

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

**JUNE 15, 2016
6:00 P.M.**

-- The Planning and Zoning Commission of the Town of Chino Valley, Arizona, met for a Special 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

3) ROLL CALL

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

Absent: Commissioner Florence Sloan; Commissioner Julie Van Wuffen

Staff Development Services Director Ruth Mayday; Associate Planner James Gardner;

Present: Town Clerk Assistant Amy Pyeatt-Lansa (recorder)

4) MINUTES

5) STAFF REPORTS

There were no staff reports.

6) PUBLIC HEARING

- a) Hold a citizen review of the proposed agri-tourism standards, which will pertain to agricultural and residential zoning districts wherein the primary use of the property is agricultural.

Director Mayday outlined changes to the UDO related to Agritainment Uses:

- Definitions for Agritainment & Overnight Rental Unit will be added to the UDO.
- Agritainment is a secondary or accessory use.
- Administrative approval of site plan for dust control.
- Bathroom facilities connected to sewer system or approved septic system.
- Obtain a business and Transaction Privilege Tax (TPT) license for activities that aren't statutorily exempt.
- Exempt from hard surface paving requirements.
- Allows on-site food service.
- Permits overnight stays.

The Public Hearing was opened. The Commission heard comments from Norman Freeman and Mike O'Connor.

Comments from Norman Freeman of Freeman Farms included:

- Who decided this ordinance was needed. Where does it come from? What is the problem that needs to be fixed?
- Agriculture is a business by definition.
- Agriculture was never intended to fit under commercial.
- Agritainment definition was created by Town Official.
- There will be serious economic impact due to this ordinance.
- State policymakers have adopted rules to make things easier for agriculture businesses.
- Agriculture operations are exempt from business licensing if they sell what they grow.
- 80% of Chino Valley is zoned agriculture.
- The June 1, 2016 letter he received from Development Services Director Mayday was the first outreach he has received.
- Previously asked for a policy statement by Town Council when he was dealing with Ron Gritman's decision regarding bathrooms.
- Requested that the Commission review the Towns current agriculture codes.

Commissioner Lane asked Mr. Freeman to list his main objections to the ordinance.

- What is the problem trying to solve?
- Staff is redefining what he does which is agriculture, not agritainment. Agriculture businesses do not need to be redefined.
- Agriculture regulations from the Town, County, State and Federal government are already in place.

Mike O'Connor from Chino Valley Farms made the following comments:

- He would like several terms added to list of permissible agritainment facilities/uses, including CSA – Community Supported Agriculture, Food Hubs & Community Cooperatives.
- Interns from Worldwide Opportunities in Organic Farming Program (WOOF) stay and work on the farm for 1-4 months during the growing season.
- The farm provides housing and meals while the interns work up to 25 hours per week. If the interns work over 25 hour the farms has to pay them.
- He would like to see exemptions allowed for housing the interns.

Both Commissioner Pasciak and Bacon wanted to know the impetus that started this amendment. Commissioner Pasciak also confirmed that farms do not have to have a dust control plan.

The Public Hearing was closed.

Director Mayday provided the following information:

- Outreach was performed. Staff has conducted outreach with farmers and agriculture businesses, advertised public hearings and described what would be discussed. The ordinance was reviewed by Town Attorney.
- This is an affirmative action. Farms are not required to participate in any activities.
- If a farm wants to conduct an agritourist business the ordinance will apply.
- To speed the process, there will be administrative approval of dust control and site plans for only the portion of the farm that is part of the agritainment.
- Some businesses are required to obtain a conditional use permit, including Bed & Breakfasts.

Chair Merritt recommended that staff meet with Mr. Freeman and concerned citizens in as respectful, productive manner to see if they can achieve something that all parties can live with. It would be enlightening for a Planning & Zoning commission to also attend the meeting.

MOVED by Vice-Chair Gary Pasciak, seconded by Commissioner Michael Bacon to recommend that the draft amendment to the Town of Chino Valley UDO related to agritainment be returned to staff for further review, modification and input by the public and specifically that Sections 4.32, Items B. 4, 5 & 6 be addressed and that between that time that Council reconsider making a policy statement about agriculture and permitted use.

Vote: 5 - 0 PASSED - Unanimously

- b) Consideration and public hearing regarding possibly repealing Section 4.21 Sign Regulations, of the Unified Development Ordinance (UDO) and replacing it with the proposed revised regulations.

The process for Sign Code Amendments began again in January 2016, and included in-office outreach to those applying for sign permits or renewing temporary sign permits. Emails were sent to all business license holders. An ad hoc Sign Code Committee was formed that met monthly from April through June. An online survey was distributed. Concerns ranged from: formatting, definitions, temporary signs, including flags and banners, off-premise signs, and sizes of wall signs, monument signs, and shingle signs.

The intent of the revisions of the Sign Code are threefold:

1. Compliance with Reed vs. Gilbert.
2. Allowance for more signage for businesses and creating a proportional allowance for signs based upon speed limits and frontages.
3. To make a more easily understandable code that is easy to read for the public as well as easy to interpret for staff.

The revisions proposes address this specific intents by:

1. Creating content-neutral sign regulations.
2. Increasing maximum sign sizes, increasing total aggregate signage allowances, creating matrices or tables for different types of signage which allow for more signage on buildings fronting roadways with speed limits greater than 35 MPH, at 35 MPH, and less than 35 MPH.
3. Creating a table-based format that spells out quantity, type and placement of signage for each zoning district and reducing the number of pages of regulations from 22 to 11, as well as removing provisions which were written for a special purpose, provisions which conflicted with other parts of the code, and provisions which conflicted with state statute and case law.

Associate Planner Gardner reviewed each of the proposed Sign Regulations in his power point presentation..

- 4.21.1 Purpose
- 4.21.2 Permits Required
- 4.21.3 General Sign Regulations
- 4.21.4 Measurement of Signs
- 4.21.5 Sign Standards
- 4.21.6 Temporary Signs

- 4.21.7 Prohibited Signs
- 4.21.8 Non-Conforming Signs
- 4.21.9 Violations, Removal

During his presentation Planner Gardner responded to questions from Commissioners.

- Clarification on what is considered a flag.
- No commercial signs allowed in residential property except yard sales, real estate and political signs.
- Clarification on what would be considered legal non-confirming use.
- Possible time limits for messages on reader panel signs.
- Suggestion to include illustration regarding awning signs.

MOVED by Vice-Chair Gary Pasciak, seconded by Commissioner Michael Bacon to move this item forward to the next meeting.

Vote: 5 - 0 PASSED - Unanimously

7) **NON-PUBLIC HEARING ACTION ITEMS**

There were no non-public hearing action items.

8) **DISCUSSION ITEMS**

There were no discussion items.

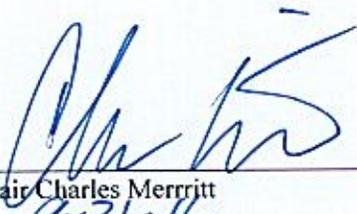
9) **PUBLIC COMMENTS**

There were no public comments.

10) **ADJOURN**

MOVED by Vice-Chair Gary Pasciak, seconded by Commissioner Michael Bacon to adjourn the meeting at 8:05 pm.

Vote: 5 - 0 PASSED - Unanimously



 Chair Charles Merritt
 9-21-16

 Date