

PLANNING COMMISSION
NOVEMBER 15, 2011

MINUTES OF A REGULAR MEETING OF THE PLANNING COMMISSION OF THE TOWN OF CLARKDALE HELD ON TUESDAY, NOVEMBER 15, 2011, IN THE MEN'S LOUNGE OF THE CLARK MEMORIAL CLUBHOUSE, 19 N. NINTH STREET, CLARKDALE, AZ.

A Regular Meeting of the Planning Commission of the Town of Clarkdale was held on Tuesday, November 15, 2011, at 6:00 p.m., in the Men's Lounge of the Clark Memorial Clubhouse, 19 N. Ninth Street, Clarkdale, AZ.

Planning Commission:

Chairperson	Jack Van Wye	Present
Vice Chairperson	Vic Viarengo	Present
Commissioners	Jorge Olguin	Present
	Karen Daniels	Present
	Dave Puzas	Present

Community Development Staff:

Senior Planner	Enalo Lockard
GIS/Planner	Guss Espolt

Others In Attendance: Miller's Market personnel.

AGENDA ITEM: CALL TO ORDER: The Chairperson called the meeting to order at 6:00 p.m.

AGENDA ITEM: ROLL CALL: The Interim Senior Planner called roll.

AGENDA ITEM: PUBLIC COMMENT: - The public is invited to provide comments at this time on items that are not on this agenda. Action taken as a result of public comment will be limited to directing staff to study the matter, or scheduling the matter for further consideration and decision on a later agenda, as required by the Arizona Open Meeting Law. Each speaker is asked to limit his or her comments to **FIVE MINUTES**. **There was no public.**

AGENDA ITEM: MINUTES: Consideration of the **Regular Meeting Minutes of October 18, 2011**. The Chair will entertain a motion to accept the minutes as amended.

-Page one Agenda Item: Call To Order: (should read): The out-going Chairperson Olguin called the meeting to order at 6:00 p.m.

-Page two Agenda Item: Elections: (add a last line to read): The gavel was transferred from out-going Chairperson Olguin to Chairperson – Elect Van Wye.

-Page three: Needs to show two signature lines: Out-going Chairperson and Chairperson - Elect

Commissioner Puzas **motioned to approve the amended Regular Meeting Minutes of October 18, 2011**. Vice Chairperson Viarengo **seconded the motion**. **The motion passed unanimously as amended.**

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AGENDA ITEM: REPORTS:

Chairperson & Members Special Events Report: Chairperson Van Wye and Commissioner Olguin participated in the Senior Planner panel interviews on Wednesday, November 2, 2011.

Staff Report: This report update is under the last agenda item as “Director’s Report”.

NEW BUSINESS

AGENDA ITEM: DISCUSSION & POSSIBLE ACTION: SIGN CODE UPDATE TO ADOPT CHANGES DUE TO REFLECT STATE LAW CHANGES TO LAWS GOVERNING POLITICAL SIGNS.

Staff Report: Provided by CDD Interim Senior Planner.

Project Description: Amend the Zoning Code to reflect recent changes in State Statute

Summary: During the last regular session of the State Legislature, HB 2500 was approved. This bill substantially changed the regulations regarding political signs. The largest changes were to allow placement of political signs within public right of way except those within the jurisdiction of the State of Arizona (ADOT) and increased their overall size.

Finding of Fact: The Town must comply with all Statutory amendments as they relate to or impact the Town’s Zoning Code.

Staff Analysis: In order to bring the Town of Clarkdale’s Zoning Code into conformance with State Statute, staff offers the following proposed changes:

The current Zoning Code reads as follows:

Section 7-5 Prohibited Signs

- A. Flashing or moving signs.
- B. Animated signs except as provided for in Section 7-6 A.
- C. Roof signs.
- D. Private signs in public right-of-way.

Section 7-6 Permitted Signs

H. Political

- 1. Maximum size equals six (6) square feet.
- 2. Signs must be located on private property.
- 3. Said signs shall not be erected earlier than sixty (60) days prior to an election nor removed later than ten (10) days after an election.

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In order to conform to the noted recent State Legislation changes the following Zoning Code Amendment is proposed: (Items to be removed and items *to be added*)

Section 7-5 Prohibited Signs

- A. Flashing or moving signs.
- B. Animated signs except as provided for in Section 7-6 A.
- C. Roof signs.
- D. Private signs in public right-of-way *except political signs.*

H. Political

1. Maximum size equals ~~six (6) square feet~~ *sixteen (16) square feet, if the sign is located in an area zoned for residential use, or a maximum area of thirty-two (32) square feet if the sign is located in any other area.*
2. Signs ~~must~~ *may* be located on private property *or in public right-of-way except state highways or routes subject to the following conditions:*
 - a. The sign is not placed in a location that is hazardous to public safety, obstructs clear vision in the area or interferes with the requirements of the Americans with disabilities act;*
 - b. The sign contains the name and telephone number of the candidate or campaign committee contact person;*
 - c. Installation of a sign on any structure owned by the Town is prohibited.*
3. Said signs shall not be erected earlier than sixty (60) days prior to an election nor removed later than ~~ten (10)~~ *fifteen (15)* days after an election.
4. *No political signs will be permitted in "sign free zones" as adopted by the Town Council in accordance with Arizona Revised Statute (ARS 16-1019). Please see the attached Sign-Free Zones Map included in your packet.*

Permitted Signs by Type and Zone District – The chart thus titled at the end of the Sign Code will need the sub note eliminated tying political signs to a maximum of 6 sq. ft.

Staff has also prepared a map illustrating proposed Sign Free Zones as allowed for in the legislation. The new law exempts commercial tourism, commercial resort and hotel areas from allowing political signs in the Town's right-of-ways. The maps should be incorporated as a part of this amendment.

Information from other Agencies:

The Cities of Cottonwood and Sedona have recently amended their ordinances as well and staff has included copies/excerpts of their changes in the Commissioner's packets.

Staff also contacted the Arizona League of Cities and Towns and they have not drafted a template for the towns and cities to consider, but did note that we should take a look at the City of Scottsdale proposed ordinance amendment. The City of Scottsdale's amendment covered more areas than just the political sign issue, but they are proposing a sign-free zone and allowance of "non-commercial signs" as set out by the State Statute. This would not appear to offer additional help with the Town of Clarkdale's endeavors as Scottsdale's sign code is much more extensive/use specific than the Town's needs. Staff has included an excerpt from the City of Scottsdale's proposed amendment in the Commissioners' packet for their information.

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Enforcement issues:

Staff wants to make the Commission aware that with the advent of the State legislation, it could make enforcement of the current sign code difficult as the political signs in public right-of-way could be larger than those on private property. Therefore this proposal is basically making the maximum sizes of political signs located in permitted locations equal, so as to alleviate any code enforcement issues out in the field as to how to determine if a political sign is on public or private property

Staff Recommendation:

With the above noted text changes and the addition of sign-free zones (map attached) allowed by the new Statute, staff is recommending that the Commission approve this proposal following the taking of any public comment, make any modifications they deem appropriate and then forward their recommendation(s) to the Town Council.

ACTION: The Chair will entertain a motion to approve this proposal based on staff's recommendations and pending any public comment and subsequent modifications that would require a second approval of those modifications by this Commission.

Commissioner Olguin **motioned to approve this proposal based on staff's recommendations to the sign code reflecting state law changes, to laws governing political signs.** Vice Chairperson Viarengo **seconded the motion. The motion passed unanimously.**

AGENDA ITEM: WORKSESSION: SIDEWALK CAFÉS IN THE CENTRAL BUSINESS DISTRICT.

Information provided to the Commissioners by Staff:

Sidewalk Cafes

Staff has been approached by a business owner in the Town center area to consider installation of low fencing etc., to allow for outdoor dining on the sidewalk in front of their business.

Information provided in the Commissioner's Packet:

- Copy of City of Cottonwood's "*Sidewalk Café Policy*".
- Copy of City of Sedona's Land Development code on "*Sidewalk Dining*".

The proposed use deals with a private use/installation on property owned/maintained by the Town. Staff is bringing this item forward to the Commission for discussion and to garner input on the matter. No action is required.

Discussion Highlights:

- Dealing with under-age customers.
- Smoking Issues.
- The Commissioners liked the details of Sedona's ordinance.
- Don't force walking in the streets by having the sidewalk cafés.
- The sidewalk cafés would need to be standardized.
- Subject to Design Review Board.
- Will there be a fee for lease?

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- Common sense would need to be used with this type of request.
- The pros and cons regarding signs would need to be addressed.
- This will be under "New Business" on the next meeting agenda.

This being for discussion only, there were NO actions taken.

AGENDA ITEM: DIRECTOR'S REPORT: UPDATE ON CURRENT PROJECTS UNDERWAY IN THE COMMUNITY DEVELOPMENT DEPARTMENT.

The Community Development Director provided the following update to the Commissioners:

1. Community Development Department Senior Planner Position. Thanks to both Chair Jack Van Wye and to Former Chair Jorge Olguin for their participation and their feedback, the second set of interviews for the second round of candidates for the Senior Planner position was completed on November 2, 2011. At this time, the Town is pursuing what we hope will be the hiring of one of the candidates with an optimistic start date on or around the beginning of December. Should we be successful in that endeavor, we hope to have one month of turnover from Enalo Lockard, our interim senior planner to our new planner.
2. Mountain Gate Update. Despite inclement weather, a community-wide neighborhood meeting open to Mountain Gate residents occurred on November 5th at the Men's Lounge. The Clarkdale Police and Fire Departments cooked hot dogs and hamburgers for those attending. The purpose of the meeting was to introduce attendees to Town staff members and folks from the Clarkdale Fire Department. In addition, the staff shared anticipated changes to traffic enforcement with the Town's acceptance of those streets in Mountain Gate recently treated with the final chip-seal coating. Furthermore, all information requested by BC Land Group, the developer planning on purchasing the majority of the vacant lots was provided as agreed. We believe this developer has been in touch with the homeowners association to iron out initial understandings. Escrow was due to close on this portion of the project in early November, but may be delayed due to the need to come to agreement with the homeowners association.
3. Verde River Project. In support of this project and the Town's application for grant funding through the Heritage Fund Grants program, Town Manager Gayle Mabery and Human Resources and Community Services Director Janet Perry met with officials from Arizona State Parks to elicit support for a partnership targeting the development of enhanced facilities at their Tuzigoot Bridge park site. Thus far, their initial response was favorable. An intergovernmental agreement between the two agencies is currently in work.
4. Crossroads at Mingus Project Update. The sewer project to install the force main supporting the subdivision is underway now in close coordination with the ADOT project to install sidewalks along SR 89A. Both the force main and the sidewalk project are due to be complete sometime in January, depending on weather. In addition, Steve Biasini with PTM is preparing for a neighborhood meeting to review the suggested park layout as reviewed at the October Parks & Recreation Commission meeting. In preparation for that meeting, CDD prepared a list of homeowner names and addresses for those located within

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300' of the park. In addition, CDD agreed to copy up to 50 flyers for distribution to additional neighbors should someone wish to notify more than the required impacted homes. Following results from the neighborhood meeting, Steve Biasini will bring forward the updated park plan with accompanying neighborhood feedback to the Parks & Rec Commission for approval. In addition, an initial review of an off-premises sign for the subdivision was presented at a meeting on November 2,

This being an update only, there were NO actions taken.

AGENDA ITEM: FUTURE AGENDA ITEMS:

- SIDEWALK CAFÉS IN THE CENTRAL BUSINESS DISTRICT.

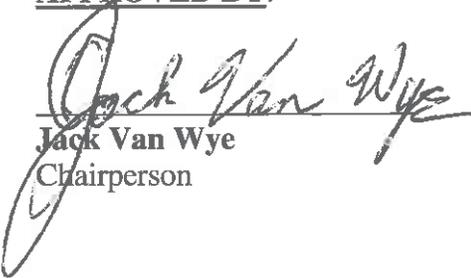
-PARK SITE AT CROSSROADS: Does it go to the Planning Commission again due to all the changes?

AGENDA ITEM: ADJOURNMENT: If there is no further business for the good of the order, the Chair will entertain a motion for adjournment.

Commissioner Daniels **motioned to adjourn the meeting.** Commissioner Olguin **seconded the motion.** **The motion passed unanimously. The meeting adjourned at 7:07 p.m.**

It has been moved and seconded that we adjourn. All in favor; all opposed. We stand adjourned. Thank you everyone for attending.

APPROVED BY:



Jack Van Wye
Chairperson

SUBMITTED BY:



Enalo Lockard
Interim Senior Planner