



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

Tuesday, June 16, 2015 4:00 pm
Men's Lounge, Clark Memorial Clubhouse, 19 N. Ninth Street

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, June 16, 2015 at 4:00 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.

GUIDELINES FOR PUBLIC COMMENT

The Town of Clarkdale endorses civil discourse. If you wish to speak at this meeting, please:

- Fill out a "Comment Card" and deliver to a staff person.
- When recognized, step to the podium and state your name and whether you are a Clarkdale resident.
- Direct all comments to the Planning Commission. Do not enter into a dialogue with the applicant or other members of the public.

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 8th day of June at 9:00 a.m.

Vicki McReynolds
Vicki McReynolds
Administrative Assistant II

www.clarkdale.az.gov

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. **MINUTES:**

- a. Consideration of the **Regular Meeting Minutes of May 19, 2015.**

5. **REPORTS:**

- a. Chairperson and Members Report
b. Director's Report

6. **OLD BUSINESS:**

a. **PUBLIC HEARING:** Regarding proposed changes to Sections 2-1, 3-9, 3-10, 3-11, 3-12, 3-13 and 11-13 of the Town of Clarkdale Zoning Code regarding commercial zoning.

- Staff Report:
- Questions to Staff
- Open Public Hearing
- Close Public Hearing

b. **CONSIDERATION AND POSSIBLE ACTION:**

Discussion/possible action regarding proposed changes to Sections 2-1, 3-9, 3-10, 3-11, 3-12, 3-13 and 11-13 of the Town of Clarkdale Zoning Code regarding commercial zoning.

- Staff Report:
- Questions to Staff
- Open Public Hearing
- Close Public Hearing

7. **NEW BUSINESS:**

- a. Discussion/recap of recent conditional use permit and associated site visit process.

8. **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, MAY 19, 2015, 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, May 19, 2015, at 4:00 p.m., in the Men's Lounge of the Clark Memorial Clubhouse, 19 N. Ninth Street, Clarkdale, AZ.

Planning Commission:

Vice Chairperson	Ida-Meri deBlanc	Present
Commissioners	Jorge Olguin	Present
	John Erickson	Present
	Craig Backus	Absent

Staff:

Community Development Director	Jodie Filardo
Senior Planner	Beth Escobar

Others in Attendance: Phil Terbell.

- 1. AGENDA ITEM: CALL TO ORDER:** Vice Chair de Blanc called the meeting to order at 4:00 p.m.
- 2. AGENDA ITEM: ROLL CALL:** Director Filardo called the 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.

There was public comment: Mr. Phil Terbell addressed the Commission and let them know he has set a personal goal to attend all planning meetings in the area to represent the development community.

- 4. AGENDA ITEM: MINUTES:** Consideration of the Regular Meeting Minutes of April 21, 2015. The Vice Chair entertained a motion to accept the minutes. Commissioner Olguin motioned to approve the Regular Meeting Minutes of April 21, 2015. Commissioner Erickson seconded the motion. The motion passed unanimously.
- 5. AGENDA ITEM: REPORTS:**

a. Chairperson and Members Report- Commissioner Erickson stated the signs at The Crossroads are effective and the road at Mescal Spur will be very useful.

b. Director's Report

Director Filardo thanked the Commissioners for their effective and thorough review of the wireless facility application. She stated that everyone at the Town holds the Commission in high regard for their courage, thoroughness and integrity.

6. OLD BUSINESS:

a. AGENDA ITEM: WORKSESSION: Continuing discussion/possible action regarding proposed changes to Sections 2-1, 3-9, 3-10, 3-11, 3-12 and 3-13 of the Town of Clarkdale Zoning Code regarding commercial zoning.

Background:

At the April 21 meeting the Planning Commission directed staff to incorporate proposed changes to the commercial zoning districts into zoning code format for review.

Major changes being proposed include:

- Adding a variety of agriculture related uses to the Commercial and Highway Commercial District
- Moving Artist Studio from a conditional use to a permitted use in the Neighborhood and Highway Commercial Districts and add as a permitted use in the Commercial and Central Business District. Language has been added regarding performance standards applying to art production per the Commission's discussion.
- Add Commercial, Trade or Vocational schools as permitted uses to Highway and Neighborhood Commercial District. This category is currently a permitted use in the Commercial and Central Business District.
- Add Assisted living facilities including convalescent homes, hospice care and retirement centers as permitted uses in the Highway and Neighborhood Commercial Districts (currently allowed with a CUP).
- Consolidate uses into a Personal services category
- Consolidate uses into a Professional offices category
- Remove limiting language from Retail sales
- Add Park and ride facilities as permitted uses in Commercial and Highway Commercial
- Remove limitations regarding alcohol service in the Neighborhood and Highway Commercial Districts.

- Create a separate category for Repair of household appliances and add to all districts
- Add Single-family use to all commercial districts. This is an assumed permitted use for a hierarchical code.
- Convert Parking structures or garages, a maximum of two stories in height to Public garage, including storage and repair, a maximum of two stories in height in Highway Commercial
- Add Public Utilities as permitted uses in Commercial and Highway Commercial Districts.

In addition, the uses have been alphabetized and language has been standardized across all four districts.

Since the agriculture use category is new, draft definitions have been developed for uses in this category.

The Commission expressed concerns about the exclusion of manufactured housing in commercial district, stating this was restrictive and non-flexible.

Recommendation: Staff is requesting the Planning Commission provide feedback on the proposed changes and direct staff to schedule the required public hearing.

ACTION: The Planning Commission directed staff to develop more flexible language regarding single and multi-family housing and the use of manufactured or modular units. The Commission directed staff to make these changes and bring the drafts back to the Commission in a public hearing at the regularly scheduled June Planning Commission meeting.

7. AGENDA ITEM: FUTURE AGENDA ITEMS

Staff has been notified regarding a possible second wireless facility proposed to be located in the industrial area.

8. AGENDA ITEM: ADJOURNMENT: The Vice Chairperson entertained a motion for adjournment. Commissioner Olguin motioned to adjourn the meeting. Commissioner Erickson seconded the motion. The motion passed unanimously. The meeting adjourned at 4:40 p.m.

APPROVED BY:

SUBMITTED BY:

Ida de Blanc
Vice -Chairperson

Beth Escobar
Senior Planner



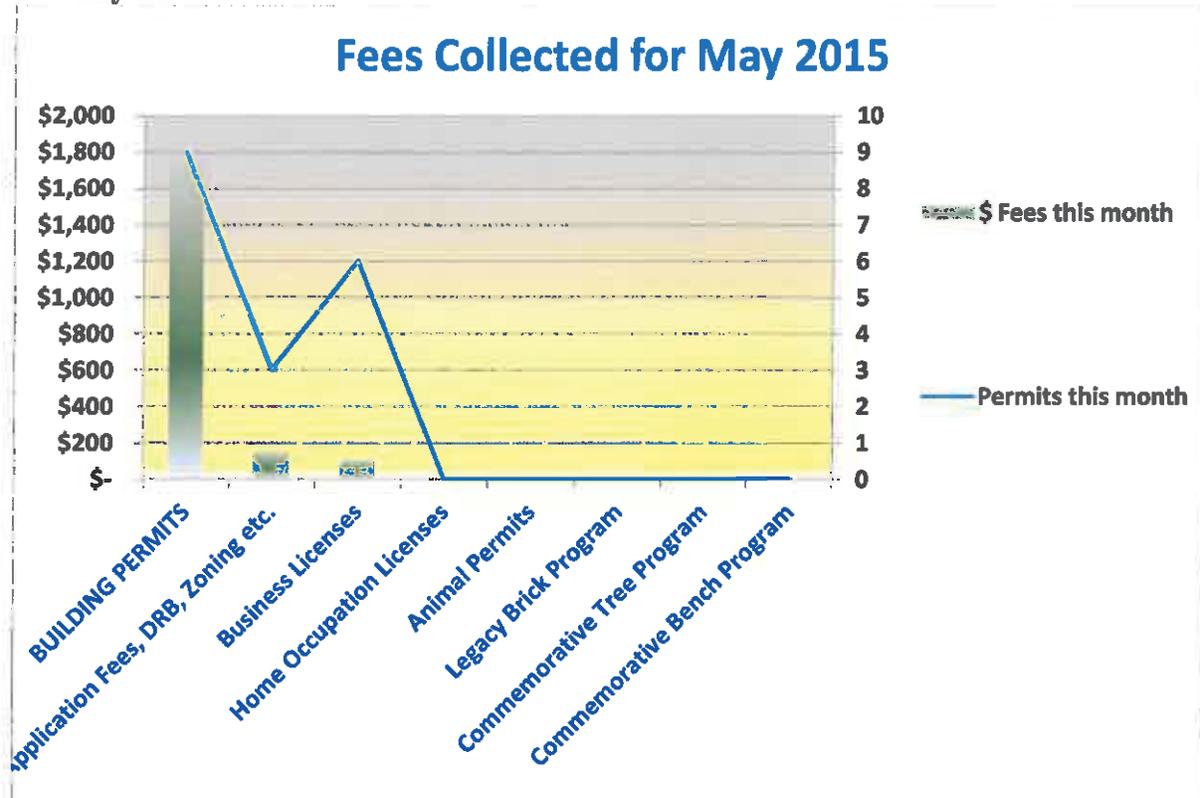
Director's Report

Agenda Item: Department Update
Community Development Department

Staff Contact: Jodie Filardo

Meeting Date: June 16, 2015

1. May 2015 Statistics.



2. Permits Issued – Includes permits from April and May – 20 total.

Bathroom remodel at 2181 Liough Drive

Spa at 341 Summer Circle

New photovoltaic solar permits are on the rise:

1385 Mountain Road

190 Verde Street

1391 Old Jerome Highway

Remodel at 1151 Highway 89a

Re-roof at 905 First South Street

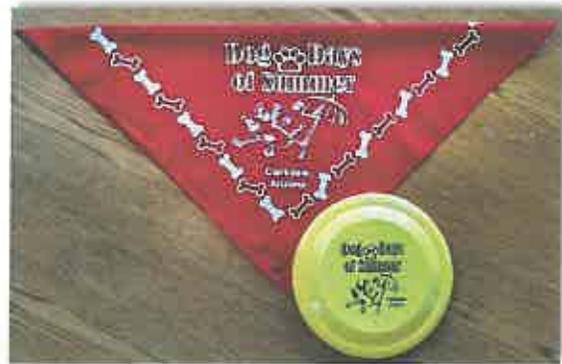
Roof nailing and shear panel at 1941 Crossroads Blvd.



Director's Report

Final and Certificate of Occupancy at 501 Miners Gulch Drive
Final for accessory structure at 1445 Minerich Road
Roof nailing at 139 Zuni Drive
Combination inspection (framing, plumbing, electrical, and mechanical) at 149 Zuni Drive
Final for Spa installation at 341 Summer Circle
New HVAC system at 145 Zuni Drive (Bank owned property being rehabilitated)
Re-roof at 570 Black Hills Drive
Re-roof at 821 Reta Street
Electrical service – 1001 First South Street
Plumbing, sewer and water lines repair – 1514 First South Street
Gas line replacement at 1502 Main Street
Roof replacement at Reta Street

- 3. Dog Days of Summer.** June 20th from 9 AM – 1 PM. Town Park and Main Street, Clarkdale. Sponsored by the Clarkdale Downtown Business Alliance. Entry fee buys you a bandana for your dog: \$3 for one or \$5 for two.



Dog races, dog-people look-alike contest, bobbing for hotdogs, chicken broth shots, dog licensing, fire hydrant raffle and other doggie fun is to be had!

- 4. Verde Valley Open Air Cinema in Town Park.** Come see Casablanca on the lawn of Town Park on June 20th. Festivities start at 7 PM with live music and the movie starts at 8 PM.





Director's Report

5. May 11th – National Geographic and Sedona Verde Valley Tourism Project – training held in Clarkdale.

An array of Clarkdale and Jerome business owners met at the Clark Memorial Clubhouse to attend training from National Geographic on how to load information regarding their special and authentic experiences onto the new website. Once the data is received by the National Geographic editorial team it will be reviewed to make sure it works for this project and will then be loaded into their system.



6. United Verde Soil Project. Staff has been working on various aspects of this project plan to learn as much as possible about the best way to approach this project. Owners of both the Crossroads at Mingus development and the Mountain Gate development were contacted directly and informed about the project. Each is willing to serve on an advisory committee if requested. In addition, a team trip to Bisbee to learn from their recent soils project occurred on May 27th and May 28th.

– Trip to Bisbee Summary. The Mayor, Town Manager, Director of Utilities and Public Works, and the Director of Community and Economic Development journeyed to Bisbee during the last week of May for an eye-opening and worthwhile visit with Freeport-McMoRan officials and contractors plus City of Bisbee officials. There were an array of lessons to be learned from the Bisbee experience from both the infrastructure and project management perspectives plus the observed physical and visual impacts of the project on sites throughout the city. This certainly provided the team with many specific suggestions for use in approaching our own project here in Clarkdale.

7. Name Change. Our very own Copper Art Museum is now the Arizona-Copper Art Museum. Per an email from Drake Meinke, “We believe that adding the word ‘Arizona’ will make the museum more attractive to visitors and be thought of as more of an official museum entity. We think this will encourage more patronage. This name change is similar to the Arizona-Sonora Desert Museum.”

8. Verde Valley Gigabit Project. Based on new findings at the ADOT Highway 260 Utilities meeting on May 21st, a meeting with Century Link was established for June 2 to determine the gaps between the proposed middle mile network and plans the company has for fiber upgrades in the Verde Valley. This is a very big step forward in the creation of a middle mile ring within the Verde Valley. In addition, staff met with the Yavapai County Education Services Agency CIO and the gentleman in charge of the E-rate program for the schools. They agreed to collaborate on the growth of broadband in the Verde Valley.



Staff Report

Agenda Item: **PUBLIC HEARING:** Regarding proposed changes to Sections 2-1, 3-9, 3-10, 3-11, 3-12, 3-13 and 11-13 of the Town of Clarkdale Zoning Code regarding commercial zoning.

Staff Contact: Beth Escobar

Meeting Date: June 16, 2015

Presented to: Planning Commission

Background:

The Planning Commission has conducted two worksessions to review proposed changes to the commercial zoning districts. Per direction from the Commission during the May 19th meeting, staff has removed the language ‘*excluding mobile homes and manufactured homes*’ from residential uses in all of the commercial districts.

Also, with the recommended elimination of the Town Center Commercial District, Section 3-10, the three subsequent commercial districts have been renumbered for consistency.

The following is a summary of the proposed changes (**uses are underlined for clarity, new uses not previously allowed in any commercial district are in bold**):

- Add the following agricultural uses to the Commercial, Neighborhood and Highway Commercial District
 - **Agriculture**
 - **Greenhouses**
 - **Community Supported Agriculture disbursement location**
 - **Community Gardens**
 - **Farmers Markets**
 - **Agribusiness**, including the processing and distribution on site of agricultural products. Refining and sales must be in a permanent structure.
- Adopt definitions for various agricultural uses
- Add specific requirements to Section 11-13 for site plan review of agricultural uses including requirements for a water/wastewater use plan during the site plan review.
- Allow alcohol service in restaurants in Highway and Neighborhood Commercial to standardize language across all commercial districts.
- Add **Artist Studios** as separate permitted use in Central Business District and Commercial District. Move from conditional use to permitted use in Neighborhood and Highway Commercial District.
- Add **Automobile parking lot** to Highway Commercial District
- Standardize language for **Bed and Breakfast Country Inns**



Staff Report

- Add Commercial, Trade or Vocational schools as permitted uses to Highway and Neighborhood Commercial District. This category is currently a permitted use in the Commercial and Central Business District.
- Consolidate wording for Convenience Stores/Filling Stations and add as a conditional use to all districts
- Add Funeral Parlors without a crematorium to Central Business and Commercial Districts as a separate category removed from Personal Services and delete wording 'in keeping with the historic Clarkdale tradition' from the Neighborhood Commercial District
- Delete Microbrewery, with or without food from Neighborhood and Highway Commercial – this is covered under Manufacturing, production and assembly of boutique consumable products.
- Add Manufacturing, production, and assembly of boutique consumable products to Highway and Neighborhood Commercial. This is currently a permitted use in the Commercial and Central Business District.
- Add Museums to Commercial and Central Business Districts. (This is a use we have in the Central Business District that is not specifically listed.)
- Add Park and ride facilities as a permitted use in Commercial and Highway Commercial
- Create separate category for Repair shops for household small appliances et. al. in all Commercial Districts
- Consolidate language for Residential uses into one category including single family and multi-family
- Remove Storage facilities from publicly owned, etc., to separate category in Commercial District
- Replace Self-storage units with Storage facilities in Highway Commercial
- Add Convenience stores/ with bulk storage of inflammable materials as a conditional use in Commercial District, add filling station language to this use in Commercial, Highway and Neighborhood Commercial, delete Filling station in Commercial and Highway
- Add child or adult language to Day Care Center in Commercial and Central Business District
- Add Medical Facilities as a conditional use for all commercial districts. Staff is suggesting this be added as a conditional use since the CUP process would allow discussion regarding items specific to a medical facility, such as hazardous material management.
- Add Public Utilities as a conditional use in Commercial and Highway District
- Delete the words 'without bars' from the restaurants and sidewalk cafes category in Neighborhood Commercial and the wording 'which do not serve alcohol ...' from the Highway Commercial District.
- Delete Restaurants with bars as a secondary use from Highway Commercial.



Staff Report

- Move Taverns and Bars from a conditional use in Neighborhood and Highway Commercial to a permitted use and consolidate with the restaurant category.
- Delete Treatment facility as conditional use in Highway Commercial. This would be covered under medical facilities
- Standardize language for wholesale establishments and move from a conditional use in the Highway Commercial District to a permitted use.
- Add Any use not listed but determined by the Community Development Director to be similar to Commercial District and standardize this language for all districts.

Town Center Commercial

In addition to the above changes, staff is recommending the Town Center Commercial Zone be eliminated. This zoning classification was adopted in 2006 at the same time the Highway, Neighborhood and 89A Highway Corridor Overlay District were adopted. There is currently no property within Town boundaries with the Town Center Zoning and it is not specifically referenced in the General Plan. It appears to be superfluous to the code and duplicates those uses listed in the Central Business District.

Summary

The changes being proposed provide clarification to the existing code and should make it easier to use by the public and staff. By combining specific uses, such as dressmaking, into a broader category, such as personal services, there is less likelihood a specific use that may be appropriate will be eliminated or overlooked. By adding additional uses, such as agriculture, the code addresses current trends in land use.

Recommendation: Staff is requesting the Planning Commission review the material and provide specific recommendations for changes or direct staff to move the proposed revisions forward to Town Council for review.

Attachments:

1. Commercial Uses Matrix
2. Draft Ordinance with Revised Section 2, Revised Sections 3-9, 3-10, 3-11 & 3-12 and Revised Section 11-13

Permitted Uses

Central Business District	Commercial District	Neighborhood Commercial	Highway Commercial
Agribusiness, including the refining and distribution on-site of agricultural products. Refining and sales must be in a permanent structure.	Agribusiness, including the refining and distribution on-site of agricultural products. Refining and sales must be in a permanent structure.	Agribusiness, including the refining and distribution on-site of agricultural products. Refining and sales must be in a permanent structure.	Agribusiness, including the refining and distribution on-site of agricultural products. Refining and sales must be in a permanent structure.
Amusement place in a completely enclosed building	Agricltural Uses	Agricltural Uses	Agricltural uses
Artist Studios - art production on site is subject to performance standards of the district	Amusement place in a completely enclosed building	Amusement place in a completely enclosed building	Amusement facilities (not required to be inside)
Assisted living facilities including convalescent homes, hospice care and retirement centers	Artist Studios - art production on site is subject to performance standards of the district	Artist Studios - art production on site is subject to performance standards of the district	Artist Studios - art production on site is subject to performance standards of the district
Automobile parking lot	Assisted living facilities including convalescent homes, hospice care and retirement centers	Assisted living facilities including convalescent homes, hospice care and retirement centers	Assisted living facilities including convalescent homes, hospice care and retirement centers
Automobile, trailer, boat, or farm implement display, sales or rentals.	Automobile parking lot	Automobile parking lot	Automobile parking lot
Bed and Breakfast Country Inns	Automobile, trailer, boat, or farm implement display, sales or rentals.	Automobile, trailer, boat, or farm implement display, sales or rentals.	Automobile, trailer, boat, or farm implement display, sales or rentals.
Commercial, trade or vocational schools.	Bed and Breakfast Country Inns	Bed and Breakfast Country Inns	Bed and Breakfast Country Inns
Community gardens	Commercial, trade or vocational schools.	Commercial, trade or vocational schools.	Commercial, trade or vocational schools.
Community Supported Agriculture (CSA) disbursement locations	Community gardens	Community gardens	Community gardens
Farmers Markets	Community Supported Agriculture (CSA) disbursement locations	Community Supported Agriculture (CSA) disbursement locations	Community Supported Agriculture (CSA) disbursement locations
Funeral Parlors without a crematorium	Farmers Markets	Farmers Markets	Farmers Markets
Greenhouses	Funeral Parlors without a crematorium	Funeral Parlors without a crematorium	Funeral Parlors without a crematorium
Hotels and motels	Greenhouses	Greenhouses	Greenhouses
Manufacturing, production and assembly of boutique consumable products	Hotels and motels	Hotels and motels a maximum of two stories in height	Hotel and motels a maximum of two stories in height
Medical Marijuana Dispensary	Manufacturing, production and assembly of boutique consumable products	Manufacturing, production and assembly of boutique consumable products	Manufacturing, production and assembly of boutique consumable products
Museums	Medical Marijuana Dispensary	Medical Marijuana Dispensary	
Personal service uses, including barber shops and beauty parlors, dressmakers, tailors and other personal service uses of a similar nature.	Museums	Museums	Museums
Professional and business offices, including clinics, banks and financial institutions and medical/dental offices	Park and ride facilities	Park and ride facilities	Park and ride facilities
Public garages, including storage and repair	Personal service uses, including barber shops and beauty parlors, dressmakers, tailors and other personal service uses of a similar nature.	Personal service uses, including barber shops and beauty parlors, dressmakers, tailors and other personal service uses of a similar nature.	Personal service uses, including barber shops and beauty parlors, dressmakers, tailors and other personal service uses of a similar nature.
	Professional and business offices, including clinics, banks and financial institutions and medical/dental offices	Professional and business offices, including clinics, banks and financial institutions and medical/dental offices	Professional and business offices, including clinics, banks and financial institutions and medical/dental offices
	Public garages, including storage and repair	Public garages, including storage and repair	Public garages, including storage and repair, a maximum of two stories in height
	Publicly owned or operated park, playground or building including public garages and storage yards in conformance with Subsection 1.3		

Central Business District	Commercial District	Neighborhood Commercial	Highway Commercial
Repair shops for household appliances, bicycles, and personal items	Repair shops for household appliances, bicycles, and personal items	Repair shops for household appliances, bicycles, and personal items	Repair shops for household appliances, bicycles, and personal items
Residential uses including single family and multi-family	Residential uses including single family and multi-family	Residential uses including single family and multi-family	Residential uses including single family and multi-family
Restaurants, taverns, bars and sidewalk cafes	Restaurants, taverns, bars and sidewalk cafes	Restaurants, taverns, bars and sidewalk cafes	Restaurants, taverns, bars and sidewalk cafes
Retail sales	Retail sales	Retail sales	Retail sales
Self-service laundry and cleaning establishments	Self-service laundry and cleaning establishments		Retail sales
	Storage facilities		
	Wholesale establishments and warehouses, including the packaging of consumable products for retails sales distribution		Wholesale establishments and warehouses, including the packaging of consumable products for retails sales distribution

Central Business District	Commercial District		Neighborhood Commercial	Highway Commercial
Conditional Uses				
	Automatic or self-service car wash	Amusement Facilities within a structure with sound containment		
Campsites and recreational vehicle parks	Campsites and recreational vehicle parks	Campsites and recreational vehicle parks for stays of 30 days or less	Campsites and recreational vehicle parks for stays of 30 days or less	Campsites and recreational vehicle parks for stays of 30 days or less
Convenience stores/filling stations provided bulk storage of inflammable liquids is underground. No repair shop or vehicle storage shall be permitted except in conformance with the Zoning Code. Day Care Center (child or adult)	Convenience stores/filling stations provided bulk storage of inflammable liquids is underground. No repair shop or vehicle storage shall be permitted except in conformance with the Zoning Code. Day Care Center (child or adult)	Convenience stores/filling stations provided bulk storage of inflammable liquids is underground. No repair shop or vehicle storage shall be permitted except in conformance with the Zoning Code. Day Care Center (child or adult)	Convenience stores/filling stations provided bulk storage of inflammable liquids is underground. No repair shop or vehicle storage shall be permitted except in conformance with the Zoning Code. Day Care Center (child or adult)	Convenience stores/filling stations provided bulk storage of inflammable liquids is underground. No repair shop or vehicle storage shall be permitted except in conformance with the Zoning Code. Day Care Center (child or adult)
	Dry cleaners	Dry cleaners	Dry cleaners	Dry cleaners
	Halfway House with on site staff (excluding treatment centers)	Halfway House with on site staff (excluding treatment centers)	Halfway House with on site staff (excluding treatment centers)	Halfway house with on site staff
	Medical Facilities	Laundry, self service for individual use only	Laundry, self service for individual use only	Laundry, self service for individual use only Medical Facilities
Outside display of goods and merchandise, outside storage	Outside display of goods and merchandise, outside storage	Outside display of goods & merchandise for a limited period of time	Outside display of goods & merchandise for a limited period of time	Outdoor display of sales of goods and merchandise for limited period of time
	Public Utilities	Parking structures or garages, a maximum of two stories in height	Parking structures or garages, a maximum of two stories in height	Public Utilities
	Retail stores which involve any kind of manufacturing, processing, or treating of products other than that which is clearly incidental to the retail business conducted on the premises	Retail stores which involve any kind of manufacturing, processing, or treating of products other than that which is clearly incidental to the retail business conducted on the premises	Retail stores which involve any kind of manufacturing, processing, or treating of products other than that which is clearly incidental to the retail business conducted on the premises	Retail stores which involve any kind of manufacturing, processing, or treating of products other than that which is clearly incidental to the retail business conducted on the premises
	Wireless Communication Tower	Wireless Communication Tower		Storage facilities
Wholesale establishments and warehouses, including the packaging of consumable products for retail sales distribution	Wholesale establishments and warehouses, including the packaging of consumable products for retail sales distribution			
Any use not listed but determined by the Community Development Director to be similar in commercial character and use	Any use not listed but determined by the Community Development Director to be similar in commercial character and use	Any use not listed but determined by the Community Development Director to be similar in commercial character and use	Any use not listed but determined by the Community Development Director to be similar in commercial character and use	Any use not listed but determined by the Community Development Director to be similar in commercial character and use

AN ORDINANCE OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF CLARKDALE ALLOWING CHANGES TO CHAPTERS 2: DEFINITIONS AND CHAPTER 3: ZONING DISTRICTS AND CHAPTER 11: DESIGN REVIEW AND SITE PLAN REVIEW TO INCLUDE ADOPTING DEFINITIONS FOR AGRICULTURAL USES, ADDING CERTAIN AGRICULTURAL USES AS PERMITTED USES IN COMMERCIAL ZONING DISTRICTS, RECONFIGURING AND STANDARDIZING THE PERMITTED USES LIST AND MOVING SOME USES FROM CONDITIONAL USES TO PERMITTED USES AND ELIMINATING THE TOWN CENTER COMMERCIAL ZONING DISTRICT.

*Add the following language to **Section 2-1 Definitions**:*

Agribusiness: An enterprise deriving revenues from sales of agricultural products or sales to agricultural producers.

Agriculture: the growing, refining and distribution of plants, including flowers, fruits, trees and shrubs, herbs, and vegetables.

Commercial agriculture: The use of property for production of crops intended for distribution or sale.

Community Garden: Property shared by residents of Clarkdale to produce flowers, fruits, orchards and/or vegetables for personal use, education or decoration.

Community Supported Agriculture (CSA): A food distribution network consisting of growers and shareholders.

Farmers Market: An outdoor, periodic event, where farmers or producers gather to sell agricultural products directly to consumers.

*Make the following changes to **Section 3-9 Central Business District (CB)***

Delete Section 3-9.A in its entirety and replace with:

Section 3-9.A

Principal Uses permitted (Not requiring a use permit).

1. Agribusiness, including the refining and distribution on-site of agricultural products. Refining and sales must be in a permanent structure.
2. Amusement place in a completely enclosed building
3. Artist Studios – art production on site is subject to the performance standards of the Commercial District
4. Assisted living facilities including convalescent homes, hospice care and retirement centers
5. Automobile parking lot
6. Bed and Breakfast Country Inns
7. Commercial, trade and vocational schools

8. Community gardens
9. Community Supported Agriculture (CSA) disbursement locations
10. Farmers Markets
11. Funeral Parlors without a crematorium
12. Greenhouses
13. Hotels and motels
14. Manufacturing, production and assembly of boutique consumable products using sustainable practices that minimize negative environmental impacts while conserving energy and natural resources. Re-use or re-purposing of by-products is encouraged. All such activity shall be conducted within completely enclosed building. A portion of the products manufactured on site shall be sold at retail on the premises. **(Created by Ordinance #358 on 3/11/14; Effective 4/11/14)**
15. Medical Marijuana Dispensary in a storefront location. **(Created Ordinance #331 – Effective 04/08/11)**
 - a) Total floor areas for medical marijuana us not to exceed 1,500 square feet
 - b) The facility must have windows facing the street with window coverings open during business hours
 - c) One secure entrance/exit where the purchasing area is located
 - d) Located no closer than 500 feet from a public school, day care, pre-school through 12th grade
 - e) No use of medical marijuana shall be allowed on the premises
 - f) Shall not dispose of marijuana remnants or by-products in exterior refuse containers and shall be properly ventilated to filter the odor from marijuana so that the odor cannot be detected by a person with a normal sense of smell at any adjoining use or property
 - g) Any associated storage facility where medical marijuana or its by-products are stored shall be located in a building with appropriate security measures
16. Museums (not previously listed in Central Business District)
17. Personal service uses, including barber shops and beauty parlors, day spas, dressmakers, tailors, tattoo parlors and other personal service uses of a similar nature
18. Professional and business offices, including clinics, banks and financial institutions and medical/dental offices
19. Public garage, including storage and repair in accordance with Subsection 1: Performance Standards #3:Storage facilities
20. Repair shops for household small appliances, bicycles, and personal items
21. Residential uses including single family and multi-family
22. Restaurants, taverns, bars and sidewalk cafes in conformance with Section 4-16. (Created 2/14/12 Resolution 13388-Ordinance 342; Effective 3/14/12)
23. Retail sales including florist shops and greenhouses in connection with such shops
24. Self-service laundry and cleaning establishments

Delete Section 3-9.C in its entirety and replace with:

C. Conditional Uses Permitted

1. Convenience stores/filling stations provided bulk storage of inflammable liquids is underground. No repair shop or vehicle storage shall be permitted except in conformance with the Zoning Code.
2. Day Care Center (child or adult)
3. Outside display & sale of goods & merchandise, outside storage
4. Wholesale establishments and warehouses, including the packaging of consumable products for retail sales distribution. (Created by Ordinance #358 on 3/11/14; Effective 4/11/14)
5. Any use not listed but determined by the Community Development Director to be similar in commercial character and use.

Delete Section 3-10 Town Center Commercial (TCC) in its entirety

Change Section 3.11 to Section 3.10 Commercial (C)

Delete Section 3-11.C and replace with

Section 3-10 Commercial (C)

- A. **Principal Uses permitted** (Not requiring a use permit).
 1. Agribusiness, including the refining and distribution on-site of agricultural products. Refining and sales must be in a permanent structure.
 2. Agricultural Uses
 3. Amusement place in a completely enclosed building
 4. Artist Studios – art production on site is subject to the performance standards of the Commercial District
 5. Assisted living facilities including convalescent homes, hospice care and retirement centers
 6. Automobile parking lot
 7. Automobile, trailer, boat, or farm implement display, sales or rentals.
 8. Bed and Breakfast Country Inns
 9. Commercial, trade or vocational schools
 10. Community gardens
 11. Community Supported Agriculture (CSA) disbursement locations
 12. Farmers Markets
 13. Funeral Parlors without a crematorium
 14. Greenhouses
 15. Hotels and motels
 16. Manufacturing, production and assembly of boutique consumable products using sustainable practices that minimize negative environmental impacts while conserving energy and natural resources. Re-use or re-purposing of by-products is encouraged. All such activity shall be conducted within completely enclosed building. A portion of the products manufactured on site shall be sold at retail on the premises. (Created by Ordinance #358 on 3/11/14; Effective 4/11/14)
 17. Medical Marijuana Dispensary in a storefront location. (Created Ordinance #331 – Effective 04/08/11)
 - a. Total floor areas for medical marijuana us not to exceed 1,500 square feet.

- b. The facility must have windows facing the street with window coverings open during business hours
 - c. One secure entrance/exit where the purchasing area is located
 - d. Located no closer than 500 feet from a public school, day care, pre-school through 12th grade
 - e. No use of medical marijuana shall be allowed on the premises
 - f. Shall not dispose of marijuana remnants or by-products in exterior refuse containers and shall be properly ventilated to filter the odor from marijuana so that the odor cannot be detected by a person with a normal sense of smell at any adjoining use or property
 - g. Any associated storage facility where medical marijuana or its by-products are stored shall be located in a building with appropriate security measures
18. Museums
 19. Park and ride facilities
 20. Personal service uses, including barber shops and beauty parlors, day spas dressmakers, tailors, tattoo parlors, and other personal service uses of a similar nature
 21. Professional and business offices, including clinics, banks and financial institutions and medical/dental offices
 22. Public garages including storage and repair
 23. Publicly owned or operated park, playground or building including public garages and storage yards in conformance with Subsection I.3
 24. Repair shops for household small appliances, bicycles, and personal items (previously included with Dressmaking, et. al.)
 25. Residential uses including single family and multi-family
 26. Restaurants, taverns, bars and sidewalk cafes in conformance with Section 4-16. (Created 2/14/12 Resolution 13388-Ordinance 342; Effective 3/14/12)
 27. Retail sales including florist shops and greenhouses in connection with such shops
 28. Self-service laundry and cleaning establishments
 29. Storage facilities in accordance with Subsection 1: Performance Standards #3:Storage facilities
 30. Wholesale establishments and warehouses, including the packaging of consumable products for retail sales distribution. (Created by Ordinance #358 on 3/11/14; Effective 4/11/14)

Change Section 3-11.B Accessory Uses Permitted to 3-10.B

Delete Section 3-11.C and replace with:

Section 3-10.C

C. Conditional Uses Permitted

6. Automatic or self-service car wash
7. Campsites and recreational vehicle parks
8. Convenience stores/filling stations provided bulk storage of inflammable liquids is underground. No repair shop or vehicle storage shall be permitted except in conformance with the Zoning Code.

9. Day Care Center (child or adult)
10. Medical Facilities providing surgical or other invasive health care
11. Outside display of goods and merchandise, outside storage
12. Public Utilities
13. Wireless Communication Tower that meets or exceeds Federal Communications Commission standards, not to exceed 65 (sixty-five) feet in height. Height shall be measured as the distance from the base of the Wireless Communication Tower to the top of the Wireless Communication Tower. If the Wireless Communication Tower is attached to a building, height is the distance from the base of the building to the top of the Wireless Communication Tower. (Created 7/9/16 by Ordinance #352; Effective 8/9/13)
14. Any use not listed but determined by the Community Development Director to be similar in commercial character and use.

Change Sections 3-11.D, E, F, G, H, I and J to Section 3.10 D, E, F, G, H, I and J

Rename Section 3-12 Neighborhood Commercial District to Section 3-11

Delete Section 3-12.C and replace with:

Section 3-11 Neighborhood Commercial District (NC)

Principal Uses permitted (Not requiring a use permit).

1. Agribusiness, including the refining and distribution on-site of agricultural products. Refining and sales must be in a permanent structure.
2. Agricultural Uses
3. Artist Studios – art production on site is subject to the performance standards of the Commercial District
4. Assisted living facilities including convalescent homes, hospice care and retirement centers
5. Automobile parking lot
6. Bed and Breakfast Country Inns
7. Commercial, trade or vocational schools
8. Community gardens
9. Community Supported Agriculture (CSA) disbursement locations
10. Farmers Markets
11. Funeral Parlors without a crematorium
12. Greenhouses
13. Hotels and motels a maximum of two stories in height
14. Manufacturing, production and assembly of boutique consumable products using sustainable practices that minimize negative environmental impacts while conserving energy and natural resources. Re-use or re-purposing of by-products is encouraged. All such activity shall be conducted within completely enclosed building. A portion of the products manufactured on site shall be sold at retail on the premises.
15. Museums
16. Park and ride facilities
17. Personal service uses, including barber shops and beauty parlors, day spas, tattoo parlors, dressmakers, tailors, tattoo parlors, and other personal service uses of a similar nature.

18. Professional and business offices, including clinics, banks and financial institutions and medical/dental offices
19. Public garages including storage and repair
20. Repair shops for household small appliances, bicycles, and personal items
21. Residential uses including single family homes a maximum of two stories in height and multi-family a maximum of three stories in height or 35 feet whichever is less
22. Restaurants, taverns, bars and sidewalk cafes in conformance with Section 4-16. (Created 2/14/12 Resolution 1388-Ordinance 342; Effective 3/14/12)
23. Retail sales which do not involve any kind of manufacturing, processing, or treating of products other than that which is clearly incidental to the retail business conducted on the premises and are similar in scale and design to the adjacent residential uses

Rename Section 3-12.B to Section 3-11.B

Delete Section 3-12.C and replace with Section 3-11.C:

C. Conditional Uses Permitted

1. Amusement facilities within a structure with sound containment
2. Campsites and recreational vehicle parks for stays of thirty (30) days or less
3. Convenience stores/filling stations provided bulk storage of inflammable liquids is underground. No repair shop or vehicle storage shall be permitted except in conformance with the Zoning Code.
4. Day Care Center (child or adult)
5. Dry cleaners
6. Halfway House with on-site staff (excluding treatment centers)
7. Laundry, self-service for individual use only
8. Outside display & sale of goods & merchandise for a limited period of time
9. Parking structures or garages, a maximum of two stories in height
10. Retail stores which involve any kind of manufacturing, processing or treating of products other than that which is clearly incidental to the retail business conducted on the premises
11. Any use not listed but determined by the Community Development Director to be similar in commercial character and use.

Rename Sections 3-12D, E and J to Sections 3-11D, E and J

Rename Sections 3-13 Highway Commercial to Section 3-12

Change Section 3-13.A to Section 3-12.A

Delete Section 3-13.B and replace with:

Section 3-12 Highway Commercial District (HC)

Principal Uses permitted (Not requiring a use permit).

1. Agribusiness, including the refining and distribution on-site of agricultural products
Refining and sales must be in a permanent structure
2. Agricultural Uses
3. Amusement facilities

4. Artist Studios – art production on site is subject to the performance standards of the Commercial District
5. Assisted living facilities including convalescent homes, hospice care and retirement centers
6. Automobile parking lot
7. Auto, trailer, boat, and farm implement display, sales and rental
8. Bed and Breakfast Country Inns
9. Commercial, trade or vocational schools
10. Community gardens
11. Community Supported Agriculture (CSA) disbursement locations
12. Farmers Markets
13. Funeral Parlors without a crematorium
14. Greenhouses
15. Hotels and motels a maximum of two stories in height
16. Manufacturing, production and assembly of boutique consumable products using sustainable practices that minimize negative environmental impacts while conserving energy and natural resources. Re-use or re-purposing of by-products is encouraged. All such activity shall be conducted within completely enclosed building. A portion of the products manufactured on site shall be sold at retail on the premises.
17. Museums
18. Park and Ride facilities
19. Personal service uses, including barber shops and beauty parlors, day spas dressmakers, tailors, tattoo parlors, and other personal service uses of a similar nature.
20. Professional and business offices, including clinics, banks and financial institutions and medical/dental offices
21. Public garages, including storage and repair, a maximum of two stories in height.
22. Residential uses including single family and multi-family, excluding mobile homes and manufactured homes a maximum of two stories in height
23. Restaurants, taverns, bars and sidewalk cafes (Created 2/14/12 Resolution 13388-Ordinance 342; Effective 3/14/12)
24. Retail sales

Rename Section 3-13.C with Section 3-12.C

Delete Section 3-13-D and replace with the following:

Section 3-12.D Conditional Uses Permitted

1. Campsites and recreational vehicle parks for stays of thirty (30) days or less
2. Car wash-automatic or self-service
3. Convenience stores/filling stations provided bulk storage of inflammable liquids is underground. No repair shop or vehicle storage shall be permitted except in conformance with the Zoning Code.
4. Day Care Center (child or adult)
5. Dry cleaners
6. Halfway House with on-site staff (excluding treatment centers)
7. Laundry, self-service for individual use only

8. Outside display & sale of goods & merchandise for a limited period of time
9. Public Utilities
10. Storage facilities in accordance with Subsection 1: Performance Standards #3: Storage facilities
11. Any use not listed but determined by the Community Development Director to be similar in commercial character and use.

Rename Sections 3-13.E, F and G to Sections 3-12.E, F and G

Add the following language to Section 11-Design Review and Site Plan Review:

Section 11-13 Approval Standards and Criteria for Site Plan Review

- 1.k Agricultural Uses:** Agricultural uses shall be designed to minimize impact on surrounding residential properties and the environment through incorporation of the following components:
- a) A connection to Town of Clarkdale water system is required, where connection is available within a reasonable distance as determined by the Town Manager. If connection to the Town's water system is not available, approval of agricultural uses irrigating with well water shall be metered and will be considered on a case by case basis at the Town Manager's discretion.
 - b) All agricultural uses or products must be set back 25 feet from adjoining property lines when abutting residentially zoned property.
 - c) Irrigation and drainage on site shall incorporate EPA Best Management Practices and not impact surrounding properties.
 - d) Non-chemical pest control, such as the use of beneficial predators, beneficial parasitoids and biochemical methods, is strongly encouraged. Use of chemical pesticides and herbicides shall follow EPA standards and include an integrated pest management (IPM) component. All chemicals shall be contained to the property under cultivation.
 - e) If fertilizer and soil amendments are proposed, a plan outlining sustainable use must be included.
 - f) In addition, a site plan application for Agricultural Uses shall include the following elements :
 - i) A comprehensive water use plan providing a balanced, sustainable approach to water use. Possible components of this plan include:
 - (a) Use of reclaimed (gray water or effluent) or raw water where available and suitable.
 - (b) A rainwater harvesting system component to supplement the irrigation system.
 - (c) Capture and reuse of all water runoff from site.
 - (d) Reduction of water evaporation from the soil.
 - (e) A drought resistance plan.
 - (f) Use of drip irrigation

ii) A dust control plan incorporating best management practices from the International Building Code. Only non-potable water shall be used for dust control measures.

g) Flood irrigation is prohibited.

- Add public utilities as a permitted use in the Commercial and Highway Commercial Districts
- Convert artist studio from a conditional use to a permitted use in all commercial districts
- Convert Convalescent Home to Assisted Living Facility et.al. and move from conditional use to permitted use in all districts
- Create broader categories such as Professional Services and Personal Services and eliminate specific uses to allow for broader interpretation and flexibility of the code