

MINUTES OF A REGULAR MEETING OF THE PLANNING COMMISSION OF THE TOWN OF CLARKDALE HELD ON TUESDAY, JUNE 21, 2016 IN THE MEN'S LOUNGE, 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, June 21, 2016 at 4:00 p.m., in the Men's Lounge, Clark Memorial Clubhouse, 19 N. Ninth Street, Clarkdale, AZ.

Planning Commission:

Chair	Ida-Meri deBlanc	Present
Vice Chair	John Erickson	Present
Commissioners	Jorge Olguin	Excused
	Craig Backus	Present
	Deborah Hunseder	Present

Staff:

Community Development Director	Jodie Filardo
Senior Planner	Beth Escobar
Community Development Technician	Stephanie Vocca

Others in Attendance: None

1. **CALL TO ORDER:** Chair deBlanc called the meeting to order at 4:00 p.m.
2. **ROLL CALL:** Director Filardo called the roll.
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**.

There was no public comment.

4. **MINUTES:**
 - a. Consideration of the **Regular Meeting Minutes of May 17, 2016.**

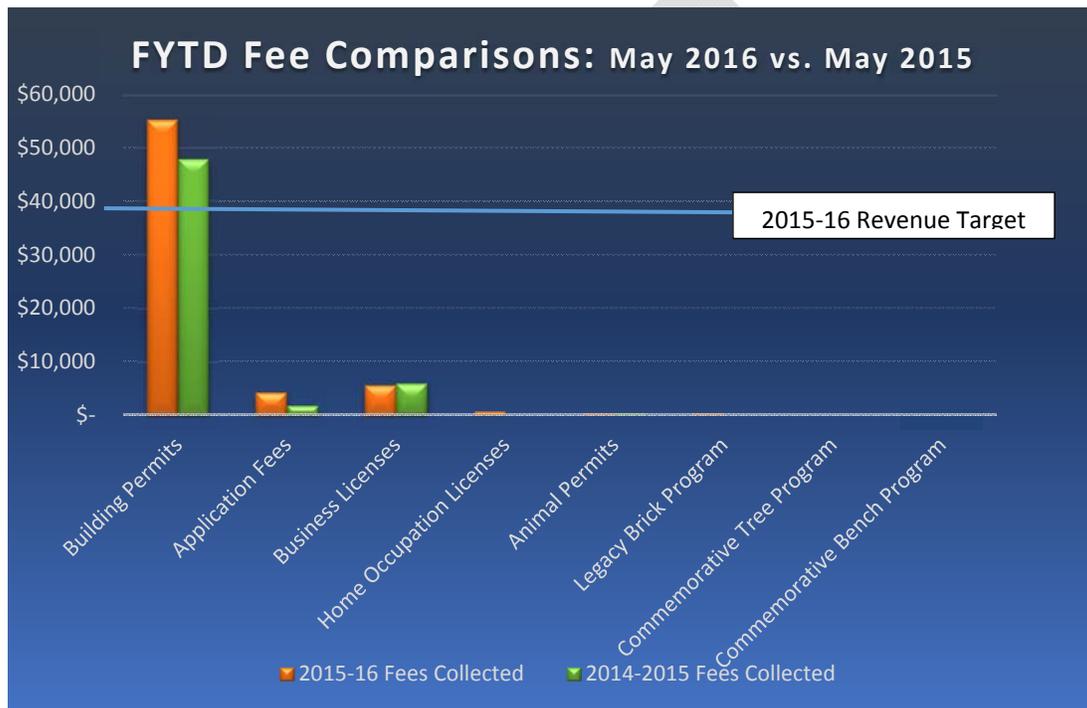
Commissioner Backus moved to approve the Regular Meeting Minutes of May 17, 2016. Commissioner Hunseder seconded the motion. The motion passed unanimously.

5. **REPORTS:**

Chairperson Report – Commissioner Backus stated that communication is key in the success of a community development department. Commissioner Hunseder stated that it was extremely easy to obtain a building permit with the Town of Clarkdale. Chair deBlanc stated that she could attest to that as well and the Community Development Department was professional and courteous in nature. Vice Chair Erickson stated that Building Official Paul Grasso arrived at his house quickly for inspection and he appreciated the cooperation of the town. Vice Chair Erickson attended the open house/dedication for the new Camp Verde Campus for Northern Arizona Healthcare. Vice Chair Erickson stated that the facility is state-of-the-art and a very cool place to check out.

Director's Report - Community Development Director Filardo stated that the Community Development Department has received several building permit applications over the last month and the department has continued to exceed expectations for the year. Community Development Director Filardo also informed the Commission that despite our best efforts, overall we are short on funding due to the construction sales tax and regular sales tax not meeting targets. As of May, we are \$30,000 short but since then we have found a couple thousand dollars. Community Development Director Filardo stated that the construction sales tax is a difficult category for us because there were sales tax changes made a few years ago and it is still being sorted out and clarified by the Department of Revenue. Now, when a new build is finished, it is not required that the builder pays construction sales tax until the sale of the home.

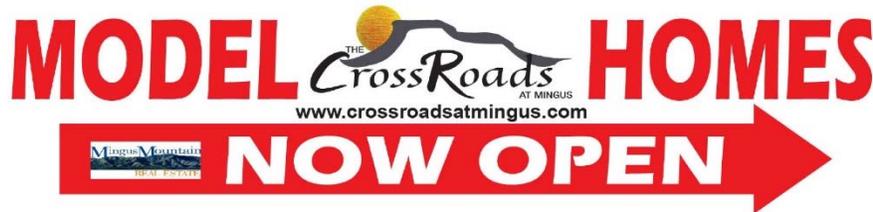
- **Statistics as of May, 2016 –91.6% of fiscal year completed**



- **Recent Permits Issued - 19 total**
 - New mobile home at 421 Celestial Drive
 - New (replacement) mobile home at 1160 Sunrise Drive
 - Carport at 716 Second North Street
 - Remodel at 485 Miners Gulch Drive
 - Shaded extension for shed at 413 First North Street
 - Accessory structure for Town of Clarkdale water tank site at 2550 Haskell Springs Road
 - Accessory structure at 2116 Austin Way
 - Masonry fence at 1445 Minerich Road
 - Accessory structure at 375A South Broadway Road (TOC / Fischer House)
 - Remodel of Assembly building at 19 North Ninth Street (TOC Auditorium restrooms and ramp)
 - 6.3 KW Photovoltaic Solar Electric at 320 Summer Circle
 - Masonry Fence at 1430 Abbey Road South
 - 5 KW photovoltaic solar electric at 800 Hillcrest Drive
 - Accessory structure, electrical and gas line at 1880 Peregrine Lane

- Gas line repair at 1506 First North Street
 - Re-roof at 351 Rincon Drive
 - Wrought iron fence at 1380 Old Jerome Highway
 - Bath remodel at 1871 Moonlight Lane
 - Masonry fence at 695 East Cliffside Drive
- **Design Review Board Updates** –On June 1, 2016 the Clarkdale Design Review Board approved two applications: DRB-091253 and DRB-091255.

DRB-091253 is for an off-premise sign for Crossroads at Mingus with the following stipulations and suggestions:



Stipulations proposed by staff:

1. All signage shall be installed as reviewed and approved by the Design Review Board.
2. Installation of the sign shall be inspected and approved by the Town’s Building Official.
3. Applicant is required to obtain a building permit from the Community Development Department prior to installation of the sign.
4. All contractors shall have a current business license with the Town of Clarkdale.
5. The approval of the ADOT permit for off-premise advertising must be presented to Community Development for the sign on parcel #406-26-013K with the Building Permit Application.
6. Such signs shall be maintained until such time as 95% of the lots in the subdivision are sold, or the sales office close, whichever occurs first.



Board Stipulations:

1. A black line must be added to the design to separate the two individual signs.

Board Suggestions:

1. Logos should be decreased in size, excluding the Crossroads at Mingus logo.
2. The size ratio of signs should be changed so the top sign is larger and the bottom sign is smaller.

On June 1, 2016 the Clarkdale Design Review Board approved the application DRB-091255 for an additional wall sign for the United Verde Soil Program office with the following stipulations and suggestions:



Stipulations proposed by staff:

1. All signage shall be installed as reviewed and approved by the Design Review Board.
2. Installation of the sign shall be inspected and approved by the Town's Building Official.
3. All contractors shall have a current business license with the Town of Clarkdale.

- **Clarkdale Events** – On May 31st, about fourteen community members attended a presentation by Kimber Lanning, founder and executive director of Local First AZ, on leveraging arts and culture to drive economic opportunity. Ms. Lanning stressed the need for collaboration and cooperation among business owners to create a successful strategy. The importance of proper management of social media to continuously highlight the community and events was also discussed. In pursuit of the community direction in Clarkdale's Sustainable Community & Economic Development plan, staff will continue to work with local artists and group to develop programs supporting the arts in our community.

In addition, planning is in full swing for the June 24th Block Party and during the week of June 11th a small team from the Town met with the organizers of the recent Verde Valley Wine Festival regarding lessons learned from that large event. An array of suggestions from treating Town Park as a facility for rent (while maintaining public access) to increasing Wi-Fi strength in the Park to support credit card processing from any location were discussed. Staff is putting together some ideas in preparation for an events discussion at the upcoming department head meeting.

- **Food trucks** – Staff has recently received inquiries regarding food trucks in Clarkdale. Food trucks are a current urban trend and are recognized as an economic driver. The Town Zoning Code does not specifically address food trucks. Both the City of Cottonwood and Sedona require conditional use permits for food trucks that set up at a specific location on a regular basis. If the food truck attends a special event, or remains mobile, no separate permitting is required other than a business license. Sales tax is not paid on food delivered through food trucks since the food is 'to go'.

Staff is discussing drafting a policy regarding food trucks which may contain the following:

- Restricting use to non-residential areas
- Requiring a license specific for food trucks at a higher fee than the annual business license (\$30) that compensates for the lack of sales tax assessment
- Stipulating all public health requirements shall be met prior to operation beginning
- Stipulating requirements for locations
- Adopting operation standards

Although the Conditional Use Permit process would address the health and public safety requirements, this public hearing process involves more staff, Commission and Town Council time that may be necessary for this type of use.

- **Clarkdale in the news.** Leveraging Transportation to Build Business Branding. On May 31st, Director Filardo highlighted Clarkdale's recent way-finding monuments implementation and the Red Wine Line project as samples of ways in which transportation relates to branding on behalf of Local First AZ as part of their upcoming webinar. This was the first time she has ever presented a webinar or conducted a presentation from her desk. There were an array of individuals tuning in from around Arizona.



- **Northern Arizona Council of Governments.** On June 2nd, Jodie was voted in as the chair of the Northern Arizona Council of Governments Economic Development Committee. She will serve in this capacity for one year providing additional opportunity and exposure for Clarkdale. At the same meeting, Jodie presented an overview of the Verde Valley Regional Economic Organization on which she currently serves as treasurer to the same body.

6. OLD BUSINESS:

a. DISCUSSION/POSSIBLE ACTION regarding the draft Agricultural Uses Ordinance

Background:

Staff has been directed to present a draft ordinance that allows for agriculture and agribusiness as conditional uses. The draft ordinance adds these two uses as conditional uses in the Central Business, Commercial, Neighborhood Commercial and Highway Commercial and Industrial zoning districts.

As a reminder, Community Supported Agriculture (CSA) and Farmers Markets were added as permitted uses in all commercial zones per Ordinance #368, effective November 13, 2015.

Staff is suggesting amendments to the Conditional Use Permit Section (5-6) of the Zoning Code to include an extensive list of requirements for agriculture and agribusiness. These requirements are designed to promote sustainable agriculture developments that minimize impact on the land and monitors and controls the use of water.

Site Plan Review

Section 11-9.B.4 excludes 'Agricultural activities' from site plan approval. Since the site plan will be included in the Conditional Use Permit review, staff is not recommending any changes to this section of the code.

Changes to the Town of Clarkdale Zoning Code to permit Agricultural Uses

Policy Statement: The Town of Clarkdale supports sustainable local agriculture. Agricultural uses shall incorporate water conservation and sustainable farming practices and minimize impact to surrounding residential areas. All proposed agricultural uses within the Town of Clarkdale shall respect the existing topography of the land and recognize water is a precious and finite resource.

Section 2-1 Definitions:

Agribusiness: An enterprise deriving a significant portion of its 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.

Section 3-9 Central Business District (CB) add the following language:

C. Conditional Uses Permitted:

7. Agribusiness, including the refining and distribution on site of agricultural products. Refining and sales must be in a permanent structure.
8. Agriculture

Change the following language

79. Any use not listed but determined by the Community Development Director to be similar in commercial character and use.

Section 3-10 Commercial (C) add the following language:

C. Conditional Uses Permitted:

8. Agribusiness, including the refining and distribution on site of agricultural products. Refining and sales must be in a permanent structure.
9. Agriculture

Change the following language

810. Any use not listed but determined by the Community Development Director to be similar in commercial character and use.

Section 3-11 Neighborhood Commercial (C) add the following language:

C. Conditional Uses Permitted:

12. Agribusiness, including the refining and distribution on site of agricultural products. Refining and sales must be in a permanent structure.
13. Agriculture

Change the following language

~~14~~14. Any use not listed but determined by the Community Development Director to be similar in commercial character and use.

Section 3-12 Highway Commercial (C) add the following language:

C. Conditional Uses Permitted:

11. Agribusiness, including the refining and distribution on site of agricultural products. Refining and sales must be in a permanent structure.
12. Agriculture

Change the following language

~~11~~13. Any use not listed but determined by the Community Development Director to be similar in commercial character and use.

Section 3-14 Industrial add the following language:

C. Conditional Uses Permitted:

6. Agribusiness, including the refining and distribution on site of agricultural products. Refining and sales must be in a permanent structure.
7. Agriculture

Replace number 6 with the following:

6. 7. Any use not listed but determined by the Community Development Director to be similar in commercial character and use.

Amend Section 5-6 Conditional Use Permit

Add the following language:

14. Agricultural Uses

- 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 or assigned representative. If connection to the Town's water system is not available, approval of agricultural uses irrigating with well water will be considered on a case by case basis.
- b) All water connections shall be metered.
- c) All agricultural products must be set back 25 feet from adjoining property lines when abutting residentially zoned property.
- d) Projects adjacent to residential property shall be enclosed by a 6-foot fence of solid material such as fencing, masonry wall, landscaping or any combination of materials.
- e) Irrigation and on-site drainage shall incorporate EPA Best Management Practices and not impact surrounding properties.
- f) 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 must follow EPA standards and include an integrated pest management (IPM) component. All chemicals shall be contained to the property under cultivation.
- g) If fertilizer and soil amendments are proposed, a plan outlining sustainable use must be included.
- h) A Conditional Use Permit application for Agricultural Uses shall include the following elements :
 - i) A detailed site plan of the proposal showing all required setbacks, required screening, proposed and existing buildings and structures, utilities and proposed access and easements.
 - ii) An engineered grading and drainage plan.
 - iii) A comprehensive water use plan providing a balanced, sustainable approach to water use incorporating industry best practices such as:
 - (a) Use of reclaimed (gray water or effluent) or raw water where available;
 - (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.
 - iv) A dust control plan incorporating best management practices from the International Building Code. Only non-potable water shall be used for dust control measures.

Recommendation: Staff is asking for direction from the Planning Commission regarding the draft ordinance.

Commission Discussion:

Senior Planner Escobar stated Town Council would like the commission to revisit agricultural uses and bring something forward that allows an ordinance with a Conditional Use Permit in the Central Business, Commercial, and Industrial zoning areas. The Conditional Use Permit would require recommendation from the Planning Commission and approval from Council. Senior Planner Escobar went over the requirements and considerations for an agricultural use CUP. Chair deBlanc expressed concern regarding EPA approved pesticides and neonicotinoids insecticides that are killing bees and stated that she wasn't sure if the Town of Clarkdale wanted to allow EPA approved pesticides. Chair deBlanc asked if that could be banned. Senior Planner Escobar stated the ordinance is designed to encourage non-chemical pesticides or EPA approved pesticides. Senior Planner Escobar stated that we would be sharing the Conditional Use Permit application with the Verde Valley Agriculture Coalition as well as local wine growers to get their opinions on the draft ordinance. Commissioner Hunseder stated there should be

enough natural products available and brought up the concern of fruit and nut trees and the amount of water consumption also stating that grapes do not use as much water. Commissioner Hunseder asked if there will be restrictions on what type of crops are grown. Senior Planner Escobar asked if the restriction should be on the type of crop or the amount of water being used and stated we are challenged with how to get that balance. Vice Chair Erickson asked if we know the amount of water the vineyards are currently using and Senior Planner Escobar stated that we do have information that we can get from some of our local vendors and from the college. Vice Chair Erickson asked if we know what pesticides the vineyards are using and Senior Planner Escobar stated that the vineyards do not currently have non-chemical solutions to fight certain types of bugs and fungus that are attracted to grape vines. Commissioner Backus suggested adding a section to the Conditional Use Permit requesting a pest control plan. He stated that the Commission could review their plan on how they are going to control pests. This would encourage each applicant to research and create a plan that the Town could approve. Senior Planner Escobar stated that she would adjust the application to reflect approval would be based on environment and neighborhood impact. Chair deBlanc asked what areas we were referencing for agricultural uses and if we were talking about residential areas. Senior Planner Escobar clarified that we are discussing uses in Central Business, Commercial, and Industrial. Previously, when an ordinance was recommended to Council allow agricultural uses in residential zones it was not approved. Chair deBlanc asked what the town's position was on rainwater collection and if it is encouraged. Community Development Director Filardo stated that our plan does encourage people to explore rainwater harvesting but we also want rainwater to shed into washes and go to the Verde River. There is also concern that if rainwater harvesting is used, it is going to be on plants that require more water than usual. Commissioner Erickson asked about capturing and reusing water runoff from watering and Senior Planner Escobar stated that there are places in California who are successfully doing that but it is on a much larger scale than anything that might be tried in our area. Overall, the goal is to have applicants recognize the challenges regarding water use and environmental impact and have the same mindset. Commissioner Erickson asked what would happen if we have developers say that can't or won't do certain things for water conservation? Senior Planner Escobar stated that an application will have to obtain a conditional use permit. Commissioner Backus asked for an example of what is going to come in the future with the new agricultural use ordinance? Senior Planner Escobar stated that currently vineyards are the main focus but there are many other interests in agriculture uses such as locally grown food. Senior Planner Escobar stated that many restaurants are trying to go local and there could be an interest in planting food crops.

Commission Action:

Commission directed staff to make the requested changes to the ordinance, sent it out for review, and bring it back to Commission.

NEW BUSINESS:

- b. DISCUSSION/POSSIBLE ACTION** regarding the Focus Area Plan for the Bitter Creek Industrial Area

Background:

The Bitter Creek Industrial Area consists of approximately 405 acres, 15 parcels and eight property owners. The area originally developed as the smelter location for United Verde Copper Company.

There is an existing railroad line providing freight movement and a tourist train.

The Town owns approximately 81.82 acres in this area. A portion of this property is currently used as a land disposal site for wastewater.

Clarkdale Minerals is the largest property owner with 271.75 acres. This includes the slag pile which is approximately 45 acres. Clarkdale Minerals also owns approximately 446.46 acres immediately north of the industrial area outside Clarkdale's municipal boundaries.

Existing businesses in the area include:

- Bent River Machine – 951 Rio Torcido – 4 acres
- Verde Canyon Railroad – 300 N. Broadway
- Wesie's Auto Body – 400 Luke Lane – 12.91 acres (formerly Cannon Salvage)

There is a single family residence at 351 Luke Lane. This is the former smelter superintendent's home.

The Miller Building, a 40,000 square-foot, four story building at 900 Miller Road, is currently used as a rental storage unit location on the ground floor only. This building was the former TJ Miller Warehouse and has multiple loading docks and rail access.

A 199-foot cell tower and supporting infrastructure is approved for the Town-owned property adjacent to Bent River Machine.

2012 Clarkdale General Plan

The General Plan recognizes the historic significance of the industrial area and identifies it as *'having a great deal of potential for regionally-oriented economic development. The industrial area has a history of intensive use, has significant buffering from adjacent uses and is currently zoned for industrial development'*.

The General Plan Land Use Designation for this area is 'Heavy Industrial'. This classification is intended for more intensive industrial uses including exterior storage and outside work areas.

Topography and Existing Land Conditions

The area slopes up at a moderate rise from Broadway to the foot of 'C' Mountain where the terrain becomes very steep.

There are two significant drainage courses carrying stormwater shedding off of 'C' Mountain. These traverse the western third of the property. One of these drainage features bisects the area owned by the Town.

There are existing foundations and other infrastructure artifacts related to the smelter operation on the Clarkdale Minerals and Town property.

Existing Road Status

Except for Broadway Road, which provides the one access to the industrial area, the road system consists of private roads without recorded access easements. These roads were originally developed to support the smelter and railroad operations.

In 2004 a conditional use permit was granted by Clarkdale Town Council for the slag reclamation project currently being pursued by Clarkdale Minerals. Under a condition of approval, Clarkdale Minerals is responsible for participating in and implementing the extension of Luke Lane through to Phoenix Cement Road.

This road extension would provide access through the industrial area to Phoenix Cement Road and on to SR 89A. Currently all traffic into the industrial area must cross Bitter Creek Bridge, a one-lane bridge with a 20-ton weight limit.

Extending this road would require crossing of the floodplain of Bitter Creek. Any disturbance of Bitter Creek would require a delineation of a Section 404 permit through the Army Corps of Engineers. It would also require obtaining right-of-way through private property, including United Verde Inc. and Salt River Material Group, and at least one additional railroad crossing. In 2004, an engineer's estimate for the design and construction of this road extension estimated costs at \$3.5 million.

Slag Pile

An additional condition of approval for the slag reclamation project is construction of a public park at the current slag pile location after removal of the slag is completed.

Environmental Issues

Although not in the initial study area for the voluntary United Verde Soil Program, it is possible that the soil in the area has contaminants from the smelter operation. Also, the Cannon Salvage property may qualify as a brownfield due to discharge on the property of petroleum products.

Stakeholder/Property Owner Meeting

The next step in the process, as established through the development of the SR 89A Focus Area Plan, is to meet with property owners and stakeholders with an interest in this area. The purpose of this meeting is to garner input regarding future development of this area including identifying potential development sites, possible development constraints, infrastructure needs and opportunities for development of connections between properties. The discussion should also include identifying preferred industrial uses that meet Clarkdale's sustainability guidelines and generate jobs.

In addition to the property owners, the stakeholders staff would suggest inviting to this meeting include:

- Salt River Material Group – owners of property adjacent to the area to the west
- Yavapai Apache Nation – due to the proximity of the Clarkdale reservation to this property
- Yavapai County
- CTI – adjacent property owner
- Local vintners who have expressed an interest in growing grapes in the area

Staff would like to schedule this meeting for the regular Planning Commission meeting on July 19.

Recommendation: Staff is requesting input from the Commission regarding process and scheduling.

Commission Discussion:

Senior Planner Escobar thanked the Commission for their expert work on the 89A Focus Plan and stated that Council has asked us to move to the Bitter Creek Area Focus Plan. Escobar gave her PowerPoint presentation. Chair deBlanc asked if for a review of the public outreach process followed during the SR 89A Focus Area Plan? Senior Planner Escobar stated that we had a three property/stakeholder meetings, a public meeting at a regular schedule meeting, held a community open house, published two articles in the Town's newsletter and held three meet and greets in March. Senior Planner Escobar suggested that we could hold meet and greets at the Verde Canyon Railroad or have a booth at the concerts in the park because that is where residents that are impacted will be. Escobar stated that we do not have as many stakeholders this time around and that they are all local. Chair deBlanc endorsed the idea of a water project including polish ponds. Community Development Director Filardo explained the process

presented to Council by Dr. Laurel Lacher is to pump effluent water uphill then run it down through different settlement ponds with certain mineral qualities that purify the water.

Senior Planner Escobar stated that she could add some display information as a visual and add the utilities department to the stakeholders list. Senior Planner Escobar stressed that industrial property has a direct benefit to our taxes. Commissioner Backus suggested presenting a draft plan to our stakeholders and asking them where they would like to add and getting suggestions improvements. Commissioner Backus stated that we need to have a vision as to where this is going and how it is going to help our town create more revenue. Commissioner Backus asked where the biggest potential of income would come from. Chair deBlanc stated that a big benefit of having something in this area is everyone on the train could have something else to do in the area and Senior Planner Escobar thought that was a great point and stated she is really looking forward to ideas from the Commission and stakeholders and there are a lot of elements to be considered. Senior Planner Escobar suggested to discuss the draft plan at the August meeting before we invite the property owners/stakeholders. Commissioner Erickson asked about Council Member Regner wanting to extend 11th street to the industrial area. Commissioner Backus suggested using Broadway Bridge to access the train then when you leave coming up the backside of the hill and ending up on 11th street which would be highly productive for the town. Senior Planner Escobar stated that the price of doing something like this was very high because it is an engineering challenge. Commissioner Backus stated that he would not be here in July and Commissioner Erickson stated that he would not be here in August.

Commission Action:

The Commission directed staff to develop a draft plan demonstrating the possible land uses and road connections to discuss at the next regular Commission meeting for review prior to scheduling the property owner/stakeholder meeting.

c. DISCUSSION regarding upcoming Commission Seat renewals

Chair deBlanc and Commissioner Backus need to fill out applications to renew their seats on the Planning Commission. They will be invited to a short interview where the Council members are looking forward to their feedback.

7. FUTURE AGENDA ITEMS

There will be meetings in July and August. Senior Planner Escobar is working on drafting an ordinance for tiny homes that the commission will see in September or October.

8. ADJOURNMENT

- a. Commissioner Hunseder moved to adjourn the meeting. Commissioner Erickson seconded the motion. The meeting was adjourned at 5:16 p.m.**

APPROVED BY:

SUBMITTED BY:

Ida deBlanc
Chairperson

Beth Escobar
Senior Planner