

Planning and Zoning Commission Special Meeting Minutes

August 9, 2022

A special meeting of the Town of Chino Valley Planning and Zoning Commission was held on Tuesday, August 9, 2022, 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 David Somerville, Commissioner Robert Switzer, Commissioner William Welker. Alternate Commissioner Richard Zamudio was in attendance.

STAFF MEMBERS present were Laurie Lineberry, Development Services Director, Will Dingee, Senior Planner; Bethan Heng, Planner; Dee Dee Moore, Process Coordinator; Lawrence Digges, Audio/Video Technician.

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

CONSENT CALENDAR – A motion was made by **Vice-Chair Pasciak** and seconded by **Commissioner Meadors** to approve the items on the Consent Calendar. This motion passed with a 7-0 voice vote.

Mini-Training: – Planning Commission Discussion, Motions, and What Makes it to Council. **Laurie Lineberry, Development Services Director** shared that the discussions held during the Planning and Zoning meeting are shared with council through the minutes, and sometimes those discussion items are not specifically added to the motion. She provided an example such as wanting a photo studio to be pink. Unless the motion specifies the requirement for the studio to be pink, the requirement will not be in the recommendation forwarded to council even though it may have been discussed and agreed on by members. **Switzer** added that he had been at the previous council meeting and realized during the council meeting certain details had been discussed at the commission meeting were not actually part of the motion made during the planning and zoning meeting. **Merritt** reiterated that the wording for a motion could be discussed by the commission and needed to be sure that it included exactly what the commission is requesting. **Switzer** added that the motion made sense to the commission but the wording ended up being vague to council.

CASE# TA-2022-07: – Guest House Text Amendment. The Town Council has requested clarification by the Planning Commission, of specific items related to the proposed text amendment, forwarded to Council and heard at their July 12th meeting. The text amendment addresses changes to section 2.1 of the UDO revising the definition of Guest House and replacement of existing section 4.1 in the UDO with general regulations for Guest House development. The items to be clarified included: Definition of what is meant by new manufactured home; clarification of when site-built and manufactured Guest Houses are allowed; manufactured homes being required to be on a permanent foundation; meters for utilities (water, sewer, electricity, gas, cable) for Guest Houses; and CC&R's and Town Code conflicts.

Each of the above items were discussed, one by one, by each of the commissioners. The Commission agreed that the definition of a new manufactured home is: a manufactured home unit that has never been lived in, used or occupied and is no more than 2 years from the date of manufacture.

The next item asking for clarification by council was in regards to when site-built and/or manufactured homes were allowed. Again, each of the commissioners shared their opinion choosing a scenario listed in the staff report. All three scenarios were in the mix of discussion, with Scenario 3 initially selected as the preferred alternative. The commission continued in-depth discussion of the alternatives. **Pasciak** shared that the UDO Section 4.1F states that the Guest House must be architectural compatible. **Switzer** stated that he strongly opposed Scenario 3 because site-built homes should only have a site-built Guest House, as the units should look the same architecturally, roof pitch, roof materials, etc. The Guest House

that after weighing the pros and cons of each scenario, that Scenario 1, which required the same type construction of the Guest House as the primary house, site-built to site-built and manufactured to manufactured, appeared to meet with the majority as the best solution. **Switzer** stated that he would agree with Scenario 1. The commissioners were re-polled and all were in agreement with limiting Guest Houses to the type of construction existing on-site, with the exception of **Meadors**, who felt that Scenario 3 should be selected, with manufactured homes being allowed regardless of the type of construction for the primary residence.

As part of the previous motion presented to Council, are manufactured homes required to be on a permanent foundation? **Merritt** stated that the commission would make it a requirement that manufactured homes be set on block or poured concrete, which are permanent foundation types.

Item 4, in the staff report, is asking for clarification regarding separate meters for utilities. **Lineberry** added that there was some confusion about metering, water, sewer, electric, etc. Separate hookups for a Guest House as a rental may make sense. **Meadors** shared that people who have to pay their own utilities, generally are more energy conservative.

Frank Marbury, Public Works Director, spoke regarding the provisions in the utility code section in the Town Code, that allows the Public Works Director to make a decision to allow separate utilities. Separate buildings must have separate meters. **Merritt** said it sounded like the best option is to allow the property owner to have the option. **Marbury** added that the cost for an additional water and sewer hook-up for utilities run in excess of \$13,000 each, and may be cost prohibitive for most homeowners.

Pasciak voiced concerns that separate meters would ultimately allow the homeowners to have two rentals on their property. If they decided to purchase other properties, they would still be the owner of records, but may move to the new property. How is that going to be monitored if separate utilities are allowed. **Lineberry** stated that the new permitting software will help identify parcels and ownership. The Commission expressed the need for periodic check of owner's addresses to ensure they continued to live on the site with the rented Guest House.

The final determination/clarification was to allow the property owner the option to decide if they choose to have their Guest House separately metered with utilities.

Lastly, CC&R's vs Town Code. **Lineberry** explained that the town can only enforce the adopted town ordinances. An HOA is responsible for enforcing the CC&R's. CC&R's overrule any town code if they are more strict. If the Town Code is more strict, then those rules apply. She also stated that the town attorney spoke regarding this subject during the Town Council meeting.

Meadors asked about adding additional driveways for ease of access to a new Guest House. **Marbury** stated that he believed the distance required between driveways is 150 feet, so if the lot is large enough a second driveway could be an option but would require a building permit and approval before being constructed. The Commission felt that driveway requirements needed to meet town code requirements.

Switzer discussed the need to add language about what architectural attributes needed to be identified to ensure compatibility of Guest Houses to primary residences. **Somerville** also asked about sharing wells. **Marbury** stated that the town does not regulate wells, adding that septic is monitored through Yavapai County Environmental Services. He added that septic/sewer are required but water can be hauled onto the home site.

Somerville asked if the Guest House could be two-story if the primary residence is only one-story. **Meadors** also asked about adding a Guest House above a garage. **Lineberry** stated that a Guest House is required to be a separate structure. **Switzer** asked if a separate garage could be converted to a Guest House. **Lineberry** stated that it could be converted.

INFORMATION ITEMS – FROM STAFF: COUNCIL ACTION ON PRIOR P&Z CASES: **Dingee** shared that only the Guest House amendment was discussed and referred back to the Commission for clarification on the items that were just discussed. Also, the Council approved the consulting team to lead the effort to

rewrite the entire General Plan. The first meeting between staff and the team will be on August 15, 2022. At that time, they will provide a 12-month calendar which staff will share with the Commission.

During the Council study session, it was decided that the Building Advisory Board would be created which works on the reviewing and adopting of new building codes approximately every 6 years, therefore, the board would be in place proactively when this process takes place.

Dingee also shared that there is discussion partnering with the Police Department regarding a town code amendment to address camping inside parking lots. This will allow the police the ability to enforce illegal camping, **Lineberry** added that this is a Town Code amendment and will go directly to Council and not through the Planning and Zoning Commission.

Recreation Vehicle (RV) Parks – **Lineberry** provided an outline with 7 questions regarding items that the commission could use as talking points for discussion. These items included and general discussion was actively participated by all commissioners.

- Minimum RV Park Size
- Net lot area for RV Park
- Maximum Density (x units per acre)
- Minimum Space Width
- Minimum Space Length
- Minimum Usable Open Space per RV space
- Require, Allowed or Prohibited with park options.

The Commission provided direction for staff.

Subdivision Text Amendment – **Dingee** highlighted the deletions, additions and modifications to the amendment, sharing that this item would return to the commission for review and recommendation to Council.

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

INFORMATION ITEMS – FROM THE PUBLIC: John Garden spoke about RV Parks, sharing that most of the RV Parks he had personally used had a limit to the length of stay. He felt that the commission should consider a time limit moving forward. Lots of snow-birds use RV Parks and generally stay for months at a time. He felt RV Parks in Chino Valley should be recreational in use not as a long-term residency.

ADJOURN – A motion was made by **Meadors** and seconded by **Pasciak** to adjourn the meeting at 7:50 p.m.


Charles Merritt
Chair


Dee Dee Moore
Prepared By