The following cases are scheduled for a public hearing on Wednesday, January 30, 2019. At the Study Session, Commissioners will briefly discuss these cases:

1. **Case No. ZC-18-009**: A request for a Zone Change from the OS (Open Space) Zone to the G (General, ten acre minimum parcel size) Zone on two parcels totaling 425.6 acres. The subject properties are located approximately two miles north of Clints Well and west of Lake Mary Road. They are identified as Assessor’s Parcel Numbers 402-31-007A and 402-31-008E.
   - Property Owner: Clear Creek 820, LLC, Phoenix, AZ
   - Applicant: Richard Schust, Phoenix, AZ
   - Representative: Ross A. Wilson, Phoenix, AZ
   - County Supervisor District: 4 (Jim Parks)

2. **Case No. SUB-18-004 and ZC-18-010**: A request for a 99-lot Subdivision Preliminary Plat and a Change of Zoning Regulations with approval of a Master Development Plan to provide for modified RM-20/A standards where CH-10,000 standards currently apply on two parcels totaling 8.02 acres in the PC (Planned Community) Zone. The subject properties are located north of Shadow Mountain Drive and east of the Days Inn motel in Bellemont. The properties are identified as Assessor’s Parcel Number 203-47-001F and a portion of 203-47-001M.
   - Property Owner: Flagstaff Meadows, LLC, Queen Creek, AZ
   - Property Owner: McCleve LC and DR Revocable Living Trust DTD, Queen Creek, AZ
   - Applicant: Finesse Property, Queen Creek, AZ
   - Representative: Tim Campbell, Queen Creek, AZ
   - County Supervisor District: 3 (Matt Ryan)

3. **Case No. CUP-18-040**: A request for a Conditional Use Permit renewal (of CUP-13-015) for an educational facility and retreat center with modifications to extend the days of operation on a 3.68 acre parcel in the AR-2 ½ (Agricultural Residential, 2 ½ acre minimum parcel size) Zone. The property is located at 6085 Leupp Road approximately .85 miles northeast of Townsend-Winona Road and is also identified as Assessor’s Parcel Number 303-09-009W.
   - Property Owner: Youth with a Mission-Northern Arizona, Inc, Flagstaff, AZ
   - Applicant: Will Toms, Flagstaff, AZ
   - County Supervisor District: 4 (Jim Parks)
4. **Case No. CUP-18-042:** A request for a Conditional Use Permit to use a recreational vehicle as a permanent residence on a 1.62 acre parcel in the AR (Agricultural Residential, one acre minimum parcel size) Zone. The property is located at 2528 Mission Drive in Valle and is also identified as Assessor’s Parcel Number 501-25-022.

   - **Property Owner:** Itiya Aneece and Prakash Bhayade, Flagstaff, AZ
   - **Applicant:** Itiya Aneece, Flagstaff, AZ
   - **County Supervisor District:** 1 (Art Babbott)

5. **Case No. CUP-18-043:** A request for a Conditional Use Permit renewal (of CUP-13-022) for a 94-foot wireless telecommunications facility with modifications to install additional equipment on a portion of a .96 acre parcel in the PS (Public and Semi-Public) Zone. The parcel is located at 475 E Pinewood Blvd in Munds Park and is also identified as Assessor’s Parcel Number 400-40-021A.

   - **Property Owner:** Pinewood Volunteer Fire Association, Munds Park, AZ
   - **Applicant:** Crown Castle, Chandler, AZ
   - **Representative:** Alexa Rhyme
   - **County Supervisor District:** 3 (Matt Ryan)

6. **Case No. ZC-18-011:** A request for a Zone Change from the RS-4 (Residential Single-Family, four acre minimum parcel size) Zone to the RS-1 (Residential Single-Family, one acre minimum parcel size) Zone on two parcels totaling 8.23 acres. The subject properties are located at 2861 and 2875 Kona Trail in Kachina Village and are identified as Assessor’s Parcel Numbers 116-17-007 and 116-17-008.

   - **Property Owner:** Michael Bode, Tempe, AZ
   - **Applicant:** Stephen Palmer, Flagstaff, AZ
   - **County Supervisor District:** 3 (Matt Ryan)

**Pending review at this Study Session, the following cases may be eligible for Administrative Renewal by the Community Development Director:**

1. **Case No. CUP-18-039:** A request for a Conditional Use Permit renewal (of CUP-14-004) for a welding shop, recreational vehicle storage and repair, and propane sales. The property consists of 2.16 acres in the CH-10,000 (Heavy Commercial, 10,000 sq. ft. minimum parcel size) Zone. The property is located at 7007 N. Highway 89 and is identified as Assessor’s Parcel Number 301-50-015.

   - **Property Owner/Applicant:** Buddy’s Welding and RV, Inc., Flagstaff, AZ
   - **County Supervisor District:** 4 (Jim Parks)

2. **Case No. CUP-18-041:** A request for a Conditional Use Permit renewal (of CUP-99-082) for a recreational facility (park) on a 27.39 acre parcel in the AR 2 ¼ (Agricultural Residential, 2 ¼ acre minimum parcel size) Zone. The property is located at 8805 Koch Field Road in Doney Park and is also identified as Assessor’s Parcel Number 301-08-003C.

   - **Property Owner:** Coconino County, Flagstaff, AZ
   - **Applicant:** Coconino County Parks and Recreation Department, Flagstaff, AZ
   - **Representative:** Cynthia Nemeth
   - **County Supervisor District:** 4 (Jim Parks)
Community Development Department Update
1. The Urban Wildlife Planner position is still in the recruiting process.
2. The draft JLUS report is complete. A final Policy/Technical Committee meeting is on January 30th.
3. Staff drafted the Bellemont Area Plan update, the committee met December on 19th to continue reviewing the draft plan, tentative Public Open House in January.
4. The draft Subdivision Ordinance is available on-line, several comments were received. The adoption process will take place in the new year and will be determined following a review of comments.
5. The Building Code update is still in process.

Board of Supervisors Update
1. Staff conducted a Zoning Ordinance Work Session on December 18th. The next Work Session is scheduled for January 15th.
2. The Board of Supervisors will hear ZC-18-07 and AB-18-02 on January 15th.

Commission and Staff Roundtable
Coconino County
Planning and Zoning Commission
Agenda

Meeting of January 2, 2019 – 5:30 PM
Board of Supervisors’ Meeting Room
County Administrative Center
219 East Cherry Avenue
Flagstaff, Arizona

Pursuant to A.R.S. §38-431.02, notice is hereby given to the members of the Planning and Zoning Commission and to the general public that, at this regular meeting, the Planning and Zoning Commission may vote to go into executive session, which will not be open to the public, for legal advice and discussion with the Commission’s attorneys on any item listed on the following agenda, pursuant to A.R.S. §38-431.03(A) (3). Items may be taken out of the order listed below at the call of the Chair.

I. PLEDGE OF ALLEGIANCE

II. APPROVAL OF MINUTES

   November 28, 2018

III. PUBLIC HEARINGS

   1. Case No. CUP-18-036 and DRO-18-004: A request for a Conditional Use Permit and Design Review Overlay application for a multiple family development including five (5) units on a .58 acre parcel in the RM-10/A (Residential Multiple Family, 10 units per acre) Zone. The property is located at 3320 Forest Service Road 237 in Kachina Village, Arizona and is also identified as Assessor’s Parcel Number 116-49-042D.
      Property Owner: David and Patricia J Hooker, Flagstaff, AZ
      Applicant: David Hooker, Flagstaff, AZ
      County Supervisor District: 3 (Matt Ryan)

   3. Case No. ZC-18-008: A request for a Zone Change from the AR (Agricultural Residential, one acre minimum parcel size) Zone to the RS-16,000 (Residential Single Family, 16,000 sq. ft. minimum parcel size) Zone on three parcels totaling 2.28 acres. The subject properties are located in Oak Creek Canyon on Lower Indian Gardens Drive and are identified as Assessor’s Parcel Numbers 405-28-003A, 405-28-04 and 405-28-005.
      Property Owner: Ellis Revocable Living Trust DTD 04-02-97, Sedona, AZ
      Property Owner: Elizabeth W Kauffman Trust, Scottsdale, AZ
      Property Owner: Cameron Family Trust, Sedona, AZ
Applicant: David Ellis, Sedona, AZ
County Supervisor District: 3 (Matt Ryan)

IV. CALL TO PUBLIC FOR ITEMS NOT ON THE AGENDA

V. CONTINUATION OF STUDY SESSION IF NEEDED
I. PLEDGE OF ALLEGIANCE

II. APPROVAL OF MINUTES

October 31st, 2018: MOTION: Commissioner Ruggles moved to approve the October 31st, 2018 minutes as written. Commissioner Burton seconded the Motion. The Motion passed unanimously.

III. PUBLIC HEARINGS

1. Case No. SUB-18-006 and ZC-18-006: A request for a 49-lot Subdivision Preliminary Plat and a Zone Change to the PRD (Planned Residential Development) Zone on six parcels including a total of 105.94 acres in the G (General, 10 acre minimum parcel size) Zone. The properties are located on Harkey Ranch Road north of Route 66 and west of Flagstaff Ranch Road. They are identified as Assessor’s Parcel Numbers 116-04-004D, 116-05-003B, 116-05-003C, 116-05-003D, 116-05-003E, and 116-05-003F. Property Owner: Harkey F Survivor’s Trust, DTD, Phoenix, AZ
Property Owner: SWH Development, LLC, Phoenix, AZ
Property Owner: Car Development, LLC, Gilbert, AZ
Property Owner: L & K Sunflower, LLC, Phoenix, AZ
Property Owner: Western Blue Flag, LLC, Phoenix, AZ
Property Owner: DSM & R, LLC, Phoenix, AZ
Applicant: Woodson Engineering, Flagstaff, AZ
Representative: Rick Schuller, Flagstaff, Arizona
County Supervisor District: 1 (Art Babbott)

Mr. Short stated that the applicant has requested a continuance for this case to provide additional time to work with neighbors on the design of the subdivision. He asked for a continuance until the scheduled meeting of the Commission on February 27, 2019.

MOTION: Commissioner Clifford moved to continue SUB-18-006 and ZC-18-006 to February 27, 2019. Commissioner Williams seconded the Motion. The Motion passed unanimously.

2. Case No. ZC-18-007 and DRO-18-003: A request for a Change of Zoning Regulations including a modification of the Master Development Plan and a Design Review Overlay application to allow a 3,024 square foot accessory building (barn) for agricultural uses on an 8.92-acre parcel in the RC (Resort Commercial) Zone. The property is located at 8067 N State Route 89A approximately eight miles north of Sedona, Arizona and is also identified as Assessor’s Parcel Number 405-18-002.

Property Owners: Verandas Apartments, LLC, Scottsdale, AZ
Applicant: Rhonda Rawson of ADL, Inc, Tucson, AZ
County Supervisor District: 3 (Matt Ryan)

Mr. Short summarized the staff report along with a PowerPoint presentation.

There were no questions for staff, the floor was opened to the applicant for comment.

Rhonda Rawson, 8310 W Moonstone Dr. Tucson Arizona, stated that she is a representative for ADL Inc. She stated that she agrees with the staff’s findings and gave a PowerPoint presentation to the Commission. In the PowerPoint presentation she showed some of the guest cabins and other items on the property. She stated that the proposed barn is going on top of the existing tennis court, and there will not be any more grading needed. Ms. Rawson explained the design and colors of the proposed barn and how they match the surrounding red rocks.

Commissioner Clifford asked what will be taking the place of the tennis court and fencing. Ms. Rawson explained that only the tennis court striping will be removed, and the concrete will remain. She indicated that holes will be dug in the existing concrete for the foundation footings. She stated the chain link fencing and referee shack will be
removed. Ms. Rawson explained that on the site plan it should only state the court striping will be removed not the full court.

Commissioner Clifford referred to the existing septic system treatment area and asked what this septic system takes care of. Ms. Rawson replied that it takes care of the cabins to the east, some out structures and staff housing to the north.

Commissioner Clifford stated that the building will be used for equipment storage and asked if there would be any commercial use in the barn. Ms. Rawson replied, they do sell items in the restaurant, but nothing will be sold out of the barn. She indicated the barn would be used to house equipment, apple juice processing and to store the gardening equipment.

Chairman Walters asked if there is going to be a residence in the barn. Ms. Rawson replied that there will not. She said there is already a residence for orchard staff on the northwest side of the property.

There were no further questions for applicant, and no public to speak on this case. The floor was opened to the Commission for discussion.

Commissioner Williams stated everything looks gorgeous and she only has good things to say about it.

Commissioner Burton stated that she visited the site, that it is a great use of the space, and that getting all the equipment in the barn will improve the view of the area. She stated that she is in support of approving this case.

Commissioner Clifford asked what the access to the barn will be. Ms. Rawson stated that there is already a path between the trees that will provide access. The path will remain grass, and there will be no paving or grading. Commissioner Clifford stated that this will be a great structure, and he can make the findings to approve.

Commissioner Ontiveros stated that she can make the findings to approve this zone change, and she complimented the applicant on the design.

Commissioner Ruggles stated that he had visited the site with staff and there were no ex parte discussions of the plans with the applicant. He stated that this will be a terrific improvement for the property and the proposed color will blend in well. Commissioner Ruggles stated that the lighting is minimal and low lumen output. He said there is nothing to add from the Lighting Ordinance to make it any better. He agreed with staff’s analysis and can make the findings to approve.

Chairman Walters stated that it is a great heritage property. He asked how they take care of all the animals coming on the property to graze on the apples. Ms. Rawson replied that there is no fence, and they can come and graze.
MOTION: Commissioner Ontiveros moved to approve Case No. ZC-18-007 with the two conditions as stated in the staff report. Commissioner Williams seconded the Motion. The Motion passed unanimously.

MOTION: Commissioner Ontiveros moved to approve Case No. DRO-18-003 with the two conditions as stated in the staff report. Commissioner Ruggles seconded the Motion. The Motion passed unanimously.

3. Case No. CUP-18-036 and DRO-18-004: A request for a Conditional Use Permit and Design Review Overlay application for a multiple family development including five (5) units on a .58 acre parcel in the RM-10/A (Residential Multiple Family, 10 units per acre) Zone. The property is located at 3320 Forest Service Road 237 in Kachina Village, Arizona and is also identified as Assessor’s Parcel Number 116-49-042D. Property Owner: David and Patricia J Hooker, Flagstaff, AZ Applicant: David Hooker, Flagstaff, AZ County Supervisor District: 3 (Matt Ryan)

   Mr. Schwartz explained that staff recognized an easement missing from the applicant’s submitted site plan that would substantially change the siting of structures on the property, as well as missing details on landscaping and colors for the Design Review Overlay case without enough time to give a full analysis on changes. Staff discussed with the applicant over the counter and came to an agreement on setting the date for CUP-18-036 and DRO-18-004 for the next hearing date in order to modify the plans and add new details. Staff recommends a Continuance of the case until the next hearing, January 2, 2019.

MOTION: Commissioner Ruggles move to continue CUP-18-036 until January 2\textsuperscript{nd}, 2019. Commissioner Williams seconded the Motion. The Motion passed unanimously.

MOTION: Commissioner Ruggles move to continue DRO-18-004 until January 2\textsuperscript{nd}, 2019. Commissioner Clifford seconded the Motion. The Motion passed unanimously.

4. Case No. CUP-18-038: A request for a Conditional Use Permit renewal (of CUP-09-009) for the continued use of a self-service storage, bulk propane storage and vehicular storage with modifications to allow an additional self-service storage building and an additional area for vehicular storage on two parcels totaling of 3.23 acres in the M-1-10,000 (Light Industrial, 10,000 sq. ft. minimum parcel size) Zone. The properties are located at 671 S Carol Drive and 569 Carthage Lane in Valle, Arizona and are also identified as Assessor’s Parcel Numbers 503-15-099 and 503-15-093A.

   Property Owner: J & L Greene Trust, LLC, Williams, AZ Applicant: James L. Greene, Williams, AZ
Mr. Short summarized the staff report through a PowerPoint presentation. He stated there was a modification to Condition number 5; striking the second sentence “Additional landscaping shall be included to screen the proposed new development from Highway 180 subject to the approval of the Community Development Director”. Mr. Short added “Commercial Policies: 4. New commercial development, as well as redevelopment, shall encourage design standards that achieve the vision of an attractive gateway community. 7. Low water consuming commercial uses shall be encouraged”, for the staff report and on record.

There were no questions for staff, the floor was opened to the applicant for comment.

James Greene, 570 E Cimmaron Strip, Williams Arizona, stated that he agrees with the pictures and the staff report. He said he believes the landscaping on the site plan covers the situation but would be willing to hear the Commission’s options. Mr. Greene stated that he would like to keep the concrete privacy fencing and use it on the rest of the property. He indicated that if the expense and work became too much in the future, he would like the Commission to give him another option for fencing. He stated that the different colors of the buildings help the customers find their storage sheds once they are on the property. Mr. Green also stated that paving is unnecessary, and that it would make the area look better, but it can also cause problems.

Chairman Walters asked if Mr. Greene cannot do the concrete walls, what are his other options? Mr. Greene replied that the simplest would be chain link with slats but prefers the concrete.

Mr. Greene asked the Commission to consider making the expiration date for 20 or 30 years.

Chairman Walters asked if they were to make the fencing chain link with slats, can he make the fence taller, eight feet instead of six. Mr. Greene asked if there is a special permit required for a taller fence. Chairman Walters replied that the Commission can vote on putting it in the conditions. Mr. Greene stated that for cost, purpose and labor, he would like to stay with the concrete, but if he cannot do the concrete anymore, he will switch to the chain link with slats. Chairman Walters and Commissioner Clifford discussed some chain link fence ideas with Mr. Greene.

Mr. Greene also discussed the hardships with putting in trees along the privacy fencing. He indicated he could do it, but it would be costly. He stated that you can see the buildings from Highway 180, but there are other things to see in the area that better draw the attention of people that pass by.

Commissioner Ruggles asked if he has read the modification to condition number five in the staff report and does he agree with it. Mr. Greene stated that he did read it, but
would like some clarification. Commissioner Ruggles stated that he noted some non-native invasive trees on his property, and he agrees with going with staff’s recommendations for native species. Mr. Greene stated that he would like to go with Russian Olive or Chinese Elm trees because they do well in this area and do not take that much water. Commissioner Ruggles stated that they do well, but they are nonnative and invasive. Mr. Greene clarified that the concern is they propagate themselves. Commissioner Ruggles replied that was correct. Chairman Walters stated that on the list of approved plants there are some that are equally effective. Commissioner Ruggles explained that in condition number five, it does not suggest removing the plants already on the property. If he is going to add more, he will need to choose from the native non-invasive list. Commissioner Ontiveros clarified that with condition number five they are approving what was on the provided site plan.

Commissioner Williams asked if they can add to the condition about the fencing a statement that he can do the proposed concrete wall, but if costs or labor becomes too much, he can change to an eight-foot chain link fence. Mr. Short replied that the Zoning Ordinance allows the Commission to waive screening standards as part of the conditional use approval, but staff cannot permit this administratively because the Industrial section, does not provide for chain link fences. Mr. Short stated that the Commission could add the chain link fencing in the condition as an option. Chairman Walters stated he would like it to state six-foot concrete or eight-foot chain link fencing. Commissioner Clifford asked if the applicant would be agree with these changes. Mr. Greene stated he would probably go with the six feet concrete. The Commissioners discussed if eight feet fencing is common or costly. Commissioner Ruggles asked if the condition can just state as approved by the Community Development Director, which would leave it to staff. Mr. Short replied that in the Industrial Zone chain link is not listed as an option, it would need to be a waiver approved by the Commission. Commissioner Ontiveros asked if the difference in the height of the fence would make a significant difference. Mr. Short replied that an eight-foot fence would cover the Recreational Vehicles (RV’s) better, some would be taller that the fence.

There were no further questions for the applicant and no public to comment on this case. The floor was opened to the Commission for discussion.

Commissioner Ontiveros clarified that the Commission agrees on giving the option of a six-foot concrete wall. She asked why the Commission is requiring the applicant to go two feet higher if he decides to go with a chain link fence. Chairman Walters explained that RVs are taller than the concrete fence and an eight-foot fence would hide them better from the highway. Commissioner Ruggles stated that he has driven by this property and does not see a reason for making the fence eight feet, and six feet wall will hide the property. He also stated that this would not be consistent with the fencing height that is already on the property.

MOTION: Commissioner Ontiveros moved to approve Case No. CUP-18-038 with the eleven conditions as stated in the staff report, modifying condition number five to remove the sentence that states “Additional landscaping shall be included to screen the proposed
new development from Highway 180 subject to the approval of the Community Development Director.” Also modifying condition number four to add “six-foot-high concrete wall or slated chain link fence”. Commissioner Burton seconded the Motion. The Motion passed unanimously.

**MOTION:** Commissioner Ruggles moved to reopen the Commission discussion for CUP-18-038. Commissioner Ontiveros seconded the motion. The Motion passed unanimously

Commissioner Ontiveros stated that the applicant received his first approval in 1993 and she supports a longer term. Commissioner Ontiveros stated that she is comfortable with changing it to twenty years. The rest of the Commission agreed with this time frame.

**MOTION:** Commissioner Ruggles moved to approve condition number eleven of case number CUP-18-038, changing the wording to “The term of this use permit shall be for a period of 20 years, to expire November 28th, 2038”. Commissioner Ontiveros seconded the Motion. The Motion passed unanimously.

5. **Case No. AB-18-002:** A request for an Abandonment of the 20 foot wide southerly portion of a 40 foot wide non-vehicular, public, equestrian and pedestrian easement. The easement is located in Timberline at the intersection of E Copeland Lane and N Copeland Lane along the northern boundary of the Amended Plat for Pine Mountain Estates Subdivision on Lots 7, 8, 9, 10 and 11.

   Applicant: Arlene Butler, Coconino County Public Works Department, Flagstaff, AZ

   County Supervisor District: 2 (Elizabeth Archuleta)

   Ms. Davis summarized the staff report along with a PowerPoint presentation.

   Commissioner Ruggles stated that on the application it states that Public Works is applying for the abandonment, has the easement been accepted and deeded to the County. Ms. Davis replied that she received signed letters from the affected property owners stating their approval and support. Mr. Short stated that it is a public easement and they are abandoning an existing portion. Mr. Roll stated that this easement was on the original plat and is not sure if it was deeded to the County. The County is reserving a portion of the access for maintenance and construction, for the remaining twenty feet. Ms. Davis stated that the County is using the southern portion to improve the northern portion of the easement.

   Commissioner Ruggles asked if the County does not own this easement, how can they apply for the abandonment. Mr. Short stated that this easement is dedicated on the plat as a forty-foot nonvehicular public equestrian access easement. As a public easement the Board of Supervisors has the ability to abandon a portion of that, that is written in the County’s Subdivision Ordinance. He stated that they are abandoning half of it and
retaining the other half for the trail. Commissioner Ruggles stated that this case goes to
the Board of Supervisors for the final approval.

Chairman Walters asked if the easement has not been accepted into the County’s
maintenance program, who will do the work. Ms. Davis replied that Public Works is
currently working to improve the trail and storing their equipment in the southern part of
the trail.

There were no further questions for staff, it was closed and opened to the
applicant for comment.

Arlene Butler, 5600 E Commerce Flagstaff Arizona, stated that it is the plan for
the County to take over this part of the trail, they are working with Parks and Recreation
who will assume maintenance responsibilities for this project. Public Works is installing
fencing and doing grading in this area, and once this is complete it will go to the Board of
Supervisors for them to accept the trail for maintenance.

Commissioner Ontiveros asked if this answered counsel’s concerns. Mr. Roll
stated that this case will be heard by the Board of Supervisors, they will have all the
information and documents in front of them. They will be discussing the abandonment
and who will maintain the twenty feet the easement will exist on. Chairman Walters
stated when you look at the pictures it is easy to envision twenty feet is easy to drive in
and out of but there are trees that you would need to wind around to get through. You
would need the forty feet to have a good trail to drive through.

Commissioner Ruggles stated that there are also two more equestrian pedestrian
easements apart of the plat for Pine Mountain.

There were no further questions of the applicant, the floor was opened to the
public for comment.

Nancy Milnes 5615 E Atkinson Rd. Flagstaff Arizona, stated that this is an access
that has been denied to the neighbors since the flood. They would like to have the access
back. She stated that taking the twenty feet away, does not seem like they would have any
access. The northern part of the easement is heavily treed, has a lot of rocks and there is a
fenced area which does not seem like it would work well. Ms. Milnes acknowledged that
the County is getting work done to make the easement accessible. The Commission has
discussed that this easement is not owned by the County, but the County has put up signs
that the easement is not accessible for horseback. She stated that they have been trailering
their horses across the highway to the cinders. Commissioner Ruggles stated there are
other accesses, if you go by Copeland, turn up Gloydia, there are two more easements. Ms.
Milnes stated that they could be less than a mile away, but her horses do not like cars.

Ms. Butler stated that right now the easement is forty feet wide, at the end of the
reconstruction there will be a twenty-foot-wide easement. It will be fenced on both sides
and opened at the end of construction. She stated that there will be enough space for
everyone to get their horses through, as well as for Parks and Rec ATVs to perform maintenance as needed. They are going to be doing some grading work, removing rocks and taking down some trees, making the trail passable.

Commissioner Ruggles asked if there will be any provision for the property owners to get gates to access the easement. Ms. Butler replied that the five property owners surrounding the southern part of the trail are getting gates at the end of their properties. The department spoke with the property owners of the northern part and they declined getting gates on their property.

Barbara Bartell 5300 Tanager Dr. Flagstaff Arizona, stated that she lives far from any access and involves a large hike to access the forest. She stated the people who own property adjacent to the access are not happy with them going back there. Ms. Bartell wants to make sure the County is good on their promise to develop this twenty-foot easement which is adequate, as a trail for people who live in the area, who are not adjacent to the forest.

Chairman Walters stated that it is unfortunate that it has taken this long to come to this point and it sounds like the construction is already underway. The documents the Commissioners have insure that they will have access from now on.

Minda Simmons 12075 Daniel Way Flagstaff Arizona, asked if they will be removing the trees and rocks in the area. Chairman Walters replied they have been assured that the area will be wide enough and passable. Ms. Simmons asked when it will be reopened. Ms. Butler replied that construction began at the beginning of November, the schedule was for thirty days and should be completed in the next couple of days. Ms. Milnes asked if the latches on the gates would be equestrian friendly. Ms. Butler looked at the construction plans, and the gates do not have latches they will be weighted to swing into an equestrian v gate made for horses.

There were no further public to speak on this case, the floor was opened to the Commission for discussion.

Commissioner Williams stated that the plan seems all worked out and supports the case.

Commissioner Ruggles explained that over the seven years since the Shultz fire and flood, he has heard from his immediate neighbors that own horses and do mountain biking in the area, that this will be a good plan for the neighborhood. He stated that the fencing is also a good idea, for things such as dogs off leash. The easement has been closed because of the damage from the Shultz flooding which created a lot of liability for anyone accessing that easement. The property owners had sufficient reason to ask for the easement to be closed for use until the County can do the construction they are doing now, giving safe access for the public and property owners. Commissioner Ruggles is in support of this case.
MOTION: Commissioner Williams moved to approve Case No. AB-18-002 with the four conditions as written in the staff report. Commissioner Ruggles seconded the Motion. The Motion passed unanimously.

IV. CALL TO PUBLIC FOR ITEMS NOT ON THE AGENDA

There was no public to speak.

The meeting adjourned at 7:04pm

______________________________
Chairperson, Coconino County
Planning and Zoning Commission

ATTEST:

______________________________
Secretary, Coconino County
Planning and Zoning Commission
Public Hearing and consideration of Case Number CUP-18-036 and DRO-18-004

Executive Summary

**Location:** 3320 Forest Service Road 237 in Kachina Village, APN# 116-49-042D

**Current Zoning:** RM-10/A (Residential Multifamily, 0.5 acre minimum parcel size)

**Requested Conditional Use:** ‘Apartments containing 5 or more units’ (multifamily 5+)

**Applicable Design Review:** Consistency with Kachina Village Design Review Guidelines
Supervisor District: 3 (Matt Ryan)

Owner/Applicant: David and Patricia Hooker- Flagstaff, AZ

Project/Development Description:

The proposed use is a five unit multifamily housing project intended for long term rental. The applicant requests waivers in landscaping, setback, and separation distance requirements that staff supports and a paving waiver that staff does not support due to policies in the Kachina Village Area Plan related to dust mitigation and road improvements. The paving waiver is also not supported considering that all other projects in Kachina Village have full paving and an area plan goal desiring dust mitigation.

Recommendations and Findings of Staff

Conditional Use Permit: Five units in a multifamily project

Design Review: Conformity with the Kachina Village Area Plan Design Review Guidelines is confirmed by staff. A few of the recommended conditions below are important in ensuring the conformities with the plan.

Findings of Fact: Staff is able to make all four required Findings of Fact for CUP approval.

Recommendation: Staff recommends approval of Case Number CUP-18-036 subject to the six conditions of approval below. Staff recommends approval of Case number DRO-18-004 (a separate motion) subject to the four conditions of approval below.
Subject Property and Surrounding Property Information

Subject Property

- 0.58 acres
- Undeveloped, recently graded

*From the western property boundary looking east toward I-17*

*From the southern boundary looking northwest*
Surrounding Land Uses

<table>
<thead>
<tr>
<th>Land Use</th>
<th>Zoning</th>
</tr>
</thead>
<tbody>
<tr>
<td>North</td>
<td>Vacant</td>
</tr>
<tr>
<td></td>
<td>RM-10/A (Multifamily, 10 Units/Acre)</td>
</tr>
<tr>
<td>South</td>
<td>Vacant, Duplexes</td>
</tr>
<tr>
<td></td>
<td>RM-10/A (Multifamily, 10 Units/Acre)</td>
</tr>
<tr>
<td>East</td>
<td>Highway I-17</td>
</tr>
<tr>
<td></td>
<td>N/A</td>
</tr>
<tr>
<td>West</td>
<td>Vacant, Duplexes</td>
</tr>
<tr>
<td></td>
<td>RM-10/A (Multifamily, 10 Units/Acre)</td>
</tr>
</tbody>
</table>

Request

The applicant requests a Conditional Use Permit and Design Review Overlay for a multifamily project with five (5) units.

Project Description

The applicant proposes a multifamily development on a single parcel with five detached site built units. They are intended to be rented on a long term basis. The site plan shows three units along the northern property line and meeting the ten foot interior side setback and two units along the eastern property boundary and meeting the twenty foot rear setback. Unit A is shown at 30’ from the western property boundary. Each unit would include an attached garage and covered patio. A carport with four bays and open on all sides would be installed along the southern property boundary. Floor plans for the units show 1,524 square feet of livable space including three bedrooms, two full bathrooms, one half bathroom (one sink, one toilet, and no bath/shower), a kitchen area, a living room, and a laundry area. The attached garages are shown at 276 square feet in size. Lighting is shown on the outside of the structures but there are no parking lot lights or any other lights that are atypical of a single family residential situation.

Landscaping is shown throughout the applicant’s site plan with multiple evergreens and shrubs with a few deciduous trees. Many of the evergreens are shown on the eastern portion of the property adjacent to Highway I-17 right of way.
Access to the property comes through a parcel to the west from Kachina Trail with a twenty foot wide access easement. Driveways come into the middle of the parcel and separately access each garage and the carport.

**Analysis**

**Coconino County Comprehensive Plan**

The following policies from the Comprehensive Plan are applicable to this request:

- The County encourages affordable housing efforts and it will work to create incentives through Zoning Ordinance revisions that would promote a variety of housing types as well as accessory rental units—Land Use and Growth Policy 9

- Ensure a range of housing choices in a variety of communities that are well designed in terms of character, natural environment, and availability of services. – Residential Land Uses Goal

This request provides more housing in general and another option for housing type in the County. Though not designated as ‘affordable housing’, this project would allow for more housing stock in general for long term rental and the request lends itself in an indirect way to affordability of living in the satellite communities of Flagstaff.

**Kachina Village Area Plan**

The following policies from the area plan are applicable to this request:

- New multiple-family development shall be compatible with the scale of surrounding neighborhoods –Land Use Policy 5

- Development projects that include small, efficient, and environmentally-sustainable cottage-type residential units are encouraged. –Land Use Policy 12

- Future development projects shall be considered in relation to the scale and character of existing neighborhoods and should help maintain a balanced mix of land uses to accommodate a diverse community—Community Character Policy 1

The applicant’s site plan does show structures that are compatible with the scale of the surrounding development. The units are not large homes and should be relatively efficient.

- It shall be the responsibility of the developer or applicant to demonstrate that an adequate level of services and infrastructure exists or will be provided by the developer to support the proposed development –Future Growth Policy 8
The costs of water system improvements necessary to serve new development shall be borne by the developer. –Water Resource Policy 1

Utilities shall be placed underground for all new major developments whenever possible. Existing overhead utility lines shall be relocated underground if feasible and when opportunities arise. –Community Character Policy 17

As conditioned below, the applicant will be required to hook up into KVID for services and utilities will need to be placed underground.

All future development at the entrance to the community, as well as redevelopment of existing blighted properties and any development visible from Interstate 17, shall preserve or enhance the aesthetic quality of the gateways to Kachina Village and the City of Flagstaff. –Community Character Policy 6

Developers of residential projects shall consider the impacts of existing noise generators, such as highways and airport flight paths, and mitigate those impacts where feasible –Community Character Policy 23

As noise from highway and air traffic increases, mitigation measures shall be implemented where possible and speed limits, flight paths, and other applicable regulations shall be diligently enforced. –Community Character Policy 25

Staff recommended that the applicant modify their first site plan and landscaping plan to include a landscaping buffer with evergreen trees along the eastern property boundary in order to function as sound mitigation and aesthetic buffer from I-17. The applicant’s current site plan (see attached) does achieve this and is conforming to the policies. In addition to landscaping, topography helps to mitigate some of the sound issues from the highway. The southbound lanes for I-17 are about 70 feet away from the subject property’s eastern boundary and are about 20 feet higher in elevation.

In order to avoid light pollution, light trespass, and unnecessary glare, property owners are encouraged to install only the minimum level of outdoor lighting necessary for safety, security, and utility purposes; architectural and landscape lighting for ornamental purposes is discouraged. –Community Character Policy 19

Fully-shielded, downward-directed light fixtures are recommended for all outdoor lighting to contain direct illumination to the property of origin –Community Character Policy 20

The applicant does not show any detailed plans on lighting. Elevations for the units show typical residential lighting that you might find on the exterior of any single family residence. No parking lot lighting is shown. This is minimal outdoor lighting required for the project and staff proposes a condition below that would require that all lights are fully shielded and meeting the lighting portion of the Zoning Ordinance that further limits intensity of any lighting on the site.
Landscaping for new developments shall emphasize the use of native plants and drought-tolerant species appropriate to the area. Disturbed areas shall be restored and revegetated with native species to the greatest extent possible. –Natural Environment Policy 15

See discussion below under ‘Kachina Village Design Review Guidelines’ under the landscaping guidelines.

**Kachina Village Design Review Guidelines**

Multifamily developments are required to meet the Kachina Village Design Review Guidelines. Relevant Guidelines and analysis of this project in regard to those guidelines are below:

Architectural style shall be consistent with the rural forest environment of Kachina Village. Modernist, urban-oriented or whimsical designs that have no relationship to the established character of the community shall not be approved. – Design Review Guideline 1

Building materials and colors that blend with the natural environment should be emphasized. – Design Review Guideline 9

Natural materials such as wood, logs and native rock are recommended for integrating structures into the forest setting. High-quality natural-appearing synthetic materials or manufactured materials such as synthetic rock, split-faced block, log siding, concrete tile shingles, and other such materials are acceptable alternatives if it can be demonstrated that the proposed application would result in an appearance consistent with these guidelines –Design Review Guideline 10

Heavily textured materials or design elements that create shadow patterns are encouraged. Lap siding, board and batten, and rough-sawn wood siding materials create visually interesting shadow patterns and textures consistent with rustic design principles –Design Review Guideline 11

Architectural color schemes shall be consistent with the earth-tone palette of the natural landscape. Muted, natural tones should be emphasized. The use of predominantly glossy, bright or “unnatural” colors that contrast with the surrounding environment shall not be approved. – Design Review Guideline 12

Maximum building height shall be 35 feet and two stories –Design Review Guideline 7

Architectural features which serve to reduce the apparent mass of a building may be employed, such as telescoping gable ends, variations in roof forms, and the use of dormers and clerestories (a windowed wall that rises above the roofed section of a building). –Design Review Guideline 3

The architectural style shown is fairly consistent with these guideline except that one might consider the single pitched roof as more of a modern style. Porches and materials used are very consistent with a rural and forest environment. The covered porches, along with
placement of windows and doors throughout the units do break up the appearance of the structure into a more human scale. The proposed structures will be two stories in height and under thirty-five feet in height, consistent with these guidelines. Though exact colors were not provided to staff, the applicant does propose earth tone colors that would blend with the natural environment. The applicant proposes Hardie board siding for the units, which is made of fiber cement but imitates wood siding. The roofs will be asphalt shingles. Staff finds this as conforming to these guidelines.

Some types of uses, such as multiple family housing, may require the clustering of smaller buildings rather than a single massive structure in order to maintain a compatible scale with the surrounding neighborhood – Design Review Guideline 5

Projects comprised of multiple buildings shall employ creative site planning techniques, such as offset or staggered building footprints, to avoid a barracks-like symmetrical appearance – Design Review Guideline 6

The proposed units are split up into separate site built homes and therefore maintain a scale consistent with this guideline. The proposed site plan shows a staggering of units that avoids a barracks-like, symmetrical appearance. The applicant requests a setback waiver (see ‘Requested Waivers’ discussion below) for a 50% reduction of the front setback, which staff finds as helping to cluster the smaller buildings rather than combining them into one larger building. The applicant also requests a reduction in minimum separation distance to 8’ rather than the required 10’, which staff supports for the clustering as well.

Preservation of existing trees and vegetation is encouraged to the greatest extent possible consistent with forest health and fire risk reduction. Site plans shall indicate all existing trees and plant material that will be retained, as well as existing trees that will be removed. – Design Review Guideline 16

Detailed landscape plans shall be required for Planning and Zoning Commission review for all DRO applications. Landscaping shall emphasize xeriscape techniques using indigenous plant species and similar species adapted to the local environment. Exotic plants that could escape to the surrounding area and displace native vegetation shall be prohibited. – Design Review Guideline 17

The applicant did keep a few mature trees closer to the eastern side of the property where the rest was mostly a meadow. The applicant’s Landscaping Plan (see attached) includes native plant species for the most part and some species that are to be determined will be required to meet the Flagstaff Arboretum’s list of species that are native and specifically suited to the environment for the Kachina Village area.

Lighted signs shall be internally-illuminated, except that signage constructed of natural materials may be lighted with fully-shielded, downward-directed fixtures. Internally-illuminated signs shall be designed with an opaque background and translucent letters and symbols. Lighted signs shall
not remain lighted after normal business hours or after 10 p.m. for a non-business use. –Design Review Guideline 27

All outdoor lighting in the study area shall conform to the requirements of Lighting Zone 2, as specified in Section 17. A detailed lighting plan shall be submitted for Planning and Zoning Commission review for all DRO applications –Design Review Guideline 33

All light fixtures shall be fully-shielded and directed so that direct illumination is contained on-site. –Design Review Guideline 36

Proposed lighting is shown on the applicant’s elevation plans and is very minimal. There are no parking lot lights or anything else than lights attached to the units. The lights shown, though no detail is provided, seem to be consistent with the typical type of lighting that is used for any single family residence. Staff recommends a condition that all lighting be fully shielded below.

Road improvements necessary to support new development shall conform to Coconino County Engineering Design and Construction Criteria in effect at the time of construction- Circulation Policy 12

The County, individual property owners, and road maintenance associations are encouraged to adopt appropriate dust control measures and/or provide dust-free surfaces for roads under their jurisdiction. –Natural Environment Policy 22

The applicant requests a paving waiver (see ‘Requested Waivers’ discussion below) that staff does not support. All other projects in Kachina Village include paved driving and parking areas. The background information that comes before these policies for context explains that there were historically issues with dust that caused air quality problems in Kachina Village that were mostly eliminated when paving projects for the area were completed. The applicant’s requested gravel surfacing does help with dust mitigation, but not in the way that paving almost completely eliminates dust issue all together. Staff’s condition below requires full paving in light of the above policies.

Requested Waivers

Setback and Separation Distance- The Applicant’s site plan shows Unit A at 30’ from the western property boundary. There is actually a 20’ easement along that property boundary that serves as legal access to another adjacent multifamily parcel that is currently vacant to the north. Considering that setbacks are measured from the interior edge of an access easement and not from the property line, Unit A would be located at a 10’ front setback where typically a 20’ front setback is required for the zone. There is a Kachina Village Area Plan Design Review Guideline above that discusses a preference for multiple smaller clustered structures for multifamily projects rather than one large-scale structure, and staff believes that approval of this waiver helps the applicant to meet the policy rather than to have to meet the setback and combine some units into a larger-scale building. In order to meet at least a 10’ front setback
and further cluster the structures in conformance with the *Kachina Village Area Plan*, staff supports 8’ minimum separation distances between units A and B and between units B and C.

**Paving:** The applicant’s site plan also shows all internal driveways and vehicle maneuvering areas as improved with only gravel. The typical requirement for any multifamily project is full pavement and this would be the only project in Kachina Village with anything less than full pavement. Furthermore, the Kachina Village Area Plan (see policy discussion above) discusses that historically there was an air quality issue that was mostly eliminated with the completion of paving projects. Not paving, and even when covering a surface with compacted aggregate base gravel, does cause more dust issues than having full paving.

**Landscaping:** Required landscaping is based on a formula per Zoning Ordinance Section 4.4. Each 100 linear feet of frontage and each 100 linear feet of building perimeter requires one Plant Unit. Each Plant Unit (there are three alternatives) consists of a different number of deciduous and evergreen trees and shrubs in order to make a varied and unique appearance for each project. Plant Units calculated from frontage must be along the frontage and Plant Units calculated from building perimeter must be 50 feet or less from the building. In this case there are two differences from what is requested on the applicant’s Landscaping Plan and what are required. The requirement related to frontage would not be along the frontage, but rather it would be moved to the rear setback adjacent to I-17. Also, the Landscaping Plan has three less deciduous trees and six less shrubs than are typically required with three additional evergreen trees than are typically required (see chart below). Staff supports these waivers, as the plan provides for more evergreen trees adjacent to the highway that will stay full every winter and help to mitigate sound and aesthetic concerns from the I-17 that the Area Plan seeks to achieve. Also, the Landscaping Plan still shows plenty of plants throughout the development. The applicant did retain two mature Ponderosa Pines that count toward the total.

<table>
<thead>
<tr>
<th></th>
<th>Required (7 Standard Plant Units)</th>
<th>Applicant’s Plan</th>
</tr>
</thead>
<tbody>
<tr>
<td>Deciduous Trees</td>
<td>7</td>
<td>4</td>
</tr>
<tr>
<td>Evergreen Trees</td>
<td>14</td>
<td>17</td>
</tr>
<tr>
<td>Shrubs</td>
<td>28</td>
<td>22</td>
</tr>
</tbody>
</table>
Findings of Fact

A. That the proposed location of the conditional use is in accord with the objectives of this Ordinance and the purpose of the zone in which the site is located.
B. That the proposed location of the conditional use and the conditions under which it would be operated or maintained will not be detrimental to the public health, safety, or welfare, or materially injurious to properties or improvements in the vicinity.
C. That the proposed conditional use will comply with each of the applicable provisions of this Ordinance, except for approved variances.
D. That the proposed conditional use is consistent with and conforms to the goals, objectives and policies of the General Plan or Specific Plan for the area.

Public Participation

The applicant sent a letter to each neighboring property owner within 300 feet of the subject property soliciting comments on the proposed barn and met with immediate neighbors in person. No comments were received by staff.

Recommendation

If the Planning and Zoning Commission can make the required Findings of fact, staff recommends approval of CUP-18-036 subject to the following conditions:

1. Development of the site and units shall substantially conform to the submitted site plan, elevations, and floor plans. Any substantial changes or expansions shall require further review by the Planning and Zoning Commission.

2. A waiver from the front setback is hereby approved per the following: A 10’ front setback for ‘Unit A’ as shown on the applicant’s submitted site plan in lieu of the required 20’ front setback for the RM-10/A Zone.
3. A waiver for minimum building separation distances is hereby approved for 8’ between units A and B and 8’ between B and C in lieu of the required 10’ building separation distance for the RM-10/A Zone as shown on the applicant’s site plan.

4. A waiver from the landscaping requirements of Zoning Ordinance Section 4.4 is hereby approved, given that landscaping is installed in substantial conformity to the submitted Landscaping Plan. Plant species shall substantially conform to those listed on the Landscaping Plan except that those labeled ‘pine tree’ and ‘deciduous tree’ shall be a more specific species as listed in the Flagstaff Arboretum’s *Native Plants for Northern Arizona Landscapes* under the subsection for *Dry Ponderosa Pine Forest Habitat (Open Woodland)*. Any disturbed areas that are not occupied with structures or driveways shall be reseeded with a native seed mix subject to approval by the Community Development Director.

5. The applicant shall arrange for service of the property by the Kachina Village Improvement District (KVID). All required utilities shall be installed concurrently with construction of the units and prior to issuance of a Certificate of Occupancy.

6. The access easement to the property and all driveways, parking spaces, and other vehicle maneuvering areas shall be fully paved to the satisfaction of the Engineering Division of the Community Development Department.

If the Planning and Zoning Commission can find that the applicant’s submittals meet the Kachina Village Design Review Overlay Guidelines, staff recommends approval of DRO-18-004 subject to the following conditions:

1. The design of the structures shall substantially conform to the submitted site plans, floor plans, and renderings as submitted. Any substantial changes or expansions shall require further review by the Planning and Zoning Commission. All colors used shall be earth tone and consistent with the natural environment on the site and approved by the Community Development Director prior to issuance of a Building Permit.

2. Any future signage shall conform to Section 4.2 of the Zoning Ordinance and a Sign Permit shall be approved by the Community Development Department prior to installation. Shall any future sign be requested, the sign shall be internally illuminated or externally illuminated with downward facing, fully shielded lights also meeting Zoning Ordinance Section 4.3 of the Zoning Ordinance. Any signage shall conform to the Kachina Village Design Review Guidelines as approved by the Community Development Director.

3. All lighting shall conform to Section 4.3 of the Zoning Ordinance, and a Lighting Permit shall be approved by the Community Development Department prior to the installation
of any lighting. Any individual fixtures over 2,500 lumens shall be Low Pressure Sodium or Narrow Spectrum Amber LED. All lighting shall be fully shielded.

4. All utilities shall be located underground.

Respectfully submitted,

Jess McNeely, AICP, Assistant Director
Prepared by Zach Schwartz, Senior Planner

Attached: Modified site plan and landscaping plan
CONDITIOINAL USE PERMIT APPLICATION

Owner Information
Owner's Name: DAVID HOCKETT
Address: 7500 DEVILLE LN
City, State, Zip: FLAGSTAFF AZ 86004
Phone: (928) 632-8000
Email/Fax: DHOCKETT.2002@GMAIL.COM

Applicant Information
Applicant's Name: DAVID HOCKETT
Contact Person:
Address:
City, State, Zip:
Phone:
Email/Fax:

Property Information
Assessor's Parcel #: 1649050170
Subdivision: KACHINA VILLAGE UNIT 14
Unit #: 142 Lot #: 38 Address/Location: 3600 FOREST SERVICE RD, 287
Zoning: RAR-10
Existing Land Use: Vacant
Parcel Size: 0.58

Brief Description of Request
I want to build a home on this lot.

CERTIFICATION & ACKNOWLEDGEMENT

I am applying for a Conditional Use Permit and this application is complete and accurate. I understand that by applying for this permit, I am requesting inspection of the permitted development and that the Coconino County Community Development Department and their inspectors and regulators access and permission to perform inspections.

Incomplete or inaccurate submittals may result in delays, return of submittals or denial of this application. The Conditional Use Permit is a supplemental permit and other permits may be required for this project and all required permits must be obtained prior to any construction. The applicant is responsible for all changes and additional time required to correct plans and/or development as a result of differences between initial and final plans.

I am responsible for contacting the Coconino County Community Development at (928) 679-8860 to schedule all required inspections for this permit.

Signature of Applicant: DAVID HOCKETT Date: 9/10/18

Signature of Property Owner: (If not the applicant)

COMMISSION ACTION
☐ Approved ☐ Denied
Resolution # Date

BOARD ACTION
☐ Approved ☐ Denied
Resolution # Date
Citizen Participation Plan

Applicant Name: **DAVE HOOKER**

Mailing Address: **7507 DEVILLE LN**

Phone: **928 853-8950**

E-mail: **DHooker AZ GMAIL.COM**

Property Address or Parcel Number(s): **1164942D**

Brief Description of Conditional Use Permit and/or Zone Change:

*TO BUILD 5 SEPARATE 2 STORY HOMES ON THIS LOT*

1. Which residents, property owners, interested parties and public and private agencies may be affected by the application? (This may consist of the area of notification mailing list, which can be attached to this Plan.) List the notification radius in feet or miles as identified by Community Development staff.

   **300' SEE ATTACHED LIST**

2. How will those interested in and potentially affected by an application be notified that an application has been made?

   **LETTER IN US MAIL**
3. How will those interested and potentially affected parties be informed of the substance of the zone change, amendment, or development proposed by the application?

   By mail or email

4. How will those interested and affected parties be provided an opportunity to discuss the applicant's proposal with the applicant and express any concerns, issues, or problems they may have with the proposal in advance of the public hearing?

   @ MEETING SEPT 9th 9AM-980AM

   ON LAND IT'S SELF

5. What is the applicant's schedule for completion of the citizen participation plan?

   30-60 DAYS AFTER MEETING

6. How will the applicant keep the County Community Development Department informed on the status of citizen participation efforts?

   By email or Rachel Davis

---

A handwritten note on the page reads:

"2 people showed, all understood my build # ok to move forward"

D. Holtey

---

*APN Owner Name Owner Address 1 Owner City Owner State
11640036 MAX HAR & CHRISTINE 3480 KACHINA TRL FLAGSTAFF AZ
11640040 BARKMEYER JOEL & PAULA K 3513 KACHINA TRL FLAGSTAFF AZ
11640042 FLORIE ED INVESTMENTS INC PO BOX 2817 FLAGSTAFF AZ
11616082 LAIDLEY MICHAEL S & NANCY A 20750 S SILVER CREEK LN QUEEN CREEK AZ
11640034 SHELTON DENNIS & MEGHAN 6302 W WAGNER RD GLENDALE AZ
11640091 KACHINA HOUSE LLC 27 E JUNIPER AVE FLAGSTAFF AZ
11651095A DARNELL DOUGLAS & TRUUS W 3504 NE RAINEAR LOOP FLAGSTAFF AZ
11601995 HUBERT RONALD & NITA 6800 VIRIL WAY PLEASANT HILL CA
11640092C KACHINA RENTALS LLC 25A CRESENT DR ND 403 PLEASANT HILL CA
11640095 SABBITT CAROL LEE 3510 KACHINA TRL FLAGSTAFF AZ
11640093 OWEST CORPORATION P O BOX 2599 GLOTHE KS
11640099 FASAN JOHN L & ELIZABETH A 2020 N WESTVIEW TRL FLAGSTAFF AZ
11640097 MEDIA ANDREA 1128 E SHERIFFS WAY CASA GRANDE AZ
11640098 HOOKER DAVID & PATRICIA J 7507 DEVILLE LN FLAGSTAFF AZ
HOOVER CONSTRUCTION INC.

[Letterhead]

I request to be held on parcel # 214-46X-02B.

My plan to build a separate garage on this site, 18X 24. Each house will have a car port and two
covered parking spots. I will need to get architectural plans for this property. The design of Rock saw horse is to complement the
building site and specification. The product will be in accordance with all local building codes. Each house is 20x20 ft.
with 12X 12. This will be turned back yard, two (2) 12x12, front porch, and A/C. The doors will be
12X 6. We will be open to local feedback and will be cleared of these as needed.

Landing will still be a small 15X12 for the front (20X12) with 10X12. Stair will be said grey, white and north meat.

Landscaping will be up to your future arrangement.

Metal roofing and solar lighting will be made in accordance with the Village of Dade City Ordinance (see street lighting).

No Signage

Living: the place, it will have a complete level of frame, inside, cover, parking space, a

space, and turn around. Each house will have its own front and

Please advise me of any questions I may have as soon as possible. I am trying to get this moving.

Yours Sincerely,

Dana Hoover
Each unit shall have one porch light in the front, one in the rear, and three additional lights in each bay of the carport. All exterior lighting to be solar powered.
Jay Christelman, Director

Date: January 2, 2019

To: Planning and Zoning Commission

From: Department of Community Development

Subject: Public hearing and consideration of Case No. ZC-18-008

Executive Summary

Location: 251, 451, and 500 Lower Indians Garden Drive in Oak Creek Canyon, also known as Assessor’s Parcel Numbers 405-28-003A, 004, and 005.

Current Zoning: AR (Agricultural Residential, 1 acre minimum parcel size)
Requested Zoning: RS-16,000 (Residential Single Family, 16,000 square foot parcel size min.)

Parcel Sizes: 405-28-003A is 0.92 acres, 405-28-004 is 0.81 acres, and 405-28-005 is 0.55 acres

Supervisor District: 3 (Matt Ryan)

Owners: David and Marcia Ellis- Sedona, AZ, Elizabeth Kauffman- Scottsdale, AZ, and Cameron Family- Sedona, AZ

Applicant: David Ellis on behalf of the two other property owners

Project/Development Description:

This request is for a Zone Change from the AR Zone to the RS-16,000 zone. The Zone Change would bring the subject properties into conformance with size requirements of the zone, as each property is under an acre in size. The applicant’s purpose for the Zone Change is to make the parcels conforming and to allow parcel 003A to split into two separate parcels so that the property can be conforming with its three dwelling units and can be given to different relatives in the future. Two of the three subject properties would be large enough to be potentially split in the future. The Oak Creek Canyon Area Plan includes a policy that density should not be increased; this request could be in conformance with the density policy if the properties were limited to the existing development with no additional dwelling units.

Recommendations and Findings of Staff

Zone Change: Staff feels that the Commission will need to balance the reduction of legal nonconformities with what could be perceived as spot zoning and conformance with the Oak Creek Canyon Area Plan.

Findings of fact required to approve a Zone Change:

Staff finds merit in this request but also has concerns. Staff recommends that the Commission read and understand a full discussion of the Findings of Fact below before making a decision for approval or denial.
Background Information:

Subject properties:

The subject properties are three separate parcels in the AR Zone.

405-28-003A
- 0.92 acres in size (40,075.2 square feet)
- Developed with a two-story site built single family residence and two single story site built residences
- Includes portion of creek and dense, mature vegetation

405-28-004
- 0.81 acres in size (35,283.6 square feet)
- Developed with one site built residence
- Includes portion of creek and dense, mature vegetation

405-28-005
- 0.55 acres in size (23,958 square feet)
- Developed with one site built residence
- Includes portion of creek and dense, mature vegetation
Surrounding Land Uses:

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<tr>
<th>Land Use</th>
<th>Zoning</th>
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<tr>
<td>North</td>
<td>Single Family Residential AR (AR)</td>
</tr>
<tr>
<td>South</td>
<td>Manufactured Home AR (AR)</td>
</tr>
<tr>
<td>East</td>
<td>Single Family Residential AR (AR)</td>
</tr>
<tr>
<td>West</td>
<td>Single Family Residential AR (AR)</td>
</tr>
</tbody>
</table>

Property History

All three properties have been zoned AR-1 for over two decades. The 003A property was created by a land division in 2000. The original 003A parcel was 1.7 acres and the previous owner of the parcel requested a Variance, V-99-13, in 1999 to split the parcel into three separate parcels under the one acre minimum for the AR Zone. The subject property at 0.92 acres and the two parcels directly south of this parcel at 0.39 and 0.37 acres were requested. At their meeting of July 20, 1999, the Board of Adjustment approved V-99-13.

The current property owner of 003A, and applicant for this request, bought the property in 2007. In 2016 the owner met with staff to discuss a path forward to allow them to split off one of their three homes on the property (legal nonconforming) so they could pass that property on to one family member and the other two homes on a separate parcel to be created to another family member. Staff discussed that a Variance could allow for an undersized parcel, but a Zone Change including more of the neighborhood might be more advisable. The owner then requested a variance which the Board of Adjustment denied on June 21st, 2016. The findings required to approve a variance are different than those required to approve a zone change as they are more focused on uniqueness of the property and hardship brought on the property by the Zoning Ordinance. The applicant then met with staff on a number of occasions leading up to the current case. Staff suggested getting the entire neighborhood on board for a Zone Change that would bring the minimum parcel size of the area down closer to the sizes that exist for the area so as to avoid spot zoning one parcel, and to bring the entire area into zoning conformance.

Proposed Development

The applicant does not have a development plan, as there is no immediate additional development to occur. The applicant did, however, indicate in previous applications to the
department and in their narrative for this application that they intend to split parcel 003A into two separate parcels. Currently the parcels all have just one residence except for 003A which has three separate residences. It is not permissible to have more than one primary dwelling unit and one accessory dwelling unit in the current or proposed zone.

Nonconforming Situations

The proposed Zone Change would have the effect of reducing some legal nonconforming (grandfathered) situations, which is one of the intents of the Zoning Ordinance. Generally, a legal nonconforming use or situation can remain active but cannot expand and cannot be replaced if it is destroyed. Existing legal nonconforming situations related to the subject properties include the three subject properties being under one acre in the AR Zone, where one acre is the minimum, and three dwellings on the 003A parcel where only one primary dwelling and one accessory dwelling unit are permitted.

Regarding minimum parcel size, the requested RS-16,000 Zone would create a minimum parcel size of 16,000 square feet that all three subject properties meet in their current state. The requested zone also has 20’ front and rear setbacks with 10’ side setbacks which is less than the required 25’ front, 10’ side, 20’ rear setbacks of the AR Zone. Lot coverage in the AR zone is 35% and is 40% in the RS zone.

If this request is approved, the applicant plans to split 003A into two parcels with two residences on one and one residence on the other, which would be one way to remove a legal nonconformity. The other way that the nonconformity of three residences on a parcel would be rectified is in the future when one of the residences is beyond repair, it could not be replaced and would need to be removed from the parcel.

Floodplain

The subject properties are each highly affected by Floodway. Floodway is the channel where flooding would occur during a 100 year flooding event. The only way in which construction can occur in the floodway is if an engineer is able to submit a report that would show that adding the structure into the floodplain would not alter the size or shape of the flood channel. This would be a factor that limits construction on the subject properties. It is not typically advisable for any new density to be added into a floodplain area or a floodway.
Spot Zoning

‘Spot Zoning’ is defined and noted as undesirable in several of the County’s Area Plans, but not specifically in the Oak Creek Canyon Area Plan. Spot zoning is seen as not consistent with planning and zoning best management practice as it has the potential to allow for incompatible land uses to directly interface. In the County’s two most recent Area Plans, it is defined as the following:

“Spot Zoning- Rezoning of an individual lot or parcel of land for a use that is incompatible with surrounding land uses; that conveys a special privilege to the individual property owner; that is not in the public interest; and that is not in accord with a comprehensive plan.” –Fort Valley/Highway 180 Corridor Area Plan and Kachina Village Area Plan

For this request, parcel number 003A is 0.92 acres, 004 is 0.81 acres, and 005 is 0.55 acres in size (0.08, 0.19, and 0.45 acres undersized) and not as far under the minimum zoning requirement as other parcels on the same block and in the same zone (see map below). Across the street and on the same cul-de-sac as the subject properties are parcels of 0.1, 0.15, 0.18, and 0.19 acres that would benefit as much or more from becoming conforming parcels. The applicant invited other property owners on Lower Indian Gardens to join in the zone change
request. The applicant chose the 16,000 square foot size specifically to attempt including the two lots to their south in this request. Those property owners chose to not join in the request because existing manufactured homes on their parcels would become legal non-conforming in the RS zone.

The subject properties are three of nine parcels on Lower Indian Gardens. A zone change might make more sense if it included all of the nonconforming lots. The Commission might consider this request as a spot zoning and only benefiting the applicants. The Planning and Zoning Commission may consider that the entire block or a larger area should be comprehensively rezoned all at one time so as not to cause a spot zoning and in order to better serve the public intent of the zoning district boundaries in the area. The Commission, the Board of Supervisors or the greater neighborhood could initiate such a rezoning of the larger area and it would solve the legal non-conforming issues for the larger area. This occurred in Maine Townsite in the Parks area in 2013 and in the Mount Elden Estates neighborhood in 2014. Piecemeal zone changes in the area could be haphazard and could fragment the area into different zones.

Parcels labeled 3A, 4, and 5 are part of this request. Darker Orange is still AR Zone but in Indian Garden Homes Subdivision. Properties associated with this request are denoted with stars.
The Planning and Zoning Commission could also see that the three properties are a large enough area that they would not be considered a spot zoning or a benefit only to the applicants. As stated in the applicant’s submittals, the three properties comprise over 60% of the block’s land area.

**Comprehensive Plan Analysis**

To eliminate land use or zoning conflicts, transition nonconforming uses to a conforming use and work to alleviate the negative impacts of nonconforming uses over time. When amendments to the Zoning Ordinance are adopted, thought should be given as to whether existing uses should be considered nonconforming or granted legal status. –Land Use & Growth Policy 8

This request would eliminate multiple legal nonconforming situations as discussed in the ‘Legal Nonconforming’ section above, so this request is consistent with this policy.

**Oak Creek Canyon Area Plan Analysis**

The following policy of the plan relates to this request:

All future development of undeveloped lands within the Canyon shall be restricted to single family uses at a density not to exceed one unit per net developable acre. "Net developable acre" shall be interpreted to mean the gross or total land area proposed for development less that portion of the property located within the floodway of Oak Creek and that portion where existing slopes exceed 25 percent. –Policy 21

REDEVELOPMENT. "Redevelopment" shall mean the altering of developed land by the addition, removal, or change in structures or their use or the significant altering of the land. It does not include the repair, maintenance, or refurbishing of existing structures thereon or a parcel of land that has been legally altered for human occupancy. All future redevelopment of private land in Oak Creek Canyon shall seek by the year 2000 to achieve a net reduction in density of dwelling units and intensity of use of non dwelling units. It is not intended that reductions shall apply uniformly to all properties on redevelopment, but rather on the Canyon as a whole. To accomplish this the following policies shall be implemented: a. All future redevelopment shall minimize human activity on the Canyon, preserve the viewshed defined in the Scenic Highway designation, minimize visual, air, water, light and noise pollution by the application of the best available technology, minimize the removal of trees and retain the historic character of the Canyon. – Policy 23

Approval of this Zone Change could allow parcel 003A and 004 to split into two properties and would allow at least one additional dwelling unit on the properties if redeveloped, making a net density gain of 2 dwellings for the area. Potential development following parcel splits would be more dense than one unit per ‘developable acre’ considering that the three parcels have significant floodway. This would be permitted with the requested zone change unless the Commission approves with staff’s proposed conditional zoning with a deed restriction to not
increase the number of dwellings on the properties if split. If this case is denied, it could serve to create a net reduction in density, should the third dwelling on 003A be eliminated through redevelopment or damage beyond repair.

**Zoning Ordinance Analysis**

The Zoning Ordinance has purpose statements for each zoning district to state the intended purpose and densities of the zones. The AR Zone purpose statement is to “…designate areas of the County for low-density residential Use on minimum Lot sizes of one (1) acre where those light agricultural activities can be conducted which are related to rural family living and pursuits.” The purpose statement of the RS zones is to allow for “…low density single family residential development on minimum Lot sizes of [16,000] square feet and at maximum densities of (2.0) Dwelling Units per acre. Only those additional Uses are permitted that are complimentary to, and can exist in harmony with, a suburban residential neighborhood.”

**Conditional Zoning**

Should the Commission make the findings to approve this case, the only way to make the request consistent with the *Oak Creek Canyon Area Plan* would be to require a restriction on the parcels’ deeds that would limit any further construction of dwelling units. Should the Commission approve, staff has written a condition below that would have this effect.

**Public Participation**

One neighboring property owner contacted staff over the phone with concerns over a shared wastewater system between the 003A parcel and two parcels south of that (not part of this request). The system was permitted in 1999 and meets all current standards. Any additions of dwellings, bathrooms, bedrooms, or plumbing fixtures with our without a zone change would require approval through the Environmental Quality Division in order to be permitted.

**Findings of Fact**

In order to approve this zone change request, the Zoning Ordinance requires that the Planning and Zoning Commission make the following three Findings of Fact:

1. That the change is consistent with the goals, objectives and policies of the Comprehensive Plan and this Ordinance.
2. That the change is in the interest of or will further the public health, safety, comfort, convenience and welfare.
3. That the change will not adversely affect the established character of the surrounding neighborhood nor be detrimental to adjacent properties.
1. The Planning and Zoning Commission should consider the Zoning Ordinance intended purpose and densities of the zones, whether or not this is a spot zoning, and the objective of eliminating legal nonconforming situations. Spot zoning is generally considered inconsistent with the Comprehensive Plan; eliminating legal nonconforming situations is consistent with the Comprehensive Plan. The Oak Creek Area plan is clear about the desire to restrict any further density.

2. The Planning and Zoning Commission should consider positive or negative impact to the public interest as discussed in this report under the issues of removing legal nonconformities and possible inconsistencies with a perceived spot zoning. A more significant benefit to the public would be to include more nonconforming parcel size properties in the area in a similar request without increasing density.

3. If the Planning and Zoning Commission can make Findings of Fact and also approves a condition as noted by staff below that would prohibit increasing the total number of residences on all parcels, this zone change will not adversely affect the established character of the neighborhood. With no restriction on keeping the existing number of residences, further density would be allowed which would be detrimental to the character of the neighborhood as determined in the Oak Creek Canyon Area Plan.

Recommendation

If the Commission can make the required Findings of Fact for the Zone Change, then staff only recommends approval of ZC-18-008 with the following condition:

1. A deed restriction shall be recorded with the County Recorder on the following properties with the following language: Parcel 405-28-003A, including and together with any future parcels split therefrom, shall be limited to a combined total of no more than three dwelling units; Parcel 405-28-004, including and together with any future parcels split therefrom, shall be limited to a combined total of no more than one dwelling unit; Parcel 405-28-005, including and together with any future parcels split therefrom, shall be limited to a combined total of no more than one dwelling unit.

Respectfully submitted,

Jess McNeely, AICP, Assistant Director/Planning Manager
Significant contribution from Zach Schwartz, Senior Planner
Zoning Change Narrative for
Lower Indian Gardens Drive, Sedona AZ, 86336

Overview

- Lower Indian Gardens Drive is a lovely residential street with high resident pride, meticulous landscaping, maintenance and demonstrates for the entire area what can be done when residents "really care". It is a true showcase for the Oak Creek Canyon area.

- There are 9 lots that face on/or access Lower Indian Gardens Drive. They vary in size from .1 to .92 acres. The total size of the 9 lots is 3.68 acres. The big difference in the lot sizes does not lend itself to a single zoning classification for Lower Indians Drive.

- The three largest lots, however account for 2.28 acres, (62% of the lot acreage on the street), are contiguous, and constitute the area included in this rezoning application. Their addresses, parcel numbers, and lot sizes are enclosed with the application.

- David and Marcia Ellis, along with two other parcel owners, are applicants in this zoning request. David and Marcia will coordinate the applicant process for the group.

- All three property owners have attended an information meeting at the home of David and Marcia Ellis on June 21, 2018. Jess McNeely also attended that meeting and provided valuable information to the group.

- The existing AR-1 classification is a poor fit for these three lots – this is strictly a residential area and there is no agricultural activity on this street. Nobody on the street meets or ever did meet the one acre minimum for zoning classification AR-1.

- This is a simple request for a zoning change from agricultural AR-1 to residential classification RS - 16000. There is no associated development, and the application will not increase the number of houses in the zone change area, and it does not change anything physically.

Oak Creek flood plain boundary will not allow any additional houses to be built.

The proposed zoning will allow 62% of the acreage on lower Indian Gardens Drive to become conforming – a stated P & Z objective.

Oak Creek Plan Major objective in the is to insure water quality

The largest lot has an advanced aerobic digestion waste-water treatment system that is professionally managed. This type of treatment is far superior to typical septic systems and improves overall water quality and reduces the possibility of groundwater contamination.

Coconino County Comprehensive Plan encourages water recycle/reuse

The above-mentioned waste water system recycles the treated effluent from the treatment system by placing it on the lawn/vegetation on the property directly to the north. This displaces/saves an equivalent amount of fresh water.

Finding #2- That the change is in the interest of, or will further the public health, safety, comfort, convenience, and welfare.

Coconino County Comprehensive Plan Major objective

"Conserve and promote stable, attractive, rural communities where residents share a sense of pride". Lower Indian Gardens Drive is a shining example of this type of community. It is a lovely residential street with high resident pride, meticulous landscaping, excellent property maintenance, and demonstrates for the entire area what can be done when residents "care" it is a true showcase for the Oak Creek Canyon area.

Allowing the majority of the acreage on Lower Indian Gardens drive to become conforming protects the substantial investment of the existing homeowners and increases the likelihood this Canyon showcase will remain as is. This residential development is