Planning and Zoning Commission
Staff Review Board Agenda
Meeting of June 26, 2019-3:00 PM to 4:00 PM
Board of Supervisors Meeting Room

Study Session Agenda
Meeting of June 26, 2019-4:00 PM
Board of Supervisors Meeting Room
County Administrative Center
219 East Cherry Avenue
Flagstaff, Arizona

The following applications are scheduled for a public hearing on Wednesday, July 31, 2019. At the Study Session, Commissioners will briefly discuss these cases:

1. Case No. CUP-19-025: A request for Conditional Use Permit renewal (of CUP-14-024) for a taxidermy business conducted as a cottage industry with modifications to allow additional square footage to the area used for the cottage industry and additional signage on a 2.5-acre parcel in the AR-2 ½ (Agricultural Residential, 2 ½ acre minimum parcel size) Zone. The property is located at 5910 Velvet Valley Lane in Doney Park and is identified as Assessor’s Parcel Number 303-19-004G.
   Property Owner: Christopher and Shelley Favour, Flagstaff, AZ
   Applicant: Shelley Favour, Flagstaff, AZ
   County Supervisor District: 4 (Jim Parks)

2. Case No. CUP-19-028: A request for Conditional Use Permit renewal (of CUP-10-069) for a 100-foot wireless telecommunication facility on a 9.36-acre parcel in the AR-2 ½ (Agricultural Residential, 2 ½ acre minimum parcel size) Zone. The property is located at 10380 N US Highway 89 in Doney Park and is identified as Assessor’s Parcel Number 301-33-005A.
   Property Owner: AT&T Property Tax, St Louis, MO
   Applicant: SmartLink, LLC, Scottsdale, AZ
   Representative: Lisa Sennott, Scottsdale, AZ
   County Supervisor District: 2 (Elizabeth Archuleta)

3. Case No. CUP-19-029: A request for Conditional Use Permit renewal (of CUP-09-044) for a powder coating and marine supply business with modifications to extend the term of the permit to 15 to 20 years on a 1.39-acre parcel in the CG-10,000 (Commercial General, 10,000 sq. ft. minimum parcel size) Zone. The property is located at 7975 N US Highway 89 in Doney Park and is identified as Assessor’s Parcel Number 301-25-018E.
   Property Owner: Brown Living Trust DTD, Flagstaff, AZ
   Applicant: California Marine Supply and Flagstaff Powder Coating, Flagstaff, AZ
   Representative: Tim Brown, Flagstaff, AZ
   County Supervisor District: 4 (Jim Parks)
4. Case No. CUP-19-030: A request for Conditional Use Permit renewal (of CUP-13-045) for a 99-foot wireless telecommunication facility with modifications to extend the term of the permit to ten years on a 40-acre parcel in the G (General, ten-acre minimum parcel size) Zone. The property is located approximately 8.5 miles northeast of Seligman, AZ and is identified as Assessor’s Parcel Number 205-36-136.
   Property Owner: El Paso Natural Gas Company, Houston, TX
   Applicant: Arizona Public Service, Phoenix, AZ
   Representative: Staci Bentler, Phoenix, AZ
   County Supervisor District: 1 (Art Babbott)

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

1. Case No. CUP-19-031: A request for Conditional Use Permit renewal (of CUP-10-014) for an equestrian facility and a commercial kennel on a 42.84-acre parcel in the AR-5 (Agricultural Residential, five-acre minimum parcel size) Zone. The property is located at 8855 Hutton Ranch Road in Doney Park and is identified as Assessor’s Parcel Number 303-21-001J.
   Property Owner: Macaro VII, LLC, Flagstaff, AZ
   Applicant: Lewis Roca Rothgerber Christie, LLC, Phoenix, AZ
   Representative: Michael J. Phalen, Phoenix, AZ
   County Supervisor District: 4 (Jim Parks)

2. Case No. CUP-09-033: A request for a Conditional Use Permit renewal (of CUP-09-033) for three metal storage containers (two 8 x 40 and one 8 x 20) on a 2.5-acre parcel in the AR-2 ½ (Agricultural Residential, 2 ½ acre minimum parcel size) Zone. The property is located at 7670 Candi Lane in Doney Park and is identified as Assessor’s Parcel Number 301-25-011A.
   Property Owner/Applicant: Truth Valley, Flagstaff, Arizona
   Representative: Stephen Walker, Flagstaff, AZ
   Supervisory District: 4 (Jim Parks)

Community Development Department Update

1. Please welcome Marty Hernandez as our new Planning and Zoning Administrative Assistant. We also have a new Code Enforcement Officer, Dustin Hatch and a new Permit Technician, Amy Egan. The Department is in the process of recruiting the Engineering Supervisor and Urban Wildlife Planner positions.

2. The CDAG had a final review of the draft Zoning Ordinance on June 20th, they were thanked for their hard work in this update. A draft Zoning Ordinance Open House is scheduled for July 18th. Staff anticipates a Study Session with the Commission on the Zoning Ordinance in August and a public hearing in September to be followed by a Board of Supervisors’ public hearing.

Board of Supervisors Update

3. The Board held public hearings on two zone changes and the Building Code update on June 18th. The Board will be on break for the month of July.

Election of Planning and Zoning Commission Officers

4. Officers are normally elected at the June meeting but will be elected in July this year.

Commission and Staff Roundtable
Coconino County
Planning and Zoning Commission
Agenda

Meeting of June 26, 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

May 29, 2019

III. CONSENT AGENDA


IV. PUBLIC HEARINGS

1. Planning and Zoning Commission Bylaws. An update to the Commission Bylaws.

2. Case No. AM-19-002: A Minor Amendment to the Coconino County Comprehensive Plan and Coconino County’s adopted version of the Flagstaff Regional Plan 2030, Place Matters, to adopt the updated Bellemont Area Plan.

3. Case No. ZC-18-010 and SUB-18-004: A request for 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 and a 94-lot subdivision preliminary plat on two parcels totaling of 8.02 acres in the PC (Planned Community) Zone. The subject properties are located north of Shadow Mountain Drive and east of the Pilot Travel Center and the Days Inn
in Bellemont and are identified as Assessor’s Parcel Numbers 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: Tim Campbell, Finesse Properties, Queen Creek, AZ
County Supervisor District: 3 (Matt Ryan)

4. Case No. CUP-19-024: A request for Conditional Use Permit renewal (of CUP-14-012) for a horse boarding facility and equestrian events center on an 18.62-acre parcel in the G (General, 10 acre minimum parcel size) Zone. The property is located at 3090 Old Munds Highway in and is identified as Assessor’s Parcel Number 116-12-002W.

Property Owner/Applicant: Susan Wolfe, Flagstaff, Arizona
County Supervisor District: 3 (Matt Ryan)

5. Case No. ZC-19-005: A request for a Zone Change to change a 6.8 acre portion of a parcel in the G (General, 10 acre minimum parcel size) Zone and a .7 acre portion of the parcel in the CG-10,000 (Commercial General, 10,000 sq. ft. minimum parcel size) Zone to RR 2 1/2 (Rural Residential, 2 1/2 acre minimum parcel size) Zone. The total area subject to the Zone Change is a 7.5 acre portion of a 14.42 acre parcel. The parcel is located at 1393 Mountainaire Road and is also identified as Assessor’s Parcel Number 115-06-001A.

Property Owner: FE and NJ Patton Revocable Trust DTD, Cottonwood, AZ
Applicant: Naomi Patton Watkins, Cottonwood, AZ
County Supervisor District: 3 (Matt Ryan)

6. Case No. CUP-19-026: A request for a Conditional Use Permit for a helistop on a 5.19 acre parcel in the PRD (Planned Residential Development) Zone. The property is located at 18011 S Dixie Lane in Foxboro Ranch subdivision and is identified as Assessor’s Parcel Number 401-81-047.

Property Owner: Foxboro Ranch, LLC, Munds Park, Arizona
Applicant: Neal Jones, Chandler, AZ
Representative: Skip Osbourne, Flagstaff, AZ
County Supervisor District: 3 (Matt Ryan)

IV. CALL TO PUBLIC FOR ITEMS NOT ON THE AGENDA

V. CONTINUATION OF STUDY SESSION IF NEEDED
Coconino County Planning and Zoning Commission
Meeting of May 29, 2019
Board of Supervisors' Meeting Room
County Administrative Center
219 East Cherry
Flagstaff, Arizona

Members Present
Don Walters – Chairman
Tammy Ontiveros – Vice Chair
Sat Best
John Ruggles
Tyanna Burton
Jim Clifford
Ray Mayer

Members Absent
Mary Williams

Staff Present
Jay Christelman, Director
Jess McNeely, Assistant Director
Bob Short, Principal Planner
Zach Schwartz, Sr. Planner
Ashley DeBoard, Deputy County Attorney
Irene Lokcik, Recording Secretary

Chairman Walters called the meeting to order at 5:30 PM. He noted procedures to the audience.

I. PLEDGE OF ALLEGIANCE

II. APPROVAL OF MINUTES

MOTION: Mr. McNeely informed the Commission that on page 4 of the April 24, 2019 minutes, the motion for CUP-19-004 needs to be changed to expire in 2019. Commissioner Ruggles made the motion with this change, Commissioner Best seconded, the vote was 6-0 with Commissioner Ontiveros abstaining.
III. PUBLIC HEARINGS

1. Case No ZC-18-010 and SUB-18-004: A request for 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 and a 94-lot subdivision preliminary plat on two parcels totaling of 8.02 acres in the PC (Planned Community) Zone. The subject properties are located north of Shadow Mountain Drive and east of the Pilot Travel Center and the Days Inn in Bellemont and are identified as Assessor’s Parcel Numbers 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: Tim Campbell, Finesse Properties, Queen Creek, AZ
County Supervisor District: 3 (Matt Ryan)

CONTINUANCE REQUESTED TO JUNE 26, 2019

Motion: Commissioner Ontiveros made a motion to continue ZC-18-010 to June 26, 2019, Commissioner Best seconded, vote was 7-0. Commissioner Ontiveros made a motion to continue SUB-18-004 to June 26, 2019, Commissioner Ruggles seconded, vote was 7-0.

2. Case NO. SUB-19-002: A request for a Subdivision Amended Final Plat of Pinewood Unit 12 Subdivision to allow a utility easement to be moved on two parcels (Lots 194 and 195) totaling .52 acres in the RS-6,000 (6,000 sq. ft. minimum parcel size) Zone. The parcels are located at 17390 and 17400 S. Stallion Dr. in Munds Park and also identified as Assessor’s Parcel Numbers 400-69-138 and 139.

Property Owner: Wild West Management, LLC, Scottsdale, AZ
Applicant: Lou Lagomarsino, Scottsdale, AZ
County Supervisor District: 3 (Matt Ryan)

Mr. Christelman summarized the staff report, gave a Power Point presentation. The applicant had no issues, no one from the public spoke. All Commissioners stated they could make the findings.

MOTION: Commissioner Ruggles made a motion to approve as recommended, Commissioner Burton seconded and it passed unanimously.

3. Case No ZC-19-004: A request for a Zone Change from CG-10,000 (Commercial General, 10,000 sq. ft. minimum parcel size) Zone to AR (Agricultural Residential,
one acre minimum parcel size) Zone on a 1.23 acre parcel. The parcel is located at 1151 Ragweed Trail in Forest Lakes and is also identified as Assessor’s Parcel Number 403-50-072.

**Property Owner/Applicant:** Michael and Andrea O’Brien, Phoenix, AZ  
**County Supervisor District:** 4 (Jim Parks)

Mr. Short summarized the staff report along with a Power Point presentation. The applicant had no issues. Commissioner Ruggles asked if the applicant understood this is a down zoning. The applicant stated he understood. No one from the public spoke. All Commissioners stated they could make the findings.

**Motion:** Commissioner Best made a motion to approve as recommended, Commissioner Ruggles seconded. The motion was passed unanimously.

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4. Case No. CUP-19-019: A request for a Conditional Use Permit for a 20 space self-storage facility on a 1.38 acre portion of a 5.23 acre parcel in the CG-10,000 (Commercial General, 10,000 sq. ft. minimum parcel size) Zone. The remainder of the parcel is zoned AR (Agricultural Residential, one acre minimum parcel size) Zone. The parcel is located at 963 W. Canyon Road in Kaibab Estates West Annex Unit 5 Subdivision and is also identified as Assessor’s Parcel Number 206-36-010K.

**Property Owner/Applicant:** John Riffle, Ash Fork, AZ  
**County Supervisor District:** 1 (Art Babbott)

Mr. Schwartz summarized the staff report and gave a Power Point presentation. The applicant stated he agrees with the staff recommendation but feels the buffer is unnecessary as he intends to rezone the residential portion to commercial and possibly expand the storage business. Commissioner Ontiveros asked if the buffer should be waived as the applicant would be screening from himself, and future buyers in the area would know what is on the property. Commissioner Ontiveros asked if staff could respond. Mr. Schwartz responded that staff could work with the applicant on a flexible buffer plan. Commissioner Best asked if the buffer could be something easily movable. Chairman Walters stated that the Director has flexibility in approving a buffer. Commissioner Mayer stated that future buyers would know what they are getting. Commissioner Best noted that staff has some flexibility. Commissioner Ruggles stated that he likes Condition #2 as written and likes the flexibility to be in character with Ash Fork, and that he likes the applicant’s railroad tie and wire fence. Commissioner Clifford stated he can make the findings. Commissioner Burton stated that she doesn’t see a need for a buffer. Commissioner Ontiveros stated that she is now good with Condition #2 as written.

**MOTION:** Commissioner Ontiveros made a motion to approve as recommended, Commissioner Mayer seconded. The motion was passed unanimously.
5. Case No. CUP-19-020: A request for a Conditional Use Permit for a 150 foot monopine wireless telecommunications facility on a .23 acre portion of a 2.98 acre parcel. The wireless facility would be located in the AR (Agricultural Residential, one acre minimum parcel size) Zone. The remainder of the parcel is located in the RM-10/A (Residential Multiple Family, one half acre minimum parcel size) Zone. The parcel is located at 1508 Merzville Road in Forest Lakes and is also identified as Assessor’s Parcel Number 403-45-024C. Property Owner: Forest Lakes Fire District, Forest Lakes, AZ. Applicant: DW Tower, LLC, Flagstaff, AZ. Representative: Ken Jacobs, Flagstaff, AZ. County Supervisor District: 4 (Jim Parks)

Mr. Short summarized the staff report and gave a Power Point presentation. Ken Jacobs, representing the applicant indicated he agreed with the staff report but stated that they preferred a 20-year time on Condition 4. He explained that the Zoning Ordinance limits cell towers to a 10-year term. Reg Destry representing Verizon stated he was there to answer questions. Chairman Walters asked Mr. Destry if this is a shared facility. Mr. Destry stated that it was. Commissioner Ontiveros stated that the Zoning Ordinance time limit should possibly be longer. Commissioner Ruggles explained the pivot flange design that allows the tower to fall within an area less than the tower height. Commissioners Mayer, Best, Clifford and Burton stated that they had no issues and could meet the findings.

MOTION: Commissioner Best made a motion to approve with the following changes to the conditions: Amend Condition 2 to remove the second part of the condition so that it reads: "A building permit shall be obtained prior to construction of the facility". Amend Condition 3 to indicate a five foot setback rather than 4 1/2 foot setback. Amend Condition 4 to provide for a ten-year term rather than a five-year term. Commissioner Burton seconded, and it was unanimously approved.

6. Case No CUP-19-021: A request for a Conditional Use Permit for a cottage industry to allow a machine shop business and for two 8’X 20’ metal storage containers on a 9.53 acre parcel in the G (General, 10 acre minimum parcel size) Zone. The parcel is located at 2054 W. Honeysuckle Road in Red Lake and also identified as Assessor’s Parcel Number 202-33-010E. Property Owner/Applicant: Michael and Valerie Thompson, Castaic, CA. County Supervisor District: 3 (Matt Ryan)

Mr. Schwartz summarized the staff report, gave a Power Point presentation and explained that the Zoning Ordinance requires Condition #4 to be 3 years. The applicant stated he was in agreement with the staff recommendation, he explained the prism he manufactures and gave details on its’ capability. Commissioner Ruggles asked what manufacturing equipment is used. The applicant responded that a CNC machine, drill press, machining tools and typical equipment is used. Commissioner Ruggles confirmed that the sound
analysis was done correctly, and the building insulation helps. Chairman Walters asked if sales are done online and if UPS trucks would come to the site. The applicant responded yes, but most business is with government. Commissioners Burton, Clifford, Best and Mayer stated they could make the findings. Commissioner Ruggles stated he could make the findings and he had been to the site. Commissioner Ontiveros asked if future administrative renewals could be extended to five years. Mr. Schwartz stated that the portion of the Zoning Ordinance related to administrative CUP renewals does not allow for staff to extend the time period that was approved from the original case, but there have been times in the past where the commission modified the language of the original condition so that staff may be able to do so. He asked Ms. DeBoard to craft language for a condition that would allow staff to do so. Ms. DeBoard proposed new language for the condition. Ms. DeBoard from the CAO stated that if administrative renewal requirements are met, it can be administratively renewed for up to 5 years. Commissioner Ontiveros stated she was good with this.

MOTION: Commissioner Ontiveros made a motion to approve CUP-19-021 with the four conditions as stated in the staff report, with a modification to condition #4 saying that the use permit shall be valid for a period of three years to expire May 29, 2022, before which time a new application shall be submitted for renewal if continuation of the use is desired beyond that expiration date. If all conditions are met for administrative approval, the period may be extended to 5 years during the administrative renewal process. Commissioner Ruggles seconded the motion and it passed unanimously.

7. Case No. CUP-19-023: A request for a Conditional Use Permit renewal (of CUP-04-02) for a church with modifications to allow an accessory structure and a food pantry on a 3.33 acre parcel in the AR (Agricultural Residential, one acre minimum parcel size) Zone. The parcel is located at 2440 N. Double Ranch Road north of Ash Fork and also identified as Assessor’s Parcel Number 206-36-008B.
Property Owner: International Church of the Foursquare Gospel, Ash Fork, AZ
Applicant: Ash Fork Foursquare Church, Ash Fork, AZ
Representative: David Payne, Ash Fork, AZ
County Supervisor District: 1 (Art Babbott)

Mr. Schwartz summarized the staff report and gave a Power Point presentation. Rev. Michael Payne agreed with the staff report. Chairman Walters and Commissioner Ontiveros thanked the applicants for their community efforts. Carol Young, a 5-year resident runs a food bank from the KEW Fire Station, they are including schools, fire, probationers in their efforts. The community lacks fresh produce. Commissioner Ontiveros stated that she is good with the 10-year recommendation. Commissioners Mayer, Clifford and Burton stated support and thanked the applicants. Commissioner Best thanked the applicants and recommended that they remember the 10-year renewal. Commissioner Ruggles agrees with the staff recommendation and noted that he visited the site.
MOTION: Commissioner Ruggles made a motion to approve as recommended, Commissioner Burton seconded and it was unanimously approved.

CALL TO PUBLIC FOR ITEMS NOT ON THE AGENDA

No one from the public spoke.

Chairman Walters adjourned the hearing at 7:13 pm.

Chairperson, Coconino County
Planning and Zoning Commission

ATTEST:

Secretary, Coconino County
Planning and Zoning Commission
Date: June 26, 2019

To: Planning and Zoning Commission

From: Department of Community Development

Subject: Case No. DET-19-001. Determination as to Uses Not Listed: Heliport in the PRD (Planned Residential Development) Zone

Applicant: Neal Jones, Chandler, Arizona

Representative: Skip Osbourne, Flagstaff, Arizona

Discussion and Analysis

The applicant would like to establish a Heliport in the PRD Zone on a 5.19-acre parcel. The Zoning Ordinance does not list Heliport as a Use in the PRD Zone. A Heliport is allowed in large lot Residential Zones including the General Zone, the Agricultural Residential Zone, and the Rural Residential Zone. It is defined in Section 6 of the Zoning Ordinance as: “any area which is used for the landing and taking off of helicopters”. The Zoning Ordinance states, “All uses not listed are prohibited. For uses similar to those listed, see Section 5.9”. Section 5.9 states: “In order to ensure that the zoning regulations will permit all similar uses in each zone, the Director of Community Development shall determine whether a use not specifically listed as a permitted or conditional use in any zone shall be deemed a permitted use or conditional use in any one or more zones on the basis of similarity to uses specifically listed. The Determination of the Community Development Director shall be adopted through the Planning and Zoning consent agenda. The procedures of this Section shall not be substituted for the Amendment procedure as a means of adding new uses to the list of permitted or conditional uses.”

Staff agrees that a Heliport would be appropriate on some larger lot properties in the PRD Zone that are similar to large lot parcels in the G, AR and RR Zones and where impacts can be mitigated. A Heliport would not be appropriate in many other PRD zones with more compact development and smaller lots. The impacts from a Heliport are primarily related to noise and is
similar to a Fire Station in that it would occasionally create relative loud noise for a short period of time normally not exceeding a few minutes.

**Recommendation**

The Director of Community Development makes the Determination that the proposed Heliport Use is similar to a Fire Station. The Director further recommends that the Commission confirm the Determination on the Consent Agenda. The result, if approved, would render the proposed Heliport Use as a Conditional Use in the PRD (Planned Residential Development) Zone.

Respectfully submitted,

Jess McNeely, AICP, Assistant Director
Prepared by Bob Short, Principal Planner.
STAFF REPORT

DATE: June 26, 2019

TO: Planning and Zoning Commission

FROM: Department of Community Development

SUBJECT: Adoption of amendments to Commission Operating Rules and Regulations

BACKGROUND: Arizona Revised Statute §11-802(J)(2) requires the Planning & Zoning Commission to “adopt rules for the transaction of business.” The Planning and Zoning Commission has not amended the Operating Rules and Regulations since 2015.

The proposed amendments to the Operating Rules and Regulations allow the Commission to align the Operating Rules and Regulations with procedures developed since the last amendments pertaining to an established order of hearing conditional use permit renewal cases. This had primarily become obsolete after a Zoning Ordinance amendment that allowed for administrative renewal of these applications. The Commission has discussed the proposed amendments to the bylaws at the May 29, 2019 Study Session.

RECOMMENDATION

Staff recommends approval of the amendments as proposed.

Respectfully submitted,

Jess McNeely, AICP, Assistant Director
Prepared by Bob Short, Principal Planner
Resolution No. 2019-001

COCONINO COUNTY
PLANNING AND ZONING COMMISSION

COMMISSION OPERATING RULES AND REGULATIONS

Be it resolved that pursuant to Arizona Revised Statutes (A.R.S.) § 11-802(J)(3), the Operating Rules and Policies of the Coconino County Planning and Zoning Commission are amended to read as follows:

SECTION 1: Pursuant to A.R.S. § 11-802(J) the officers of the Commission shall consist of a Chairperson and Vice-Chairperson elected at the regular monthly meeting in June of each year, to hold office for one-year, effective July 1st, to service until June 30th of the following year, or until their respective successors are elected. Any officer not elected at such time may be elected at any subsequent regular meeting or special meeting called for that purpose.

SECTION 2: The Chairperson shall preside at the meeting of the Planning and Zoning Commission and may appoint such standing subcommittees to perform such duties as may be deemed necessary and expedient by the Chairperson. The Chairperson shall coordinate the work of the Commission and shall exercise such other duties as are required.

SECTION 3: The Vice-Chairperson shall perform the duties described in Section 2 in the absence of the Chairperson.

SECTION 4: The terms of the members of the Commission (Commissioners) shall be four years and shall be set by the Coconino County Board of Supervisors at the time the appointment is made. Pursuant to A.R.S. § 11-802(G), vacancies occurring other than by expiration of the term shall be filled by appointment by the Board for the unexpired portion of the term. Each Supervisor shall appoint two Commissioners and shall make every effort to maintain a full complement of appointees. Pursuant to A.R.S. §11-802(F), an alternate member may be appointed by the appointing Supervisor for each Commissioner. Alternate members shall serve in the absence of the Commissioner they were appointed to replace. Alternate members may be appointed from any supervisoral district in the county. During any meeting of the Commission, if the regularly appointed Commissioner becomes available, the alternate member shall conclude any action on the agenda item under consideration and the regularly appointed Commissioner shall be seated for the remaining items.

SECTION 5: The Director of Community Development, or his or her designee, shall serve as Executive Secretary to the Planning and Zoning Commission and attend to all official correspondence of the Commission; shall prepare the minutes of all meetings of the Commission; and shall cause to be filed or recorded all copies of such minutes, its rules and regulations, its findings and decisions, the same to constitute a “public record” open for public inspection. The Director shall approve all expense and purchase vouchers prior to their submittal to the County Finance Director.
Resolution No. 2019-001
Amendment to the Planning & Zoning Commission Operating Rules

SECTION 6: The regular meeting date of the Planning and Zoning Commission shall be the last Wednesday of each calendar month, said meeting to be held in the Board of Supervisors’ Meeting Room commencing at 5:30 P.M., unless otherwise specified by the Chairperson at the immediately preceding meeting. Special meetings may be held if called by the Chairperson, by six (6) or more members, or by Community Development Staff. When a special meeting is called, notice of such meeting shall be made in writing and sent to the members at least five (5) days prior to the date of said meeting. The Commission as an action at any regular meeting may set special meetings. If so, absent members shall be notified of such action. All regular or special meetings may be continued by a majority vote of the Commission to another specified date, hour and place.

SECTION 7: Pursuant to A.R.S. § 11-802(K) a quorum of the Commission for transaction of County business shall be a majority of the full Commission, regardless of vacancies. A majority vote of the quorum shall be required for any official action. The Chairperson shall vote in all matters, except as provided in A.R.S. Title 38.

SECTION 8: PUBLIC HEARING PROCEDURES: The Staff shall prepare and make available to the public a document that outlines the process for filing, hearing and appealing an application for conditional use permits or other matters to be heard by the Commission in accordance with the Coconino County Zoning Ordinance. The public hearing process shall be as follows:

A. The Chairperson shall call the meeting to order and provide an explanation of the hearing process and the purposes and expectations associated with the public hearing process. In the absence of a specific procedure directed by the Chairperson, the Commission shall follow Robert’s Rules of Order.

B. Applications shall be placed on the agenda in the order that they were received by the Community Development Department or as determined by the Community Development Director. The Chairperson may change the order that applications are heard at the hearing.

SECTION 9: In the conduct of the meeting, a motion for approval which fails to carry shall be considered a denial of the proposal. A tie vote on a motion for approval shall be considered a denial of the proposal. A motion for denial that fails to carry shall not be considered approval. When a motion for denial fails, a motion for approval must be made for final action of the Commission.

SECTION 10: The details of public hearings, postings and legal advertisements, as required by state law or county ordinances, shall be arranged by the Director of Community Development, or his or her designee.

SECTION 11: Requests for continuances received after legal advertising for public hearings has occurred shall be specifically acted on by the Commission at the appointed and advertised time. The Commission may or may not grant continuances that were received less than five business days prior to the hearing date. The Commission shall take into account public participation and

Amended June 26, 2019.
Resolution No. 2019-001
Amendment to the Planning & Zoning Commission Operating Rules

the potential consequences of delaying the hearing when deciding whether or not to grant a late request for a continuance.

SECTION 12: If any Commissioner misses four (4) regular meetings during a twelve (12) month period, Community Development Staff shall advise the appropriate member of the Board of Supervisors for consideration of replacement. Pursuant to A.R.S. § 11-802(G) the Board of Supervisors may remove a Commissioner for cause, including excessive absences, as defined as four (4) or more regular meetings in a twelve (12) month period.

SECTION 13: These rules and regulations and several parts thereof are hereby declared to be severable. If any section, sub-section, sentence, clause, word or phrase of these rules and regulations is for any reasons held to be legally invalid, such holdings shall not affect the validity of the remaining portions of these rules and regulations.

ADOPTED and APPROVED this 26th day of June, 2019.

Chairperson, Coconino County
Planning and Zoning Commission

I hereby certify that the foregoing is a true copy of a Resolution adopted by the Planning and Zoning Commission of Coconino County at a regular meeting thereof held on the 26th day of June, 2019, by the following vote of the Commission:

AYES:

NAYS:

ABSTENTIONS:

ABSENT:

Secretary, Coconino County
Planning and Zoning Commission

Amended June 26, 2019.
Draft Resolution No. 2019-001
Amendment to the Planning & Zoning Commission Operating Rules

F. All agenda items other than renewal of existing conditional use permits shall be heard by the Commission after the Commission has considered all conditional-use permit renewal applications in the order determined by the Chairperson.

Commented [SB2]: Staff recommends removing these items related conditional use permit renewals because these are generally approved administratively.

SECTION 9: In the conduct of the meeting, a motion for approval which fails to carry shall be considered a denial of the proposal. A tie vote on a motion for approval shall be considered a denial of the proposal. A motion for denial that fails to carry shall not be considered approval. When a motion for denial fails, a motion for approval must be made for final action of the Commission.

SECTION 10: The details of public hearings, postings and legal advertisements, as required by state law or county ordinances, shall be arranged by the Director of Community Development, or his or her designee.

SECTION 11: Requests for continuances received after legal advertising for public hearings has occurred shall be specifically acted on by the Commission at the appointed and advertised time. The Commission may or may not grant continuances that were received less than five business days prior to the hearing date. The Commission shall take into account public participation and the potential consequences of delaying the hearing when deciding whether or not to grant a late request for a continuance.

SECTION 12: If any Commissioner misses four (4) regular meetings during a twelve (12) month period, Community Development Staff shall advise the appropriate member of the Board of Supervisors for consideration of replacement. Pursuant to A.R.S. § 11-802(G) the Board of Supervisors may remove a Commissioner for cause, including excessive absences, as defined as four (4) or more regular meetings in a twelve (12) month period.

SECTION 13: These rules and regulations and several parts thereof are hereby declared to be severable. If any section, sub-section, sentence, clause, word or phrase of these rules and regulations is for any reasons held to be legally invalid, such holdings shall not affect the validity of the remaining portions of these rules and regulations.

ADOPTED and APPROVED this 26th day of June, 2019.

Chairperson, Coconino County
Planning and Zoning Commission

I hereby certify that the foregoing is a true copy of a Resolution adopted by the Planning and Zoning Commission of Coconino County at a regular meeting thereof held on the 26th day of June, 2019, by the following vote of the Commission:

Amended insert date.
Draft Resolution No. 2019-001
Amendment to the Planning & Zoning Commission Operating Rules

SECTION 6: The regular meeting date of the Planning and Zoning Commission shall be the last Wednesday of each calendar month, said meeting to be held in the Board of Supervisors’ Meeting Room commencing at 5:30 P.M., unless otherwise specified by the Chairperson at the immediately preceding meeting. Special meetings may be held if called by the Chairperson, by six (6) or more members, or by Community Development Staff. When a special meeting is called, notice of such meeting shall be made in writing and sent to the members at least five (5) days prior to the date of said meeting. The Commission as an action at any regular meeting may set special meetings. If so, absent members shall be notified of such action. All regular or special meetings may be continued by a majority vote of the Commission to another specified date, hour and place.

SECTION 7: Pursuant to A.R.S. § 11-802(K) a quorum of the Commission for transaction of County business shall be a majority of the full Commission, regardless of vacancies. A majority vote of the quorum shall be required for any official action. The Chairperson shall vote in all matters, except as provided in A.R.S. Title 38.

SECTION 8: PUBLIC HEARING PROCEDURES: The Staff shall prepare and make available to the public a document that outlines the process for filing, hearing and appealing an application for conditional use permits or other matters to be heard by the Commission in accordance with the Coconino County Zoning Ordinance. The public hearing process shall be as follows:

A. The Chairperson shall call the meeting to order and provide an explanation of the hearing process and the purposes and expectations associated with the public hearing process. In the absence of a specific procedure directed by the Chairperson, the Commission shall follow Robert’s Rules of Order.

B. Applications shall be placed on the agenda in the order that they were received by the Community Development Department or as determined by the Community Development Director. The Chairperson may change the order that applications are heard at the hearing.

C. Applications for renewal of an existing conditional use permit without any modifications shall be heard together as the first item of new business, unless a member of the public or the applicant requests that a specific case be heard separately. Consideration of renewal of existing conditional use permits shall be made by one motion, unless a specific case is separated for individual consideration by a Commissioner.

D. Renewals of conditional use permits with modifications, if any, not approved together in the first item of new business shall be considered separately immediately following the first item of new business.

E. Upon completion by the Commission of consideration of all applications for renewal of an existing conditional use permit without any modifications, the Commission shall consider applications for renewal of existing conditional use permits which include requested modifications.

Commented [SB1]: Staff recommends the Commission adds this item to describe the order in which cases will be heard.
Draft Resolution No. 2019-001

COCONINO COUNTY
PLANNING AND ZONING COMMISSION

COMMISSION OPERATING RULES AND REGULATIONS

Be it resolved that pursuant to Arizona Revised Statutes (A.R.S.) § 11-802(J)(3), the Operating Rules and Policies of the Coconino County Planning and Zoning Commission are amended to read as follows:

SECTION 1: Pursuant to A.R.S. § 11-802(J), the officers of the Commission shall consist of a Chairperson and Vice-Chairperson elected at the regular monthly meeting in June of each year, to hold office for one-year, effective July 1st, to service until June 30th of the following year, or until their respective successors are elected. Any officer not elected at such time may be elected at any subsequent regular meeting or special meeting called for that purpose.

SECTION 2: The Chairperson shall preside at the meeting of the Planning and Zoning Commission and may appoint such standing subcommittees to perform such duties as may be deemed necessary and expedient by the Chairperson. The Chairperson shall coordinate the work of the Commission and shall exercise such other duties as are required.

SECTION 3: The Vice-Chairperson shall perform the duties described in Section 2 in the absence of the Chairperson.

SECTION 4: The terms of the members of the Commission (Commissioners) shall be four years and shall be set by the Coconino County Board of Supervisors at the time the appointment is made. Pursuant to A.R.S. § 11-802(G), vacancies occurring other than by expiration of the term shall be filled by appointment by the Board for the unexpired portion of the term. Each Supervisor shall appoint two Commissioners and shall make every effort to maintain a full complement of appointees. Pursuant to A.R.S. §11-802(F), an alternate member may be appointed by the appointing Supervisor for each Commissioner. Alternate members shall serve in the absence of the Commissioner they were appointed to replace. Alternate members may be appointed from any supervisorial district in the county. During any meeting of the Commission, if the regularly appointed Commissioner becomes available, the alternate member shall conclude any action on the agenda item under consideration and the regularly appointed Commissioner shall be seated for the remaining items.

SECTION 5: The Director of Community Development, or his or her designee, shall serve as Executive Secretary to the Planning and Zoning Commission and attend to all official correspondence of the Commission; shall prepare the minutes of all meetings of the Commission; and shall cause to be filed or recorded all copies of such minutes, its rules and regulations, its findings and decisions, the same to constitute a “public record” open for public inspection. The Director shall approve all expense and purchase vouchers prior to their submittal to the County Finance Director.
Draft Resolution No. 2019-001
Amendment to the Planning & Zoning Commission Operating Rules

AYES:

NAYS:

ABSTENTIONS:

ABSENT:

Secretary, Coconino County
Planning and Zoning Commission

Amended insert date.
Executive Summary

Location: The Bellemont Area Plan is located 11 miles west of Flagstaff along Interstate 40.

Size: 3,200 acres

Zoning: PC (Planned Community) Overlay with underlying commercial, industrial and residential zones.

Supervisor District: 3, Matt Ryan

Applicant: Coconino County Community Development

Summary of the Area Plan:

The Bellemont Area Plan (the Plan), an amendment to the Coconino County Comprehensive Plan, (Comprehensive Plan) provides specific policy guidance for future development within this unincorporated community. This is the first amendment to the original 1985 Bellemont Area Plan, and is a substantial update to and supersedes that plan. The 1985 Plan characterized Bellemont’s “irregular parcel configurations and...close proximity to the freeway and nearby Santa Fe Railroad tracks” as detracting from the area’s “appeal for intensive residential development”, while enhancing the “area’s viability for limited commercial and light industrial uses”. Conditions in Bellemont have changed substantially since then, with rapid residential housing and population growth being the most notable change. Based on changed conditions, the County Board of Supervisors initiated this update in early 2017, and Supervisor Matt Ryan assembled a group of 15 residents and property owners (called the Bellemont Area Plan Committee, or BAP) to oversee the process. The update process began with the first BAP meeting in May, 2017 and concluded in early 2019. The BAP’s primary vision was to maintain
Bellemont's small town feel, quality of life and natural resources while promoting balanced growth that would bring desired amenities and services to the community. This Plan is the result of that vision.

The Bellemont Area Plan is within the sphere of the Flagstaff Regional Plan 2030, Place Matters (Regional Plan), also adopted as an amendment to the Comprehensive Plan, and is shown as the Flagstaff Metropolitan Planning Organization (FMPO) boundary on the following Reference Map.
Notable Plan Updates

The updated Area Plan is found in Attachment A. It contains a revised Future Land Use Map, or FLUM, with features such as current and future desired land uses, a Rural Activity Center and a Rural Growth Boundary, both identified by the Flagstaff Regional Plan, trail and bicycle linkages, adjacent Camp Navajo and surrounding open space. Interstate 40 created two separate regions in Bellemont that the BAP identified as North Bellemont and South Bellemont. Although linked by the Bellemont Bridge, the two areas are distinctly different, with North Bellemont being primarily residential and South Bellemont the commercial and industrial hub, characteristics reflected on the FLUM.

The Plan also contains new Design Review Guidelines for the Area Plan. These will be adopted with this amendment and put into formal use when the Zoning Ordinance update is completed.

Important Issues by Chapter

Each chapter within the Plan contains an introduction and subsections followed by goals and policies related to that topic. The following is a summary of the issues addressed in the Plan chapters.
Community Character. This section describes Bellemont’s cultural and historic character, identifies community design reflected with a new Design Review Overlay District (DRO) and design standards for new commercial, industrial and multi-family development, including dark sky lighting.

Community Services. Adequate public utilities and infrastructure are basic requirements for future development. Bellemont is poised to accommodate additional commercial and industrial development because of its direct access to I-40 and the railroad, but requires the expansion of water resources in South Bellemont to support commercial and industrial growth there. Postal service, identified as an issue for Bellemont’s residents, is being addressed by a project that will relocate mail delivery from the Pilot Travel Center to cluster box units throughout the area.

Land Use, Growth and Development. Bellemont has a diverse mix of residential, commercial and industrial zoned land. Within the last decade the most notable change has been commercial land being rezoned to residential. Anticipating high residential demand continuing, this chapter outlines goals and policies to promote balanced residential and commercial growth, while protecting community character and natural resources.

The preferred growth scenario is to build out Bellemont’s current residential, commercial, and industrial land base. North Bellemont will continue to develop residential neighborhoods that will support new stores and restaurants located in the Rural Activity Center, identified on the Future Land Use Map as the RAC. South Bellemont is the military, industrial, trucking, and traveler services hub that will utilize Interstate travel and railway routes that provide infrastructure to commercial and industrial uses.

Natural Environment, Open Space, Parks, Trails and Recreation. Protecting the meadow environment, important wildlife habitat, a large flood zone that bisects Bellemont from north to south, and open space on adjacent Coconino National Forest are important to the community. Policies encourage protection of the flood zone by limiting development of it, evaluating and protecting animal migration routes, addressing construction on expansive (clay) soils, and maintaining connections to open space.

Public Safety. The community’s concern for addressing wildfire threats and establishing emergency action plans that address limited emergency egress routes, minimizing existing traffic conflicts with truck and passenger vehicle interactions in North Bellemont at the Shadow Mountain Road and Hughes Bridge Intersection, and addressing truck queuing issues are some of the issues addressed in Public Safety.

Sustainability and Resilience. This section features strategies that could enable Bellemont to promote a sustainable future, in the areas of energy and water conservation, social connections and promoting a vibrant local economy. Because of its interdisciplinary approach, sustainability principles are woven throughout the Area Plan, and policies that support sustainability are marked with a unique symbol.

Transportation and Circulation. Issues related to traffic safety, ensuring safe pedestrian and bicycle routes along Bellemont’s public streets and between North and South Bellemont, supporting future development of US Bike Route 66, , and promoting alternative commuter strategies for vanpool and carpools are identified in the Plan.
**Water Resources and Wastewater Treatment.** North Bellemont is uniquely served by a private company that provides water and wastewater treatment services. South Bellemont’s properties utilize individual on-site wastewater systems and either private wells or are served water by a small community water system. Expanding water and wastewater services to South Bellemont is a priority.

**Design Review Overlay (DRO).** Contributors to Bellemont’s community character include forest and scenic vistas, rustic rail-influenced industrial development, historic Camp Navajo buildings, Historic Route 66 commercial development, and recent commercial and residential development. These styles are reflected in the DRO sections addressing architectural styles, colors, site design, signs and lighting.

### Background Information

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<tr>
<th>Bellemont Area Plan On Site Land Uses and Zoning (in acres)*</th>
<th>Vacant</th>
<th>Developed</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>Residential Zoning (not including BNSF parcel)</td>
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<td>76</td>
<td>150</td>
</tr>
<tr>
<td>Commercial Zoning</td>
<td>161</td>
<td>70</td>
<td>231</td>
</tr>
<tr>
<td>Industrial Zoning</td>
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<td>47</td>
<td>187</td>
</tr>
<tr>
<td>Total Private Land</td>
<td>375</td>
<td>193</td>
<td>568</td>
</tr>
</tbody>
</table>

*All of Bellemont is within the Planned Community Overlay District*

<table>
<thead>
<tr>
<th>Bellemont Area Plan Surrounding Land Uses and Zoning (in acres)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Land Use</td>
</tr>
<tr>
<td>North</td>
</tr>
<tr>
<td>South</td>
</tr>
<tr>
<td>East</td>
</tr>
<tr>
<td>West</td>
</tr>
</tbody>
</table>

### Criteria for Approval of Comprehensive Plan Amendments

Two types of amendments, either a major or minor amendment, can be made to the Comprehensive Plan (see the list of amendments in Exhibit B). The criteria for approval of those amendments are found in the Comprehensive Plan and the analysis below.

The Bellemont Area Plan is a revision to an existing area plan and constitutes a minor amendment to the Comprehensive Plan. The updated Bellemont Area Plan meets the criteria for approval of a minor
amendment, and staff recommends the Planning and Zoning Commission recommend approval to the Board of Supervisors the following two minor amendments:

1. To adopt the updated Bellemont Area Plan as a Minor Amendment to the Coconino County Comprehensive Plan, and to adopt Design Review Overlay guidelines.

2. To adopt a Minor Amendment to the Coconino County version of the Flagstaff Regional Plan 2030, Place Matters, to amend the Flagstaff Regional Plan 2030 Future Growth Illustration Map.

<table>
<thead>
<tr>
<th>Bellemont Area Plan Compliance with Approval Criteria for a Minor Amendment to the Comprehensive Plan</th>
</tr>
</thead>
</table>
| a. **The amendment constitutes an overall improvement to the county.**  
  *Analysis:* Bellemont is one of the fastest growing communities in the County. The revised Bellemont Area Plan responds to significantly changed conditions in the updated chapters, goals and policies, and new Design Review Overlay guidelines. These updates reflect the values and vision of the Bellemont community and will inform current and future development projects. |
| b. **The amendment will not adversely impact a portion of the county or the existing character (visual, physical, environmental, and functional) of the immediate area.**  
  *Analysis:* Adopting the amendments will improve Bellemont's visual, physical, environmental and functional character with new goals, policies and design guidelines that are unique to Bellemont. |
| c. **The amendment is supported by “Our Vision for the Future” and other goals and policies of the Plan.**  
  *Analysis:* The Plan utilized the Comprehensive Plan's values for guidance in developing Bellemont's vision, and the Comprehensive Plan provided background information for the Plan. |
| d. **The requested change benefits the county or a specific community.**  
  *Analysis:* Benefits to Bellemont will be realized as the Plan's vision, goals and policies are implemented when new development is built to follow the updated goals and policies. It will also benefit and inform the Regional Plan map with details about the Rural Activity Center. |
| e. **Conditions have changed substantially since the last update; such conditions may involve surrounding land uses.**  
  *Analysis:* The primary reason for initiating this update were the substantially changed conditions since adoption of the 1985 Bellemont Area Plan, in particular land uses and growth patterns. |
| f. **The subject property or concept was misinterpreted or overlooked in the Plan.**  
  *Analysis:* This criterion is not applicable to this amendment. |
| g. **The amendment will effectively help implement the Plan’s other goals or vision.** |
Bellemont Area Plan Compliance with Approval Criteria for a Minor Amendment to the Comprehensive Plan

Analysis: This update contains a new implementation plan that is specific to Bellemont. As the Plan mirrors many of the Comprehensive Plan’s goals and policies, and because of the rapid growth in Bellemont, opportunities to implement the Comprehensive Plan goals and polices will occur in tandem with applying the Plan’s updated goals and policies to new developments.

h. The identified site is appropriate for the proposed use.
Analysis: Bellemont been an identified Area Plan community within the County since 1985. Slight modifications to the Plan boundary will not significantly change the original study area boundary.

Coconino County Comprehensive and Flagstaff Regional Plan Analysis

Bellemont Area Plan Compliance with the Coconino County Comprehensive Plan Goals

Sustainability and Resiliency Goal:
- Incorporate and support integrating the principles of sustainability and long-term community resilience and prosperity into future land use and development plans, as well as the actions and decisions of elected and appointed officials.

Analysis: The Plan contains a Sustainability and Resilience chapter following guidance from the Comprehensive Plan with goals and policies specific to Bellemont, and features a sustainability symbol throughout identifying goals and policies supporting sustainability.

Natural Environment Goals:
- Protect the integrity and resiliency of the natural environment with special attention to environmentally sensitive features.
- Conserve wildlife, their habitats, and movement corridors.
- Conserve and restore native plant communities while controlling populations of invasive weeds through prevention and environmentally responsible eradication.
- Improve forest and land health and promote the restoration of forest ecosystems.
- Protect soil resources and improve soil conservation practices.
- Improve the county’s air quality.

Analysis: Part of the Plan’s vision statement is dedicated to natural resources and environmental quality and states “[we value the natural landscape, unique ecological function of our meadow environment, water resources, and access to recreational opportunities on U.S. Forest Service (USFS) land].” The Natural Environment, Open Space, Parks, Trails, & Recreation chapter reflect this value and support goals to those of the Comprehensive Plan.
### Water Resources Goals:
- To pursue and implement long-term management policies that ensure sustainable water supplies for future generations and the natural environment.
- Ensure a sustainable water supply for human communities while protecting natural systems.
- Coordinate with state, federal, and local resource management agencies to ensure sustainable management practices that preserve and improve the quality of surface water and groundwater.
- Provide guidance to residents, water providers, and potential water districts to help them develop sustainable supplies that are consistent with local and regional needs.
- Promote water conservation practices that include new technologies and methods to reuse water.

**Analysis:** Protection of existing and locating new water resources in Bellemont was a primary focus for the goals and policies in the Water Resource & Wastewater Treatment chapter, which reflect a strong commitment to maintaining long term water supply and protecting water quality.

### Land Use and Growth Goals:
- Respond to the specific and varied land-use conditions found in Coconino County with creative policies and strategies that protect important community values.
- Ensure the conservation of open space for the environmental, social, and economic wellbeing of the county.
- Conserve working ranches, unfragmented landscapes, and the county’s rural character.
- 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.
- Ensure that commercial development is well designed and appropriately located within communities and activity centers.
- Increase creative and mixed land uses that result in self-sustaining communities and walkable and vibrant activity centers.
- Encourage the development of the industrial lands within the county, provided they are compatible with the policies of this Plan as sustainable employment centers, and maximize their strategic multimodal location.
- Minimize the impacts of public use / service land uses on the environment and community character.
- Concentrate development near existing infrastructure and services while conserving ecosystems and landscapes.
- Ensure that new development implements integrated conservation design practices.
- Coordinate capital improvements in a timely, orderly, and cost-effective manner.
Bellemont Area Plan Compliance with the Coconino County Comprehensive Plan Goals

- Ensure that every new development pays its fair share of costs associated with that development.

  **Analysis:** The Plan supports the Comprehensive Plan’s goals in multiple ways, including Design Review Overlay standards that will be utilized to guide the design of new commercial, industrial and multi-family developments; policies that seek to protect existing commercial and industrial zoning to provide employment while sustaining a compatible mix of residential and neighborhood commercial; the newly designated Rural Activity Center intended to provide a focal point for the community and promote walking and biking; and a specific policy addressing long-term use and potential changes to surrounding National Forest land. Overall, the goals and policies in the Land Use, Growth and Development chapter support the Comprehensive Plan.

**Community Character Goals:**

- Develop well-designed communities that promote rural character and conserve open space and natural resources while enhancing quality of life and economic vitality.
- Support the development of concentrated commercial and community land uses that meet residents’ needs.
- Promote coordination of land use planning with sovereign tribal nations related to development and resource protection.
- Protect the county’s historic, cultural, and architectural heritage.
- Conserve local heritage areas, cultural landscapes, and open space.
- Conserve and enhance the integrity of the county’s scenic resources and unique features.
- Protect, conserve, promote, and enhance scenic corridors.
- The County shall continue to be a world leader in the preservation of dark skies.
- Preserve natural quiet and work to mitigate and reduce the effects of noise pollution.

  **Analysis:** Multiple goals and policies in the Plan support the Comprehensive Plan’s community character. In addition to new Design Review Overlay standards, the Bellemont Plan supports dark skies by applying Lighting Zone II to the entire planning area; policies encourage preservation and designation of potentially historic structures; and a representative for the San Juan Southern Paiute Tribe was a member of the update committee and helped to conduct a design session dedicated to understanding local ideas for development of the property owned by the Tribe.

**Economic Development Goals:**

- Create and maintain a sustainable standard of living and a high quality of life by recognizing the economic value of the natural systems and human capital within Coconino County. Through collaboration, continue to embrace economic, social, and environmental responsibility to build prosperous and livable places.
- Ensure that policies and regulations provide flexibility and support for emerging trends.
- Encourage and support business growth and sustainable business practices.
Bellemont Area Plan Compliance with the Coconino County Comprehensive Plan Goals

- Work with businesses to assess infrastructural needs and support improved infrastructure and systems throughout the county.
- Incorporate innovative planning techniques to encourage the development of compatible enterprises with neighboring land uses.

Analysis: Bellemont is unique as it contains a significant amount of commercial and industrial zoning, is located on a major transportation corridor (I-40), is close to Flagstaff, and has direct access to a railway. It is recognized as one of the County’s commercial and industrial hubs, but must balance development with a concern for protecting the environment and open space. Bellemont’s business community was invited into the update process, and the Plan contains numerous sections that inform economic development, including an inventory of existing businesses and industries; survey questions that asked about preferred businesses; sections that address economic and social sustainability; and discussion about the Rural Activity Center.

Parks, Open Space, Trails, & Recreation Goals:

- Plan for and provide a variety of recreational, cultural, historic, and educational opportunities throughout the county, in developed and future parks as well as natural areas.
- Provide for the conservation and stewardship of important natural areas and support the protection of other public lands that provide open space and recreation value.
- Enhance the existing regional system of trails by promoting more access and managed access between communities, public lands, and activity centers to create a network of linked open space, trails, and recreational areas.
- Build upon the cooperative opportunities between county, federal, and state agencies; sovereign tribal nations; cities; and private land managers to increase the outdoor tourism economy while conserving high-value natural and cultural resources in the county.

Analysis: The Plan’s Natural Environment, Open Space, Parks, Trails, & Recreation goals and policies directly support the Comprehensive Plan goals, particularly in identifying pedestrian and bicycle linkages throughout the Plan, the future US Bike Route 66 alignment, and the need for partnerships in developing park facilities.

Community Services Goals:

- Promote the installation of utilities in a manner that is compatible with community character, scenic resources, and ecological conditions.
- Promote telecommunications service development while preserving the visual character of communities and landscapes.
- Reduce solid waste, minimize the impact of its disposal, and support and encourage recycling.
- Implement best practices associated with wastewater technologies or management.
- Prioritize the health and wellness of residents and visitors.
Bellemont Area Plan Compliance with the Coconino County Comprehensive Plan Goals

- Advocate, coordinate, and collaborate to create and increase access to effective and affordable educational opportunities.

  *Analysis:* The Plan’s Community Service goals and policies support the Comprehensive Plan, and goes beyond by identifying the need for services to support aging in place, and acknowledging current needs for postal service improvements.

Public Safety Goals:
- Ensure emergency services and response to meet residents’ needs.
- Ensure safe, crime-free neighborhoods and communities.
- Provide for a high level of fire protection and safety.
- Reduce the threat of catastrophic wildfire in the W/UI.
- Avoid or mitigate the dangers posed by identifiable or predictable natural hazards.
- Maintain a high level of emergency preparedness to effectively respond to disaster and recovery efforts.

  *Analysis:* These goals are directly supported by the Plan’s Public Safety chapter and the Implementation Plan’s number one task, which is to develop emergency action plans.

Circulation Goals:
- Maintain a circulation network that is safe, efficient, and complementary to local communities and the environment.
- Improve rural and regional transit service opportunities.
- Explore opportunities for increasing air service for residents, tourism and freight while minimizing the impacts on surrounding communities and the natural environment.
- Improve nonmotorized circulation networks and provide greater opportunity for alternative modes of travel.
- Ensure the quality design and development of circulation systems that include both motorized and nonmotorized modes of transportation.
- Use best practices in the design and management of transportation infrastructure to minimize the impacts to soil, hydrology, and wildlife.
- Improve circulation infrastructure while protecting the environment and community character.
- Provide for safe travel and access to property.

  *Analysis:* The Transportation & Circulation chapter was drafted based on the most current information regarding the new and ongoing public transportation projects in Bellemont.

Energy Goals:
- Reduce energy consumption by increasing energy conservation and efficiency.
- Utilize wind and solar resources by encouraging distributed energy systems.
Bellemont Area Plan Compliance with the Coconino County Comprehensive Plan Goals

- Increase the use of technologies and strategies to reduce pollution, environmental degradation, and negative health impacts associated with energy production.

Analysis: These goals are directly supported by the goals and policies in the Sustainability & Resilience chapter, in particular policies that encourage energy efficiency in buildings, a particularly timely addition that anticipates new upcoming developments.

Bellemont Area Plan Compliance with, and Amendment to the Flagstaff Regional Plan, to amend the Flagstaff Regional Plan 2030 Future Growth Illustration Map

Regional Plan Land Use Goals:

- Goal LU.1. Continue to enhance the region’s unique sense of place within the urban, suburban, and rural context.
- Goal LU.2. Balance housing and employment land use needs with a desire to preserve and protect our unique natural and cultural setting.
- Goal LU.3. Provide for the public services and infrastructure.
- Goal LU.4. Apply compact development principles to achieve efficiencies and open space preservation.
- Goal LU.5. Balance future growth with available water resources.
- Goal LU.6. Provide for a mix of land uses.

Analysis: The Bellemont Area Plan supports an amendment to the Regional Plan 2030 Future Growth Illustration Map. This change specifically modifies the rural growth boundary to match that of the Plan boundary, and removes the “suburban – future” hatching symbol. The hatching was placed on a Forest Service parcel that was the subject of a denied land exchange request. Any future land exchanges will be based on a new configuration. The hatching is to be replaced with a “floating symbol” indicating that there is potential for future suburban use on an undetermined portion of Forest Service land, if it met the goals of the Plan and Policy LU.1.

Regional Plan Suburban Areas Goal:

- Goal LU.11. Increase the variety of housing options and expand opportunities for employment and neighborhood shopping within all suburban neighborhoods.

Analysis: As seen on the REVISED Flagstaff Regional Plan 2030 Future Growth Illustration Map, this amendment removes “Suburban – Future” hatching shown on a location specifically identified for future suburban housing, but does not preclude additional housing options, as the hatching is replaced with a symbol and notation that suggests future housing options would be
Bellemont Area Plan Compliance with, and Amendment to the Flagstaff Regional Plan, to amend the Flagstaff Regional Plan 2030 Future Growth Illustration Map

considered on an appropriate site that would be determined in the future, based on a specific land exchange proposal.

Regional Plan Activity Centers and Corridors Goals:

- Goal LU.16. Develop activity centers at pedestrian and transit-oriented locations and corridors with a variety of employment, business, shopping, civic engagement, cultural opportunities, and residential choices.

- Goal LU.17. Develop a manageable evolution of the main corridors into contextual place makers for the community.

Analysis: The Plan directly supports these goals by locating the Regional Plan-identified RAC.

Image of a map showing the Regional Plan 2030 with various land use designations.
Recommendation

Staff recommends the Planning and Zoning Commission recommend that the Board of Supervisors approve PZ-AM-19-002, to include the following minor amendments to the Comprehensive Plan:

1. To adopt the updated Bellemont Area Plan as a Minor Amendment to the Coconino County Comprehensive Plan, and to adopt Design Review Overlay guidelines.
2. To adopt a Minor Amendment to the Coconino County version of the Flagstaff Regional Plan 2030, Place Matters, to amend the Flagstaff Regional Plan 2030 Future Growth Illustration Map.

Respectfully submitted,

[Signature]

Jess McNeely, AICP, Assistant Director

Prepared by Melissa Shaw, AICP, Long Range Planner

Attachments

Exhibit A: Website link to the Draft Bellemont Area Plan

Exhibit B: Comprehensive Plan Major and Minor Amendment Categories

Major Amendments are heard once per calendar year by the Planning and Zoning Commission at its October hearing. An amendment is a major amendment if it meets any of the following criteria:

- Changes to the text conflict with or alter one or more of the goals and policies in this Plan.
- The proposal represents a substantial alteration to the county’s land use mixture and balance.
- It adds a new element or substantially changes one or more chapters of the Comprehensive Plan prior to the required full 10-year update.
- It adds a new area plan or a new Rural Planning Area.
- It establishes a land use map, growth boundary, or activity center under County jurisdiction.

Minor Amendments may be considered at any time of the year and are subject to a simple majority vote of the Board of Supervisors. The following constitute a minor amendment:

- Revisions or updates to an existing area plan or Rural Planning Area that meet the Comprehensive Plan’s vision, goals, and policies
- Changes mandated by any new state laws.
- Text changes and corrections that do not compromise the intent or impact the substantive mixture and balance of the Plan.
- Corrections to planning errors or a planning oversight.
- A change to a map, location-based policy, or other specific policy within an area plan.
- Any other changes that do not fall under the major amendment criteria listed above and are not administrative amendments.
Jay Christelman, Director

Date:       June 26, 2019

To:         Planning and Zoning Commission

From:       Department of Community Development

Subject:    Public Hearings and consideration of Case No. ZC-18-010 and SUB-18-004 including a request for 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 and a 94-lot subdivision preliminary plat.

Executive Summary

Location: The subject properties are located north of Shadow Mountain Drive and east of the Pilot Travel Center and the Days Inn in Bellemont and are identified as Assessor’s Parcel Numbers 203-47-001F and a 1.02 acre portion of 203-47-001M.
Size: 8.02 acres

Zoning: PC (Planned Community) Zone with CH-10,000 standards applied

Proposed Zoning: PC (Planned Community) Zone with modified RM-20/A standards applied

Supervisor District: 3, Matt Ryan

Property Owners: Flagstaff Meadows, LLC, Queen Creek, AZ (203-47-001F) and McCleve LC and DR Revocable Living Trust DTD, Queen Creek, AZ (203-47-001M)

Applicant: Finesse Properties, Queen Creek, AZ

Representative: Tim Campbell, Queen Creek, AZ

Summary: The proposal is for a 94-unit townhome development on individual lots with amenities such as a playground, open-grass areas and a dog park. The property will be developed with private streets that will be maintained by a homeowner’s association. The proposal includes an additional area to the west that will retain the CH-10,000 standards and will be used for future commercial purposes including a proposed coffee shop, self-storage units and additional retail space. The property is adjacent to a roundabout that is being constructed on Shadow Mountain Drive that will improve circulation and allow trucks to enter the Pilot Travel Center site from the back of the property.

Recommendation: Staff recommends the Planning and Zoning Commission provides a recommendation that the Board of Supervisors approve ZC-18-010 with the three recommended conditions and SUB-18-004 with the 21 recommended conditions.

Background Information:

<table>
<thead>
<tr>
<th>Surrounding Land Uses/Zoning</th>
<th>Land Use</th>
<th>Zoning</th>
</tr>
</thead>
<tbody>
<tr>
<td>On Site</td>
<td>Vacant</td>
<td>PC with CH-10,000 standards</td>
</tr>
<tr>
<td>North</td>
<td>National Forest</td>
<td>Open Space</td>
</tr>
<tr>
<td>South</td>
<td>Vacant, Residential and Shadow Mountain Drive</td>
<td>PC with CH-10,000 and modified RM-20/A and RS-6,000 standards</td>
</tr>
<tr>
<td>East</td>
<td>Vacant</td>
<td>PC with CH-10,000 standards</td>
</tr>
<tr>
<td>West</td>
<td>Highway Commercial</td>
<td>PC with CH-10,000 standards</td>
</tr>
</tbody>
</table>

**Natural Features**

Topography: The subject parcels are very level with very little change in elevation.

Natural Resources: The subject properties are entirely contained within a meadow.
Proposed Development

Zone Change (ZC-18-005)

The applicant has submitted plans and documents, included in the Commission Packet, that provide the details for how the property will develop including a Master Development Plan with a narrative and a plan set that shows the design of the landscaping, lighting, signage, fencing, building, parks and other amenities proposed for the development. These plans represent the
zoning standards that will apply to this area as part of the Zone Change process. The plans for the project include open grass areas, playground facilities and a dog park.

**Landscaping**

The landscape plan provides for the use of native and drought resistant plants and ground cover consistent with Section 4.4 of the Zoning Ordinance. The landscape plan proposes small areas of artificial turf that is not currently supported in the Zoning Ordinance; however, it is supported in the updated draft Zoning Ordinance. Staff recommends this be approved as a means of water conservation consistent with the Comprehensive Plan. The applicant also provides for a decorative wrought iron fence around the front yards of the units with stone columns as shown in master plan set. The applicant has proposed these features to be consistent with the design guidelines of the draft Bellemont Area Plan although this is not currently required.

**Lighting**

The lighting plan proposes fully-shielded bollard path lighting as well as wall fixtures on each unit consistent with the standards of Section 4.3 of the Zoning Ordinance for multi-family developments in Lighting Zone II. The lighting plan utilizes amber LED lighting that is not specifically provided for in the Zoning Ordinance but may be approved by the Community Development Director as the equivalent to low pressure sodium because this type of lighting has become obsolete and difficult to obtain.

**Change of Zoning Regulations in the PC Zone**

The requested change of zoning regulation allows for the existing CH-10,000 standards currently applied to the PC Zoning on the subject properties to be changed to modified RM 20/A standards as described above. A portion of APN 203-47-001M and the adjacent APN 203-47-001L will retain the existing CH-10,000 standard as documented in the Master Development Plan and described in the narrative to provide for a mixed-use development. The modified RM 20/A standards provide for the reduced setbacks, lot sizes and other standards that allow for a townhome development, which is consistent with Comprehensive Plan policies that supports a variety of housing types. It also provides a viable development option in an area where the amount of commercial land exceeds the need and continues a long-term trend in Bellemont that allows for the development of housing.

**The Flagstaff Regional Plan and the Bellemont Area Plan**

The subject properties are also subject to the Flagstaff Regional Plan and the Bellemont Area Plan. The proposal is consistent with the existing Bellemont Area Plan as discussed above. Staff believes it is also important to note that the proposed development is consistent with draft
update to the Bellemont Area Plan that is expected to soon be adopted although the proposal is not required to be consistent with this draft plan.

The Flagstaff Regional Plan identifies a Rural Activity Center in this area near the Pilot Travel Center and designates the Area Type of the subject properties as Future Employment. The location of the Rural Activity Center was intended to be more specifically identified as part of the process of updating the Bellemont Area Plan and has been tentatively identified on the draft Future Land Use Map of the draft Area Plan as shown below. The subject properties are located partially within this Rural Activity Center and partially within an adjacent commercial area that also provides for mixed-use as can be seen on the map below.

![Bellemont Area Plan: Future Land Use Map](image)

DRAFT Future Land Use Map in the DRAFT Bellemont Area Plan shows the subject properties partially in the Rural Activity Center and partially in a Commercial and Mixed-Use area

These designations on both the Area Plan and the Regional Plan support mixed-use development but not standalone residential, and this has led the applicant to propose a horizontal mixed-use development that includes the townhome development (residential) along with a coffee shop, self-storage and another retail space (commercial) as shown on the applicant’s Master Development Plan. The commercial element of this development is permitted by right and is not included as part of this zone change. However, it has been
designated on the Master Development Plan to ensure consistency with future plans for this area.

Preliminary Plat (SUB-18-001)

The proposed development contains 94 lots all subject to modified RM-20/A development standards as described above. The subdivision is a New Urbanist design with garages facing the streets and the fronts of the homes facing walkways and open spaces. The development will include paved streets with curb and gutter. Sidewalks will be provided throughout the development sufficient for pedestrian circulation of the subdivision along with guest parking that is provided at a greater rate than is normally required in the RM-20/A Zone. The development of the roundabout on Shadow Mountain Drive includes sidewalks and street crossings that will provide for pedestrian access west to the proposed commercial services and east to the existing residential subdivisions.

This is a Schedule A subdivision that meets the development standards listed in Sec. 6.4.1 of the Subdivision Ordinance as described in the Subdivision Narrative provided in the Commission Packet. A Schedule A subdivision is appropriate in Bellemont where all required services (water, wastewater, public safety and etc.) are available. Shadow Mountain Village is proposed as a private development with all streets and infrastructure owned and maintained by the homeowners’ association. An emergency access will be provided at the northwest corner of the development allowing emergency access onto the Truck Stop Entrance Road that is normally reserved for truck traffic. The applicant has provided a Transportation Impact Analysis (TIA) that indicates a left-hand turn lane is warranted for the eastbound lane on Shadow Mountain Drive at the entrance to the subdivision. The Development Agreement discussed below will identify the process for providing this turn lane. A preliminary grading and drainage plan has been provided including detention ponds as shown on the Master Development Plan. Details of how the drainage facilities will be developed and function with public infrastructure is covered in the development agreement.

Development Agreement

The location of the proposed development adjacent to the new roundabout and truck stop access road currently being developed by the County has created the need to provide some clarity related to the development of private and public infrastructure. This has prompted the County and the owner of the subject properties to create a development agreement to determine the responsibilities of each party related to the installation and costs of infrastructure such as street improvements, drainage facilities, and utilities. The development agreement has been included with this application as the most efficient and appropriate means of obtaining the approval of the agreement by the Board of Supervisors.
**Comprehensive Plan, Area Plan, Regional Plan and Zoning Ordinance Analysis:**

<table>
<thead>
<tr>
<th>Compliance with the Comprehensive Plan</th>
</tr>
</thead>
<tbody>
<tr>
<td>General Land Use: Residential Subdivision</td>
</tr>
</tbody>
</table>

**Natural Resources 10.** The County supports appropriate road design as well as the closure and rehabilitation of unnecessary roads that cause resource damage.

**Water Resources 8.** The protection of surface water and groundwater quality shall be a factor in the consideration for approval of all developments.

**Public Safety 2.** The availability of adequate emergency services and emergency access routes shall be considered in the review of major developments and subdivisions. Development projects shall provide for two means of vehicular access (ingress/egress) to ensure adequate entrance and exit routes for emergency response and management activities.

**Parks, Open Space, Trails and Recreation 16.** Development projects must consider and plan for public land access and the design and maintenance of proposed trails, trailheads, and bicycle lanes that meet County guidelines.

**Land Use and Growth Goal:** 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.

**Land Use and Growth 7.** The County encourages and supports property owners in the development of platted subdivisions rather than lot splits and seeks to update the Subdivision Ordinance to help incentivize design that is consistent with the Comprehensive Plan and area plans.

<table>
<thead>
<tr>
<th>Compliance with the Zoning Ordinance</th>
</tr>
</thead>
</table>
| Section 2.10 provides for the development of various types of land uses in the PC (Planned Community) Zone through the adoption of a development plan and text and materials which set forth land use relationships and development standards.

<table>
<thead>
<tr>
<th>Compliance with the Flagstaff Regional Plan</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Activity Centers and Corridors Policies:</strong></td>
</tr>
<tr>
<td><strong>Policy LU.16.1.</strong> Design activity centers and corridors appropriate to and within the context of each area type: urban, suburban, or rural.</td>
</tr>
<tr>
<td><strong>Policy LU.16.2.</strong> Strive for activity centers and corridors that are characterized by contextual and distinctive identities, derived from environmental features, a mix of uses, well-designed public spaces, parks, plazas, and high-quality urban design.</td>
</tr>
<tr>
<td><strong>Policy LU.16.3.</strong> Redevelop underutilized properties, upgrade aging infrastructure, and enhance rights-of-way and public spaces so that existing activity centers and corridors can realize their full potential.</td>
</tr>
<tr>
<td><strong>Policy LU.16.4.</strong> Encourage activity centers and corridors to provide housing of various types, especially attached and multi-family, across a wide range of price points.</td>
</tr>
<tr>
<td><strong>Policy LU.16.5.</strong> Plan and support pedestrian and transit-friendly activity centers and corridors.</td>
</tr>
</tbody>
</table>
Policy LU 16.6. Support increased densities within activity centers and corridors.
Policy LU.16.7. Concentrate commercial, retail, services, and mixed use within the activity center commercial core, while increased residential densities, live-work units, and home occupations with greater pedestrian and bicycle connectivity can be developed within the activity center’s pedestrian shed.

Employment Area Policies:
Policy LU.13.2. Consider the compatible integration of residential uses and proposed employment centers to reduce vehicle trips and commute times.
Policy LU.13.3. Incorporate neighborhood/support retail and other commercial uses, including childcare facilities, within new and renovated employment centers.
Policy LU.13.4. Accommodate safe and convenient walking, biking, and transit facilities in existing and proposed employment centers.
Policy LU.14.3. Limit the impacts of truck traffic on residential areas.

Compliance with the Bellemont Area Plan

Goals and Policies of the Bellemont Area Plan:
1. The conservation of water resources shall be a major consideration in all new building construction and shall be enhanced through such programs as the installation of water saving plumbing fixtures and separate water meters for individual units in all new construction within the Bellemont Study Area.

2. A surface hydrology and drainage study and construction plans for facilities necessary to accommodate adequate drainage surface and storm waters must be submitted to the County Engineer for his review and approval prior to the initiation of construction of major development projects. All new development in areas subject to flooding or ponding must be constructed in full compliance with the Coconino County's Floodplain Management Zone requirements.

3. Soil capabilities and limitations shall be recognized and appropriately considered in the County's developmental review and implementation functions as they related to properties within the Study Area. In accordance with this policy, the following procedural sub-policies shall be initiated:
   A. Comprehensive on-site soil investigations, conducted by a registered/licensed soils engineer, shall be required for all industrial, commercial, or major residential developments.
   B. In areas not served by an approved community effluent disposal and treatment system, the suitability of local soils for the establishment of septic tank absorption fields shall be assessed and all necessary corrective measures shall be incorporated in the proposed disposal system to ensure against soil related system failures.
   C. In developments requiring an Excavation and Grading Permit from the County Engineer, the capabilities and limitations of on-site soils shall be appropriately addressed prior to the initiation of construction.
   D. Erosion and sediment control measures shall be incorporated in all new construction projects.
E. The issuance of Building Permits in areas with severe soils limitations shall be conditioned to require the incorporation of appropriate structural modifications to compensate for applicable limiting soil characteristics.

4. All existing street rights-of-way and any new streets established to serve future development projects shall be improved to the specifications of the County Engineer.

5. All subdivision of lands shall conform to State and County Subdivision Regulations.

6. All development projects, except those approved under a conditional use permit, shall be subject to site plan review and approval by the Planning Commission and subject to such conditions of approval for development as the Commission deems appropriate to ensure conformance with the adopted development standards and policies for the Bellemont Area.

Findings of Staff

Zone Change (ZC-18-005):

Findings of fact required to approve a Zone Change:

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.

Staff recommends the following Findings for a Zone Change:

1. The proposed Zone Change is in compliance with the goals and policies of the Comprehensive Plan, the Bellemont Area Plan and the Flagstaff Regional Plan as demonstrated in the policies cited below. The Zoning Ordinance provides for the Planned Community (PC) Zone to allow for modified development standards as proposed and appropriate for the proposed development.

2. The change is in the interest of or will further the public health, safety, comfort, convenience and welfare. It allows for development of housing consistent with the local community in an area served by a community water and wastewater system and a fire station located near the site. The proposed development is in a mixed use setting that retains an area for a neighborhood commercial development.

3. The change is consistent with the character of the local community that includes commercial and residential development.
Conditions of the Zone Change:

1. The CH-10,000 standards of the PC Zone shall be changed to RM-20/A standards as described in the most current version of the Zoning Ordinance with modifications as outlined in the chart below. These standards shall be applied to APN 203-47-001F and a 1.02 acre portion of APN 203-47-001M as documented on the Preliminary Plat and the Master Development Plan:

<table>
<thead>
<tr>
<th>Property Development Standards</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Density, maximum dwelling units/acre</td>
<td>11.72</td>
</tr>
<tr>
<td>Lot area, in square feet</td>
<td>1656</td>
</tr>
<tr>
<td>Lot width, in feet</td>
<td>24</td>
</tr>
<tr>
<td>Lot depth, in feet</td>
<td>69</td>
</tr>
<tr>
<td>Front yard, in feet</td>
<td>10</td>
</tr>
<tr>
<td>Side yard-interior, in feet</td>
<td>0</td>
</tr>
<tr>
<td>Side yard-street side, in feet</td>
<td>0</td>
</tr>
<tr>
<td>Rear yard, in feet</td>
<td>9</td>
</tr>
<tr>
<td>Lot coverage, maximum</td>
<td>80%</td>
</tr>
<tr>
<td>Lot size</td>
<td>1656</td>
</tr>
<tr>
<td>Building height, in feet</td>
<td>30</td>
</tr>
<tr>
<td>Covered off-street parking spaces per dwelling</td>
<td>2</td>
</tr>
<tr>
<td>Open, off-street parking, guest parking</td>
<td>Additional 20% of total spaces</td>
</tr>
<tr>
<td>Minimum distance between structures, in feet</td>
<td>16</td>
</tr>
</tbody>
</table>

2. Development of the property shall substantially comply with the approved preliminary plat and Master Development Plan including the landscaping, lighting, signage, parks and design elements illustrated in the Master Development Plan set and described in the Master Development Plan document.

3. The areas identified on the Master Development Plan including APN 203-47-001L and a portion of APN 203-47-001M shall be retained for commercial uses currently proposed as a coffee shop, self-storage units, and additional retail uses. These properties shall retain the existing CH-10,000 zoning standards.

4. The Zone Change is conditioned upon approval and implementation of the attached Development Agreement.
Subdivision Preliminary Plat (SUB-18-004):

Findings of Fact required to approve a Subdivision Preliminary Plat:

1. That the proposed subdivision conforms to the goals, objectives and policies of the Comprehensive Plan and its amendments.
2. That the design of the proposed subdivision will not cause substantial environmental damage and will not present serious public health problems.
3. That the site of the proposed subdivision is physically suitable for the proposed type and density of development.
4. That the proposed subdivision is consistent with provisions and intent of zoning regulations applicable to the property.
5. That the proposed subdivision conforms to the improvement and design standards set forth in this Ordinances.

Staff recommends the following Findings for a Subdivision Preliminary Plat:

1. The subdivision conforms to the goals, objectives and policies of the Comprehensive Plan, the Bellemont Area Plan and the Flagstaff Regional Plan based on the policies listed below.

2. The subject properties do not contain sensitive environmental features and the design of the subdivision will not cause substantial environmental damage or present serious public health problems.

3. The site of the proposed subdivision is physically suitable for the proposed type and density of development. The topography of the site is level and near an existing residential subdivision and existing commercial developments. Water, wastewater, public safety and other service are available as required for a Schedule A subdivision. The submitted drainage plans and proposed detention areas will mitigate drainage issues.

4. The subdivision provides lot sizes that are consistent with the PC Zone with modified RM/20-A standards approved through ZC-18-010.

5. The proposed subdivision conforms to the improvement and design standards set forth in the Subdivision Ordinance with one requested waiver to Block Length that is addressed below.

Conditions of the Subdivision Preliminary Plat:

1. The subdivision shall be limited to 94 lots. The final plat shall substantially conform to the preliminary plat and shall conform to Section 4 of the Subdivision Ordinance. Lots shall be
numbered consecutively with no omissions or duplications. The dimensions and area of each lot shall be shown on the final plat.

2. The development shall be subject to the approved modified RM-20/A development standards approved through ZC-18-010. These development standards shall be documented on the face of the final plat.

3. Prior to submittal of a final plat, construction plans shall be submitted for approval to Public Works and the Engineering Division for drainage and roadways. All grading and excavation shall be subject to issuance of a grading permit by the Engineering Division.

4. Arizona Department of Environmental Quality (ADEQ) approval for the community water and wastewater systems shall be obtained prior to submittal of a final plat application. Expansion of Utility Source LLC's Certificate of Convenience and Necessity (CC&N) shall be approved by the Arizona Corporation Commission (ACC) prior to submittal of a final plat. A Public Report shall be obtained from the Arizona Department of Real Estate (ADRE) prior to the sale of any lots.

5. A water adequacy report shall be obtained from the Arizona Department of Water Resources (ADWR) prior to submittal of a final plat. The Final Plat shall contain a note that the Director of the Arizona Department of Water Resources has determined that there is an adequate or inadequate water supply for the subdivision pursuant to ARS § 45-108.

6. Electric and communication facilities shall be installed underground.

7. Fire hydrants shall be installed to the specifications of the Fire Chief of the Ponderosa Fire District. The location of hydrants will be subject to approval of the Fire District, and the water system shall be engineered to provide minimum fire flow pursuant to Sec. 6.4.1.D.4. Written approval of fire hydrant locations shall be obtained from the Fire Chief and provided to Community Development prior to approval of a final plat. Engineering certification shall be provided by a registered Professional Engineer that the water system is designed to provide the minimum fire flow requirements, and that sufficient capacity exists to support such flow.

8. Street names, none of which duplicate any other street names in the Flagstaff/Williams areas, shall be required on the final plat. Proposed names are subject to the approval of Community Development prior to final plat.

9. A homeowners association shall be established under the CC&Rs. The homeowners association shall be duly incorporated and shall be solely responsible for maintenance of drainage tracts, greenway/park improvements. The CC&Rs shall empower the homeowners association to make equitable assessments against lots to pay for any such maintenance and to impose liens against lots to secure payment of such assessments.
10. The CC&Rs shall require the posting of street numbers on each residence at least four inches in height and visible from the street.

11. The final plat shall show the area and proposed use of all common tracts not a part of any individual lots. The final plat shall include tracts to accommodate entrance features and subdivision entrance signs, and such features and signs shall not be placed in County right-of-way. The purpose of all tracts shall be described in the final plat notes.

12. During construction of roadways, installation of utilities, etc., dust control measures shall be implemented as needed. Storm water quality shall be maintained during construction through implementation of an ADEQ-approved Storm Water Pollution Prevention Plan (SWPPP).

13. The final plat shall include a note indicating the distance to the nearest approved solid waste disposal facility (Sec. 6.4.1.i). A letter from Waste Management shall be submitted indicating that service is available to the subdivision.

14. The United States Postal Service (USPS) shall approve the location of the cluster mailboxes in the subdivision.

15. Landscaping is approved as proposed on the submitted landscape plan. All disturbed areas that are not otherwise landscaped shall be revegetated with hydroseeding or planting of other suitable ground cover. Park amenities shall be approved as proposed on the Master Development Plan. Park improvements not documented on the Master Development Plan shall be subject to approval of a conditional use permit prior to approval of a final plat.

16. A ten-foot masonry sound wall as shown on the Master Development Plan and illustrated in the master plan set shall be provided along the property line bordering the New Truck Stop Access Road. Design of the sound wall is subject to the approval of the County Engineer and the Community Development Director prior to final plat. A six-foot masonry wall as shown on the Master Development Plan and illustrated in the master plan set shall be installed along the frontage of the subject property on Shadow Mountain Drive. Entrance features including the subdivision sign shall be installed as illustrated in the master plan set.

17. All exterior lighting shall be fully shielded and otherwise subject to the requirements for Lighting Zone II. No outdoor lighting shall be on dusk-to-dawn switches or timers except for street lights illuminating public right-of-way if required.

18. Streets and sidewalks shall be provided as shown on the preliminary plat and the Master Development Plan. The sidewalks shall be a minimum width of four or five feet in width as proposed by the applicant with landscaped parkways between the sidewalk and the curb as shown on the Master Development Plan. North Pegasus Drive shall be a minimum 32 feet in width and internal streets of the subdivision shall be 26 feet in width as shown on the
submitted street cross sections. Guest parking shall be installed per the approved zoning and as shown on the Master Development Plan.

19. The developer shall install all required street identification and traffic control signs in accordance with the Manual of Uniform Traffic Control Devices (MUTCD) subject to the approval of Coconino County Public Works.

20. The development agreement shall determine the obligations of the County and the developer regarding onsite and offsite infrastructure including but not limited to water, wastewater, drainage and detention facilities, and road improvements.

21. In accordance with Section 4.14 of the Subdivision Ordinance, all improvements must be completed prior to submittal of a final plat or a cash deposit, letter of credit, performance bond, or other acceptable financial security shall be required for the costs of any improvements and construction not completed, plus a 10% contingency. This includes, but is not limited to, all roadways, drainage structures, utilities, traffic control signs, street identification signs, fencing, park improvements, pedestrian walkways, and landscaping.

**Citizen Participation**

The applicant indicates all residential and commercial property owners in Bellemont north of Interstate 40 were notified of the application and invited to a neighborhood meeting held at the Ponderosa Fire Station in Bellemont on December 18, 2018. The applicant reports that almost 30 people were present at the meeting and most people supported the project and provided positive comments related to the amenities provided, the coffee shop, and the pedestrian access to the coffee shop. A major area of discussion was the roundabout and the most important concerns were truck traffic and the emergency access.

**Recommendation**

Staff recommends the Planning and Zoning Commission provides a recommendation that the Board of Supervisors approve ZC-18-010 with the four recommended conditions and SUB-18-004 with the 21 recommended conditions.

Respectfully submitted,

Jess McNeely, AICP, Assistant Director
Prepared by Bob Short, Principal Planner

**Attachment:** Development Agreement
When recorded, mail to:
Clerk of the Board
Coconino County
219 E. Cherry Avenue
Flagstaff, Arizona 86001

DEVELOPMENT AGREEMENT
Between
Coconino County
And
Lonnie C. and Debbie R. McCleve
Revocable Living Trust dtd February 3, 2000
And
Bellemont Interchange 185, LLC

THIS DEVELOPMENT AGREEMENT ("Agreement") is entered into this ____ day of ____________, 2019, by and between Coconino County, a political subdivision of the State of Arizona ("County"), and Lonnie C. and Debbie R. McCleve Revocable Living Trust dtd February 3, 2000, and Bellemont Interchange 185, LLC (collectively "Developers").

RECITALS

A. Ariz. Rev. Stat. § 11-1101 authorizes the County to enter into development agreements with landowners and persons having an interest in real property located within unincorporated areas of Coconino County.

B. Developer Lonnie C. and Debbie R. McCleve Revocable Living Trust dtd February 3, 2000 is the owner of real property located on Shadow Mountain Drive in Bellemont, Arizona, commonly known as Assessor’s Parcel Numbers 207-47-001F & 207-47-001M, which is more specifically described in Exhibit "A" (the “Property”).

C. Developers are also the owners of real property located on Shadow Mountain Drive in Bellemont, Arizona, commonly known as Assessor’s Parcel Numbers 204-03-003A. Portions of real property located on Assessor’s Parcel Numbers 204-03-003A, 207-47-001F & 207-47-001M are necessary for acquisition in fee and in easements by the County to complete its public right-of-way improvement project known as the "Bellemont Access Safety Project." The portions of real property are more specifically described in Exhibit “C” (collectively the “Bellemont Project Property”).

D. The Property is currently zoned PC (Planned Community) with CH-10,000 standards applied, and the Developer is requesting rezoning to PC (Planned Community) with modified RM 20/A standards applied.
E. Developer desires to develop the Property into a multi-family residential townhouse subdivision consisting of no more than 94 units.

F. This Agreement is consistent with the Coconino County Comprehensive Plan in effect on the Effective Date of this Agreement, as set forth below.

G. The County has an interest in ensuring that the development of the Property complies with County standards for development and engineering improvements, and the County believes that development of the Property and expeditious completion of the adjacent Bellemont Access Safety Project pursuant to this Agreement will result in planning, safety, and other benefits to the County and its residents.

H. The Developers acknowledge that the development of the Property pursuant to this Agreement will be beneficial and advantageous to the Developers by providing assurances to the Developers that it will have the ability to develop the Property within the County pursuant to this Agreement, under the zoning described in Recital D above, and in accordance with the Site Plans. The Developers further acknowledges significant traffic, safety and other benefits resulting from the County’s expeditious completion of the Bellemont Access Safety Project adjacent to the proposed Subdivision Project.

I. The County holds certain existing rights within its right-of-way with respect to utility lines located therein pursuant to a Franchise Agreement executed between Coconino County and Utility Source, LLC, dated December 16, 2008 and adopted pursuant to Coconino County Resolution No. 2008-72. Pursuant to this agreement, the County may require, at the expense of the franchisee Utility Source, LLC, the location of utility lines and relocation of such lines, in the event the lines conflict with the required Bellemont Access Safety Project. The County’s right to recover costs of location and relocation of lines from the franchisee is assignable.

J. The County and the Developers acknowledge that this Agreement is a development agreement pursuant to the provisions of A.R.S. § 11-1101.

AGREEMENT

NOW, THEREFORE, in consideration of the foregoing recitals and the mutual promises and agreements set forth herein, and other good and valuable consideration, the receipt and adequacy of which are hereby acknowledged, and in order to fulfill the foregoing objectives, the parties agree as follows:

1. INCORPORATION OF RECITALS

Each of the recitals set forth above is incorporated into this Agreement as though fully set forth herein.
2. DEFINITIONS

The following terms shall have the meanings set forth below whenever used in this Agreement, except where the context clearly indicates otherwise:

2.1 “Bellemont Access Safety Project” shall mean and refer to construction of the Shadow Mountain Drive roundabout, related drainage infrastructure, and widening of the shoulder along Brannigan Park Road.

2.2 “Bellemont Project Property” shall mean and refer to all real property which is legally described in Exhibit “C” which is to be purchased in fee and in easement by the County from the Developers pursuant to Sections 5.4 & 6.3.

2.3 “County” shall mean and refer to Coconino County, a political subdivision of the State of Arizona, and any successor public body or entity.

2.4 “Developer” shall mean and refer to the Lonnie C. and Debbie R. McCleve Revocable Living Trust dtd February 3, 2000, and any successor-in-interest or assignee of the Lonnie C. and Debbie R. McCleve Revocable Living Trust dtd February 3, 2000, as contemplated pursuant to Section 9.14.

2.5 “Developers” shall mean and refer collectively to the Lonnie C. and Debbie R. McCleve Revocable Living Trust dtd February 3, 2000 and Bellemont Interchange 185, LLC, and any successor-in-interest or assignee of the Lonnie C. and Debbie R. McCleve Revocable Living Trust dtd February 3, 2000 and Bellemont Interchange 185, LLC, as contemplated pursuant to Section 9.14.

2.6 “Improvements” shall mean and refer to all the improvements which may be constructed as part of the Subdivision Project, including, without limitation, public roads, utilities, driveways, landscaping, and other improvements of any type or kind to be built by Developer.

2.7 “Property” shall mean and refer to all real property which is legally described in Exhibit “A” and proposed for rezoning and townhouse subdivision development.

2.8 “Subdivision Project” shall mean and refer to the development of the Property for the uses, intensities, and densities currently shown in the approved Site Plans.
3. ENTITLEMENTS

3.1 Zoning Map Amendment. Developer hereby agrees to be subject to all of the terms, conditions, and stipulations of the rezoning ordinance, the Site Plan, and preliminary plat approval for case number ZC-18-010 (County Ordinance No. 2019-__) and SUB-18-004 (Res. No. 2019-__).

3.2 Development Standards. The development of the Property, as well as the standards for off-site and on-site public improvements, will be governed by the Coconino County Zoning Ordinance, Coconino County Subdivision Ordinance, the Engineering Design and Construction Manual (EDCM) and all other ordinances, regulations, rules, guidelines, and policies controlling permitted uses of the site, design review guidelines, the density and intensity of uses, and the maximum and minimum height and size of the buildings in existence as of the Effective Date of this Agreement will apply. For any development modifications made after three (3) years from the Effective Date of this Agreement, the current codes, ordinances, regulations, rules, guidelines and standards in effect at the time of submittal shall apply.

4. DEVELOPMENT PLAN

4.1 Scope of Development. The County and the Developer hereby acknowledge that the County staff has reviewed and recommended for approval, subject to conditions, the Site Plan for the Subdivision Project, attached hereto as Exhibit “B” and incorporated herein by this reference (collective the “Site Plan”). The Site Plan sets forth the basic land uses, intensity, and density of such uses, relative height, bulk and size of buildings and structures proposed by Developer and approved by the County for development within the Property.

5. DEVELOPER OBLIGATIONS

5.1 Construction of Improvements. The Developer shall provide security, in a form satisfactory to the County, as set forth in the County’s Subdivision Ordinance, that improvements will be constructed in accordance with approved plans. Except as provided in Section 5.1.1 of this Agreement, Developer shall, at its sole expense, construct or cause to be constructed all improvements as required by County codes, ordinances, and this Agreement, and in accordance with approved specifications.

5.1.1 General Off-site Roadway Improvements. The Developer provided a Traffic Impact Analysis ("TIA") to determine the necessary traffic mitigation for the Subdivision Project. The parties agree that the Developer’s traffic mitigation will be accomplished by the construction of a left-hand turn lane on Shadow Mountain Drive into the Shadow Mountain Village subdivision. The County will construct the left-hand turn lane during the time it completes construction of the adjacent Bellemont Access Safety Project. Developer shall bear the entire cost of the additional engineering and construction of the left-hand turn lane and shall make a
cash contribution to the County for the costs within 30 days of receiving a request for payment.

5.2 Utility Line Location & Relocation. Utility lines location in Shadow Mountain Drive is presently unknown. Utility Source, LLC, pursuant to a December 16, 2008 Franchise Agreement, is obligated to keep and maintain full and complete plans and records showing the exact location of all utility franchise property installed in the public rights-of-way and provide the location of its utility property to the County upon request. Utility Source, LLC has been unable to provide such information, necessitating the County's action to affirmatively locate the utility lines, and possibly relocate such utility lines, prior to completion of its Bellemont Access Safety Project. Developer recognizes the benefits that the expeditious completion of the Bellemont Access Safety Project provides to the proposed Subdivision Project and therefore shall pay to the County all costs associated with the location of the utility lines, the creation of "as-builts" documenting the location of the lines, and the appropriate marking of the lines to enable future location. If the County, in its sole discretion, determines that the present location of the lines is in conflict with the proposed Bellemont Access Safety Project, and the Utility elects not to abandon the lines, the Developer will also pay to the County all costs to design and construct the relocation of the utility lines within the County right-of-way. The County will assign its rights to the Developer to recover costs from Utility Source, LLC for location and relocation of utility lines upon receipt of payment in full by Developer. Developer shall pay costs within 30 days of receiving a request for payment.

5.3 Drainage

5.3.1 Permanent Drainage Basin. Developers will convey the necessary permanent drainage easement, pursuant to Section 5.4, to contain the public drainage basin associated with the Bellemont Access Safety Project. Developers desire the opportunity to relocate the drainage basin in the future. The County would consider a request to abandon the drainage easement in the future after Developers construct a new basin, meeting County specifications and approval, provided the Developers will assume perpetual maintenance for the relocated drainage basin and all costs associated with the engineering and construction of the new basin, including permitting costs.

5.3.2 Development Drainage Culvert beneath County Right-of-Way. The Developer wishes to convey stormwater through a drainage culvert, to be located beneath Shadow Mountain Drive, within the County Right-of-Way. The County will allow an appropriately sized culvert, which meets County specifications and is approved by the County, and which does not interfere with the Bellemont Access Safety Project. The Developer will pay to the County all costs associated with the placement of the culvert, which may take place during the construction phase of the Bellemont Access Safety Project. Developer shall pay all costs within 30 days of receiving request for payment. Once the Bellemont Access Safety Project paving is completed, no cutting of the payment will be permitted for seven years and thereafter, no cutting will be permitted sooner than three years after pavement preservation activities, such as chip sealing.
5.3.3 Developer Use of Bellemont Access Safety Project Drainage Basin. Developer may desire to convey drainage from the Subdivision Project into the County drainage basin serving the Bellemont Access Safety Project. The drainage basin is presently designed to serve only the County-generated drainage associated with the Bellemont Access Safety Project. The County would consider a request to increase the size of the basin and accept drainage generated by the Subdivision Project, provided the Developer will assume perpetual maintenance for the resized drainage basin and will pay all costs associated with the additional engineering and construction of the resized basin, including permitting costs. Developer shall pay all costs within 30 days of receiving request for payment.

5.3.4 Right-In, Right-Out Turn Lane Not Precluded. County agrees that the construction of the “Bellemont Access Safety Project” defined in Paragraph 2.1 above will not preclude Developer from applying to the County in the future for a permit to construct a right-in/right-out turn lane for access to the Developer’s commercial property south of the Bellemont Access Safety Project. The right-in/right-out turn lane would be designed and constructed in conjunction with the development of the Developer’s commercial property. The application for such right-in/right-out turn lane must include a traffic impact statement or analysis to be reviewed and approved by County staff. The cost of designing and constructing this right-in/right-out turn lane shall be the responsibility of the Developer.

5.4 Conveyance of Bellemont Project Property. Upon approval of the Entitlements and this Agreement, Developers will convey within 7 business days the Bellemont Project Property necessary for the completion of the Bellemont Access Safety Project, as described in Exhibit “C,” in exchange for the appraised value of $417,486.

5.5 Assurances. Developer shall provide security, in a form satisfactory to the County, to assure fulfillment of its payment obligations to the County as set forth in Sections 5.1, 5.2, and 5.3.

6. COUNTY OBLIGATIONS

6.1 Left-Hand Turn Lane Construction. The County will construct the left-hand turn lane as provided in Section 5.1.1 during the time it completes construction of the adjacent Bellemont Access Safety Project and will accept payment of all costs associated with the additional engineering and construction from Developer.

6.2 Utility Line Location, Relocation & Assignment of Rights. The County will complete the location and possible relocation of utility lines in Shadow Mountain Drive right-of-way as contemplated by Section 5.2 of this Agreement. The County will accept payment of all costs associated with the location and relocation of the utility lines from the Developer and will assign its rights of cost recovery from Utility Source, LLC to the Developer.
6.3 Payment for Right-of-Way and Easement Conveyance. The County shall pay Developers for the conveyances of the Bellemont Project Property as provided in Sections 5.3.1 and 5.4.

6.4 Future Relocation of Permanent Drainage Basin. The County shall consider in good faith a future request for abandonment of the drainage basin adjacent to the Bellemont Access Safety Project, as provided in Section 5.3.1, upon approval of construction of a new drainage basin.

6.5 Meet and Confer. The County agrees to meet and confer with the Developer and to consider Developer’s input concerning the cost of the construction by the County as required in Sections 6.1 and 6.2. Developer recognizes and understands that such input is for informational and instructive purposes and that the County’s ability to complete such construction is governed by State and County procurement requirements.

7. DEVELOPMENT PROCESS

7.1 Diligence in Responding to Approval Requests. The County hereby acknowledges and agrees that development of the Property will require the County’s ongoing participation in the review and approval of certain plans, permit applications, and inspections which are part of the County’s current building and development requirements (hereinafter collectively called “Approval Requests”). The County hereby agrees that, in connection with all such Approval Requests relating to the planning or development of this Property or any portion thereof, and the construction of Improvements thereon, it shall cooperate with Developer in good faith to process all such Approval Requests.

8. DEFAULT; REMEDIES

8.1 Events Constituting Default. A party hereunder shall be deemed to be in default under this Agreement if such party breaches any obligation required to be performed by the respective party hereunder within any time period required for such performance and such breach or default continues for a period of thirty (30) days after written notice thereof from the party not in default hereunder.

8.2 Dispute Resolution. In the event that there is a dispute hereunder which the parties cannot resolve between themselves, the parties agree that there shall be a forty-five (45) day moratorium on litigation during which time the parties agree to attempt to settle the dispute by non-binding mediation before the commencement of litigation. The mediations shall be held under the commercial mediation rules of the American Arbitration Association. The mediator selected shall have at least five (5) years’ experience in mediating or arbitrating disputes relating to commercial property development. The costs of any such mediation shall be divided equally between the County and the Developer or in such other fashion as the mediator may order. The results of the mediation shall be nonbinding on the parties and any party shall be free to initiate litigation upon the conclusion of the mediation.
8.3 Developer’s Remedies. In the event that the County is in default under this Agreement and fails to cure any such default within the time period described in Section 8.1 above, then in that event, in addition to all other legal and equitable remedies which the Developer may have, the Developer may terminate this Agreement by written notice delivered to the County.

8.4 County’s Remedies. In the event that the Developer is in default under this Agreement and fails to cure any such default within the time period described in Section 8.1 above, then in that event, in addition to all other legal and equitable remedies which the County may have, the County may terminate this Agreement by written notice delivered to the Developer.

8.5 Development Rights in the Event of Termination. Upon termination of this Agreement as provided herein, the Developer shall have no further rights to develop the Property pursuant to this Agreement.

8.6 No Personal Liability. No current or former member, official, or employee of the County or Developer, when acting within the scope of their official capacity shall be personally liable (a) in the event of any default or breach by the County or Developer, as applicable; (b) for any amount which may become due to the nonbreaching party or its successor or assign; or (c) pursuant to any obligation of the County or Developer, as applicable, under the terms of this Agreement.

8.7 Liability and Indemnification. Developer shall indemnify, protect, defend, and hold harmless the County, its Board of Supervisors members, officers, employees, and agents for, from and against any and all claims, demands, losses, damages, liabilities, fines, charges, penalties, administrative and judicial proceedings and orders, judgments, remedial actions of any kind, including, without limitation, reasonable attorney’s fees and costs of defense arising, directly or indirectly, in whole or in part, out of the performance of this Agreement by County or Developer, or nonperformance of this Agreement by the Developer.

9. GENERAL PROVISIONS

9.1 Effective Date and Term. This Agreement shall be effective (the “Effective Date”) upon execution by the parties hereto and recordation in accordance with A.R.S. § 11-1101. The term of this Agreement shall extend from the Effective Date of this Agreement and shall automatically terminate thirty years from such date.

9.2 Notices. All notices and communications provided for herein, or given in connection herewith, shall be validly made if in writing and delivered personally or sent by registered or certified United States Postal Service mail, return receipt requested, postage prepaid to:
To County:
County Manager
Coconino County
219 E. Cherry Avenue
Flagstaff, Arizona 86001

To Developers:
Lonnie C. and Debbie R. McCleve
Revocable Living Trust
dtd February 3, 2000
20525 E. Chandler Heights Road
Queen Creek, Arizona 85142

Or to such other addresses as either party may from time to time designate in writing and deliver in a like manner. Any such change of address notice shall be given at least ten (10) days before the date on which the change is to become effective. Notices given by mail shall be deemed delivered 72 hours following deposit in the USPS in the manner set forth above.

9.3 Waiver. No delay in exercising any right or remedy shall constitute a waiver thereof, and no waiver by the parties of the breach of any provisions of this Agreement shall be construed as a waiver of any preceding or succeeding breach of the same or any other provision of this Agreement.

9.4 Headings. The descriptive headings of the paragraphs of this Agreement are inserted for convenience only, and shall not control or affect the meaning or construction of any of the provisions of the Agreement.

9.5 Authority. The undersigned represent to each other that they have full power and authority to enter into this Agreement, and that all necessary actions have been taken to give full force and effect to this Agreement. The Developer(s) represents and warrants that it is duly formed and validly existing under the laws of the State of Arizona and that it is duly qualified to do business in the State of Arizona and is in good standing under applicable state laws. The Developer and the County warrant to each other that the individuals executing this Agreement on behalf of their respective parties are authorized and empowered to bind the party on whose behalf each individual is signing. The Developer represents to the County that by entering into this Agreement, the Developer has bound the Property and all persons and entities having any legal or equitable interest therein to the terms of the Agreement.

9.6 Entire Agreement. This Agreement, including the following exhibits which are incorporated in this Agreement by reference, constitutes the entire agreement between the parties and supersedes any prior written or oral understandings or agreements between the parties. This provision applies only to the entirety of this Agreement; additional and separate zoning stipulations and agreements with the County may apply to the Property, and this provision has no effect on them.

Exhibit “A” Legal Description of Property
Exhibit “B” Site Plan
Exhibit “C” Legal Description of Bellemont Project Property
9.7 **Amendment of the Agreement.** This Agreement may be amended, in whole or in part and with respect to all or any portion of the Property, only with the mutual written consent of the parties to this Agreement or by their successors in interest or assigns. The County shall record the amendment or cancellation in the official records of the Coconino County Recorder.

9.8 **Severability.** If any other provision of the Agreement is declared void or unenforceable, such provision shall be severed from this Agreement, which shall otherwise remain in full force and effect.

9.9 **Governing Law.** The laws of the State of Arizona shall govern the interpretation and enforcement of this Agreement. This Agreement has been made and entered into in Coconino County, Arizona.

9.10 **Recordation of Agreement & Subsequent Amendment; Cancellation.** The County will record this Agreement, and any amendment or cancellation of it, in the official records of the Coconino County Recorder no later than ten (10) days after the County and the Developer execute the Agreement, amendment, or cancellation, as required by A.R.S. § 11-1101.

9.11 **No Partnership; Third-Party.** It is not intended by this Agreement to, and nothing contained in this Agreement shall, create any partnership, joint venture, or other arrangement between the Developer and the County. No term or provision of this Agreement is intended to, or shall, be for the benefit of any person, firm, organization or corporation not a party hereto, and no such other person, firm, organization, or corporation shall have any right or cause of action hereunder.

9.12 **Conflict of Interest.** Pursuant to Arizona law, rules, and regulations, no member, official, or employee of the County shall have a personal interest, direct or indirect, in this Agreement, nor shall any such member, official, or employee participate in any decision relating to this Agreement which affects his or her personal interest or the interest of any corporation, partnership, or association in which he or she is, directly or indirectly, interested. This Agreement is subject to the cancellation provisions of A.R.S. § 38-511.

9.13 **Compliance with All Laws.** Developer will comply with all applicable Federal, State, and County laws, ordinances, regulations, and policies.

9.14 **Successors and Assigns; Restriction on Assignment by Developer.** The provisions of this Agreement shall inure to the benefit and be binding upon the permitted successors and assigns of the parties hereto. Developer shall not transfer or assign any part of its rights and/or obligations arising under this Agreement without the prior written approval of the County, which approval shall not be unreasonably withheld, conditioned or delayed. After completion of construction of the Subdivision Project, Developer may assign this Agreement to any purchaser or the portion of the Subdivision Project owned by Developer without the County’s consent (provided the County is timely notified of
such assignment). Notwithstanding anything contained in the foregoing to the contrary, no assignment of this Agreement or any specific rights, obligation, or duties of Developer under this Agreement shall release Developer, its successors, or assigns, from its obligations hereunder, unless specifically agreed to by the County.

9.15 **Restriction on Assignment by County.** The County shall not transfer or assign all or any part of its rights and obligations under this Agreement without the prior written approval of the Developer, which approval shall not be unreasonably withheld, conditioned, or delayed.

9.16 **Non-Appropriation of Funds.** Notwithstanding any other provisions in this Agreement, this Agreement may be terminated if the County’s governing body does not appropriate sufficient monies to fund its obligations herein or if grant funds are terminated or reduced for the purpose of maintaining this Agreement. Upon such termination, the County shall be released from any obligation to make future payments and shall not be liable for cancellation or termination charges.

10. **WAIVER OF CLAIM FOR DIMINUITION IN VALUE**

Developer hereby waives and fully releases any and all financial loss, injury, claims, and causes of action that the Developer may have, now or in the future, for any “diminution in value” and for any “just compensation” under the Private Property Rights Protection Act, codified in A.R.S. §§ 12-1131 through 12-1138 (“the Act”), in connection with the application of the County’s existing land use laws and including Ordinance No. 2019-__, regarding the Property. This waiver constitutes a complete release of any and all claims and causes of action that may arise or may be asserted under the Act with regard to the subject Property. Developer agrees to indemnify, hold harmless, and defend the County, its officers, employees, and agents, from any and all claims, causes of action, demands, losses and expenses, including attorney’s fees and litigation costs, that may be asserted by or may result from any of the present or future owners of any interest in the Property seeking potential compensation, damages, attorney’s fees, or costs under the Act that they may have, as a result of the application of the County’s existing land use laws, including Ordinance No. 2019-__, upon the Property.

IN WITNESS WHEREOF, the parties have executed this Agreement as of the day and year first above written.
ACKNOWLEDGMENT

On this ______ day of ____________________, 2019, before me, a Notary Public, personally appeared LONNIE MCCLEVE, known to be or satisfactorily proven to be the person whose name is subscribed to the foregoing instrument and acknowledged that he executed the same on behalf of the LONNIE C. AND DEBBIE R. MCCLEVE REVOCABLE LIVING TRUST DATED FEBRUARY 3, 2000 and on behalf of Bellemont Interchange 185, LLC, for purposes therein contained.

Notary Public
My Commission Expires: ____________________

Approved as to Form:

Deputy County Attorney
COCONINO COUNTY

Master Development Plan
Shadow Mountain Village
(March 2019)

SUBJECT PARCELS

203-47-001M
McCleve LC and DR Revocable Living Trust DTD 02-03-00
23995 S 205TH CT Queen Creek, AZ 85142
203-47-001F
Flagstaff Meadows LLC
20525 E Chandler Heights RD Queen Creek, AZ 85142

Owner of the two parcels:
Lonnie McCleve

Subdividers:
Lonnie McCleve
Tim Campbell
Shadow Mountain Village Overview

The subject of this rezoning request includes 2 separate parcels containing a total of approximately 10.52 acres currently zoned PC (Planned Community) with CH-10,000 standards applied located directly to the East of the existing Days Inn Hotel on the North side of Shadow Mountain Drive. It is currently vacant land. Shadow Mountain Village will be 8.02 Acres with a density of 11.72 units per acre. The project will be built in one phase and all homes have separate utilities. A master HOA will govern the community.

Shadow Mountain Village is a 94-unit townhouse community comprising of 3, 4 and 5 plex buildings. The main entrance is off Shadow Mountain Drive and N. Pegasus Rd. Pegasus serves as the main road in the neighborhood. Additional guest parking lines this drive and provides easy and convenient guest access to the homes. The homes are designed with alley loaded oversized 2 car garages. Also, on the alley are the gas and electric meters and a privacy block wall to screen potential air conditioning equipment and garbage barrels. The alley roads are 26’ wide and all streets will be private. The homes will have a 9’ long driveway. There will not be any on street parking in the community.

The front of each home has a fenced courtyard with a gate that opens to a front common area. Sidewalks connect from each home to a 5’ wide main sidewalk that terminates at the guest parking locations. Along the sidewalk are HOA maintained common area landscape areas. The community offers multiple park and playground areas as well as a fenced in dog park.

The parcels are surrounded by a mixture of residential and commercially zoned developments. Our proposal is for a multifamily community located within walking distance to the commercial core. Developing Shadow Mountain Village requires that the existing zoning PC (Planned Development) with CH-10,000 Standards applied on the portion of these parcels that would comprise the new community be amended to PC with modified RM-20/A (Residential Multifamily, 20 units per acre maximum parcel size) standards. This allows multi-family standards to be applied with modifications to lot size, setbacks, and other requirements as needed to support the proposed development.
A  Subject Property - Vacant Land Proposed 94-unit townhome community.
B  Commercial - Pilot Travel Center. Large volume travel center with Subway and McDonalds.
C  Commercial – Vacant Land
D  Commercial – Vacant Land
E  Residential – Flagstaff Meadows 3 consists of all single-family homes
F  Residential – Flagstaff Meadows 3 future phase
G  Residential – Flagstaff Meadows existing neighborhood consists of all single-family homes
H  Residential – Townhomes at Flagstaff Meadows existing single family attached community
I  Open Space – United States Forest Service
J  Commercial – Vacant Land
K  Commercial – Existing Day’s Inn Hotel

Proposed RM-20/A standards to be as follows:
## Proposed Property Development Standards Shadow Mountain Village

<table>
<thead>
<tr>
<th>Property Development Standards</th>
<th>Proposed</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Density, maximum dwelling units per Acre</td>
<td>11.72</td>
</tr>
<tr>
<td>2. Lot width, in feet</td>
<td>24</td>
</tr>
<tr>
<td>3. Lot depth, in feet</td>
<td>69'</td>
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<tr>
<td>4. Front setback, in feet</td>
<td>10</td>
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<tr>
<td>5. Side interior setback, in feet</td>
<td>0</td>
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<tr>
<td>6. Side street side setback, in feet</td>
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<tr>
<td>7. Rear setback, in feet</td>
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<tr>
<td>8. Lot coverage, maximum</td>
<td>80%</td>
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<td>9. Lot Size Min./Max.</td>
<td>1600/1700 sq. ft.</td>
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<tr>
<td>10. Structure Height, in feet</td>
<td>30</td>
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<tr>
<td>11. Covered off-street parking spaces per dwelling unit</td>
<td>2</td>
</tr>
<tr>
<td>12. Open guest parking spaces</td>
<td>Additional 20% of total spaces</td>
</tr>
<tr>
<td>13. Distance between structures, in feet</td>
<td>16</td>
</tr>
</tbody>
</table>

1. All Setbacks shall be measured from property lines.

2. An Access road to the parcel must be created prior to the delivery of any combustible materials. Said access road must be constructed to applicable County private road standards.

3. Development to have 6’ masonry wall along Shadow Mountain Drive and a 10’ masonry sound wall along new proposed travel center access road on West side of property. North side of property along forest service boundary to include vinyl fence for animal control to match Flagstaff Meadows. No fencing is proposed along east side of property. An emergency fire department approved crash gate and access road to be installed at West end of the North Road.

4. Development to be landscaped by the developer/Builder as proposed on separate Landscape plan submittal. Common area landscaping to be maintained by HOA.

5. Trash collection to be Individual garbage barrels at each townhome. HOA will contract with Waste Management and Northern Arizona Waste Services for collection.

6. All interior streets to be privately maintained to County specifications.

7. Postal service approved mailbox clusters to be installed by developer at location indicated on site plan along with Cluster package boxes at the rate of 1 per 10 homes.
Parking

1. Parking shall be provided per the requirements of the use of the property.

2. No on-street parking is permitted. All residences will have 2 car oversized garages for vehicle parking. Community will have an additional 20% common parking for guests and overnight guest parking.

3. Community streets shall not be used for parking or any storage of any motor vehicle or vehicle accessory such as camper shells, trailers, motor bikes, or other wheeled accessory or convenience.

4. Commercial vehicles exceeding 26,000 lbs. gross vehicle weight (gvw) and associated Commercial Equipment shall not be parked, stored or serviced in any residential zone.

Landscaping
1. All common areas will be landscaped by the developer and maintained by the Homeowners Association. Homeowners will be responsible for landscaping and maintaining individual front yard courtyards.

2. Community to include parks, playgrounds, courts and dog run as indicated on the landscape plan. Community will be built in one phase and all common areas will be installed by developer during construction of townhomes.

3. All required landscaping shall be permanently maintained in a neat and orderly manner.

4. Common area landscaping to be watered with treated effluent. Approval is in place from Utility Source.

Property Development Standards – PRD ZONE

1. No building shall be located closer than five feet from an interior vehicular or pedestrian way, court, plaza, open parking lot or any other surfaced area reserved for public use or for use in common by residents of the planned development.

2. The planned residential development shall be designed and developed in a manner compatible with and complimentary to existing and potential residential development in the immediate vicinity of the project site. Site planning on the perimeter shall provide for the protection of the property from adverse surrounding influences, as well as protection of the surrounding area from potentially adverse influences within the development.

3. Planned residential development shall relate harmoniously to the topography of the site and shall be otherwise so designated as to the use and retain such natural features and amenities to the best advantage.

4. Required open space shall comprise at least 30 percent of the total area of the planned development. All open space areas will be improved to the benefit of the residents.

5. All interior private streets within the community will be improved to County specifications and permanently reserved and maintained for their intended purpose by means acceptable to the Board of Supervisors.

6. All utilities within the development shall be placed underground.

7. The type, number and location of fire hydrants and other fire protective devices shall be subject to the specifications of the planning commission.

8. The proposed means for assuring continuing existence, maintenance and operation of the various common elements and facilities of the community will be by establishing covenants, conditions and restrictions (CC&R’s). and these shall be made a part of this record.
1. No outdoor lighting shall be permitted in the community except as provided for in section 4.3 of the county zoning ordinance.

**Signs**

1. No sign or outdoor advertising device shall be permitted except as provided in section 4.2 of the county zoning ordinance.
Common Areas

The common areas will be built per the attached detailed drawings. The amenities will include a playground with swings near the drainage basin at the center of the community. There will also be a ramada with bench seating and a bar-b-que at this location. The drainage basin will be landscaped with grass and be designed as an area for people to utilize. This area will also include a pickle ball court with seating.

Near the back of the community on the West side will be a fenced dog park. The fencing will be green chain link with a 4’ gate. Inside will be trees for shade and benches. Dog waste stations with clean up bags will also be provided.
Buildings

The townhouse buildings shall consist of 3, 4 and 5 plex buildings. Each home ranges in size from 1,588 square feet to 1,745 square feet. 3- and 4-bedroom homes will be offered. Exterior elevations include stone, timber and various siding. Various exterior color schemes will be used. All colors and materials to conform with the Bellemont Area Plan Draft. Shadow Mountain Village will consist of 94 homes which is 11.72 units per acre.
Streets

**Interstate-40 (I-40)** is a major east-west interstate which provides external access to and from Bellemont. It is located less than ½ mile from the proposed development.

**Transwestern Road** is a north-south overpass connection which provides direct access to I-40 from Shadow Mountain Drive/Brannigan Park Road. The road terminates North at Shadow Mountain Drive.

**Shadow Mountain Drive/Brannigan Park Road** is an east-west road with one travel lane per direction. Both travel lanes provide a combined total of 30 feet in width. This road provides direct access to the site and has a posted speed limit of 35 miles per hour. There is no parking allowed on this facility. Sidewalks and shoulders are provided in front of the Flagstaff Meadows III development, which is currently under construction.

**Topographic Map**
Shadow Mountain Village
Regional Plan Amendment Narrative
3/6/2019

OVERVIEW OF REQUEST

The subject property of this Plan/Ordinance Amendment includes 2 separate parcels containing a total of approximately 8.02 acres currently zoned PC (Planned Community) with CH-10,000 standards applied located directly to the East of the existing Days Inn Hotel on the North side of Shadow Mountain Drive of Bellemont, AZ. It is currently vacant land.

The parcels are surrounded by a mixture of residential and commercially zoned developments. North Bellemont has an oversupply of commercially zoned property versus residentially zoned property.

The ownership also concluded that for more commercial development to be feasible the need for more residential housing units in Bellemont is critical. Our proposal for a multifamily community located within walking distance to the commercial core and proposed activity center requires that the existing zoning on the portion of these parcels that would comprise the new community Shadow Mountain Village be amended from PC with CH-10,000 standards applied to PC with modified RM-20/A (Residential Multifamily, 20 units per acre maximum parcel size) standards applied. This allows multi-family standards to be applied with modifications to lot size, setbacks, and other requirements as needed to support the proposed development.

DRAWBACKS OF EXISTING LAND-USE UNDER CURRENT ZONING

Bellemont currently has too much land zoned for future commercial development and not enough land zoned for residential. The studies that have been done all point to the same conclusion. In order for more commercial development to be feasible in Bellemont there needs to be more “rooftops”. Randy Wilson in site development for Dollar General replied “our market planning department has reviewed the trade area and says there isn't enough population at this point for a Dollar General. They will watch the area and see if it is a fit in the future.” Suffice it to say the clear path to attract commercial users to Bellemont is to grow the population base.

The applicant has multiple other commercial properties in Bellemont including a 9.5 acre commercially zoned parcel on the corner of Interstate 40 and Shadow Mountain Drive. This parcel is directly across the street from the existing Pilot travel center and is ideal for a mixed-
use development to come in the near future. The land directly West of the Pilot Travel Center is also zoned for commercial development. Directly East of the existing Days Inn Hotel is also an approximately 3-acre parcel of land that is zoned commercial. This site will be developed soon with a coffee shop and potential mini storage facility.

EXISTING VERSUS PROPOSED ZONING

Considering the current zoning and the need for any developer to have at least the potential for financial return, full commercial development on all the existing commercial zoned property would not be feasible for an extended length of time. Moreover, it is our understanding after holding a public open house and having multiple direct conversations with existing Bellemont residents that a high-density multi-family use would be supported as a viable option for these parcels as well as a path to more “rooftops” which would make commercial development more likely to happen in a timelier manner.

FLAGSTAFF REGIONAL PLAN COMPATIBILITY

Bellemont is considered a suburban neighborhood within the county. The Flagstaff plan is supportive of suburban neighborhood characteristics such as: Well-connected neighborhoods, designed around an activity center, Blocks with few bicycle and pedestrian dead ends, Density lots of 2 to 13 units per acre, Parks with recreation amenities, and Location of higher density housing near community activity centers and commercial cores. Our proposal fits with and was designed around these goals as well as the Flagstaff Regional Plan Specific Suburban Goals and Policies as follows:

LU.13 states to increase the housing options. Shadow Mountain Village is a natural progression between the commercial core and the larger lot single family homes of Flagstaff Meadows.

LU.13.11 Promote cluster development as an alternative development pattern in appropriate locations as a means to preserve resources and to minimize service and utility costs.

LU.13.1 Prioritize connectivity for walking, biking, and driving within and between surrounding neighborhoods.

LU.13.4 Plan suburban developments to include a variety of housing options.

LU.13.8 Locate civic spaces, parks and institutional uses within neighborhood pedestrian sheds.

The vision of suburban areas is that future suburban development will contain more elements such as greater connectivity for walking and biking, civic spaces such as parks, greens, playgrounds, and opportunities for local neighborhood-serving commercial uses such as a corner store, coffee shop, day care etc.
This request is consistent with the Land Use Goals and Policies LU.3 - LU.8. specifically, in relationship to balancing housing land uses and compact development. Care has been taken to ensure that all aspects of the planning of this community are within the framework of the Regional plan and the forthcoming Bellemont plan update.

LU.3.1. Within the Suburban context use neighborhoods, activity centers, corridors, public spaces and connectivity as the structural framework for development. No significant water or utility improvements will be required to accommodate this development.

Great care has been taken to design this project within the guidelines of the new Bellemont Area Plan. Colors, building materials and community amenities and features are all tied to what the community at large is looking for in future development.

CONCLUSION

We believe that a change in zoning to allow for this project would be its highest and best use. Our proposal to change the zoning to allow for the development of multi-family housing is the most efficient and sustainable way for the county to continue its smart growth. This project will be a model for how residential and commercial uses can be planned and work together. This project will be a pleasing buffer between the existing single-family homes and the retail core of Bellemont.
Color Scheme #1

- Ice Cube SW 6252
- Peppercom SW 774
- Network Grey SW 773

Trim
Accent
Base
Color Scheme #1

Ice Cube: SW 6252
Peppercorn: SW 7674
Network Grey: SW 7073

Trim
Accent
Base
Color Scheme #2

- **BASE**: SW 7022 - Alpaca
- **ACCENT**: SW 7019 - Gauntlet Grey
- **TRIM**: SW 7018 - Dovetail
Color Scheme #2

Base: Alpaca (SW 7022)
Accent: Gauntlet Gray (SW 7019)
Trim: Dove Tail (SW 7018)
Color Scheme #3

- **Trim**: SW 2829
- **Accent**: SW 6238
- **Base**: SW 2827

Colonial Revival Stone

White/Black Trim

Colonial Revival Stone
Color Scheme #4

- Antique White SW 6119
- Pewter Green SW 6208
- Evergreen Fog SW 9130

TRIM
ACCENT
BASE

Shadow Mountain Village
Multi Family Townhomes
Finest
Properties LLC
Color Scheme #4

Trim: Angle White SW 6119
Accent: Pewter Green SW 6208
Base: Evergreen Fog SW 9130
DOVER WHITE - SW 6385
TRIM

BASE

BALANCED BEIGE - SW 7037
ACCENT

SHINGLES - RUSTIC BROWN

SHADOW MOUNTAIN VILLAGE
Classical White - SW 2829

Colonial Revival Stone - SW 2827

Tricorn - SW 6258

Trim

Base

Accent

Shingles - Rustic Black

Shadow Mountain Village

Finesse Properties
Amenity Enlargement -- North Park

Play Structure

Ramada @ Park Locations

Swings @ Park Location

Picnic Tables

Park Bench

Finesse Properties LLC

Shadow Mountain Village
Multi Family Townhomes

Enlarged Park Plan

Belmont, AZ
First Floor Building Plan

4 Bedroom Option
Bed A: 500 sq ft
Bed B: 300 sq ft
Total: 800 sq ft

3 Bedroom Option - A
Bed A: 600 sq ft
Bed B: 300 sq ft
Total: 900 sq ft

3 Bedroom Option - B
Bed A: 450 sq ft
Bed B: 300 sq ft
Total: 750 sq ft

3 Bedroom Option - A
Bed A: 500 sq ft
Bed B: 250 sq ft
Total: 750 sq ft

4 Bedroom Option
Bed A: 600 sq ft
Bed B: 300 sq ft
Total: 900 sq ft

Shadow Mountain Village
Multi Family Townhomes
Buellton, AZ
First Floor Building Plan

Finesse Properties LLC

Shadow Mountain Village
Multi Family Townhomes

Biloxi, MS

Date: 11/15/18
Building Front Elevation

Building Front Elevation

Building Rear Elevation

Finesse Properties LLC
Shadow Mountain Village
Multi Family Townhomes
Bellemont, AZ

Building Elevations
**Preliminary Plat of Shadow Mountain Village**

A PORTION OF THE SOUTHWEST QUARTER OF SECTION 36, TOWNSHIP 22 NORTH, RANGE 5 EAST, OF THE GILA AND SALT RIVER BAND AND MERIDIAN, COCONINO COUNTY, ARIZONA.

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### Curve Table

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### Line Table

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<td>Line B</td>
<td>Property Line</td>
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<tr>
<td>Line C</td>
<td>Road Line</td>
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</table>

### Vicinity Map

[Diagram showing the vicinity of the Shadow Mountain Village]

### Density

- 11.07 Acre

### Site Data

- Elevation: 500 ft
- Slope: 10%

### Basis of Survey

The survey was performed by Allen Consulting Engineers, Inc.

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**Legal Description**

A portion of the southwest quarter of section 36, township 22 north, range 5 east, of the Gila and Salt River Band and Meridian, Coconino County, Arizona, more particularly described as follows:

COMMISSION 11.07 ACRES WERE BORNE WEST ALONG THE LINE SOUTH OF SECTION 36, TOWNSHIP 22 NORTH, RANGE 5 EAST, OF THE GILA AND SALT RIVER BAND AND MERIDIAN, COCONINO COUNTY, ARIZONA, MORE PARTICULARLY DESCRIBED AS PRELIMINARY.

The corner is located in the northeast corner of the southwest quarter of section 36, township 22 north, range 5 east, of the Gila and Salt River Band and Meridian, Coconino County, Arizona, as described above.

### Notes

- All distances are measured to the nearest tenth of a foot.
- All areas are calculated to the nearest hundredth of an acre.
- All elevations are given to the nearest foot.

### Utility Companies

- Water: Utility Source LLC
- Electric: Arizona Public Service
- Sewer: Allen Consulting Engineers, Inc.

### Approval Note

This plat has been approved by Allen Consulting Engineers, Inc.

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**Water & Sewer Notes**

- Water and sewer connections are provided to each lot as described above.
- Water and sewer connections are provided to each lot as described above.

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**Preliminary Plat**

12345 W. Interstate HWY 40
BELLEMEAD, ARIZONA 85015
PRELIMINARY PLAT

**Date:** 01/01/2023

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**Approval Date:** 01/01/2023
Date: June 17, 2019

To: Planning and Zoning Commission

From: Department of Community Development

Subject: Public Hearing and consideration of Case Number CUP-19-024

Executive Summary

Location: 3090 S Old Munds Road in the Mountaineer area, APN# 116-12-002W

Current Zoning: G (General, 10 acre minimum parcel size)

Parcel Size: 18.62 acres
Supervisor District: 3 (Matt Ryan)

Owner/Applicant: Susan Wolfe- Flagstaff, AZ

Project/Development Description:

See attached Resolution, staff report, and minutes from the CUP-14-012 case.

Recommendations and Findings of Staff

Conditional Use Permit: Equestrian Center

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

Recommendation: Staff recommends approval of Case Number CUP-19-024 subject to the eighteen conditions below.
Proposed Modification

The applicant will conduct the proposed use as was described in the last renewal for this case. The applicant chose to take this case to hearing in order to expand the approval period from five years to ten years.

Analysis: Compliance with Prior Conditions

Renewals are primarily based on compliance with previous conditions of approval. There were a few conditions left outstanding for the applicant to meet from CUP-14-012:

- **Building codes and general safety**- At the last renewal for the case in 2014 the applicant was made aware that a number of items on the subject property were in need of corrections to meet building code. The applicant promptly worked with the Building Division that year to correct the items. Building inspectors conducted a Special Inspection where all structures on the property were approved for health and safety compliance. The exception was the park model dwelling with attached deck that needed a few minor modifications in order to meet code. Those modifications were made and approved with a subsequent Building Permit in 2014.

- **Installation of fire hydrant**- The applicant met a fire safety condition from the CUP-14-012 by installing a water line and fire hydrant on the property in 2017.

- **Signage**- The applicant moved the sign on the property to an approved location.

- **Lighting**- The applicant removed all nonconforming lighting in 2014.

Additionally, there are items that are ongoing for the applicant to meet from the conditions of the last CUP:

- **Fire and Evacuation Plan**- Highlands Fire Department has verified ongoing compliance with the Fire and Evacuation Plan since installing the new fire hydrant in 2017.

- **Manure Management Plan**- Community Development Planning and Zoning and Engineering Division staff have verified compliance with the Manure Management Plan as recently as staff’s site visit in June 2019.
Considering the applicant's work on compliance with prior conditions of approval staff does recommend extension of the use permit approval period from five years to ten years as requested.

**Recommendation**

If the Planning and Zoning Commission can make the required Findings of Fact, staff recommends approval of CUP-19-024 subject to the following conditions:

1. The project shall be developed and maintained as shown on the proposed site plan. Any substantial modifications or expansion shall require further consideration by the Planning and Zoning Commission through a request for modification of the Use Permit.

2. The applicant shall maintain all on-site wastewater systems in compliance with septic permits. In addition to permanent restroom facilities, temporary portable toilets may be required for special events subject to the requirements of the Environmental Services Division.

3. The park model may be used as a temporary employee housing/caretaker's residence. A building setback waiver is hereby approved for a minimum five-foot setback, and a building permit shall be obtained.

4. The Fire and Evacuation Plan shall be implemented and conducted as described in the applicant's submittal and as approved by the Highlands Fire Department. The Plan shall be maintained for the duration of the use and any additional requirements by the Highlands Fire Department met as conditions surrounding the subject property change.

5. The Manure Management Plan shall be implemented as described in accordance with the County Stormwater Management Program and conducted for the duration of the use.

6. On-site parking shall be provided as required by Section 25 of the Zoning Ordinance for commercial horse stables, with additional overflow parking for special events. An all-weather surface of compacted ABC or equivalent material shall be provided for all parking, maneuvering, and traffic circulation areas. All parking areas shall be clearly identified and delineated, and parking shall not be permitted along driveways or fire lanes.
7. All signage shall be consistent with the provisions contained in the Mountainaire Design Review Overlay Guidelines, Sec. II. A waiver is approved to allow a second freestanding sign (4’ x 3’) for the entrance off Old Munds Highway.

8. All outdoor lighting shall be consistent with the provisions of Section 27 of the Zoning Ordinance. A Lighting Permit is required prior to the installation or replacement of any outdoor lighting. All existing noncompliant lights shall be removed and/or replaced with compliant fixtures subject to an approved Lighting Permit.

9. The landscape plan for the facility shall include the maintenance of existing trees and native vegetation.

10. A native seed mix shall be utilized wherever seeding is required. Pasture seed mix shall not include non-native grasses that pose a risk of spreading to the surrounding environment.

11. All improvements shall be kept on the subject property and not over any property boundaries.

12. One RV space is permitted for short-term occupancy as a convenience for equestrian center customers only. The RV space shall not be available to the general public or advertised on any signage.

13. A total of 60 horses is the maximum that may be kept on the property at any one time.

14. Retail sales of horse related products shall be incidental to the primary business of commercial horse boarding, seminars, and equestrian events.

15. Equestrian events shall be limited to daytime hours.

16. The outdoor arenas shall not be lighted without a request for modification of the Use Permit and further consideration by the Planning and Zoning Commission.

17. The main horse barn and all other structures shall be maintained as earth-tone colors consistent with the Mountainaire Design Review Guidelines.
18. The use permit shall be valid for a term of five years, and subject to application for renewal prior to June 26, 2029. Compliance with conditions shall be the primary consideration for renewal and conditions may be added or modified as necessary.

Respectfully submitted,

[Signature]

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

Attachments:
1. Resolution No. 3303
2. Minutes for Case No. CUP-14-012
3. Staff report for Case No. CUP 14-012
RESOLUTION NO. 3303

A RESOLUTION OF THE
COCONINO COUNTY
PLANNING AND ZONING COMMISSION

GRANTING CONDITIONAL USE PERMIT RENEWAL

The Planning and Zoning Commission of Coconino County does resolve as follows:

SECTION 1: The Planning and Zoning Commission does hereby find and determine that an application was duly initiated by Susan Wolfe, Flagstaff, Arizona (Case No. CUP-14-012), with respect to the real property described as follows:

18.62 acres in the General Zone located at 3090 S. Old Munds Highway and identified as Assessor's Parcel Number 116-12-002W, requesting Conditional Use Permit Renewal (of CUP-09-016) for a horse boarding facility and equestrian events center, that a hearing was duly set for Tuesday, April 29, 2014, at 5:30 P.M. in the Board of Supervisors' Meeting Room, County Administrative Center, 219 East Cherry Street, Flagstaff, Arizona; and a notice of the date, time, place and purpose of aforesaid hearing was posted in the area; that a hearing was duly held at aforementioned time and place.

SECTION 2: The Planning and Zoning Commission further finds and determines that facts DO exist as required in the Coconino County Zoning Ordinance justifying the granting of a Conditional Use Permit Case No. CUP-14-012.

SECTION 3: Based on the aforementioned findings, the Commission hereby GRANTS with respect to the property described in Section No. 1 above, a Conditional Use Permit subject to the following conditions:

1. The project shall be developed and maintained as shown on the proposed site plan. Any substantial modifications or expansion shall require further consideration by the Planning and Zoning Commission through a request for modification of the Use Permit.

2. Building permits shall be obtained prior to the commencement of any new construction, additions, or remodeling of existing structures.

3. Building permit requirements for the main barn and mare motel shall be completed and final inspections obtained within 90 days. Structures that do not meet Building Codes shall be removed or modified as necessary with appropriate permits.

4. The applicant shall maintain all on-site wastewater systems in compliance with septic permits. In addition to permanent restroom facilities, temporary portable toilets may be required for special events subject to the requirements of the Environmental Services Division.
5. The park model may be used as a temporary employee housing/caretaker’s residence. A manufactured home permit is required and the set-up shall be modified as necessary to meet applicable Building Codes. A building setback waiver is hereby approved for a minimum five-foot setback, and a building permit shall be obtained.

6. The Fire and Evacuation Plan shall be implemented as described in the applicant’s submittal and as approved by the Highlands Fire Department. The upgrading of water supply and installation of hydrants shall be completed no later than December 31, 2016.

7. The Manure Management Plan shall be implemented as described in accordance with the County Stormwater Management Program.

8. On-site parking shall be provided as required by Section 25 of the Zoning Ordinance for commercial horse stables, with additional overflow parking for special events. An all-weather surface of compacted ABC or equivalent material shall be provided for all parking, maneuvering, and traffic circulation areas. All parking areas shall be clearly identified and delineated, and parking shall not be permitted along driveways or fire lanes.

9. All signage shall be consistent with the provisions contained in the Mountaineer Design Review Overlay Guidelines, Sec. II. A waiver is approved to allow a second freestanding sign (4’ x 3’) for the entrance off Old Munds Highway; the second freestanding sign must be located on the subject property and a Sign Permit shall be obtained within 30 days.

10. All outdoor lighting shall be consistent with the provisions of Section 27 of the Zoning Ordinance. A Lighting Permit is required prior to the installation or replacement of any outdoor lighting. All existing noncompliant lights shall be removed and/or replaced with compliant fixtures subject to an approved Lighting Permit.

11. The landscape plan for the facility shall include the maintenance of existing trees and native vegetation.

12. A native seed mix shall be utilized wherever seeding is required. Pasture seed mix shall not include non-native grasses that pose a risk of spreading to the surrounding environment.

13. All improvements extending over the property lines as shown on the Record of Survey shall be removed and/or relocated within the boundaries of the subject property.

14. One RV space is permitted for short-term occupancy as a convenience for equestrian center customers only. The RV space shall not be available to the general public or advertised on any signage.
15. A total of 60 horses is the maximum that may be kept on the property at any one time.

16. Retail sales of horse related products shall be incidental to the primary business of commercial horse boarding, seminars, and equestrian events.

17. Equestrian events shall be limited to daytime hours.

18. The outdoor arenas shall not be lighted without a request for modification of the Use Permit and further consideration by the Planning and Zoning Commission.

19. The main horse barn and all other structures shall be maintained as earth-tone colors consistent with the Mountainaire Design Review Guidelines.

20. The use permit shall be valid for a term of five years, and subject to application for renewal prior to April 29, 2019. Compliance with conditions shall be the primary consideration for renewal and conditions may be added or modified as necessary.

SECTION 4: This action shall become final fifteen (15) days after the date of adoption of this Resolution unless during that time a written appeal is taken to the Coconino County Board of Supervisors.

SECTION 5: The Secretary shall certify to the adoption of this Resolution and shall transmit a copy to the applicant(s).

ADOPTED and APPROVED this 29th day of April, 2014.

Chairperson, Coconino County Planning and Zoning Commission
I hereby certify that the foregoing is a true copy of a Resolution adopted by the Planning and Zoning Commission of Coconino County at a regular meeting thereof held the 29th day of April, 2014, by the following vote of the Commission:

AYES: Buzzard, Doggett, Ontiveros, Ruggles, Walters, Williams

NOES: None

ABSTENTIONS: None

ABSENT: Best

Secretary, Coconino County
Planning and Zoning Commission
**MOTION:** Commissioner Doggett moved to approve Case No. ZC-14-003, amending Conditions 2 and 4 from twelve months to sixteen months. Commissioner Sacher seconded the Motion. The Motion passed unanimously.

Chairman Buzzard noted the Case now goes to the Board of Supervisors with the Commission’s recommendation.

7. **Case No. CUP-14-012:** A request for Conditional Use Permit renewal (of CUP-09-016) for a horse boarding facility and equestrian events centers on an 18.62 acre parcel in the G (General, 10 acre minimum parcel size) Zone. The property is located at 3090 S. Old Munds Highway, and is identified as Assessor’s Parcel Number 116-12-002W.
   Applicant: Susan Wolfe, Flagstaff, Arizona

Mr. Aber summarized the report and gave a PowerPoint presentation. He stated staff is recommending approval. There were no questions for staff.

Susan Wolfe, Owner, stated the five conditions that have yet to be met are in the process. Ms. Wolfe agreed with the conditions. Commissioner Ruggles asked Ms. Wolfe if she felt five years was a reasonable time frame. Ms. Wolfe said it was. She does not anticipate any changes and five years allows her to get everything into compliance.

The floor was opened for public comment.

Derek Pope, horse owner, stated he is representing all other horse owners who use the facility. He stated it is a five star facility and their staff does an excellent job. Mr. Pope noted the site’s cleanliness and maintenance of the facility. Mr. Pope stated they have a good children’s program and with the owner and trainers living on the property the horses are always supervised.

The floor was closed for public comment.

Commissioner Williams stated she has been to the facility and agreed with Mr. Pope. There are many happy boarders and the facility provides what others in the area do not. Commissioner Ruggles added the owner is working with staff to comply, which says it all.

**MOTION:** Commissioner Sacher moved to approve Case No. CUP-14-012 with the conditions listed in the staff report. Commissioner Williams seconded the Motion. The Motion passed unanimously.

8. **Case No. TUP-14-010:** A request for a Temporary Use Permit for a self-contained portable food service unit on a 16 acre parcel in the RC (Resort Commercial) Zone. The property is located at 9440 State Route 89A, and is identified as Assessor’s Parcel Number 405-17-001H.
   Applicant: Wendt Construction for the Butterfly Garden Inn, Sedona, Arizona
STAFF REPORT

Date: April 14, 2014

To: Planning and Zoning Commission

From: Department of Community Development

Subject: Case No. CUP-14-012: A request for Conditional Use Permit renewal (of CUP-09-016) for a horse boarding facility and equestrian events center on an 18.62-acre parcel in the G (General) Zone.

Applicant: Susan Wolfe, Flagstaff, Arizona
Property Owner: same
County Supervisor District: 3 (Matt Ryan)

Location: The property is located at 3090 S. Old Munds Highway in Mountainaire, and is identified as Assessor’s Parcel Number 116-12-002W.
SUBJECT PROPERTY AND SURROUNDING LAND USES

The subject property is 18.62 acres occupied by a 15,000 square foot barn, a 1,400 square foot residence, a park model trailer, a mare motel, two fenced outdoor riding arenas, and miscellaneous moveable horse pens. A large portion of the property is open meadow with some wooded areas of ponderosa pine. Pumphouse Wash enters the property from the north and Schoolhouse Draw comes in from the east. Interstate 17 borders the property on the west. A Kachina Village Utilities well site is located on the west side of the property adjacent to I-17. Fifty acres of vacant land is located to the north. A vacant nine acre parcel is located between the subject property and Old Munds Highway to the east. Coconino National Forest land and a vacant 10-acre parcel are located to the south.

REQUEST

A Conditional Use Permit renewal (of CUP-09-016) is requested for a horse boarding facility and equestrian events center.

BACKGROUND

The equestrian center was first approved in 1990 (UP-90-36) and constructed shortly thereafter. There were numerous compliance issues with the original owner, and the use permit eventually lapsed. The property changed ownership in 2003 and the new owner obtained a new CUP and DRO approval (UP-03-64 & DRO-03-13). The new owner as of 2003 made some initial steps to bring all outstanding issues into compliance including some building permits for the main barn and other structures that had not been completed. However, prior to completing everything, the property changed ownership yet again, with the subsequent owner not being informed of all the unresolved permits and outstanding conditions that had not been addressed.

The third (and current) owner of the facility applied for a CUP renewal in 2009 (CUP-09-016)—see attached staff report, minutes and Resolution. During review of the CUP renewal in 2009, staff identified a number of permits and other items related to conditions of approval that had not been completed. The current owner/applicant initiated considerable effort to address those incomplete items identified in 2009 and made substantial progress, although a few items remain not quite complete. Current conditions and status are described below.

In keeping with previous approval, the applicant is requesting continued allowance for boarding of up to 60 horses on the property; accommodations for horses and guests attending clinics, training, and seminars; equestrian related events including seminars, riding lessons/camps, hay rides, fund raising, festivals, and holiday events; meeting the needs of the Flagstaff equine community; and an extension of time to complete certain required improvements.

CURRENT CONDITIONS

The equestrian center is operating within the scope of the approved CUP and staff has no objection to renewal, although there are a few loose ends that still need to be completed. After
the last CUP renewal was approved in 2009, the applicant worked closely with staff from the Planning Division, Building, Environmental Quality, and Hydrology, as well as the Highlands Fire Department to resolve outstanding building permits, verify septic capacity, and other requirements including a manure management plan and fire protection improvements. Although much of the work was completed, there are still a few building permits that were not officially finaled, water improvements for fire protection remain to be completed, and a Sign Permit is needed.

The loose ends that still need to be completed include the following:
- Final all outstanding building permits
- Obtain permits for park model and attached deck
- Install new water line and hydrant for fire protection
- Relocate entrance sign and obtain Sign Permit

As of the writing of this report, the applicant has an on-site meeting scheduled with the Building Official to review all outstanding building permits and complete final inspections. Permits for the park model and deck will be addressed at the same time.

CUP-09-016 required upgrading of the water line and installation of hydrants to be completed within 24 months (Condition 6) pursuant to recommendations of the Highlands Fire Department. Although some progress has been made, this item has not been completed. Since 2009, the water main along Old Munds Highway has been upgraded with a stub-out to the subject property. The delay in completion of the rest of the line and installation of the hydrants is mainly a cost issue. The applicant has had recent communication with HFD and is asking for some additional time, specifically proposed to be completed by December 31, 2016. The applicant has provided a letter signed by two adjacent property owners indicating that they are in discussions with the applicant about participating in the installation of hydrants and water line extensions in such a way to benefit neighboring properties as well as the equestrian center.

Staff and the applicant have discussed the sign issue and the applicant will obtain a Sign Permit and relocate the sign appropriately in compliance with the Ordinance.
FINDINGS OF FACT

In order to approve a Conditional Use Permit, the Planning and Zoning Commission must make the following findings of fact:

1. 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.
2. 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.
3. That the proposed conditional use will comply with each of the applicable provisions of this Ordinance, except for approved variances.
4. 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.

This is a renewal, so the findings of fact have already been determined with the previous approval of the CUP. The renewal remains consistent with the required findings assuming all outstanding permits are obtained and/or finaled as necessary.

RECOMMENDATION

Staff recommends approval of CUP-14-012 subject to the following conditions.

1. The project shall be developed and maintained as shown on the proposed site plan. Any substantial modifications or expansion shall require further consideration by the Planning and Zoning Commission through a request for modification of the Use Permit.

2. Building permits shall be obtained prior to the commencement of any new construction, additions, or remodeling of existing structures.

3. Building permit requirements for the main barn and mare motel shall be completed and final inspections obtained within 90 days. Structures that do not meet Building Codes shall be removed or modified as necessary with appropriate permits.

4. The applicant shall maintain all on-site wastewater systems in compliance with septic permits. In addition to permanent restroom facilities, temporary portable toilets may be required for special events subject to the requirements of the Environmental Services Division.

5. The park model may be used as a temporary employee housing/caretaker’s residence. A manufactured home permit is required and the set-up shall be modified as necessary to meet applicable Building Codes. A building setback waiver is hereby approved for a minimum five-foot setback, and a building permit shall be obtained.
6. The Fire and Evacuation Plan shall be implemented as described in the applicant’s submittal and as approved by the Highlands Fire Department. The upgrading of water supply and installation of hydrants shall be completed no later than December 31, 2016.

7. The Manure Management Plan shall be implemented as described in accordance with the County Stormwater Management Program.

8. On-site parking shall be provided as required by Section 25 of the Zoning Ordinance for commercial horse stables, with additional overflow parking for special events. An all-weather surface of compacted ABC or equivalent material shall be provided for all parking, maneuvering, and traffic circulation areas. All parking areas shall be clearly identified and delineated, and parking shall not be permitted along driveways or fire lanes.

9. All signage shall be consistent with the provisions contained in the Mountainaire Design Review Overlay Guidelines, Sec. II. A waiver is approved to allow a second freestanding sign (4’ x 3’) for the entrance off Old Munds Highway; the second freestanding sign must be located on the subject property and a Sign Permit shall be obtained within 30 days.

10. All outdoor lighting shall be consistent with the provisions of Section 27 of the Zoning Ordinance. A Lighting Permit is required prior to the installation or replacement of any outdoor lighting. All existing noncompliant lights shall be removed and/or replaced with compliant fixtures subject to an approved Lighting Permit.

11. The landscape plan for the facility shall include the maintenance of existing trees and native vegetation.

12. A native seed mix shall be utilized wherever seeding is required. Pasture seed mix shall not include non-native grasses that pose a risk of spreading to the surrounding environment.

13. All improvements extending over the property lines as shown on the Record of Survey shall be removed and/or relocated within the boundaries of the subject property.

14. One RV space is permitted for short-term occupancy as a convenience for equestrian center customers only. The RV space shall not be available to the general public or advertised on any signage.

15. A total of 60 horses is the maximum that may be kept on the property at any one time.

16. Retail sales of horse related products shall be incidental to the primary business of commercial horse boarding, seminars, and equestrian events.

17. Equestrian events shall be limited to daytime hours.
18. The outdoor arenas shall not be lighted without a request for modification of the Use Permit and further consideration by the Planning and Zoning Commission.

19. The main horse barn and all other structures shall be maintained as earth-tone colors consistent with the Mountainaire Design Review Guidelines.

20. The use permit shall be valid for a term of five years, and subject to application for renewal prior to April 29, 2019. Compliance with conditions shall be the primary consideration for renewal and conditions may be added or modified as necessary.

Respectfully submitted,

John P. Aber, Assistant Director
RESOLUTION NO. 3303
A RESOLUTION OF THE
COCONINO COUNTY
PLANNING AND ZONING COMMISSION
GRANTING CONDITIONAL USE PERMIT RENEWAL

The Planning and Zoning Commission of Coconino County does resolve as follows:

SECTION 1: The Planning and Zoning Commission does hereby find and determine that an application was duly initiated by Susan Wolfe, Flagstaff, Arizona (Case No. CUP-14-012), with respect to the real property described as follows:

18.62 acres in the General Zone located at 3090 S. Old Munds Highway and identified as Assessor's Parcel Number 116-12-002W,

requesting Conditional Use Permit Renewal (of CUP-09-016) for a horse boarding facility and equestrian events center, that a hearing was duly set for Tuesday, April 29, 2014, at 5:30 P.M. in the Board of Supervisors’ Meeting Room, County Administrative Center, 219 East Cherry Street, Flagstaff, Arizona; and a notice of the date, time, place and purpose of aforesaid hearing was posted in the area; that a hearing was duly held at aforementioned time and place.

SECTION 2: The Planning and Zoning Commission further finds and determines that facts DO exist as required in the Coconino County Zoning Ordinance justifying the granting of a Conditional Use Permit Case No. CUP-14-012.

SECTION 3: Based on the aforementioned findings, the Commission hereby GRANTS with respect to the property described in Section No. 1 above, a Conditional Use Permit subject to the following conditions:

1. The project shall be developed and maintained as shown on the proposed site plan. Any substantial modifications or expansion shall require further consideration by the Planning and Zoning Commission through a request for modification of the Use Permit.

2. Building permits shall be obtained prior to the commencement of any new construction, additions, or remodeling of existing structures.

3. Building permit requirements for the main barn and mare motel shall be completed and final inspections obtained within 90 days. Structures that do not meet Building Codes shall be removed or modified as necessary with appropriate permits.

4. The applicant shall maintain all on-site wastewater systems in compliance with septic permits. In addition to permanent restroom facilities, temporary portable toilets may be required for special events subject to the requirements of the Environmental Services Division.
5. The park model may be used as a temporary employee housing/caretaker’s residence. A manufactured home permit is required and the set-up shall be modified as necessary to meet applicable Building Codes. A building setback waiver is hereby approved for a minimum five-foot setback, and a building permit shall be obtained.

6. The Fire and Evacuation Plan shall be implemented as described in the applicant’s submittal and as approved by the Highlands Fire Department. The upgrading of water supply and installation of hydrants shall be completed no later than December 31, 2016.

7. The Manure Management Plan shall be implemented as described in accordance with the County Stormwater Management Program.

8. On-site parking shall be provided as required by Section 25 of the Zoning Ordinance for commercial horse stables, with additional overflow parking for special events. An all-weather surface of compacted ABC or equivalent material shall be provided for all parking, maneuvering, and traffic circulation areas. All parking areas shall be clearly identified and delineated, and parking shall not be permitted along driveways or fire lanes.

9. All signage shall be consistent with the provisions contained in the Mountaineer Design Review Overlay Guidelines, Sec. II. A waiver is approved to allow a second freestanding sign (4’ x 3’) for the entrance off Old Munds Highway; the second freestanding sign must be located on the subject property and a Sign Permit shall be obtained within 30 days.

10. All outdoor lighting shall be consistent with the provisions of Section 27 of the Zoning Ordinance. A Lighting Permit is required prior to the installation or replacement of any outdoor lighting. All existing noncompliant lights shall be removed and/or replaced with compliant fixtures subject to an approved Lighting Permit.

11. The landscape plan for the facility shall include the maintenance of existing trees and native vegetation.

12. A native seed mix shall be utilized wherever seeding is required. Pasture seed mix shall not include non-native grasses that pose a risk of spreading to the surrounding environment.

13. All improvements extending over the property lines as shown on the Record of Survey shall be removed and/or relocated within the boundaries of the subject property.

14. One RV space is permitted for short-term occupancy as a convenience for equestrian center customers only. The RV space shall not be available to the general public or advertised on any signage.
15. A total of 60 horses is the maximum that may be kept on the property at any one time.

16. Retail sales of horse related products shall be incidental to the primary business of commercial horse boarding, seminars, and equestrian events.

17. Equestrian events shall be limited to daytime hours.

18. The outdoor arenas shall not be lighted without a request for modification of the Use Permit and further consideration by the Planning and Zoning Commission.

19. The main horse barn and all other structures shall be maintained as earth-tone colors consistent with the Mountainaire Design Review Guidelines.

20. The use permit shall be valid for a term of five years, and subject to application for renewal prior to April 29, 2019. Compliance with conditions shall be the primary consideration for renewal and conditions may be added or modified as necessary.

SECTION 4: This action shall become final fifteen (15) days after the date of adoption of this Resolution unless during that time a written appeal is taken to the Coconino County Board of Supervisors.

SECTION 5: The Secretary shall certify to the adoption of this Resolution and shall transmit a copy to the applicant(s).

ADOPTED and APPROVED this 29th day of April, 2014.

Chairperson, Coconino County
Planning and Zoning Commission
Resolution No. 3303
Case No. CUP-14-012
Page Four

I hereby certify that the foregoing is a true copy of a Resolution adopted by the Planning and Zoning Commission of Coconino County at a regular meeting thereof held the 29th day of April, 2014, by the following vote of the Commission:

AYES: Buzzard, Doggett, Ontiveros, Ruggles, Walters, Williams

NOES: None

ABSTENTIONS: None

ABSENT: Best

[Signature]
Secretary, Coconino County
Planning and Zoning Commission
CONDITIONAL USE PERMIT REQUEST OUTLINE

Application Request:

1. Renewal of existing Conditional Use Permit (CUP -14-012)
   a. Request for 10 year renewal now that all conditions have been met
2. Overnight Horse Boarding
   a. 1 RV spaces (electric only)
3. Hosting Community Events
   a. Seminars, riding lessons, horse camps, equestrian events, clinics, etc.
4. Property Maintenance

Property Location and description

Request Narrative
  Mission Statement
  Complete narrative request

Site Survey /Development of Property
  Facility use map
  Current Manure Management Plan
  Current Fire Protection Plan/Evacuation Plan
  Letter from Fire Chief Foreman
  Site map indicating location of fire hydrant
  Email from neighbors regarding CUP renewal (Community meeting)
  Project list (with disposition and dates)
Susan Wolfe
3090 S. Old Munds Highway * Flagstaff, Az. 86005
Conditional Use Permit Request

APPLICATION

Request:

1) Continued Horse boarding for up to 60 horses.
   a) Requesting this conditional use permit be renewed for 10 years now that all
      conditions have been met.
2) Overnight horse boarding to accommodate travelers with horses and to service to
   overnight guests attending clinics, training or seminars.
   a) 1 RV/Living Quarters Horse Trailer parking (electric hook-up only)
   b) Overflow parking next to large arena for vehicles too large to park in public parking
      or are “self contained” and do not wish to use RV parking area & electric hook-up.
3) Host community based equestrian related events
   a) Including but not limited to; seminars, riding lessons/camps, hay rides, fund raising,
      festivals and holiday events.
4) Continued maintenance of property to meet the needs of the business in addition to the
   full time and summer time Flagstaff equine community.

PROPERTY LOCATION AND DESCRIPTION

LOCATION: South of Flagstaff, Arizona, ½ miles East of I-17, Exit 333 via Mountaineaire
Road off of Old Munds Highway. The property is adjacent to Coconino National Forest land
on the south side of property.

DESCRIPTION: Coconino County Assessor # 116-12-002W. Lot size 18.62 acres. Current
zoning: General Rural Residential.
Northern Arizona Riding Stables

Susan Wolfe
3090 S. Old Munds Highway * Flagstaff, Az. 86005
Conditional Use Permit Request

Northern Arizona Riding Stables Mission Statement:

Established in 2006, Northern Arizona Riding Stables has thrived to become a highly desired boarding, lesson and event facility in Northern Arizona. The primary goal of NARS is to be recognized as a high-quality boarding stable for horses, where their quality of life is the measure of everything we do and to commit to our clients and their horses to achieve the highest level of horsemanship in all aspects. We promise to always treat our horse-boarders with respect and kindness, as if they were our own.

Additionally we strive to introduce and instruct children and adults of all ages in effective and positive horsemanship. Through lessons, camps, clinics and special events, we always seek to create a peaceful and positive environment in which our students can flourish. We reinforce the things learned at home, in school, and at work such as honesty, integrity, discipline, and a hard work ethic. Providing the opportunity to create a lifelong partnership between you and your horse is always our mission.

Moreover, NARS always seeks to be an overall positive influence in the community and to our clients and students by reinforcing great horsemanship attributes. With the horses ever serving as faithful object lessons, we will always encourage our facilities, horses, and instructors to accomplish these goals.
Requested property use: General Rural Residential including Equestrian use and privileges.

Beautiful, heavily treed mountainous setting bordering National Forest Service on the south side of the property. A previously approved free standing sign, located on the property. Existing 2 bedroom log sided A-Frame cabin, 1 bedroom park model home. Treed common area with picnic benches and rustic lodge pole seating. 15,000 sq.ft. horse barn with a 1,200+ square foot meeting room, public restrooms and kitchenette, 8 stall mare motel, several portable pipe rail pens, 2 riding arenas and 2 round pens.

FINDINGS:

1) The location of this proposed Conditional Use Permit is in accordance with the objectives of this Ordinance and the purpose of the zone in which the site is located

PROVIDED THAT:
The proposed "Northern Arizona Riding Stables, LLC" will be professionally maintained and operated as a premiere horse boarding facility that will enhance the community economically as well as aesthetically. Continuing to encourage local and seasonal Flagstaff residents to contribute to the local economy, both equine in nature and in general.

- The property will remain rural in aspect and use, which is consistent with both Zoning Ordinances and the Mountaineer Design Review (DRO) goals and requirements.
- The Conditional Use Request for 60 horses will NOT negatively impact the area. Although it exceeds the general rule for allowed number of horses, this number was calculated on a per acre calculation but not in fact based on actual use of the facility. The equestrian use of the property has never exceeded the 18.62 acre area of use, as shown on site survey.
- This site is adjacent to Interstate 17 and therefore will not impact the surrounding interior of the property.
Northern Arizona Riding Stables

Susan Wolfe
3090 S. Old Munds Highway * Flagstaff, Az. 86001
Conditional Use Permit Request

- This site has a vast number of existing native ponderosa pine trees. All building, portable pens and other structures on the property have been strategically placed without removing or hindering the growth of this native landscaping.
- It is requested that decorative landscaping requirements be once again waived. The property is currently treeed with native trees and native seasonal grasses which are believed to enhance the rustic and rural aesthetics of the property.
- Narrative explanation included
- Outline of request included
- Site Survey included
- Fire Protection & Evacuation Plan included
- Manure Management Plan included

2) The proposed Conditional Use Permit and the conditions in which it would be operated or maintained will NOT be detrimental to the public health, welfare or safety.

PROVIDED THAT:
The facility will be kept clean and presentable at all times. The animals will be properly fed, handled and cared for in a safe and professional manner. Clients will be treated fairly and respectfully in all situations.

The property at Northern Arizona Riding Stables is continually cleaned, maintained and refurbished whenever necessary to continue to provide the community with a horse boarding facility that is a point of pride in the area. Every effort will be made to encourage safe equine practices, a sense of community and to foster positive interactions between horses and humans of all ages.

3) The proposed request for Conditional Use will comply with each applicable provision of the County Zoning Ordinance with exceptions being made regarding approved variances. All compliances and variations to ordinances will be carried out in a consistent and professional manner.

4) The proposed request for Conditional Use will be consistent with and conform to the goals, objectives and policies of the General Plan and the Specific Plan. The facility operating as Northern Arizona Riding Stables will enhance the overall low-density, rural atmosphere.
Manure Management Plan

In effort to address the concerns dealing with surface runoff and leaching and how both affect watershed, ground, and surface water quality, we have constructed a manure management plan to address these issues. With the use of corrosion and filtration berms we intend to prevent any adverse effect to the water quality. By implementing these berms to protect the floodways we feel this will be an effective manure contaminant filter. Use of best management practices will be used to ensure that the implementation of these berms will meet the needs of manure filtration. As well, the construction of the berms will not in any way affect the natural runoff and leaching that occurs outside of these areas. The construction of the berms will not take place until the ground is in a state that is least likely to promote any unnecessary disruption or erosion.

Based on information shared with us by the Coconino County Engineers, it is proposed that earthen filter berms be used due to supporting information pertaining to manure management in similar scenarios. The following information includes methods and practices that have been found to be useful in our specific manure management action.

- Filter berms are contoured runoff and erosion filtration methods usually used for steeper slopes with high erosive potential.
- The berm allows runoff water to penetrate and continue to flow while filtering sediment and pollutants from the water. It also slows the flow down, allowing soil particles to settle out.
- To protect ground and storm water, Best Management Practices (BMP's) will be used year-round.
- Tillage of the soil and manure in the fall promotes an abrasive surface where the manure will be spread in the winter. Thus promoting less runoff when the ground freezes because of the cohesive nature of abrasive soils. The tillage also promotes natural grasses to grow in these areas in the spring and summer months which act as natural ground filters.
Implementation

Filtration berms were made in the summer of 2009 and have been maintained each spring season thereafter.

Berm size and construction varied based on slope severity and the amount of rainfall and snow accumulation each season; larger berms were used for steeper slopes in areas where there is excessive collection.

Berms will were built from 1 to 2 feet high and 2.5 to 4 feet wide and follow the natural contour of the floodway. Berms have been maintained on an ongoing basis as needed to achieve our goal of runoff prevention.

Due to the lay of the land and steeper slopes along the floodway, access to the manure spreading area on the southern most part of the property will be between berms with a setback from floodways of 25 feet to prevent backward flow of manure into floodways during heavy rain or snow melt.

Best Management Practices

Application of manure will be done in such a way that it does not reach other property and public rights-of-way or potentially contaminate public drinking water supplies, floodways or wetlands.

A mechanical manure spreader is used in all spreading activities. This spreader is 50 bushel in size and a minimum of 3 full loads will be spread daily. Mechanical spreading allows for very thin layers of manure to be spread which assists in drying out manure and subsequently killing parasite larvae as well as aiding in better composting type results.

Rotation of spreading areas are utilized to prevent any over saturation of manure in any given area.

Due to the unpredictable filtration rate of frozen soil, a winter manure spreading area (north west section of property) is used which has a lower likelihood of runoff into waterways as the slope is less than 2% and less prone to flooding. This area is also tilled in the spring and summer to promote better soil conditions.
General manure spreading guidelines will be followed as outlined below:

Minimum separation distances commonly recommended for manure handling activities. (Source: *On-Farm Composting Handbook*, NRAES-54.)

<table>
<thead>
<tr>
<th>Sensitive area</th>
<th>Minimum separation distance (feet)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Property line</td>
<td>50 – 100</td>
</tr>
<tr>
<td>Residence or place of business</td>
<td>200 – 500</td>
</tr>
<tr>
<td>Private well or other potable water source</td>
<td>100 – 200</td>
</tr>
<tr>
<td>Wetlands or surface water (streams, pond, lakes)</td>
<td>100 – 200</td>
</tr>
<tr>
<td>Subsurface drainage pipe or drainage ditch</td>
<td>25</td>
</tr>
<tr>
<td>Discharging to a natural water course</td>
<td></td>
</tr>
<tr>
<td>Water table (seasonal high)</td>
<td>2 – 5</td>
</tr>
</tbody>
</table>
Fire & Evacuation Plan
Conditional Use Permit Renewal Request – Northern Arizona Riding Stables, LLC.

FIRE APPARATUS ACCESS
1. The unobstructed width of the road accessing the property from Old Munds Highway is 20 feet in width and is clear of vertical obstructions no less than 14 feet.
2. There is a loop road around the barn for access on all sides with 2 turn around areas adequate for fire apparatus.
3. The roads have been improved with cinder material on all access roads to support fire apparatus of 50,000 GVW and are maintained year round (weather permitting). New rock material is used in the Spring/Summer months to repair roads after winter months where snow plowing damage has occurred.
4. 20 foot wide fire lanes will be maintained around all 4 sides of the main barn structure and will be marked as such with appropriate signage stating “fire lane, no parking”.

FIRE ALARM SYSTEM
1. Manual pull fire alarm systems have been installed in accordance with NFPA Standard National Fire Alarm Code. This system is currently monitored 24 hours a day, 7 days per week by Aegis Security.

FIRE EXTINGUISHERS
1. 2A/10BC Fire extinguishers are located throughout the main barn structure at a distance of no more than 75 feet of travel distance. These extinguishers will be inspected by an independent party no less than one time per year and replaced as necessary.

FLAMMABLE LIQUID STORAGE
1. The storage of flammable or combustible liquids will not be stored in the horse or hay barn.

EVACUATION OF ANIMALS
1. An evacuation plan for the animals has been developed pending approval of the Fire Department. This plan includes a “shelter in place” or pasture/arena appropriate in size to accommodate the number of horses in the main barn structure to insure the animals will not be exposed to radiant heat. This plan also includes an off-premises evacuation alternative in the event of wildland fire or other structure fire situations. (See attached Evacuation Plan)
2. Each horse’s stall has an appropriate sized halter and lead rope hanging on or outside of each stall for use in emergency evacuation should animals need to be moved due to impending fire.

WATER SUPPLY

1. All portions of major structures and outlying buildings are located within 300 feet of the installed fire hydrant. (Location of hydrant was based on the recommendation of Highlands Fire Department). (See attached letter from Fire Chief Foreman.)
2. A hydrant will provide a minimum of 1,000 gallons per minute for a minimum duration of 2 hours.
3. All hydrants will have National Standard Threads with one (1) 4.5-inch discharge outlet and two (2) 2.5 inch discharge outlets. Hydrant will be of dry barrel design.

EVACUATION PLAN

In the event of a fire in the main barn structure, horses will be evacuated to arenas and holding pens at least 60 feet in distance from the barn structure. The large arena which is 270ft. x 120 ft. can easily accommodate all horses that occupy the main barn structure. If there are horses in the barn that cannot be in the same holding pen as others (such as stallions or yearling horses) there are alternate pens available for these horses in order to separate them from the others.

All stalls will have an appropriate sized halter and lead rope hanging on or outside of each stall for use in emergency evacuation.

In the event of a wild fire that would require evacuation of horses away from the property to an off-site location, there is a list of emergency drivers who have committed to making themselves available to use their own horse trailers and/or horse trailers on site to load and evacuate horses to a predetermined site. The off-site evacuation location will depend on the circumstances of the individual fire. Horses will be held in arenas or holdings pens and evacuated in a non-bias fashion as quickly as trailer space is available. It is feasible that horses may be left behind until trailer space is available in the case of multiple trips to an off-site location. If a horse cannot be loaded onto a trailer for any reason, it will be moved to a holding pen furthest away from harm of radiant heat or smoke inhalation.

Any horses and trailers leaving the property during a fire related evacuation will use the access road on the southern most end of the property and exit via the “Kachina Pump House” access road. The use of this road will be used only in the event of an emergency as an egress from the property in a effort to keep the main driveway and fire lanes unblocked for all fire apparatus to access the property unhindered. (See attached fire ingress/egress diagram)
TO: Coconino County Planning and Zoning Commission

FROM: Dirch Foreman, Fire Chief

DATE: April 26, 2019

SUBJECT: CUP Renewal for 3090 Old Munds Highway; Assessor’s Parcel Number 116-12-002W

Pursuant to Condition 6 of the existing CUP-14-012, Ms. Susan Wolfe has completed the requirements of this condition to the satisfaction of the Highlands Fire District. The water supply line and hydrant installation has been completed and approved by the Highlands Fire District.

The Highlands Fire District has no objection to the renewal of Ms. Wolfe’ CUP.

Any member of the Commission or member of Community Development Staff is welcome to contact me if there are questions regarding the completion of this condition.
Larry and Allan,

I have met with the planning and zoning staff in preparation of the renewal of my conditional use permit. As you know, nothing in terms of the use of my property has changed however, I am asking for a 10 year renewal and need to submit a copy of this email by May 17th.

Larry and Stacey's new house is the only change with regard to new neighbors as Allan's 50 acres to the north is still undeveloped. The staff has asked that I contact you via email as a form of a "Neighborhood Community Meeting"

If you have any concerns regarding the renewal of my CUP please address them in this email. I will obviously work to resolve any issues you may have.

Thanks for your participation in this matter.

Thank you,
Susan Wolfe
3090 S. Old Munds Hwy
Flagstaff, Az. 86005

Larry Pauwels
Fri, May 10, 1:20 PM (2 days ago)
to me

Stacey and I have no issues with NARS. We would not vote against an extended CUP renewal.

Larry and Stacey Pauwels

Sent from my iPad

Allan Solheim
Sat, May 11, 11:20 AM (1 days ago)
to me

Joan and I have are fine with the renewal of your conditional use permit being renewed for 10 years.

Allan
<table>
<thead>
<tr>
<th>Project List</th>
<th>Disposition</th>
<th>Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>Electric Lights to mare motel</td>
<td>Complete</td>
<td>4/10/2014</td>
</tr>
<tr>
<td>*inspected by county building inspector and deemed not necessary</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Horse structures without building permits removed</td>
<td>Complete</td>
<td>10/12/2012</td>
</tr>
<tr>
<td>ADA parking space @ Meeting Room</td>
<td>Complete</td>
<td>5/1/2014</td>
</tr>
<tr>
<td>Cover on sub panel</td>
<td>Complete</td>
<td>6/1/2009</td>
</tr>
<tr>
<td>Verify Outlets and Lights are dust and Moisture free in barn</td>
<td>Complete</td>
<td>6/1/2009</td>
</tr>
<tr>
<td>• 24 light fixtures were replaced with sealed, weather proof fixtures</td>
<td>Complete</td>
<td>10/15/2010</td>
</tr>
<tr>
<td>Vacuum breakers on hose bibs</td>
<td>Complete</td>
<td>5/1/2009</td>
</tr>
<tr>
<td>Verify Exit System for occupant load /exit signs and doors</td>
<td>Complete</td>
<td>5/1/2009</td>
</tr>
<tr>
<td>Park Model RV to obtain MH permit</td>
<td>Complete</td>
<td>12/31/2016</td>
</tr>
<tr>
<td>a. heating equipment serviced and certified safe</td>
<td>Complete</td>
<td>12/31/2015</td>
</tr>
<tr>
<td>b. Propane tank shall not have copper pipe to regulator</td>
<td>Complete</td>
<td>2/1/2010</td>
</tr>
<tr>
<td>c. portions of the deck removed to achieve set back of 5 feet</td>
<td>Complete</td>
<td>5/30/2012</td>
</tr>
<tr>
<td>Water supply to property</td>
<td>Complete</td>
<td>11/30/2017</td>
</tr>
<tr>
<td>Second freestanding sign must be located on property with permit</td>
<td>Complete - removed 2d sign</td>
<td>7/1/2011</td>
</tr>
<tr>
<td>Outdoor lighting replaced w/ compliant fixtures or removed</td>
<td>Complete - removed</td>
<td>3/1/2013</td>
</tr>
<tr>
<td>All improvements extending over property line shall be removed</td>
<td>Complete - removed</td>
<td>5/1/2009</td>
</tr>
<tr>
<td>Resolve outstanding septic issues</td>
<td>Complete</td>
<td>6/1/2009</td>
</tr>
<tr>
<td>• septic systems dug up for inspection, deemed functional &quot;as-is&quot; per county inspector</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
Date: June 26, 2019

To: Planning and Zoning Commission

From: Department of Community Development

Subject: Public Hearing and consideration of Case No. ZC-19-005

Executive Summary

Location: 1393 Mountaineer Road and is also identified as Assessor's Parcel Number 115-06-001A.

Current Zoning: G (General, 10-acre minimum parcel size) Zone and CG-10,000 (Commercial General, 10,000 sq. ft. minimum parcel size)
Requested Zoning: RR 2 ½ (Rural Residential, 2 ½ acre minimum parcel size)

Parcel Size: 14.42 acres

Existing Uses: Residential

Supervisor District: 3, Matt Ryan

Owner: FE and NJ Patton Revocable Trust DTD, Cottonwood, AZ

Applicant: Naomi Patton Watkins, Cottonwood, AZ

Summary of Requested Zone Change: This application is a request for a Zone Change to change a 6.8-acre portion of a parcel in the G (General, 10-acre minimum parcel size) Zone and a .7-acre portion of the parcel in the CG-10,000 (Commercial General, 10,000 sq. ft. minimum parcel size) Zone to RR 2 ½ (Rural Residential, 2 ½ acre minimum parcel size) Zone. The total area subject to the Zone Change is a 7.5-acre portion of the 14.42-acre parcel. The purpose of the Zone Change is to allow the property to be transferred to family members.

Background Information:

Surrounding Land Uses and Conditional Uses:

<table>
<thead>
<tr>
<th></th>
<th>Surrounding Land Uses/Zoning</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td><strong>Land Use</strong></td>
</tr>
<tr>
<td>On Site</td>
<td>Residential</td>
</tr>
<tr>
<td>North</td>
<td>National Forest</td>
</tr>
<tr>
<td>South</td>
<td>Mountaineer Road/Residential</td>
</tr>
<tr>
<td>East</td>
<td>National Forest</td>
</tr>
<tr>
<td>West</td>
<td>National Forest</td>
</tr>
</tbody>
</table>

Natural Features

- Topography: The parcel is primarily level.
- Natural Features: The parcel contains areas of ponderosa forest to the east and a meadow to the west with a flood hazard area to the north and northwest.
### Comprehensive Area Plan and Mountaineire Area Plan Analysis:

<table>
<thead>
<tr>
<th>Compliance with the Comprehensive Plan</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>General Land Use:</strong> Residential</td>
</tr>
<tr>
<td><strong>Land Use and Growth Goal:</strong> 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.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Compliance with the Mountaineire Area Plan</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Single Family Residential 4:</strong> Rezoning to accommodate higher densities shall not be considered except in conjunction with a subdivision plat.</td>
</tr>
<tr>
<td><strong>Single Family Residential 6:</strong> Any development proposing a density of between one (1) unit per 2 ½ acres through one (1) unit per 1 acre shall be approved through the PRD (Planned Residential Development) zoning process.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Compliance with the Zoning Ordinance</th>
</tr>
</thead>
<tbody>
<tr>
<td>The Zone Change would allow for the creation of parcels sufficient in size for the requirements of the Zoning Ordinance.</td>
</tr>
</tbody>
</table>

### Proposal

The applicant has submitted a narrative attached as *Exhibit 1* and site plan included in the Commission packet. The subject property has been developed with a home, a barn and other accessory structures. These residential uses are now legal non-conforming in the commercial zone. The Zone Change only affects the 7.5 acres on the east side of the parcel and not the area with the existing residential development.

Planning and Zoning Commission Meeting
June 26, 2019
Findings of Staff

Findings of fact required to approve a Zone Change:

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.

Staff recommends the following Findings of Fact:

1. The proposed Zone Change is consistent with the goals, objectives and policies of the Comprehensive Plan and Mountainaire Area Plan. The Mountainaire Area Plan does not generally support Zone Changes to a higher density without a subdivision plat. However, this requested Zone Change would not result in enough parcels to require a subdivision, and the proposed density is not high enough to require a PRD development as indicated in the policies cited above.

2. The proposed Zone Change would not result in significant development and is in the interest of or will further the public health, safety, comfort, convenience and welfare.

3. The proposed Zone Change would result in parcels that are slightly smaller than adjacent parcels but remain primarily consistent with the surrounding development.

Public Participation

The applicant held a Neighborhood Meeting on April 15, 2019 at the Mountainaire Fire Station located at 3350 Old Munds Hwy a short distance west of the subject property. The Citizen Participation Report indicates seven people signed in at the the meeting and additional responses were received via email and by phone. The applicant indicates there were no concerns with the proposed Zone Change.

Analysis

The requested Zone Change is consistent with the goals, objectives and policies of the County Comprehensive Plan, the Mountainaire Area Plan, and the Zoning Ordinance. The requested RR-2 ½ Zone is consistent with residential properties to the southwest across Mountainaire Road, but not with the adjacent RR-5 Zone to the south. The purpose of the Zone Change is to allow the owners to transfer the property to other family members including 2.5 acres to a
family member that owns adjacent property to the southeast in the RR-5 Zone. This created a dilemma regarding the Zone Change because it was not possible to transfer this 2.5 acres under either the existing General Zone or the adjacent RR-5 Zone because either would have resulted in parcels too small for those zones and created a non-conforming situation. This made it necessary to request the RR-2 ½ Zone to provide the flexibility needed to allow the property to be divided and transferred without creating a non-conforming situation.

Recommendation

Staff believes the requested Zone Change meets the required Findings and recommends approval of ZC-19-005.

Respectfully submitted,

Jess McNeely, AICP, Assistant Director
Prepared by Bob Short, Principal Planner

Attachments:

Applicant’s Narrative
NARRATIVE

Zone change is being requested so that owner may transfer portions of property to family members. One portion (2.5 acres) will be used to add to family member's existing property on the Southeast edge. The remaining 2 (2.5 acre) pieces will be transferred to family members with no plans to build in the near future. At the time of this application for zone change one family member will receive both remaining pieces but would like option to transfer one 2.5 acre piece to another family member in the future.
Record of Survey and Minor Land Division
The North 476 Feet of the North Half of the Northwest Quarter of the Northwest Quarter of Section 28, Township 20 North, Range 7 East
Gila and Salt River Base and Meridian
Coconino County, Arizona

LEGEND
Three standard sections will be found in this drawing:
A. Plotted distance for the City A-B-C-D
B. Federal survey line
C. Reclamation Survey Line
D. Proposed subdivision

Surveyor's Note

The survey was conducted by a surveyor licensed to practice in this state. All measurements were made with the designations shown. The survey was conducted in accordance with the standards established by the American Society for Testing and Materials (ASTM). The survey was conducted in accordance with the standards established by the Arizona State Board of Surveyors (ASBS).

Surveyor's Certification

Richard J. Heath, PLS 02367

Survey Conducted By:
APEX LAND SURVEYS
950 E. Adams Drive
Lindon, Utah 84042

Property Address:
1930 South Maple Avenue
Flagstaff, Arizona 86004

Date: September 12, 2013

Alamo Waterworks
7750 S. Santa Clara Road
Lindon, Utah 84042

Phone: (385) 805-0700

Alamo Waterworks
7750 S. Santa Clara Road
Lindon, Utah 84042

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Lindon, Utah 84042

Alamo Waterworks
7750 S. Santa Clara Road
Lindon, Utah 84042

Alam
Jay Christelman, Director

Date: June 26, 2019
To: Planning and Zoning Commission
From: Department of Community Development
Subject: Public Hearing and consideration of Case Number CUP-19-026

Executive Summary

Location: The property is located at 18011 S Dixie Lane in Foxboro Ranch Estates approximately five miles south of Munds Park and is identified as Assessor's Parcel Number 401-81-047.
Parcel Size: 5.19 acres

Current Zoning: PRD (Planned Residential Development Zone)

Requested Conditional Use: A helistop (identified in the Zoning Ordinance as a heliport)

Supervisor District: 3 (Matt Ryan)

Applicant: Neal Jones, Chandler, Arizona

Representative: Skip Osbourne, Flagstaff, Arizona

Owner: Foxboro Ranch, LLC, Munds Park, Arizona

Summary: The proposal is to install a helistop on a residential property. The heliport would be entirely for the personal use of the owner who would use a helicopter for transportation from Chandler, Arizona and the Valley to the subject property. The primary impact from the proposal would be the noise from the helicopter and the applicant has provided decibel readings from various locations in Foxboro Ranch to show noise impacts. A flight plan has also been provided and a wildlife specialist has provided a statement related to potential impacts from wildlife.

Recommendation: Staff recommends approval with the four (4) recommended conditions.

Background Information

<table>
<thead>
<tr>
<th>Surrounding Land Uses/Zoning</th>
<th>Land Use</th>
<th>Zoning</th>
</tr>
</thead>
<tbody>
<tr>
<td>On Site</td>
<td>Vacant</td>
<td>PRD</td>
</tr>
<tr>
<td>North</td>
<td>Vacant</td>
<td>PRD</td>
</tr>
<tr>
<td>South</td>
<td>National Forest</td>
<td>None</td>
</tr>
<tr>
<td>East</td>
<td>National Forest</td>
<td>None</td>
</tr>
<tr>
<td>West</td>
<td>Residential</td>
<td>PRD</td>
</tr>
</tbody>
</table>

Natural Features

Topography: The parcel is located on the side of a ridge that rises up steeply from the Foxboro meadow and levels out along the border with the National Forest providing an area for the proposed new home and the helicopter pad.
The parcel is entirely covered with ponderosa forest and will require some clearing and leveling to provide an area for the home and the helicopter pad.
The proposed location of the helistop facing east

The proposed location of the helistop facing north and looking down the slope toward the Foxboro meadow
Proposal

The applicant has provided a narrative attached as Exhibit 1. The proposal is to install a helistop (identified in the Zoning Ordinance as a heliport) on a residential property that is proposed to be developed with a new home. A helistop is identified in the building code as being a place to land helicopters with the identifying factor being that it does not include fueling or maintenance facilities. A garage would be located nearby where the helicopter would be stored. The helipad would be entirely for the personal use of the owner who would use a small helicopter for transportation from Chandler, Arizona and the Valley to his second home in Foxboro Ranch that he plans to make his primary residence in the next five to ten years. The helistop would be on the south side of the subdivision adjacent to the National Forest. The applicant proposes to use the helistop an average of 4-6 times a month with a maximum usage of 15 times per month. The helistop would only be used during daylight hours. Lighting will not be installed.
### Comprehensive and Zoning Ordinance Analysis:

<table>
<thead>
<tr>
<th>Compliance with the Comprehensive Plan</th>
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<tbody>
<tr>
<td>Proposed Use: Heliport</td>
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</tbody>
</table>

**Community Character 6**: Public and semipublic uses shall be approved at locations convenient to the population being served, provided that such locations are compatible with and complimentary to surrounding neighborhoods.

**Community Character Goal**
Preserve natural quiet and work to mitigate and reduce the effects of noise pollution.

**Community Character 42**: Major developments and subdivisions shall consider the impacts of adjacent noise generators such as highways, railways, and airports, and mitigate for those impacts where feasible.

<table>
<thead>
<tr>
<th>Compliance with the Zoning Ordinance</th>
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</thead>
<tbody>
<tr>
<td>The Director has determined a heliport is a Conditional Use in the PRD Zone.</td>
</tr>
</tbody>
</table>
Findings of Staff

Findings of Fact required to approve a Conditional Use Permit:

1. 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.
2. 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.
3. That the proposed conditional use will comply with each of the applicable provisions of this Ordinance, except for approved variances.
4. 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.

Staff recommends the following Findings:

1. A heliport is not a listed use in the PRD Zone and the applicant has submitted a request for a Determination as to Uses Not Listed from the Community Development Director. The Director has determined a heliport is a Conditional Use in the PRD Zone that requires a 50-foot setback from property lines consistent with other residential zones.
2. The proposed location of the heliport is located at the back of a large five acre parcel on top of a ridge above most of the subdivision. This location will mitigate noise issues to the greatest extent possible.
3. The proposed conditional use will comply with all of the applicable provisions of this Ordinance with the exception of the required minimum setback of 50 feet from property lines for a heliport. The applicant proposes a 40-foot setback from the rear property line. Staff recommends the Commission waive this requirement as provided for in Section 5.7.B.4 based on the location of the facility adjacent to the National Forest where it will have the least impact on residential properties.
4. The proposed Conditional Use is consistent with the Comprehensive Plan based on the policies cited above and staff’s analysis (below) that indicates the proposal will not have a significant impact on nearby residents or wildlife.

Recommended Conditions of Approval:

1. The use shall be conducted in substantial conformance with the submitted construction plans and narrative. The use of the helicopter in the subdivision shall be primarily limited to landing and taking off from the approved helistop. Any substantial modifications to the site plan or narrative shall require additional review by the Planning and Zoning Commission.
2. Pursuant to Section 5.7.B.4, a waiver is granted to Section 2.1.B allowing a 40-foot setback where 50 feet is normally required from all property lines for helistop.

3. This use permit shall be valid for a period of three years to expire June 26, 2022 before which time a new application shall be submitted for renewal if continuation of the use beyond the date of expiration is desired. If the permit is approved through the administrative renewal process, a ten year term may be applied to the permit.

4. The applicant shall obtain any required Building Permits prior to construction of the heliport. Building Permits must be obtained within one year of this approval, or an extension to obtain them must be requested before the Planning and Zoning Commission, otherwise this permit will lapse and become void.

Citizen Participation

The applicant has provided a Citizen Participation Plan and Report attached as Exhibit 2. The applicant notified property owners within 1 ½ miles of the site and invited them to a meeting held at the Foxboro Estates Club House on May 16, 2019. Two people attended the meeting, two responded by email (attached) and one responded with a phone call. The applicant indicates that only one respondent was opposed to the helipad, and the primary concern was related to noise and impacts on wildlife (Exhibit 2). A letter has also been provided from the Foxboro Ranch Homeowners Association (included in Exhibit 2) supporting the application.

Analysis

The most significant impact of this proposal is noise from the helicopter. The location of the helistop allows it to be used without flying over other residential properties, and the only nearby residences outside Foxboro Ranch are located in an area of large lots area to the east across Interstate 17. The lots in Foxboro Ranch directly to the north of the subject property have not been developed, but several lots to the northwest along the meadow at the bottom of the ridge have been developed with homes. Lot 46 (APN 401-81-046) is the nearest property that has been developed with a home. It is directly to the west and the home is located on the top of the ridge approximately 600 feet to the west of the proposed heliport.

Flight Plan and Decibel Readings from the Helicopter

The applicant has provided aerial photos (shown below) that show the flight plan as the helicopter moves from the south to the helistop. It shows that the helicopter will only fly over the subject property and not any other properties or portions of the subdivision.
The applicant has also provided decibel readings of the sound produced by the helicopter as it was operated in the area (attached as Exhibit 3), and a map is provided below showing the locations where the sound from the helicopter was recorded by decibel readers. Staff was present on site when these readings were collected. When the helicopter was in operation hovering over the proposed helistop location, the decibel readings were 68.5 dBA at Lot 48 near the turnaround on Dixie Lane and 46 dBA from Lot 17, the property belonging to the owners who are opposed to the helistop. The decibel level before the approach was 41 dBA at Lot 48 and 37 dBA at Lot 17. When the helicopter flew overhead across the meadow, the maximum decibel reading was 82 dBA; however, it should be noted that this is not a normal flight path, and the helicopter will not normally deviate from the flight plan shown below.
Wildlife Impacts

Another concern expressed by nearby property owners was the impact of the proposal on wildlife. Staff has received comments from a Wildlife Habitat Specialist at the Arizona Game and Fish Department (ADFD) attached as Exhibit 4 indicating there should be no major wildlife impacts from the proposal. The specialist also indicated that the science on how frequent flights would have to be to impact wildlife was not very refined.

Conclusion

A proposal to locate a helistop in a residential area is a rare occurrence in the county, and a use that would not often be appropriate. Staff was present on the site when decibel readings were taken and the presence of the helicopter was certainly noticeable. However, the size and location of the property (and the helistop) high on a ridge along the edge of the subdivision significantly reduces the impact from noise, especially considering the short three-minute duration required for landing and taking off from the site. This coupled with the lack of major impacts to wildlife and the relatively low decibel readings leads staff to consider this an appropriate use in this location that meets the findings for a conditional use permit.
Recommendation

Staff recommends approval with the four (4) recommended conditions.

Respectfully submitted,

[Signature]

Jess McNeely, AICP, Assistant Director
Prepared by Bob Short, Principal Planner

Attachments:

Exhibit 1: Applicant’s Narrative
Exhibit 2: Citizens Participation Plan and Report
Exhibit 3: Report on Decibel Readings from the Helicopter
Exhibit 4: Wildlife Specialist Statement on Wildlife Impacts
Exhibit 1:
Applicant’s Narrative
May 3, 2019

[name]
[address]
[city, state Zip]

Dear :

I have interest in purchasing lot 47 located in the far southeast corner of Foxboro Ranch Estates Parcel Number 40181047, address is 18011 S. Dixie Lane, Foxboro Ranch Estates.

My representative recently met with Coconino County Planning staff to discuss a proposal for land use on this 5.19-acre parcel. I will be requesting a conditional use permit (for a land use) as part of this project. Staff has directed me to notify all property owners within 1 1/2 miles of this property.

My name is Neil Jones and my wife Jennifer and I are planning to build a home in the Foxboro Ranch development on Lot 47. We plan for the home to be a second home initially, and then become our main residence 5-10 years from now. We are requesting to include a private use helipad to be built on this Lot 47 along with our home. Our desire to have a helipad located with our home is due to my current active involvement as a helicopter business owner in the Phoenix area, and my plan to stay active flying helicopters for personal use after my retirement.

The helipad would be for private use only, daytime use only, VFR (Visual Flight Rules) only, and only in accordance to current FAA regulations. There would be no fueling or fueling equipment on the premises, and the helipad would be designed to service light, FAA certified helicopters. The size, shape, geography and location of Lot 47 make it a great candidate for a private helipad and this is the reason we selected this lot. The ingress and egress to this helipad can be easily accomplished while flying over completely uninhabited and unpopulated terrain. The usage of the helipad would be somewhat seasonal, especially in the beginning, with the summer months having more activity. The helipad would see no use in some months, with a probable maximum use of 15 operations in a month. Average anticipated use would be 4-6 operations per month. Each takeoff or landing would last only 2-3 minutes, and due to the helipad’s location, ingress and egress routes, and helicopter types used, the noise impact will be minimal. The purpose of the flights to and from this helipad will be personal transportation, mostly to and from the Phoenix area.
FAA concerns or involvement: As far as I know, the FAA has no concern and does not require any approval process for a private, personal use helipad. They are concerned that aircraft are operated in compliance with all applicable FAA regulations, but this is true of any helipad or runway where aircraft are operated. As stated above, all operations into this proposed private use helipad would be in strict compliance with FAA regulations.

The following is a brief summary of my personal experience in aviation. I have been flying both fixed wing and helicopters for 39 years and have approximately 12,500 hours of flight time. I have been the owner or Quantum Helicopters (helicopter flight training and dealership) for 26 years, and have been an FAA Designated Pilot Examiner for helicopters since 1992.

Thank you for your consideration in this matter. If you should have any questions or need additional information please do not hesitate to contact me.

As required by the Coconino County Zoning ordinance, I will be holding a neighborhood community meeting at the site of the property on Thursday, May 16, 2019 at 9:00am at Foxboro Club House, 322 E. Foxboro Road, Foxboro Ranch Estates, Munds Park, AZ 86017.

I have attached a basic site plan of the project. If you cannot attend the meeting, please send your comments to me at neiljones@quantumhelicopters.com.

If I decide to move forward with the formal application for a conditional use permit, my project will become a case at a public hearing of the Planning and Zoning Commission. You will be notified of the date and time of the public hearing if I apply. The Planning and Zoning Commission meets in the first floor meeting room at the Coconino County Administration Building, 219 E. Cherry Avenue, Flagstaff, AZ 86001. The Coconino County Community Development Department can be contacted at 928-679-8850 if you have questions about the public hearing process.

Best regards,

Neil Jones
neiljones@quantumhelicopters.com
(480) 390-3039
Exhibit 2:
Citizens Participation Plan and Report
Citizen Participation Plan

Applicant Name: Neil Jones

Mailing Address: 2401 South Heliport Way Chandler, AZ 85226

Phone: (480) 814-8118

E-mail: NeilJones@quantumhelicopters.com

Property Address or Parcel Number(s):
18011 S Dixie Ln. Mend's Park, AZ 85017
Parcel # 40181047

Brief Description of Conditional Use Permit and/or Zone Change:
Construction of Heliport/Stop. There will be no fuel or refueling.

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.

   SEE Property Owners List Attached

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

   By mail & Citizens Participation/Community meeting (5-16-19 Foxboro Club House)
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 (if known)**

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?

**By phone or email**

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

**May 16, 2019**

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

**By email or in person at Coconino County Community Building Development Dept.**
Citizen Participation Report

Applicant Name: Neil Jones
Mailing Address: 2401 South Heliport WY, CHANDLER, AZ 85286
Phone: (480) 814-8118
E-mail: NeilJones@quantumhelicopters.com
Property Address or Parcel Number(s):
Lot 47 Parcel # 40181047
18011 S Dixie LN Foxboro Estates Munds Park, AZ 85017

Brief Description of Conditional Use Permit and/or Zone Change:
Construction Heli Pad Stop for Personnel Use

1. Please list the dates and locations of all meetings where citizens were invited to discuss the applicant’s proposal:

   May 16, 2019 Foxboro Estates Club House
   322 E Foxboro Rd
   Foxboro Estates
   Munds Park, AZ 85017

2. Please attach and note the content, dates mailed, and numbers of mailings, including Community Meeting letter(s), other meeting notices, newsletters and other publications (if applicable):

   25 letters mailed to property owners within 1/2 miles of property being requested for helipad stop
   Letters mailed 5-3-19. See attached letter.
3. Where are residents, property owners, and interested parties receiving notices, newsletters, or other written materials located? (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.

Letters were mailed to property owners within 11/2 miles of property requesting CLIP (Par #40181047) Coconino Co. — SEE ATTACHED MAILING ADDRESSES & NAME OF PROPERTY OWNERS

4. Please list the number of people that participated in the process and the percentage of those notified that participated in the process:

25 letters were sent out - 5 responded, 2-at meeting, 2-by Email, 1-by Phone

5. Please list the substance of the concerns, issues, and problems raised per citizen input:

Noise from Helicopter & Wildlife Impact

Citizen Participation Report Page 2
6. How will the applicant address the concerns, issues and problems that were expressed during the process?

Noise is very minimal already proven & witnessed by one resident on numerous helicopter landing at Foxboro Club House. Animal impact would be very minimal if any because landing & takeoff would be less than 3 minutes each & only during daylite hours. A.T.V. (Quad etc.) will have more impact on wildlife.

7. Please list any concerns, issues and problems the applicant is unwilling or unable to address, and why:

NONE

8. Any further comments from the applicant?
FW: Lot 47

From: Neil Jones (neiljones@quantumhelicopters.com)
To: skiposborneconstruction@yahoo.com
Date: Wednesday, May 15, 2019, 02:20 PM MST

Skip,

FYI, here is a very nice email I received from Steve Ahrenberg

Best regards,

Neil Jones

---

From: stevep ahrenberg [mailto:stevepahrenberg@yahoo.com]
Sent: Tuesday, May 14, 2019 6:46 PM
To: neiljones@quantumhelicopters.com
Subject: Lot 47

Hi Neil,

My name is Steve Ahrenberg. I live in Foxboro, lot #13. I have no issue with you building a helipad. I've seen you come and go, landing at the clubhouse and can't really even hear you landing there.

Also, Skip built our Log home. He's a great contractor and will always have your best interest in mind and can be completely trusted.

Welcome to the neighborhood.
FW: Lot 47 Helipad Concerns

From: Neil Jones (neiljones@quantumhelicopters.com)
To: skiposborneconstruction@yahoo.com
Date: Tuesday, May 14, 2019, 08:40 AM MST

Skip,

FYI I received this email this morning. It is the only response so far.

Best regards,

Neil Jones

---Original Message---
From: Brooke Afshari [mailto:brooketafshari@gmail.com]
Sent: Monday, May 13, 2019 11:25 PM
To: neiljones@quantumhelicopters.com
Cc: Diane Happeny; tafshari@gmail.com
Subject: Lot 47 Helipad Concerns

Hi Neil,

We own property in Foxboro and received your notice of intent to build a helipad on lot 47. We appreciate you informing us. We can’t be at the meeting Thursday and wanted to voice our concerns.

Tom and I have both been around aircraft—I’m a private pilot (single engine fixed wing) and Tom is a reserve officer with Phoenix PD (with helicopter experience)—and we think your assurance regarding the noise pollution understates the impact that a helicopter will have on the surrounding environment and wildlife. Moreover, we purchased our lot specifically for its tranquility and personally do not want to see a helicopter around the property.

We hope you understand that we will oppose any permit for this use before the Planning and Zoning Commission.

Best,

Brooke and Tom Afshari
3/27/19

Coconino County Board of Supervisors:

The Property Owners' Association of Foxboro Ranch Estates has given approval for the construction of a "HeliPad" for personal usage on Lot 47, 18011 S Dixie Lane, Munds Park, AZ 86017, parcel # 401-81-047.

[Signature]
Merle M. Karber, Declarant
Foxboro Ranch Estates POA
Exhibit 3:
Report on Decibel Readings from the Helicopter
R66 Helicopter Decibel Test
Lot 47 Foxboro Estates  18011 South Dixie Lane

Test Time:  June 12,2019 @11:35 am

Two test were conducted at the same exact time but at different locales in the Foxboro subdivision.

Test one Local:
   Conducted at Lot 48, 18005 S. Dixie Ln. Foxboro Estates
   Lot 48 is next to lot 47 but is approximately  150 ft. lower in elevation from proposed Helistop Pad.

Readings:
   Minimum (before approach) :  41 decibels
   Maximum (approach and hovering) 68.5 decibels

Test two Local:
   Conducted at Lot 17, 17560 S. Osprey Circle  Foxboro Estates

Readings:
   Minimum (before approach) :  37 decibels
   Maximum (approach and hovering) 46 decibels

We took one other reading as the helicopter was coming in to land at the clubhouse, reading was about 82 decibels 600 ft. +/- away and up from us.

Thank you,
Skip
Owner, Osborne Construction
PO Box 3081
Flagstaff, AZ  86003
928-526-9366 (Office)
928-699-1680 (Cell)
Exhibit 4:
Wildlife Specialist Statement on Wildlife Impacts
Hi Bob,

Yeah, I'm bummed Robert left too.

I don't see any major impacts to wildlife with this proposal. The noise from the helicopter will definitely impact wildlife in the vicinity for short periods of time. If the helipad is used frequently, it may cause some species to take up residence elsewhere, but I don't think the science is very refined on how frequent flights would have to be to have this impact.

Thanks,

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On Mon, Jun 10, 2019 at 9:17 AM Short, Bob <bshort@coconino.az.gov> wrote:

Hannah—I am processing a CUP application for a helistop on APN 401-81-047 (see map below). The helistop is in Foxboro Ranch and is proposed to be located on top of a ridge about 40 feet from the National Forest. It is entirely for the personal use of a prospective owner who would fly up from the Valley. He indicates it could be used up to 15 times a month, but would average 4-6. The owners of one property in Foxboro is opposed to the application partially because of potential impacts to wildlife. Would you anticipate any significant wildlife impacts? Please let me know if you need any additional information. I really appreciate any input you could provide. Sorry, Rob had to leave so soon.