

**NOTICE OF A REGULAR MEETING  
OF THE PLANNING COMMISSION OF THE TOWN OF CLARKDALE**

In accordance with Resolution #215 of the Town of Clarkdale, and Section 38-431.02, Arizona Revised Statutes,

**NOTICE IS HEREBY GIVEN that the Planning Commission of the Town of Clarkdale will hold a REGULAR Meeting Tuesday, October 16, 2012, at 6:00 p.m., in the Men's Lounge of the Clark Memorial Clubhouse, 19 N. Ninth Street, Clarkdale, Arizona.**

*All members of the public are invited to attend.*

The undersigned hereby certifies that a copy of this notice was duly posted on the Town Hall bulletin board, located at 890 Main Street, Clarkdale, Arizona on the 8<sup>th</sup> day of October, 2012 at 9:00 a.m.

Dated this 8<sup>th</sup> day of October 2012 by:

*Vicki McReynolds*

Vicki McReynolds  
Administrative Assistant II

ALL ITEMS ON THIS AGENDA ARE SCHEDULED FOR DISCUSSION AND POSSIBLE ACTION, UNLESS OTHERWISE NOTED.

**1. CALL TO ORDER:**

**2. ROLL CALL:**

**3. 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 comments to **FIVE MINUTES**.

**4. ELECTIONS: Chairperson and Vice Chairperson.**

**5. MINUTES: Consideration of the **Regular Meeting Minutes of September 18, 2012.****

**6. REPORTS:**

- a. Chairperson and Members Report:
  - i. Updated on sustainability checklist
- b. Director's Report

**7. OLD BUSINESS**

- a. **WORKSESSION:** Discussion regarding the 89A Corridor Commercial Overlay District.

**8. NEW BUSINESS**

- a. **WORKSESSION:** General discussion regarding the following topics in preparation for possible future Zoning Code amendments:
  - i. Short-term rentals

- ii. Definition of family
- iii. Rental of guest houses and other accessory structures
- iv. Proposed option for Entertainment District

**9. FUTURE AGENDA ITEMS:**

**10. ADJOURNMENT:**

Reasonable accommodations may be requested by contacting Town Hall at (928)-634-9591, (TTY: 1-800-367-8939) at least 72 hours in advance of the meeting.

**MINUTES OF A REGULAR MEETING OF THE PLANNING COMMISSION OF THE TOWN OF CLARKDALE HELD ON TUESDAY, SEPTEMBER 18, 2012, 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, September 18, 2012, 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	Absent
	Dave Puzas	Present

**Community Development Staff:**

Community Development Director	Jodie Filardo
Senior Planner	Beth Escobar

**Others in Attendance:** Ida de Blanc.

1. **AGENDA ITEM: CALL TO ORDER:** The Chairperson called the meeting to order at 6:00 p.m.
2. **AGENDA ITEM: ROLL CALL:** The Community Development Director called roll.
3. **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.**
4. **AGENDA ITEM: MINUTES:** Consideration of the **Regular Meeting Minutes of June 19, 2012.** The Chair entertained a motion to accept the minutes. Commissioner Olguin motioned to approve the Regular Meeting Minutes of June 19, 2012. Commissioner Viarengo seconded the motion. The motion passed unanimously.

**5. AGENDA ITEM: REPORTS:**

**Chairperson & Members Special Events Report:** Chair Van Wye asked that the public record reflect the gratitude of the Commission to Karen Daniels for her service to the Town as a Planning Commission and on the other commissions she volunteered for the Town.

**Director's Report:**

Director Filardo reviewed the report that was included in the Commission packet.

**6. OLD BUSINESS**

**AGENDA ITEM: WORKSESSION:** Discussion regarding proposed outline for adopting agricultural use in residential zoning districts. **This being a worksession only, there were no actions taken. Staff was given direction to:**

- Clarify language regarding non-commercial agricultural uses.
- Include a maintenance clause regarding property used for agribusiness
- Include a requirement that the property be returned to natural state if the agricultural use is abandoned
- Investigate ‘organic’ pesticides, herbicides and fertilizer. Obtain legal advice so that the correct labeling is used.
- Provide further information regarding requiring a residential use be established prior to an agricultural use.
- Place this item on the next Planning Commission agenda as a public hearing and invite interested parties who support or oppose agricultural uses in residential districts.

**AGENDA ITEM: WORKSESSION:** Discussion regarding Sustainability Implementation Strategies. This being a worksession only, there were no actions taken. Commissioner Olguin will report on this item during the report section at the next Planning Commission meeting.

**7. NEW BUSINESS**

**AGENDA ITEM: PUBLIC HEARING:** A public hearing to review proposed changes to the Subdivision Regulations, including deletion of Chapter 12 of the Town Code in its entirety, adoption of a completely revised version of the Subdivision Regulations as Chapter 12 of the Town Zoning Code and deletion of Article 12-8: Golf Water Use Regulations from the Subdivision Regulations. This section will be adopted into Chapter 4, General Provisions, of the Town Zoning Code.

**Open Public Hearing:** The Chairperson opened the public hearing.

**Staff Report:**

Senior Planner Escobar provided a summary of the changes proposed by Town Council during their review of the draft subdivision ordinance:

- Section 12-3-3 Landscape Requirements (page 22). The Mayor requested changes to some of this language.
- Section 12-4-5.D.10.b (page 50) was added allowing developers to propose alternative methods of providing construction assurances, other than the letter of credit and cash deposit listed in ‘a’ of this Section. The Council wanted to leave the opportunity available to consider alternative methods for providing assurance.
- Section 12-8, Golf Course Water Use Regulations, has been deleted from the Subdivision Regulation and will be adopted into Section 4 – General Provisions of the Zoning Code. The Council felt that this Section, since it is not exclusive to subdivision development, should be in another area of the Code.

**Invite Public to Speak:**

No members of the public spoke.

**Close Public Hearing:** The Chairperson closed the public hearing.

**ACTION:** Commissioner Viarengo motioned to recommend to Town Council the adoption of the revised version of the Subdivision Regulations as Chapter 12 of the Town Zoning Code and deletion of Article 12-8: Golf Water Use Regulations from the Subdivision Regulations. This section will be adopted into Chapter 4, General Provisions, of the Town Zoning Code. Commissioner Puzas seconded the motion. The motion passed unanimously.

8. **AGENDA ITEM: WORKSESSION:** Discussion regarding the 89A Corridor Commercial Overlay District. This being a worksession only, there no actions taken. Staff was given direction to craft a new ordinance incorporating initiatives from the General Plan and Form Based Code principles to replace the existing ordinance.

9. **AGENDA ITEM: FUTURE AGENDA ITEMS:**

- Sustainability checklist for local developers
- Continue discussion regarding adding agricultural uses to residential zones
- Commission discussion regarding identifying additional, (not more than two) implementation strategies to work on this year.

10. **AGENDA ITEM: ADJOURNMENT:** If there is no further business for the good of the order, the Chair will entertain a motion for adjournment. **Commissioner Puzas motioned to adjourn the meeting. Commissioner Olguin seconded the motion. The motion passed unanimously. The meeting adjourned at 7:30 p.m.**

**APPROVED BY:**

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**Jack Van Wye**  
Chairperson

**SUBMITTED BY:**

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**Beth Escobar**  
Senior Planner



# Director's Report

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**Agenda Item:** Department Update  
Community Development Department

**Staff Contact:** Jodie Filardo

**Meeting Date:** October 16, 2012

- 1. Crossroads at Mingus:** Staff met with Steve Biasini, project manager and landscape architect for Crossroads at Mingus to discuss the timing of the development of the park on Tract F. Steve has priced out costs of the full development at approximately \$160,000. Since the developer has no incoming cash from the development, they would like to develop the park to a level that would cost approximately half this amount at first. Staff believes a usable neighborhood park can be developed for this amount, and then expanded after the developer starts to sell houses. Staff will work on fine tuning the list of required amenities for the first phase and submit this back to the developer in time to schedule review of the park by the Design Review Board in December.
- 2. Mountain Gate Subdivision:** Community Development Director Filardo and Senior Planner Escobar met with representatives of BC Land Group to discuss their reactions to the draft Second Amendment to the Development Agreement. BC Land Group asked for several points of clarification regarding some of the content of the draft. In general, there do not appear to be any large areas of disagreement, although BC Land Group has some issues with the timing of payments that are being requested. They will submit a counter proposal within the next few months.
- 3. Centerville:** Community Development staff attended the Centerville Neighborhood meeting on Monday, September 24 from 5:30 – 7:00 p.m. at Centerville Park to discuss emergency access for the Centerville neighborhood and whether or not the residents supported continued access to Centerville Road directly from the neighborhood. Approximately 13 residents and property owners attended.

Town of Clarkdale staff, including the Town Manager, Gayle Mabery, Community and Economic Director Jodie Filardo, Utilities and Public Works Director Wayne Debrosky and Police Chief Randy Taylor were present as well as Clarkdale Fire District Chief Joe Moore and Clarkdale Councilman Renee Radoccia. Attendees were presented with information regarding traffic counts and public safety response times.

The following **options** for emergency egress were discussed:  
Immediate Action:



# Director's Report

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Leave the existing connection from the Centerville Road current terminus to Avenida Macias.

Gate the current existing connection to have an emergency access only.

Completely block the Avenida Macias access to Centerville Road and improve a gated emergency access connection to the extension of Company Hill Road in the Mountain Gate subdivision.

Long Term Action:

Permanently connect Avenida Macias to the Centerville Road extension.

Leave a gated emergency access only connection to the Centerville Road extension.

Completely block the Avenida Macias access to Centerville Road and improve a gated emergency access connection to the extension of Company Hill Road in the Mountain Gate subdivision.

Issues such as the safety of children playing in the road, traffic noise and lights from cars at night were expressed as opposition to a permanent connection.

Ease of connecting to Broadway and the ability to get to Cottonwood without going through the roundabouts or encountering large truck traffic on SR 89A were expressed as positive reasons for having a permanent connection.

Speeding on Avenida Centerville and the other streets in the neighborhood was identified as a continuing issue. Solutions such as reducing the speed limit to 15 mph and more police patrol were presented.

The attendees at the meeting were divided regarding the solution.

Based on feedback from the meeting, Police Chief Randy Taylor and Officer Ron Ekholm canvassed the neighborhood on Sunday, September 30<sup>th</sup>. While there, they delivered 91 copies of the survey. Of those who responded directly to Chief Taylor and Officer Ekholm, 47 of 51 responses favored keeping the neighborhood connection open to Centerville Road.

4. **Economic Development:** The Focused Future II Action Team will be meeting on October 17, 2012 to review the draft Economic Development Plan. This plan will be presented to the public in November, and presented to Town Council for approval in on December 11.
5. **Sign Code:** At their October 3, 2012 meeting, the Design Review Board reviewed the draft changes to the Sign Code, Chapter Seven of the Zoning Code. The Board recommended that these changes be reviewed, in a public hearing, by the Planning Commission. This will be scheduled for the Commission's November meeting.



# Director's Report

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6. **Arizona Planning Association:** On Thursday, October 25, the Community Development Department will be hosting the monthly North Central Section meeting of the Arizona Chapter of the American Planning Association. The meeting will be held in the Clark Clubhouse. An invitation is included in your packet. Please let staff know if you plan to attend so we can post a notice of quorum.
  
7. **Arizona Commerce Authority Visit:** On Thursday, November 1<sup>st</sup> from 10 a.m. until noon at the Men's Lounge, Keith Watkins, Senior Vice President, Economic Development and Rural Development plus Ben Bronson, Manager of Rural Development will be presenting at a Special Council Meeting on economic development. Town Council, the Planning Commission, the Focused Future II Action Team and downtown property owners plus staff are all invited to attend.



# October is Community Planning Month!



Celebrate in **Northern Arizona** with an event on **October 25<sup>th</sup>** in **Clarkdale!**

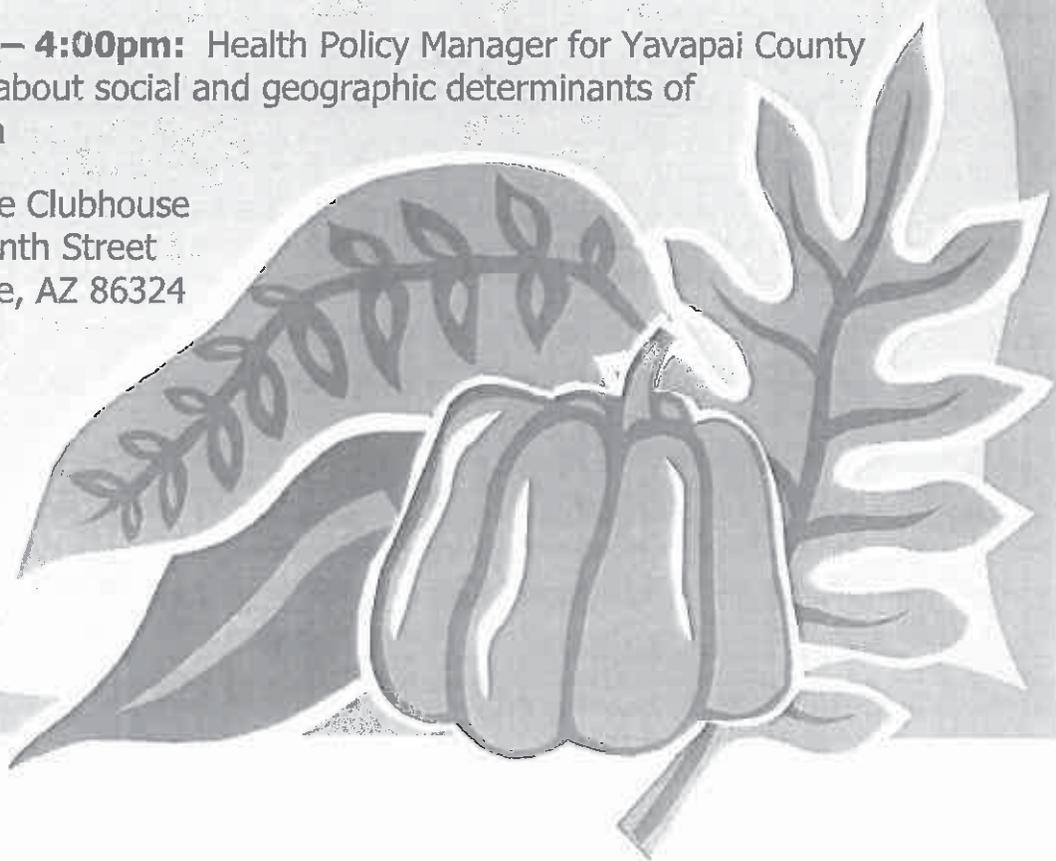
**Thursday, October 25<sup>th</sup>, 2:00 – 4:00pm:** ***Celebrate Planning Month** by joining with fellow Northern Arizona planners to learn about new energy saving projects in Clarkdale and Community Health indicators! – Includes light refreshments and cookies.*

**2:00 – 3:00pm:** Clarkdale planners showcase new permaculture and geothermal projects

**3:00 – 4:00pm:** Health Policy Manager for Yavapai County talks about social and geographic determinants of health

Clarkdale Clubhouse  
19 N. Ninth Street  
Clarkdale, AZ 86324

Cost: \$5

A stylized illustration of a pumpkin with a stem, surrounded by large, detailed leaves. The pumpkin is in the foreground, and the leaves are layered behind it, creating a sense of depth. The style is simple and graphic, using solid colors and outlines.



# Staff Report

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**Agenda Item:** WORKSESSION  
Discussion regarding the 89A Overlay District

**Staff Contact:** Beth Escobar

**Meeting Date:** October 16, 2012

**Background:**

At the September 18, 2012 meeting, the Commission directed staff to craft a new ordinance incorporating initiatives from the General Plan and Form Based Code principles to replace the existing ordinance.

Staff has been exploring this concept further, and would like to present another option to the Commission.

As previously discussed, it would be challenging to create a new code and retain the restriction of 50 percent lot coverage, including parking areas, and the 50-foot front setback, due to current laws related to the diminution of private property value. Although, in staff's opinion, neither of these stipulations work well enough to guide the type of development appropriate for the 89A commercial corridor, i.e. clustered neighborhood-focused development as opposed to a strip mall, it may be more appropriate to maintain this code as it exists, and create an alternate code allowing developments to incorporate desirable elements into the project design in exchange for relaxation of existing requirements of the overlay district.

For example, a commercial development can gain 'credit' in four categories: sustainable design, multi-modal accessibility, reduced visual impact and water conservation.

This credit can be applied to increase the lot coverage above 50 percent, and/or reduce setback requirements.

Obviously this alternate code would need to be carefully crafted to drive the development of the project to a desirable result; however, since it would be the developer's choice to work within the alternate code, there would be no diminution of property right's exposure.

**Recommendation:**

Staff is asking for the Commission's input regarding this approach. If the Commission agrees this is an alternative worth exploring, staff would like to discuss this option with Town Council in a worksession before proceeding with development of a draft ordinance.



# Staff Report

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**Agenda Item:** WORKSESSION  
Discussion regarding possible future amendments to the Zoning Code

**Staff Contact:** Beth Escobar

**Meeting Date:** October 16, 2012

**Background:**

Staff has been responding to questions regarding several recurring planning issues related to the definition of family and permitted uses in a single-family residential zone. These are complex issues associated with the conflict between an older zoning code and today's changing societal customs.

In addition, staff has begun exploring the creation of an Entertainment District. This would be an addition to our existing zoning code as an overlay district.

Staff would like to discuss these issues with the Planning Commission to determine whether ordinance amendments should be developed to deal with specific matters.

**Definition of family:**

The Clarkdale Zoning Code defines a family as:

*Family: Any number of persons living together as a single housekeeping unit under a common housekeeping management plan.*

The issue with this definition is it allows for an unlimited number of people in a single residence.

Family is further defined in the code as:

*Family, Immediate: Husband, wife, child, stepchild, brother, sister, stepbrother, stepsister, parent, stepparent, grandchild, grandparent, mother-in-law, father-in-law.*

However, this definition does not provide a limiting number of people for a single residence.

A single-family residence is defined as:

*Dwelling, Single-Family: A building containing one single-family dwelling unit.*

Still no limiting factors are being provided.



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There is not a definition in our code for the terms 'single-family' or 'multi-family'.

Based on the definitions in the code, one single-family house could have an unlimited amount of residents.

The traditional definition of single-family neighborhood in suburbia has been a Dad, Mom and kids. As baby boomers have aged, grandparents have been added to the listed. As society's interpretation of family has changed, today, it can be any combination of relationships.

In the last six months, staff has received one complaint regarding a tenant in a basement apartment of a single family residence, and one complaint regarding too many people in an apartment.

In both cases, there was no zoning code violation. However, in the case of the tenant, the space being used in a single-family home had been converted into an apartment without a building permit. Through resolution of the complaint, the Building Official was able to resolve code issues, include installation of a window access and smoke detectors.

Without the complaint being received, the safety issues for the tenant would not have been resolved.

## **Guest Homes**

Staff has also become aware, through a non-complaint process, of guest homes being used as rentals.

This is a violation of the Zoning Code, which defines Guest Quarters:

*One or more rooms designed, occupied or intended as separate living area for the use of short term guests.*

Many cities and towns in Arizona have instituted a policy for Accessory Dwelling Units (ADU's). The regulations for ADU's vary, but they all create a process for allowing long-term rental of detached accessory units or portions of a single-family home and provide the ability to monitor occupancy and use for this situation.

## **Short-term Rentals**

Also known as Vacation Rentals, this is a situation where a property owner rents their single-family home by the week or by weekend to visitors. Vacation Rentals can be a sensitive issue



# Staff Report

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to the surrounding neighbors, who see different vehicles and people at the location, creating a transient appearance.

Once again, our current code does not provide a clear method for denying the use of a single-family home as a vacation rental. Any attempt to develop new regulations restrict to prohibit this use would have to be closely analyzed for property rights impact.

In the current economic reality, unconventional uses of a single-family home may provide income to a home owner struggling to hold on to their investment. In addition, ADUs often can provide an affordable housing option. Vacation rentals may provide an economic benefit to the town, both through additional taxes and patronage of local businesses.

### **Entertainment District**

As part of the economic development focus, staff would like to create an entertainment district for the original Town business district. A benefit of an entertainment district is the requirement of a business serving alcohol to be at least 300 feet from a church is vacated. This is an important consideration since there are two churches in this area.

An Entertainment District can also be used to drive other specific factors, such as creating common design elements. It would also provide a definition for the geographical area.

The district boundaries and requirements are determined as part of the development of the overlay district.

### **Recommendation:**

Staff is asking for the Commission's input regarding these issues.