

## Planning and Zoning Commission Meeting Minutes April 4, 2023

A regular meeting of the Town of Chino Valley Planning and Zoning Commission was held on Tuesday, April 4, 2023, at the Town of Chino Valley Council Chambers, 202 N. State Route 89, Chino Valley, Arizona.

**PLANNING AND ZONING COMMISSION MEMBERS** present were; Chair Chuck Merritt; Vice-Chair Gary Pasciak, Commissioner Teena Meadors, Commissioner Ron Penn, Commissioner Robert Switzer, Commissioner William Welker; Commissioner Richard Zamudio. Alternate Commissioner Rachelle Fernow was in attendance.

**STAFF MEMBERS** present were Laurie Lineberry, Development Service Director; Bethan Heng, Associate Planner; Frank Marbury, Public Works Director; Dee Dee Moore, Process Coordinator; Laurence Diggs, Audio/Video.

**CALL TO ORDER:** Chair Merritt called the meeting to order at 6:00 p.m. Commission meeting began with the Pledge of Allegiance led by Commissioner Welker.

**CONSENT CALENDAR** – A motion was made by Commissioner Meadors to accept the consent agenda item as written. The motion was seconded by Commissioner Pasciak and passed unanimously by a 7-0 vote.

**PUBLIC HEARING #D.1 - CASE# CUP-2023-01** – *This is a request by Travis and Lisa Bates, for approval of a Conditional Use Permit for a single family residence on a commercially zoned parcel located at 1650 feet west of SR89 on the north side of W Road 5 ½ North, Chino Valley, Arizona.*

Chair Merritt asked the Commission if anyone had a disclosure to declare regarding this project. There were none.

Bethan Heng, Associate Planner presented the staff report for case CUP-2023-01 and recommended approval. There were no questions for staff from the commissioners.

Applicant Travis Bates shared that property in this area had been owned by the family since the 1940's and he recently inherited this parcel. He planned to build a family residence and felt it would enhance that area of the town.

Switzer asked the applicant why he had not requested a rezone. Laurie Lineberry shared that in the current general plan this parcel is in a commercial area, but the new general plan it would be in a residential area. Bates stated that he is wanting to build soon and that there was a long delay until November for the new general plan. Switzer also shared that there is a possibility the residential designation might not happen. Merritt mentioned that the applicant may have an issue for a residential loan on a commercial property. Bates said that was a non-issue for him.

Merritt opened the public hearing. There were no comments from the public.

Merritt closed the public hearing.

**MOTION - A motion was made by Commissioner Meadors and seconded by Vice-Chair Pasciak to approve CUP-2023-01, as presented by staff. This motion passed with a 7-0 roll call vote.**

**PUBLIC HEARING #D.2 - CASE# CUP-2023-02** – *This is a request by Curtis Asselstine, for approval of a Conditional Use Permit for a single family residence on a commercially zoned parcel located at the northeast corner of S Road 1 West and W Road 1 South, Chino Valley, Arizona.*

**Chair Merritt** asked the Commission if anyone had a disclosure to declare regarding this project. There were none.

**Bethan Heng**, Associate Planner presented the staff report for case CUP-2023-02 and recommended approval. **Meadors** asked about Condition #5 and if that right-of-way dedicated could come from the property on the other side of the road. **Frank Marbury** stated that this footage is half of the total right-of-way and half would be required from the other property as well.

The applicants' representative, **Chris Asselstine** spoke for his father, Curtis Asselstine. He shared that he and his family would be living in the home on this property. He added that when he visited the site he spoke with some of the neighbors and they were all agreeable with a home at this location. He stated that building a home here would be a great opportunity for his family.

**Merritt** opened the public hearing.

**Rachelle Fernow**, alternate commissioner, asked about the connection to the town sewer within 250 feet north of the property and had concerns about a septic system being on this property with the waterflow issues. She also added that a water line is right at the property line. She felt there should be more in-depth research for this project related to the flooding possibilities related to the proposed septic. **Marbury** stated that for a single lot, outside of a subdivision, there is no town requirement for them to extend the main sewer line, which is at a cost of \$300 a linear foot, so the cost would be approximately \$75,000 to bring the sewer to this property.

**Merritt** mentioned the sheetflow identified on the plot plan. **Marbury** stated that the flow indicated on that property is based on a Chino Valley master study. He added that this map is for planning purposes only and to get an exact indication of the sheetflow, a licensed engineer would have to be hired to evaluate that area. **Switzer** clarified that the Arizona Department of Environmental Quality (ADEQ) has assigned Yavapai County the authority to approve all septic systems. **Marbury** also stated that the right-of-way dedications and easements are calculated into the acreage for septic systems.

There were no further comments from the public.

**Merritt** closed the public hearing.

**MOTION - A motion was made by Vice-Chair Pasciak and seconded by Commissioner Switzer to approve CUP-2023-02, as presented by staff. This motion passed with a 7-0 roll call vote.**

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

**INFORMATION ITEMS – FROM STAFF: COUNCIL ACTION OF PRIOR P&Z CASES:** **Heng** stated that the text amendment for Flag Lots was approved. She added that the other two cases, Old Hwy 89 Subdivision and the Mini-storage/Commercial Retail on Highway 89 were also approved.

**Lineberry** handed out the updated "Planning and Zoning Process Timeline". This is the step-by-step process for each of the cases that the Development Services department forwards to, and is heard at, the Planning and Zoning meetings and the Town Council meetings. There are multiple cycles of the process occurring at the same time and overlap for several months. Generally staff is working on three packet timeline processes at various stages, at one time.

Secondly, **Lineberry** notified the commission that everyone, including the alternate commissioner, would be receiving I-Pads. The commission will receive their agenda packets electronically. This will allow the commissioners to consolidate notes and questions during review of the agenda, in one place. The Commissioners can still receive a paper copy of the agenda, if they prefer paper.

Lastly, **Lineberry** provided an update regarding the General Plan Meeting of the Steering Committee on March 30, 2023. Various concerns were identified and worked into the draft General Plan. Staff is

hoping to have copies available for the Commission next Monday, April 10, 2023. This will provide the Commission the ability to comment on the General Plan. At the end of the 60-day review period a draft will be presented to the Planning and Zoning Commission for review and action and then to the Town Council for final action. A special meeting may be scheduled with the Commission in June to review and hold a public hearing on the General Plan for that review. This plan will go before the voters in November 2023.

**INFORMATION ITEMS – FROM THE COMMISSIONERS:** There were no items from the commissioners.

**INFORMATION ITEMS – FROM THE CHAIRMAN:** Merritt mentioned the great educational meeting on March 15, 2023, led by Mark Holmes, the Town's water consultant, regarding the water situation in Chino Valley. He shared the following with the Commission.

1. State Water Usage – the total usage in the state is at the same level now as it was in 1959. He explained that this was due to the reduction of water usage for agriculture.
2. Since 1999 no new irrigation areas have been or can be created that would allow more water usage than originally requested.
3. Chino Valley has approximately 8,000 exempt wells and seven small water providers. Statistics from the 2019 Prescott AMA usages showed that exempt wells used 2,744-acre feet of water in 2019. The large providers (cities in this area) used 14,632-acre feet of water.
4. The water table is declining at a rate of 2.5 feet per year in depth. Ongoing comments state that the west side of State Highway 89 in Chino Valley is affected more because the wells are older and were only drilled at about 140 feet deep. The newer wells are drilled deeper.
5. Septic systems do not recharge the aquifer and they are not designed to do so. The water that leaches out of the septic system is not safe for drinking water in the aquifer.
6. New subdivisions have drainage systems that are part of their infrastructure and there are ways to integrate these into our current recharge system. This is not currently being done in most of the subdivisions and would be a great way to go in the future.
7. With the recent flooding on Perkinsville Road, Merritt felt that location near the batch plant, might be a great place to capture water and return it to the aquifer. This might be something that we could keep on the radar for the town engineer.
8. There was one unanswered question at the meeting asked by Switzer. He asked, "who is liable if the 100-year assured water supply, that the State says is there, proves to be inadequate?" - there was no great answer to that.

Merritt added that for more in-depth information on any of these items, the video for that meeting is on the town webpage.

Merritt shared that he thought a future meeting for education purposes, perhaps on roads, costs, right-of-way, etc. regarding all the questions we get asked at most meetings would be beneficial to everyone.

**INFORMATION ITEMS – FROM THE PUBLIC:** There were no comments from the Public.

**ADJOURN –** A motion was made by Meadors and seconded by Pasciak to adjourn the meeting at 6:44 p.m.



Charles Merritt - Chair

  
Prepared By: Dee Dee Moore