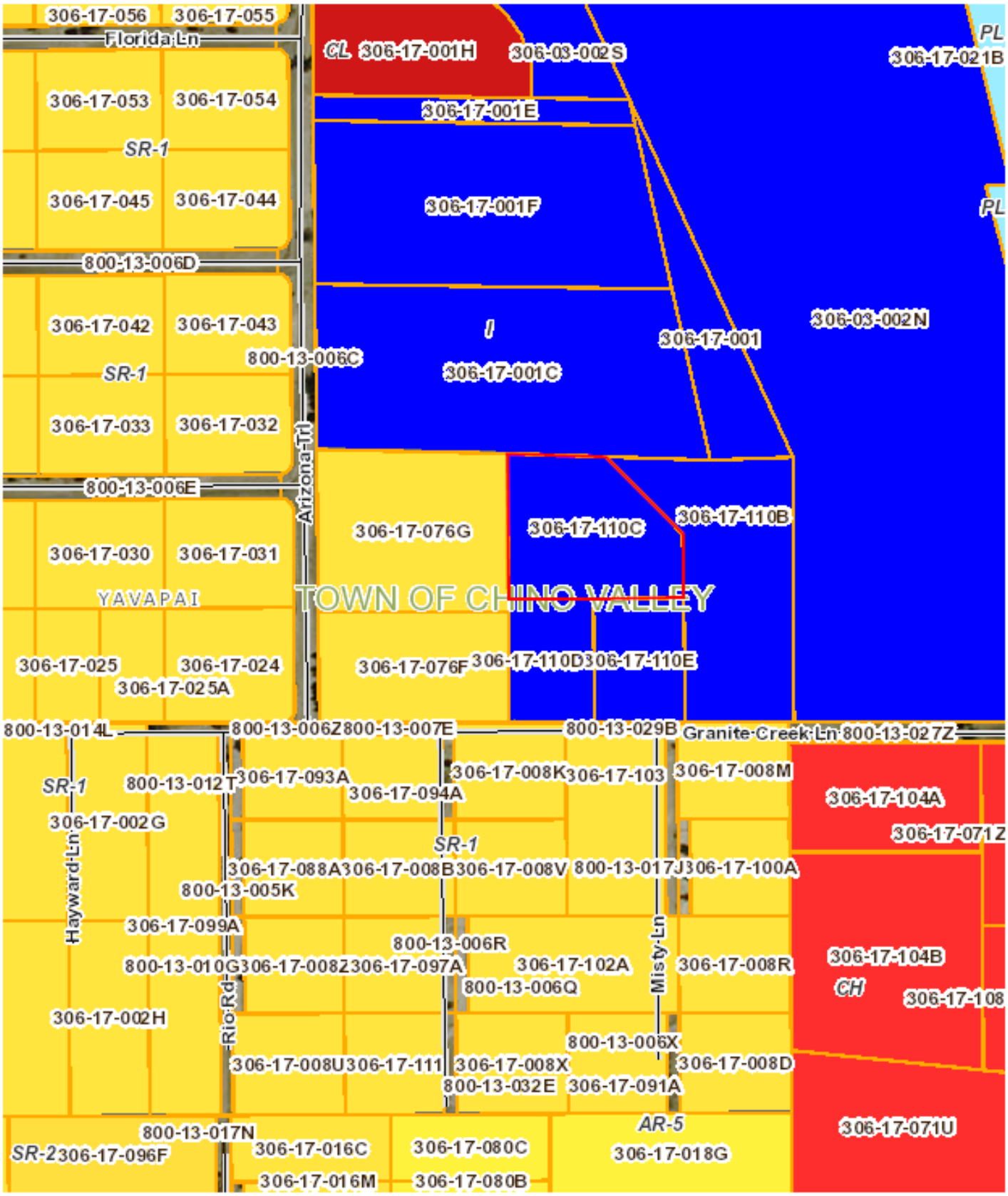
STATE OF ARIZONA
County of Yavapai

LESLIE M. HOFFMAN, County Recorder, in and for the County of Yavapai, State of Arizona, and custodian of the records of such office, do hereby certify that the foregoing is a full, true and correct copy of the record as the same appears in my office

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal in the City of Prescott, County of Yavapai, State of Arizona, on this the 16th day of March, A.D. 2016

Deputy Recorder

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: 3.23.2016

DAVID C. ALEXANDER III

LAWYER

February 20, 2016

BY EMAIL

John Kuzicki
1401 Prescott Lakes Parkway
Prescott, AZ 86301
prescottproperty@aol.com

Re: Zoning Request
APN 306-17-110C
Commercial to Residential

Mr. Kuzicki:

As you know, Jay Willmore and I are two of the four individuals having acquired several parcels of commercial property abutting the above-described parcel, also zoned commercial at the time of our acquisition. We acquired the parcels through an Arizona limited liability company, MJD,LLC.

Our intent has always been to develop these parcels as commercial property. The Great Recession, the term being used for the period commencing 2008 and, at least to some extent, continuing to today, forced us to shelve our plans for immediate development. Now, having carried the property for most of a decade, economic conditions are improving sufficiently for us to reexamine our development plans. Further, our understanding is that the federal government intends to furnish a grant to Chino Valley to improve the road access to the property to enable such commercial development.

Rezoning adjacent parcels as residential will restrict the nature, scope and use of abutting commercial uses and will limit the potential for commercial development of our property. Such a limitation is not only damaging to our reasonable expectations, but also a limiting factor to our ability to provide new jobs to the Chino Valley community. Choosing to limit the ability of long-term investors to develop property which will produce those new jobs can only be described as self-destructive.

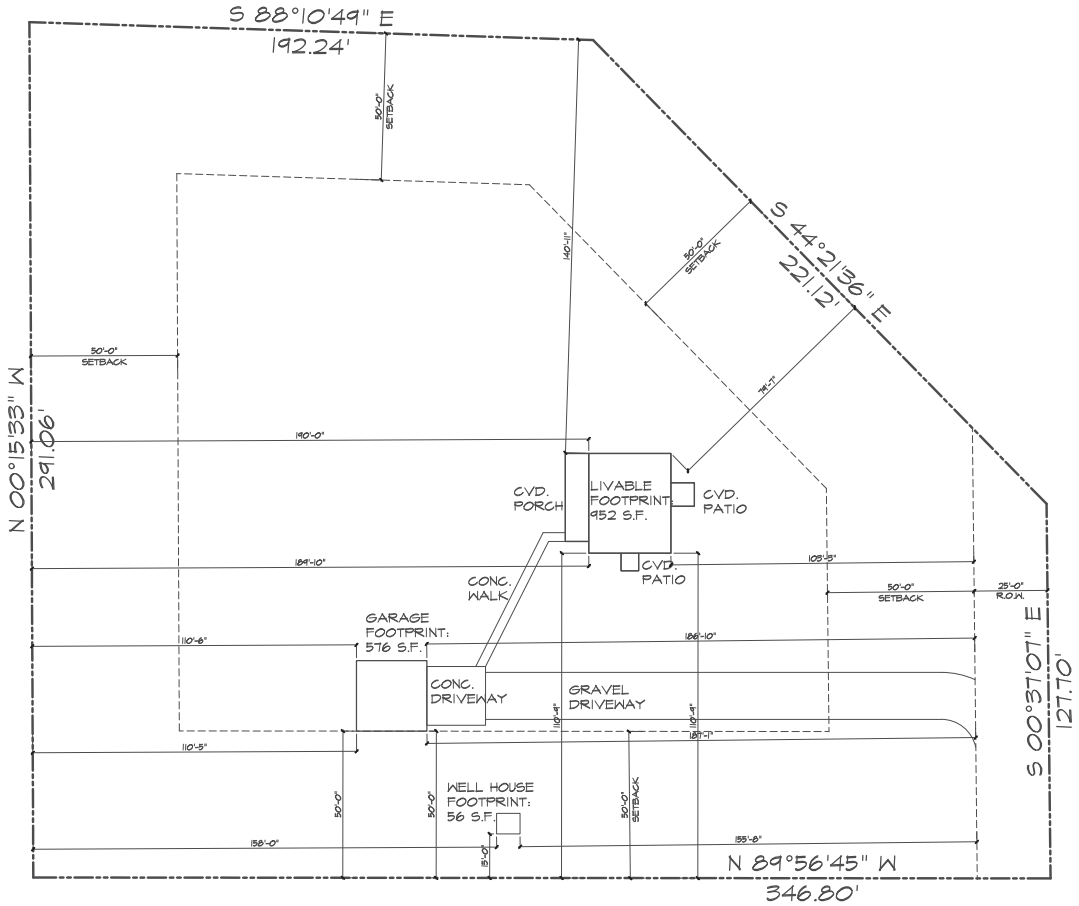
It might be a different case if the adjoining property was of substantial size, and the proposal to rezone involved the construction of scores or perhaps a hundred new homes. Then, the proposal would have the potential of providing new jobs, an enhanced tax base and consumption with attendant sales taxes, both on the construction materials and consumer goods such as groceries and gasoline. However, none of those things are present in the current proposal. Rather, the only result may be to thwart development that could bring those advantages.

It's not as though there is no developed residential property available in Chino Valley. This is not a case where demonstrated need can be shown. Rather, the only effects will be negative. When we are on the precipice of economic gains for the community is not the time to deliberately curtail the ability of the community to realize them.

Thank you for appearing on our behalf at the meeting at the property. We are planning to appear at the two formal hearings.

Sincerely,

David C. Alexander III
Bar No. 004166
P.O. Box 18339
Fountain Hills, Arizona 85269
Cell: 602 315-1877
Fax: 480 292 9162
dcaiii@msn.com



LIVABLE:	1904 S.F.
COVERED ENTRY:	30 S.F.
FRONT COVERED DECK:	64 S.F.
REAR COVERED DECK:	240 S.F.
DETACHED GARAGE:	576 S.F.
TOTAL UNDER ROOF:	2814 S.F.

LOT AREA:	87,298 S.F.
TOTAL UNDER ROOF:	
HOUSE FOOTPRINT:	1,292 S.F.
DET. GARAGE:	576 S.F.
WELL HOUSE:	56 S.F.
TOTAL:	1,934 S.F.
LOT COVERAGE:	2.2%

SITE PLAN

1"=20'-0"

SHEET INDEX	
1.	SITE PLAN

DESERT DEVELOPMENT & DESIGN, CORP.
2626 STEARMAN ROAD
PRESCOTT, ARIZONA 86305
OFFICE: 928-777-0022 FAX: 928-777-0028
www.desertdevelopmentaz.com

SITE PLAN FOR:
TDH INVESTMENTS, LLC

ADDRESS:
TDH INVESTMENTS, LLC
1650 GRANITE CREEK
CHINO VALLEY,
ARIZONA
PARCEL# 306-17-110C

DESERT DEVELOPMENT & DESIGN, CORP.
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SITE PLAN FOR:
TDH INVESTMENTS

ADDRESS:
1650 GRANITE CREEK
CHINO VALLEY,
ARIZONA

SITE PLAN

2/2/2016

Planning and Zoning Commission Regular **8. a.**

Meeting Date: 04/13/2016

Update on Sign Code Amendments

CASE DESCRIPTION:

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

FACTS:

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

ANALYSIS:

RECOMMENDATION

Attachments

Outreach Plan and Review Schedule

Sign Ordinance Outreach Plan and Review Schedule

What	Why	When
In-Office Outreach With Business Owners	Expiration of Ord. 14-784, temporary banners and signs	January 1, 2016 – ongoing
Media Outreach – Daily Courier	To invite involvement	February 5, 2016
Outreach to Chamber of Commerce	To reach business-owners with signs	February 1, 2016 – ongoing
Introductory Meeting at P&Z	To introduce topic to P&Z	March 1, 2016
Emails to all business license holders with an email address	To invite participation and involvement in a Citizen Advisory Group	March 16, 2016
Online Survey	Seeking input on past experiences and desired changes	By March 31, 2016
Chamber of Commerce Online Survey	Same as above	By March 21, 2016
1st Citizen Advisory Group Meeting	Introduce topic to group, discuss possible changes and limitations	10:30 AM on April 11, 2016 (Development Services Conference Room)
1st Update at P&Z	To brief P&Z on input thus far	April 13, 2016
2nd Advisory Group Meeting	Continue discussion on sign code updates (after staff draft)	May 2, 2016
2nd Update at P&Z	To brief P&Z on input thus far (present draft)	May 3, 2016
Chamber of Commerce Luncheon	Present draft plan to Chamber members, invite input	May 11, 2016
3rd Advisory Group Meeting	Discuss draft, make final changes	June 1, 2016
3rd Update at P&Z/1st Public Hearing at P&Z	Present Final Draft and Ordinance to P&Z	June 7, 2016
4th Update at P&Z/2nd Public Hearing	Hold 2nd public hearing per state statute, recommend final revisions	July 5, 2016
Public Hearing at Town Council	Hold public hearing at Town Council, adopt ordinance	July 26, 2016

Ongoing email/phone communication