

**NOTICE OF THE REGULAR MEETING
OF THE PLANNING AND ZONING COMMISSION**

**MAY 6, 2010
6 P.M.**

Pursuant to ARS 38-431-02, notice is hereby given to the members of the Chino Valley Planning and Zoning Commission and the general public that the Chino Valley Planning and Zoning Commission will hold a regular meeting open to the public on Thursday, May 6, 2010, at 6:00 p.m. in the Chino Valley Senior Center, located at 1021 W. Butterfield Rd, Chino Valley, Arizona 86323.

The **Agenda** for the meeting is as follows:

1. **CALL TO ORDER**
2. **ROLL CALL**
3. **PLEDGE OF ALLEGIANCE**
4. **APPROVAL OF MINUTES**
 - 4A. **April 1, 2010, public hearing minutes**
5. **STAFF REPORT**
6. **PRESENTATION: A presentation by Jason Kelly, Community Services Director, on the Town of Chino Valley's plans to enhance the parking lots on two Peavine Trail Heads: 1) The Road 2 North parking lot; and 2) The Perkinsville Road parking lot.**
7. **PUBLIC HEARING**
 - 7A. **MGPA 10-001 – Request to approve a Minor Amendment to the 2003 General Plan Future Land Use Map, to change approximately 26 acres, from the Commercial designation to Medium Density Residential 2 Acres or Less (APN 306-14-008M). The request is for a portion of the High Plains Development. If approved then:**
 - 7B. **S-PAD 10-001 - Request to approve a Rezone and a Planned Area Development for APN 306-14-008M, approximately 26 acres, to develop a 139 lot Gated RV/Manufactured/Mobile Home Park. The request is to rezone from CL/AR-5 to Mobile Home Park 4 Acre Minimum, Planned Area Development (MHP-4 PAD) for the High Plains Development.**
 - 7C. **ZC 10-001 – Request to approve a Rezone for APN 306-14-008K, approximately 17 acres, from CL/AR-5 to Commercial Heavy (CH) to develop a “Kampgrounds of America, Inc.” KOA Overnight RV Parking area for the High Plains Development..**
8. **OPEN DISCUSSION**
9. **PUBLIC COMMENTS**
10. **ADJOURN**

A copy of the agenda and background material provided to the Commissioners is available for public inspection at the Marion Lassa/Chino Valley Library, 1020 W. Palomino Road, Chino Valley, Arizona.

Further details may be obtained by contacting Development Services Department at 1982 Voss, Chino Valley, Arizona (928) 636-4427. The Town endeavors to make all public meetings accessible to persons with disabilities. With 72 hours advance notice, special assistance can also be provided for sight and/or hearing impaired persons at public meetings. Please call 636-2646 (voice), 636-1787 (TDD) or use the AZ Statewide Relay Service at 1-800-367-8939 (TDD) to request an accommodation to participate in this meeting.

PLANNING COMMISSION
STAFF REPORT

TOWN OF CHINO VALLEY, ARIZONA
MAY 6, 2010

LEGAL AD

NOTICE IS HEREBY GIVEN that a Public Hearing will be held before the Planning and Zoning Commission at the Chino Valley Senior Center, 1021 West Butterfield Road, at 6:00 p.m. on Thursday, May 6, 2010. This hearing will be conducted for consideration, discussion and possible recommendation to the Town Council regarding an approximately 58 acre development that is bordered on the West by State Route 89, to the North by the E. Road 3 ½ North alignment, to the East by N. Road 1 East and consists of Assessors Parcel Numbers (APN) 306-14-008H, 008K and 008M. The property owner is proposing to develop the 58 acres which is divided into three parcels in the following manner:

- I. MGPA 10-001 – A Minor Amendment to the 2003 General Plan Future Land Use Map, to change approximately 26 acres, from the Commercial designation to Medium Density Residential 2 Acres or Less (APN 306-14-008M). If approved then:
- II. S-PAD 10-001 - To develop APN 306-14-008M, approximately 26 acres, as a Gated RV/Manufactured/Mobile Home Park through the following requests:
 - A. Request to approve a Rezone and a Planned Area Development for APN 306-14-008M, approximately 26 acres, to develop a 139 lot Gated RV/Manufactured/Mobile Home Park. The request is to rezone from CL/AR-5 to Mobile Home Park 4 Acre Minimum, Planned Area Development (MHP-4 PAD).
- III. ZC 10-001 - To Rezone APN 306-14-008K, approximately 17 acres, from CL/AR-5 to Commercial Heavy (CH) to develop a “Kampgrounds of America, Inc.” KOA Overnight RV Parking area.
- IV. To develop APN 306-14-008H, approximately 14 acres, with future unspecified Commercial uses. The property currently has Commercial Light/ Agricultural Residential 5 Acres Minimum (CL/AR-5) zoning to accommodate future Commercial developments.

Owner/Applicant is JT Properties “Jack Tuls Jr.” represented by Charles Arnold.

A. LOCATION: Please see Exhibit”A” Location Maps. Generally located on the Southeast corner of State Route 89 and E. Road 3½ North



B. FACTS:

1. Owner: JT Properties “Jack Tuls Jr.”
2. Applicant: Charles Arnold with Southwest Development Consultants (SDC).
3. Engineer:..... M. Haywood & Associates “Bill Carnes”
4. Architect:..... To be determined
5. Site Area:..... Approximately 58 acres
6. Requested Zoning:.....Commercial Heavy and MHP-4 PAD
7. Adjacent Zoning and Use:
 - North..... CH, CL and AR-5; Earthworks; Single Family Residence)
 - South CL/AR-5, CL and SR-1; A group home, a mobile home park and a single family residence.
 - East..... (Across N. Road 1 East) AR-5 and SR-1; Single family residence.
 - West..... (Across State Route 89) an undeveloped Commercial Subdivision.
8. Water Source:Town of Chino Valley
9. Waste Water:Town of Chino Valley
10. General Plan Conformance:.....The General Plan Designation for the entire 58 acres is “Commercial”. The applicant is proposing to change approximately 26 acres from Commercial to Medium Density Residential 2 Acres or Less (Exhibit “B”)

C. CITIZEN PARTICIPATION: The Citizen Participation protocol as required by the Town Code resulted in 26 letters noticing the request being mailed out. To date the Town has received a total of 17 responses, 11 opposed and 6 in favor of the High Plains Development (Exhibit:” C”).

D. NEIGHBORHOOD MEETING: On Wednesday April 14, 2010, a neighborhood meeting was held by the applicant and the property owner to discuss the proposed High Plains Development with residents surrounding the property. The meeting was held at the Town of Chino Valley’s Council Chambers and allowed adjacent landowners or other affected citizens, an opportunity to discuss or express their views concerning the development. Approximately twenty (20) people attended the meeting and the following is an outline of the major concerns that were expressed at the meeting: The general tone of the attendance of the meeting was hostile: The majority of the hostility revolved around the proposed RV/Manufactured/Mobile Home Park (MHP). The following are general statements and questions expressed in the meeting:

- MHP will bring in objectionable homes and down and out people.
- Don’t use Mobile Homes, use stick built. Mobile Homes deteriorate and are not energy efficient.



- Mobile Homes are antiquated and will bring crime.
- MHP are a center for people going nowhere; it is a center for filth and crack heads.
- We chose not to live next to a MHP and prefer our country living.
- MHP residents will complain about horses and barking dogs.
- If I would have known that a MHP could be developed in the area I would have never bought a home in here.
- Will the MHP exit out onto Road 1 East? (Yes)
- How many residents will live in the MHP? (it is anticipated to be approximately 2 persons per unit)
- Is it proposed to be 55 and older? (Not at this time)
- Mr. Tuls; how would you like a MHP develop to move into your neighborhood? (Response: In Las Vegas I do live next to a MHP development and they are good neighbors)

The following is a list of other concerns and questions expressed in the meeting:

- Isn't the rezoning request to Commercial Heavy spot zoning? (No)
- What happens to the Commercial Heavy zoning if the KOA doesn't get build? (It will)
- Has the property owner (Jack) done previous developments? (No)
- Will the development ever actually get built? (Hope to break ground this year)
- Is the applicant open to other development options for the property? (No, prefers KOA and MHP)
- Do you really think a KOA is good land use; who would want to camp in here? (Yes, KOA Inc. has a report warranting the location).
- Is that study available? (Yes)
- Has the KOA franchise been purchased? (Yes)
- If the KOA will have fire places, what about fire danger; we live in the High Desert and fire danger is a concern. (There will be one central fire place not fire places for each site).
- The proposed development concept of commercial adjacent to the Highway, KOA and Mobile Home Park was a development style created in the 1950's; can't you do better than that? (It will be a first class development)
- As adjacent property owners we were hoping the property would develop in conformance with the General Plan Commercial designation which would allow offices, a nursing home, retail professional space, and a hospital or fuel station.
- The KOA and MHP residents will have problems with the existing livestock in the area.
- My only comment is this development should be proposed in Paulden or Ashfork.

Requests for concessions:

- Jack, can you take the entire 100 feet of right-of-way onto your property? (No)
- Will adjacent properties benefit from the on site fire hydrants? (Yes)



- E. AGENCY NOTIFICATION LETTERS: Notification/ Comment letters, along with a plat map and location map were sent to the following agencies. The highlighted ones are the one who responded:
- ADOT - A Traffic Impact Analysis is required
 - Arizona Public Service - Have no comments
 - Cable One - Supports the proposal as prepared
 - Central Yavapai Metropolitan Planning Organization- Information is sent to inform CYMPO, no response will be received.
 - Chino Valley Fire District - Needs a fire hydrant plan and confirm fire flow and minimum cul-de-sac diameter to be 90 feet (spoke with David Wharton)
 - Chino Valley GIS/CAD - Waiting for 10 street names for the Manufactured Home RV Park. These street names must be submitted to Yavapai County for approval. The KOA will be addressed off Road 3½ North. Will there be an entrance off State Route 89 for the Convenience Store? Need to know for addressing purposes; Where will the mail box be placed?
 - Chino Valley Irrigation District - The proposed development is outside the District
 - Chino Valley School District- Support the proposal as prepared
 - Chino Valley Police Dept. - Support the subdivision as prepared
 - Chino Valley Post Office- Provide cluster boxes for mail delivery
 - Chino Valley Public Works- Connect to municipal sewer, connect to municipal water for fire flow capability, provide an Engineering Drainage Report, dedicate ROW per requirements in Technical Review on Road 1 East and 3½ North, Internal streets need to be built per the Town of Chino Valley Engineering Standards with curb, gutter and sidewalk.
 - City of Prescott Public Works- Have no comments (received a phone call)
 - Qwest - Have no comments
 - Unisource- Have no comments
 - Yavapai County Flood Control - Have no comments
 - Yavapai County Environment Services - Has no issues with the proposal development. It is our understanding that the project is to have community water and be connected to the Chino Valley wastewater treatment plant.
 - Yavapai County GIS/ CAD- No questions or concerns
 - Yavapai County Planning Department – No comment received



F. ANALYSIS: The proposed “High Plains Development” consists of approximately fifty eight (58) acres of land which the applicant is proposing to divide into three parcels to develop the following: 1.) a Gated RV/ Manufactured/Mobile Home Park consisting of 139 spaces; 2.) an approximately 17 acre “Kampgrounds of America, Inc.” KOA Overnight RV Parking area consisting of 119 RV spaces and 32 cabins; and 3.) approximately 14 acres with future unspecified Commercial uses. The 14 acres currently has Commercial Light/ Agricultural Residential 5 Acres Minimum (CL/AR-5) zoning to accommodate future Commercial developments. To accomplish the proposed “High Plains Development” the applicant will have to receive the following entitlements (Exhibit “D”):

I. FOR THE GATED RV/MANUFACTURED/ MOBILE/HOME PARK:

- a. **A Minor Amendment to the 2003 General Plan Future Land Use Map:** A request to change approximately 26 acres (APN 306-14-008M) from the Commercial designation to Medium Density Residential 2 Acres or Less. The proposal is designated as a Minor Amendment primarily because the total acreage is less than 100 acres.

The existing Commercial Future Land Use designation does not specify a RV/Manufactured Home Park as an acceptable land use. The Commercial designation is more suitable for retail establishments, big box stores and offices. The request to amend the Future Land Use Map to residential is considered to be less intense use and deemed as more compatible with the surrounding land uses than the Commercial designation (Residential adjacent to Residential). The applicant desires to develop the 26 acres with a residential component consisting of a 139 lot Gated RV/Manufactured Home Park. All other proposed land uses proposed in the High Plains Development are consistent with the Commercial General Plan Future Land Use designations.

If the Minor Amendment to the 2003 General Plan Future Land Use Map from the Commercial designation to Medium Density Residential 2 Acres or Less is approved, then the applicant can move on the following requests:

- b. **Rezone:** The request is to rezone from CL/AR-5 to Mobile Home Park 4 Acre Minimum, Planned Area Development (MHP-4 PAD). To develop the approximately 26 acres site as a Gated RV/Manufactured /Mobile Home Park (APN 306-14-008M).
- c. **Planned Area Development (PAD):** The four following modifications are being requested through the PAD process (Exhibits “E”).
1. Minimum Manufactured home size
 2. Removal of 4 foot sidewalk requirement; and
 3. Minimum street width



4. Allowing Park Models in the MHP

Analysis of proposed modification: The applicant is proposing four (4) modifications in exchange for 25% open space which include a clubhouse, a pool, possible tennis courts and artificial putting green, and other multi-user spaces like shuffleboard. The following is an in depth look at the proposed modifications:

1. **Minimum Manufactured home size (UDO Subsection 3.14.4, G):** The UDO requires that the minimum width of a Mobile/Manufactured Home is 12 feet and a length of 40 feet. The applicant is proposing to reduce the width to 8.5 feet and the length to 25 feet.
2. **Four (4) foot sidewalk requirement (UDO Subsection 5.3.2, B pg. 202):** A 4 foot wide sidewalk, vertical curb & gutter is the Town's street section requirement. The applicant is proposing a rolled curb and removal of the sidewalk.
3. **Town Street Standard Design Standards (UDO Subsection 5.3.2, B pg. 202):** A 50 foot right of way is the standard street section design for private streets. The applicant is proposing a 28 foot street section.
4. **To allow Park Models in a Mobile Home Park:** The applicant is requesting to allow Park Models on approximately 35 spaces in the park; the request is not to allow RV's in the park.

MINIMUM GROSS SITE AREA PER MOBILE/MANUFACTURED HOME: The applicant was proposing a reduction in the Minimum Gross site area requirement but because the total space number was reduced to 139, there is not a need for the reduction. The MHP-4 zoning district is 7260 sq. ft. the Minimum Gross site area per Mobile/Manufactured Home and the applicant is proposing approximately 8147 sq. ft. Minimum Gross site area (26 acres / 139 spaces). The Minimum Gross site area typically can accommodate a Manufactured Home, patio and porch, and carport. At times, there has been difficulty constructing accessory structures in Mobile/Manufactured Home Parks due to the 8 foot building separation requirement and the limited lot size. The applicant has presented drawings showing that the spaces can accommodate the minimum setback requirements (Exhibit "F"). It is recommended that the following setbacks be recorded on the plat map for carports, patios, porches and accessory structures: SETBACKS FOR DOUBLE WIDE, SINGLE WIDES AND PARK MODELS:



- Carports, Patios, Porches and Accessory Buildings shall be setback a minimum of 10 feet from the Private Street.
- Attached carports shall be setback a minimum of 3 feet from the side lot lines and 3 feet from the rear lot line.
- Porches and Patios shall be setback a minimum of 3 feet from the side lot lines and 3 feet from the rear lot line.
- Accessory structures shall be a minimum of six 6 feet from any other structure.

MANAGERS HOUSING FOR THE MOBILE HOME PARK: Currently there is a home and a barn that exist adjacent to N. Road 1 East (APN 306-14-008M). The applicant would like the home to remain and to utilize it as a managers/ maintenance area for the Mobile Home Park. A major issue with the home is that once the right of way dedication is complete the home will encroach several feet into the right of way (Exhibit "D"). The applicant has worked with the engineering division and created a solution that involves a "Perpetual Offer to Dedicate (POD)" along N. Road 1 East. The POD will allow the home to remain until the Town of Chino Valley finalizes the design of Road 1 East widening. After that, it will be the responsibility of the owner to demolish and remove the home and the applicant has stated that when the home is removed a new home/office will be constructed to facilitate the managers/ maintenance function.

II. KOA/OVERNIGHT RV PARKING

- a. To Rezone APN 306-14-008K, approximately 17 acres, from CL/AR-5 to Commercial Heavy (CH) to develop a "Kampgrounds of America, Inc." KOA Overnight RV Parking area. The proposed KOA (Chino Valley Prescott North KOA) is located approximately 370 feet east of the State Route 89 right of way and is adjacent to the E. Road 3 ½ North alignment. The site will contain 32 cabins and 119 camp sites to accommodate bumper pull RV's, 5th wheel campers and Diesel Pushers. The traffic out of the KOA will be restricted to a left out only onto Road 3 ½ North. The parking areas will be paved and the applicant is exploring porous asphalt to better control water run-off. The applicant is requesting a different street design than that which the Engineering Division is requiring. The different street design will be more suitable for a Recreational Vehicle environment and if allowed the streets will be reviewed and approved by Engineering.

There will be on site management and patrons will rent by the evening for overnight stay only and will be allowed to stay a maximum of 28



nights. The management will enforce a code of conduct and campers will have to abide by a set of rules and regulations.

A major concern expressed at the neighborhood meeting relating to the “Permitted Uses” in the Commercial Heavy Zoning District. The concern was, “If the KOA does not get built than the property owner could establish another use permitted in the CH zoning”. To prevent this from happening, the applicant has agreed to record a deed restriction on APN 306-14-008K, limiting the Commercial Heavy Zoning to the KOA land use depicted in the site plan (Exhibit “D”).

III. TO DEVELOP FUTURE UNSPECIFIED COMMERCIAL USES:

- a. To develop APN 306-14-008H, approximately 14 acres, with future unspecified Commercial uses. The property currently has Commercial Light/ Agricultural Residential 5 Acres Minimum (CL/AR-5) zoning to accommodate future Commercial Developments.

GENERAL PLAN CONFORMATION: The applicant is requesting a change to approximately 26 acres (APN 306-14-008M) from the Commercial designation to Medium Density Residential 2 Acres or Less. The requested amendment does not meet the thresholds established for a Major Amendment to the Plan and therefore has been found to be a Minor Amendment that will not substantially alter or effect the land use balance or development pattern within the adopted Planning Area.

The request to amend the Future Land Use Map to residential is considered to be less intense use and deemed as more compatible with the surrounding land uses than the Commercial designation (Residential adjacent to Residential). Also, the Land Use Designation of Medium Density Residential is intended to allow Planned Area Development (PAD).

All other proposed land uses in the High Plains Development are consistent with the Commercial General Plan Future Land Use designations.

WATER PROVIDER: The water source for the development will be provided by the Town of Chino Valley and the developer is proposing to install a waterline from Perkinsville Road traveling north along Road 1 East to the southern end of the proposed development.

SANITARY SEWER: The sanitary sewer system for the development will be provided by the Town of Chino Valley and the developer is proposing to install the sewer line from State Route 89 traveling along the Road 3 ½ North alignment to Road 1 East. Then, travel North along Road 1 East to the Granite Creek Lane alignment and travel along the Granite Creek to the existing sewer lift station located in the Santa Cruz Wash.



DEVELOPMENT SERVICE DEPARTMENT
1020 WEST PALOMINO ROAD
PO BOX 406
CHINO VALLEY, AZ 86323

TOWN HALL (928) 636-2646
DEVELOPMENT SERVICES (928) 636-4427
FAX (928) 636-2144

The applicant has stated that the construction for the water and sewer lines will only occur on Monday through Friday and when the work day is complete the trenches in the roadway will be covered in an attempt to minimize the traffic impact during construction.

ELECTRICITY SERVICE: The developer is proposing to extend three phase power to the development from the west side of State Route 89.

ACCESS and ON-SITE CIRCULATION: As proposed, the primary access to the site is from State Route 89 and E. Road 3 ½ North. The applicant is proposing to build E. Road 3 ½ North from State Route 89 to N. Road 1 East and the access for the KOA and the MHP will be from E. Road 3 ½ North. In addition, the MHP will have an emergency access point on N. Road 1 East. The additional access shown on the site plan from State Route 89 will be developed as the commercial area develops.

At this time Arizona Department of Transportation (ADOT) will only allow access to occur in and out of the site with a right turn in, right turn out traffic pattern. The applicant is exploring alternative circulation patterns and is considering a traffic light or a round about to accommodate left and right turns in and out of the site. To accomplish this, ADOT has required the applicant to prepare a Traffic Impact Analysis (TIA). It appears that the applicant is 2 or 3 weeks away from having a completed TIA to submit to ADOT.

SCREENING, BUFFERING, AND TRANSITION TO ADJACENT PROPERTIES:

The applicant is proposing to buffer the development from property owners to the South and from N. Road 1 East with a 15 foot landscape buffer with trees and shrubs and a six foot tall block wall. The block wall design is not specified and will either be a three foot wall with three feet of wrought iron on top or a solid six foot block wall.

OPEN SPACE: The PAD section of the UDO requires a percentage of open space based on the proposed number of dwelling units per acre. The PAD section of the High Plains Development is proposed at approximately 5 dwelling units per acre (DU/AC) which requires a minimum of 25% open space of which 12.5% shall be active. In this case, the UDO requires approximately 6 acres of open space and the applicant is providing 6.44 acres. The proposed active open space includes a clubhouse, a pool, possible tennis courts and artificial putting green, and other multi-user spaces such as shuffleboard.

TECHNICAL REVIEW COMMITTEE

The comments of the Technical Review Committee are attached as Exhibit "G". These comments are required to be addressed and resolved prior to submittal of the Final Plat. The Town Engineer has also provided comments that are incorporated into this requirement by stipulation.



G. PRELIMINARY PLANNED AREA DEVELOPMENT APPLICATION

PROCEDURE: The Unified Development Ordinance, under Section 1.9.4 describes the process required for the approval of Preliminary Planned Area Development (PAD) and ultimately the approval of a Final Planned Area Development. The following is a brief outline of the process:

PRELIMINARY PAD

1. Preliminary PAD application (1.9.4.1)
 - a. The Master Development Plan will identify roads, public or private, drainage, maintenance responsibility, utility lines, land use area and dwelling units per acre.
2. Review (1.9.4.2)
 - a. Planning Commission makes a recommendation to Council
 - b. Council can approve, deny, or modify the Preliminary PAD
3. Prior to filing the Final Plat with the Town of Chino Valley that open space, exterior walls, the KOA restroom and laundry facilities, landscaping, rain harvesting and screening and buffering plans shall be submitted for review and approval by the Planning and Zoning Commission.

FINAL PAD

1. Final PAD application Review/ Approval (1.9.4.3)
 - a. Within two (2) years of the Preliminary PAD approval, the applicant shall submit the Final PAD plan to the Commission. The Commission's recommendations on the Final PAD shall be referred to Council for review and approval. In addition, the Final PAD requires the Town Engineer's approval of water, sewer and drainage.

G. STAFF RECOMMENDATIONS for the MINOR GENERAL PLAN AMENDMENT, PRELIMINARY PLANNED AREA DEVELOPMENT AND REZONE:

1. Staff endorses the Minor Amendment to the General Plan for 26 acres of the subject site from its current Future Land Use Designation of Commercial to Medium Density Residential and suggests that the Commission recommend that the Council approve the request with the requirement that vesting of the Minor Amendment to the General Plan (MGPA 10-001) shall be subject to compliance with the stipulation required for the Final PAD.
2. Staff endorses the Preliminary Planned Area Development Map (Exhibit "D") and the rezone for APN 306-14-008M from CL/AR-5 to MHP-4 PAD, for approximately 26 acres to develop a 139 lot Gated RV/Manufactured/ Mobile Home Park (S-PAD 10-001) and suggests that the Commission recommend that the Council approve the request



with the requirement that vesting of the PAD zoning designations shall be subject to compliance with the stipulation required for the Final PAD.

3. Staff endorses the request to Rezone APN 306-14-008K, approximately 17 acres, from CL/AR-5 to CH (ZC 10-001) to develop a “Kampgrounds of America, Inc.” KOA Overnight RV Parking area.

Staff’s recommendations are made with the following Findings and Stipulations:

FINDINGS:

General Plan (MGPA 10-001)

1. That the requested amendment to the General Plan does not meet the thresholds established for a Major Amendment to the Plan and therefore has been found to be a Minor Amendment that will not substantially alter or effect the land use balance or development pattern within the adopted Planning Area.

Preliminary Planned Area Development (S-PAD 10-001)

1. That the Public and Agency Participation protocols and Notice as prescribed by the Unified Development Ordinance have been complied with.
2. That the Preliminary Planned Area Development (PAD) has been prepared in accordance with Section 1.9.4 of the Unified Development Ordinance which describes the process required for the approval of a PAD. Said PAD shall include twenty five percent (25%) open space of which half shall be designated as “active” to include a clubhouse, a pool, possible tennis courts and artificial putting green, and other multi-user spaces such as shuffleboard.
3. That the requested zone change from “CL/AR-5” Commercial Light/Agricultural Residential 5-Acre Minimum to “MHP-4 PAD” Mobile Home Park 4 Acre Minimum, Planned Area Development is consistent with and conforms to the “Town of Chino Valley 2003 General Plan” land use designations (“B”).
4. That with approval of the PAD the Developer is authorized to proceed with the preparation of the Final Planned Area Development and attendant Engineering Studies and Plans as required by Ordinance and the Town Engineer.

Zone Changes (ZC 10-001)

1. That the requested zone change from “CL/AR-5” Commercial Light/Agricultural Residential 5-Acre Minimum to “CH” Commercial Heavy is consistent with and conforms to the “Town of Chino Valley 2003 General Plan” land use designations (Exhibit “B”).
2. That approval of the recommended rezone will not be adverse to the health, safety, convenience, and general welfare of the residents of the Town of Chino Valley, Arizona.



ZONING STIPULATIONS:

1. That the property owner agrees that the approval of this PAD confers no additional entitlements or rights to the owner or applicant other than those that are on the PAD Site Plan Map, which is 24 x 36 in size, dated April 10, 2010 (Exhibit "D").
2. That a Deed Restriction shall be recorded limiting the Commercial Heavy zoning area to the "Kampgrounds of America, Inc." KOA Overnight RV Parking area land use depicted in the site plan dated 4/8/2010.
3. The proposed CC&R's/Deed Restrictions which are required shall be submitted to the Town and reviewed by the Town Attorney, Town Engineer and Development Services Director who may forward them to the Town Council with comments for its consideration with the Final Plat.
4. That the Gated RV/Manufactured Home Park area shall allow Park Models and all Park Models will require a building permit through the Town of Chino Valley's Development Services Department.
5. That Recreational Vehicles shall not be allowed in the Gated RV/Manufactured Home Park portion of the High Plains Development.
6. That the comments and requirements of the Technical Review Committee shall be addressed and resolved prior to filing a Final Plat with the Town of Chino Valley.
7. Prior to filing the Final Plat with the Town of Chino Valley that open space, exterior walls, landscaping, rain harvesting, and screening and buffering plans shall be submitted for review and approval by the Planning and Zoning Commission.

ENGINEERING STIPULATIONS:

1. That an additional right of way sufficient enough to establish a 50 foot half street along the property's East 3 ½ North frontage shall be dedicated to the Town of Chino Valley where adjacent to the site; and
 - a. Installation of an east and west bound lane on E. Road 3 1/2 North.
 - b. Installation of curb and gutter with a 5 foot sidewalk on the south side of E. Road 3 ½ North along the properties frontage.
2. That a Perpetual Offer to Dedicate an additional right of way sufficient enough to establish a 50 foot half street along the property's N. Road 1 East frontage.
3. That once the Town of Chino Valley has finalized the design of N. Road 1 East widening, it is the property owner's responsibility to demolish and remove the structure within the new Town right of way.
4. That the private streets in the Gated/RV/Manufactured/Mobile Home Park shall have a minimum cul-de-sac radius of 45 feet of pavement.
5. That a one foot (1') vehicular non access easement shall be indicated on the Final Plat Map along the Mobile Home lots adjacent to N. Road 1 East.
6. A drainage study is required with the submittal of the Final Plat Application.



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7. All lots will be served by the Town of Chino Valley's water and sewer services and approved by the Town Engineer and the Arizona Department of Environmental Quality before issuance of building permits.

AGENCY REVIEW STIPULATIONS:

Chino Valley Post Office:

1. That the developer shall set aside an area to provide Type 3 or Cluster Box Unit's (CBU) for mail delivery and note CBU locations on the Final Plat Map.

Attachments:

Rezoning Application
Preliminary Plat Planned Area Development Application
Exhibit "A" Location Map
Exhibit "B" General Plan Future Land Use Map
Exhibit "C" Citizen Participation Responses
Exhibit "D" Preliminary Map for the High Plains Development
Exhibit "E" PAD Modification requests
Exhibit "F" Lotting Plan
Exhibit "G" Technical Review Committee Letter



JT PROPERTIES

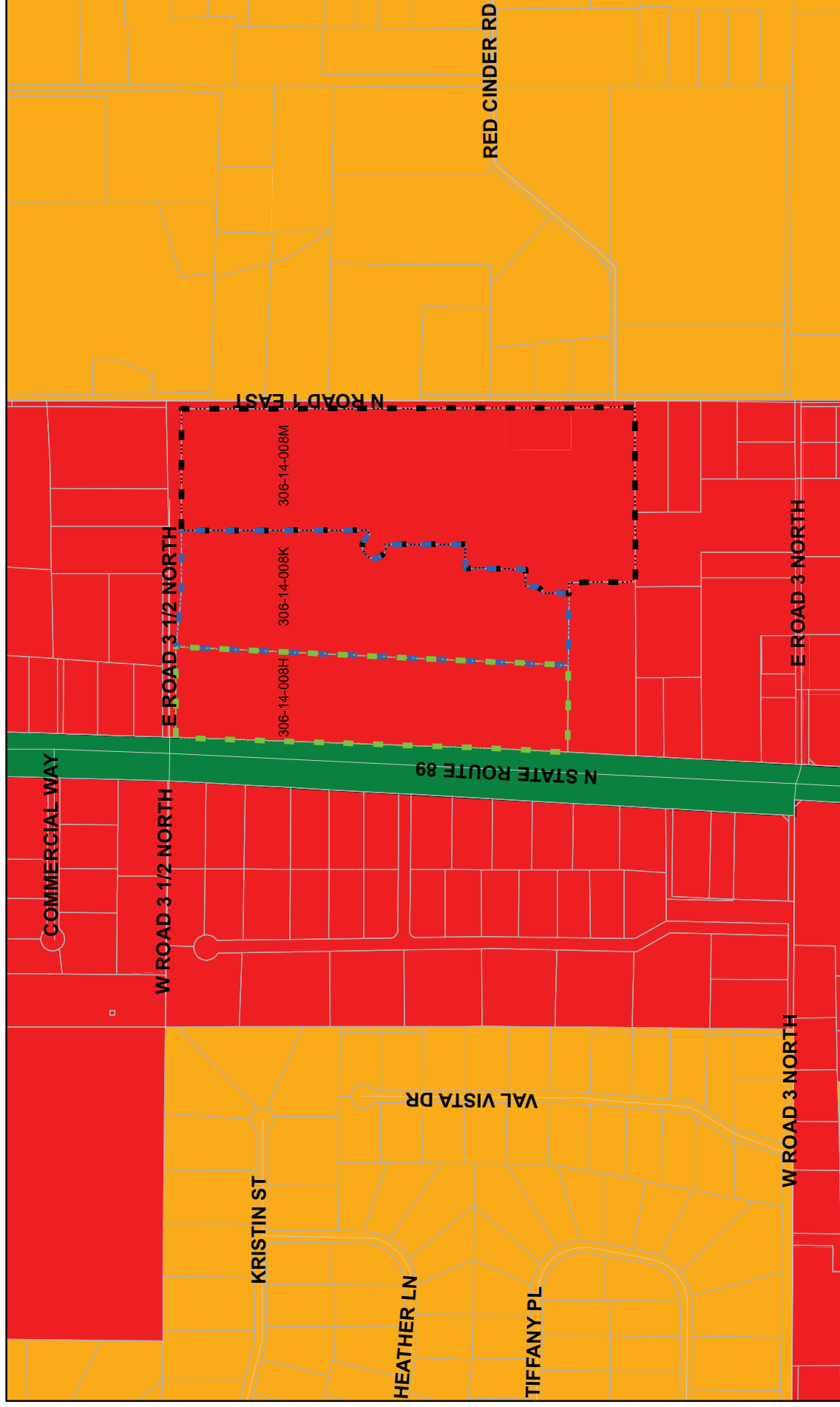
APN 306-14-008H
REMAIN AS CL/AR

APN 306-14-008K
REZONE CL/AR TO CH

APN 306-14-008M
FROM CL/AR TO MHP-4 & PAD

ZC - 10-001
MGPA - 10-001

GENERAL PLAN - AMENDED
FUTURE LAND USE MAP



Town of Chino Valley
1000 West Parkway Road
Chino Valley, CA 95743
951.318.2244 FAX 951.318.2144

- Town Boundary 082308
- Schools
 - Existing Schools
 - Future Schools
- Streets
 - 306-14-008H
 - 306-14-008K
 - 306-14-008M
- Chino_Parcels032910

- Flood Plain
 - Highway 89
 - Industrial Overlay
 - Industrial Overlay - Amended Area
 - Commercial Zoning - Amended Area
 - Old Home Manor
- Peavine Trail
- Commercial
 - Low Density Residential - Greater than 2 Acres
 - Medium Density Residential 2 acres or Less
- Public Land
- Special Development Areas
- State Land

1 inch = 600 feet



The Town of Chino Valley assumes no responsibility for errors, omissions, and/or inaccuracies in this mapping product.

Detach Here

Please Check One: *Applicant Name*

Applicant APN #

I approve of this rezoning/conditional use permit.

I oppose this rezoning/conditional use permit.

Comments: _____

Name: LOUISE NOWELL

Signature: Mary Louise Nowell

Address: 2064 N. Rd #1 EAST

PLEASE RESPOND BY *April 28, 2010*

PLEASE NOTE: Comment letters may be submitted to the Development Services Department 24 hours prior to the scheduled Public Hearing

Owms APN 306-14-012B

Detach Here

Please Check One: *Applicant Name*

Applicant APN # 306-14-008M - 306-14-008K

I approve of this rezoning/conditional use permit.

I oppose this rezoning/conditional use permit.

Comments: _____

Name: Bye Trust

Signature: Janet S. Bye, Co-Justice, Bye Trust

Address: 1030 Scott Dr. C-12, Prescott, AZ 86301

PLEASE RESPOND BY *April 28, 2010*

PLEASE NOTE: Comment letters may be submitted to the Development Services Department 24 hours prior to the scheduled Public Hearing

Owms APN 306-14-001N

Detach Here

Please Check One: *Applicant Name*

Applicant APN #

I approve of this rezoning/conditional use permit.

I oppose this rezoning/conditional use permit.

Comments: _____

Name: FORT KNOX Self Storage LLC

Signature: Frederick Johnson, Director

Address: 1717 N. 7th Street Suite #1 Scottsdale, AZ 85257

PLEASE RESPOND BY *April 28, 2010*

PLEASE NOTE: Comment letters may be submitted to the Development Services Department 24 hours prior to the scheduled Public Hearing

Owms APN 306-14-021K - 020B

Detach Here

Please Check One: *Applicant Name*

Applicant APN #

I approve of this rezoning/conditional use permit.

I oppose this rezoning/conditional use permit.

Comments: _____

Name: MICHAEL BLACK

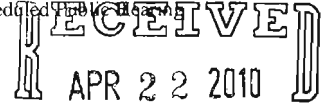
Signature: [Signature]

Address: PO BOX 2610 CHINO VALLEY AZ 86323

PLEASE RESPOND BY *April 28, 2010*

PLEASE NOTE: Comment letters may be submitted to the Development Services Department 24 hours prior to the scheduled Public Hearing

Own's 306-14-011G



BY: _____

Detach Here

Please Check One: *Applicant Name* Jack Tuls Jr

Applicant APN # 306-14-008 M + 306-14-008 K

I approve of this rezoning/conditional use permit.

I oppose this rezoning/conditional use permit.

Comments: _____

Name: Susan E. Burgin, Earthworks Landscape + Supply

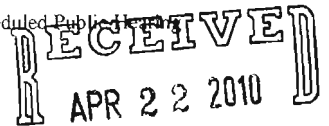
Signature: [Signature]

Address: 2531 N. Hwy 89 Chino Valley AZ 86323

PLEASE RESPOND BY *April 28, 2010*

PLEASE NOTE: Comment letters may be submitted to the Development Services Department 24 hours prior to the scheduled Public Hearing

Own's 306-14-021 F, G
and
306-14-020 C



BY: _____

Detach Here

Please Check One: *Applicant Name*

Applicant APN #

I approve of this rezoning/conditional use permit.

I oppose this rezoning/conditional use permit.

Comments: _____

Name: Amanda Fancher

Signature: [Signature]

Address: 2082 N. Rd 1 East PARCEL # 306-14-012A

PLEASE RESPOND BY *April 28, 2010*

PLEASE NOTE: Comment letters may be submitted to the Development Services Department 24 hours prior to the scheduled Public Hearing

Detach Here

Please Check One: Applicant Name Jack Tuls Jr.
Applicant APN # 306-14-008M, K Front parcel.

I approve of this rezoning/conditional use permit.
 I oppose this rezoning/conditional use permit.

Comments:

Name: Jack Tuls Jr.

Signature: 

Address: 2214 N. Redwood St.

PLEASE RESPOND BY April 28, 2010

PLEASE NOTE: Comment letters may be submitted to the Development Services Department 24 hours prior to the scheduled Public Hearing

Owns subject property: APN 306-14-008H, 008K and 008M

Detach Here

Please Check One: Applicant Name Jack Tuls Jr.
Applicant APN # 306-14-008M & 306-14-008K

I approve of this rezoning/conditional use permit.
 I oppose this rezoning/conditional use permit.

Comments: We moved to this spot to be in the country. Also a mobile home park will bring many, many more people & boost the value of our property.

Name: Linda & Nick

Signature: 

Address: 2141 N. Rd 1 West

PLEASE RESPOND BY April 28, 2010

PLEASE NOTE: Comment letters may be submitted to the Development Services Department 24 hours prior to the scheduled Public Hearing

Owns APN 306-17-013B

Detach Here

Please Check One: Applicant Name ✓ JACK TULS JR. - JTD Properties

Applicant APN #

I approve of this rezoning/conditional use permit.

I oppose this rezoning/conditional use permit.

Comments:

Name: KIT + ROBIN HOULT

Signature: Kit Hoult Robin Hoult

Address: 1145 E. Granite Creek Lane CU AZ 86323

PLEASE RESPOND BY April 28, 2010

PLEASE NOTE: Comment letters may be submitted to the Development Services Department 24 hours prior to the scheduled Public Hearing

RECEIVED
APR 28 2010

BY: _____

Detach Here

Please Check One: Applicant Name ✓ Jack Tuls Jr. / J T Properties

Applicant APN #

I approve of this rezoning/conditional use permit.

I oppose this rezoning/conditional use permit.

Comments:

Name: Lita Kohn

Signature: Lita Kohn

Address: 2479 N. Rd 1 East Chino Valley, AZ 86323

PLEASE RESPOND BY April 28, 2010

PLEASE NOTE: Comment letters may be submitted to the Development Services Department 24 hours prior to the scheduled Public Hearing

RECEIVED
APR 28 2010

Owns APN 306-17-081

Charles C. Arnold
PO BOX 3184
Chino Valley, AZ 86323

April 17, 2010

Jack Tuls Jr.
2144 North Road 1 East
Chino Valley, AZ 86323

RE: Assessor's Parcel Number: 306-14-008M & 306-14-008K
Property Address for Both Parcels: 2144 North Road 1 East
: Chino Valley, AZ 86323

Type of Application: Planned Area Development, Rezone, Minor Plan Amendment

Dear Property Owner:

It is the intent of *JT Properties represented* by Charles Arnold to rezone the parcel 306-14-008k from the current zoning of Commercial light/ Agricultural to Commercial Heavy & parcel 306-14-008M to a Planned Area Development. this would change the existing zoning from Commercial Light/ Agricultural to Manufactured Home Park 4 acre minimum These parcels are located at the south east corner of Highway 89 and Road 3 1/2 North and requires the following:

1. 306-14-008K A rezone application from the existing zoning of Commercial Light/ Agricultural to Commercial Heavy for the Construction of a KOA overnight Stay Recreational Vehicle Facility
2. 306-14-008 M A Planned Area Development application for an approximately 20acre Gated Manufactured Home Park.
3. 306-14-008 M A Minor Plan Amendment to change future land use from Commercial to Medium Density Residential 2 acres or less.

A public hearing will be held before the Planning and Zoning Commission on May 6, 2010 at the Chino Valley Senior Center, 1021 W. Butterfield Rd at 6pm. All interested parties are invited to attend. Please return the lower portion of this letter with your comments to: Town of Chino Valley, Development Services Department, 1020 Palomino Road, Chino Valley, AZ. 86323 or you can express any concerns by contacting David Nicolella with the Town of Chino Valley Development Services Department at 928-636-4427 or email dnicolella@chinoaz.net.

Thank you for your consideration in this matter.

Detach Here

Please Check One: *Applicant Name*

Applicant APN #

I approve of this rezoning/conditional use permit.

I oppose this rezoning/conditional use permit.

Comments: _____

Name: Allen G. Nel

Signature: *Allen G. Nel*

Address: 388 W. Butterfield Rd #44 CV, AZ 86323

PLEASE RESPOND BY *April 28, 2010*

PLEASE NOTE: Comment letters may be submitted to the Development Services Department 24 hours prior to the scheduled Public Hearing

Jwas APN: 306-14-007Q & 009R

David Nicolella

From: Allen G. Nel [anel@bullerinetworks.net]
Sent: Friday, April 23, 2010 3:13 PM
To: David Nicolella
Subject: JT Properties SUPPORT
Attachments: Scan_Pic0001.bmp

Mr. Nicolella

Attached is our SUPPORT for the JT Properties project...High Plains Chino Valley...

I realize that issues of this nature can be very contentious, but I would like to compliment the City of Chino Valley for working with the developers, JT Properties, in their planning of this project.

The plan provides an excellent buffer between the commercial on Hwy #89 and Road 1 East.

The manufactured home park portion of the development is an admirable endeavor by the developers and the City of Chino Valley in providing low cost housing, especially for single adults and seniors (excellent tenants). If there exist any protestors who have a concern or difficulty with this manufactured home park portion of the development plan, may I suggest an age restriction, such as 50 years of age and over, to satisfy their concerns...

Thank you

Allen G. Nel

Town of Chino Valley
Development Service Department
1020 Palomino Rd.
Chino Valley, Az 86323

RE: Application for rezoning of Assessor's Parcel #: 306-14-008M & 306-14-008K
2144 North Road 1 East
Chino Valley, Az. 86323

Sirs:

My wife Ginger and I have attended two meetings on the proposed project presented by the owner. Mr. Jack Tuls Jr. and his representative Mr. Charles Arnold and are greatly concerned about both the project's effect on the town in general and the surrounding properties in particular.

The Vision Statement in the towns Economic Development Strategic Plan dated October 19, 2006 speaks of its "small town / rural values" and further states the goal of protecting "its neighborhoods and quality of life".

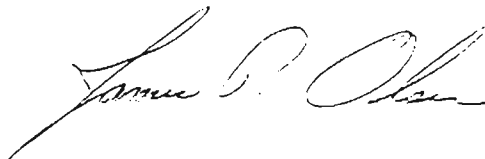
At the meeting on 4/26/01 Mr. Arnold could not come up with an answer as to how this project would protect those goals other than the economic benefit to the town coffers. While we are all for development (I am a manager at HD Supply, the largest construction wholesale warehouse in the tri-city area) this project as presented would destroy the "rural" in the area. We want the town to grow but grow smart.

In particular the re-zoning from Commercial Light / Agricultural to Commercial Heavy is wrong. While Mr. Tuls feels there is a need for a super dense KOA in the middle of Chino, no assurances can be made that if his vision fails, after several years there will not be an industrial plant 500 feet from my door!

And the location of a high density trailer park next to goats, horses, cows, chickens, and the accompanying sounds, smells, and activities of same sounds like a recipe a litigation lawyer would love. Personal experience of our neighbors in very similar situations has shown a drop in surrounding property values and a corresponding rise in demand for police time that would not be overcome by the tax revenue generated.

My wife, customers, and neighbors have told me for years that "the town is trying to drive out our animals and lifestyle." Please deny this re-zoning application and prove them wrong.

James and Ginger Olsen
2117 North Road 1 East
Chino Valley, Az. 86323
(928) 636-7617



Daniel C & Patti M Wood
2439 N Road 1 East
Chino Valley, AZ 86323

Town of Chino Valley
1020 W Palomino Road
Chino Valley, AZ 86323

April 27, 2010

Dear Sirs:

We are writing to voice our concerns to Planning and Zoning about the proposed re-zone of parcel # 306-14-008K and parcel # 306-14-008M.

The proposed zoning change DOES NOT reflect the current General Plan for the Town of Chino Valley. The high density that would be allowed with the rezone is particularly offensive because of the impact it would have on the existing property owners. The additional traffic and change in life style is not acceptable. It certainly does not adhere to the mission statement on the General Plan to promote the open spaces and country lifestyle.

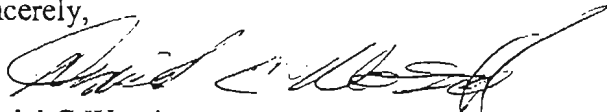
While we understand that growth and progress is inevitable, growth within reason should be the goal. By allowing Mr. Tuls to add 139 Mobile Home spaces and 119 RV spaces and 32 Cabins you would be creating a variety of problems in the neighborhood. Mr. Tuls has never been involved in a project of this nature...seems an awfully big undertaking for your first project.

Traffic on Road 1 East and also the right in right out on the Highway will be a problem with the number of occupants on these two parcels. If Mr. Tuls is successful in obtaining a grocery store or other large commercial interest in the front parcel it will only add to the problem.

I believe much more public input is necessary.

We would ask that you abide by the General Plan and refuse the rezoning.

Sincerely,



Daniel C Wood



Patti M Wood

David Nicolella

From: mitzi conn [mitziconn@hotmail.com]
Sent: Wednesday, April 28, 2010 9:24 AM
To: David Nicolella
Subject: FW: Rezoning of Parcel #s 306-14-008M & 306-14-008K

From: mitziconn@hotmail.com
To: dncolella@chinoaz.netrezoning
Subject: Rezoning of Parcel #s 306-14-008M & 306-14-008K
Date: Wed, 28 Apr 2010 10:18:52 -0600

Mr. Nicolella,

As property owners directly across N. Rd 1 East from the proposed rezone area known as 2144 N. Rd. 1 East, we are very much against the "manufactured home park" and KOA coming in to this area. We feel that this will be detrimental for a number of reasons.

1. It will diminish the value of property in the neighborhood, those of us with livestock will have a much harder time when we wish to sell, as potential buyers would much rather be in the type of neighborhood we now have.

2. This proposal opens up to vagrancy, as they will be able to stay at the KOA for 28 days, leave, and then turn right around and come back. No matter what, the developer has one goal. TO MAKE MONEY. I seriously doubt the KOA will say "Oh no, you have already been here." Most camp grounds that I have seen are in a picturesque surrounding with hiking trails, etc. not behind a supermarket and next to a trailer park. I believe that the developer bought a franchise, and needed to put it somewhere.

3. The "Manufactured Home Park" will have no age restrictions, so this could bring in many children to an already financially stressed school district.

4. This project will not bring jobs to Chino Valley

5. At the last meeting. Mr. Arnold stated that there were people in favor of this proposal. I would like to know the proximity of the homes or businesses of people that are pro. I don't believe it is those that are directly adjacent and that it would impact on a daily basis.

We came to Chino Valley, to get back to the rural surroundings. as we went thru this process once already. We had a beautiful ranch, looked out across pretty pastures. Then, a country club came in across the street. And this was a very classy country club. Well, we became the bad guys, responsible for the flies, dust, odor, etc. even though we did everything by the rules. Soon people were letting their dogs run thru our pastures, they would try to pet and feed the horses. We had to look at a 6' block wall. We needed to leave! But our beautiful ranch was not worth as much anymore. No one wanted to be that close to a no longer rural area.

Thank you for your attention to this matter.

James Conn
2303 N. Rd 1 East

Hotmail has tools for the New Busy. Search, chat and e-mail from your inbox. [Learn more.](#)

The New Busy is not the old busy. Search, chat and e-mail from your inbox. [Get started.](#)



J. ANDREW JOLLEY
ATTORNEY
E-MAIL: andy@jolleylawplc.com

203 EAST UNION STREET
PRESCOTT, ARIZONA 86303
T: (928) 445-1909
F: (928) 441-3006

April 28, 2010

David Nicollella
Town of Chino Valley

Sent Via email only: dnicollella@chinoaz.net

Mr. Nicollella:

This office represents the Bjorklund family, beneficial owner of Yavapai County Assessor's parcel number 306-14-060. The purpose of this letter is to file with the Town of Chino Valley the Bjorklund's legal protest pursuant to A.R.S. §9-462.04(H) and §1.9.2(E) of the Unified Development Ordinance ("UDO") with regard to certain applications submitted to the Town of Chino Valley on behalf of Mr. Jack Tuls, Jr. This letter is also the Bjorklund's request that the Town Council hold a public hearing or hearings as required by §§1.9.2 and 1.9.4.2 of the UDO.

Specifically, this Notice of Protest applies to:

- (1) The proposed rezoning of parcel number 306-14-008M from CL/AR to CH for the purpose of developing a transient trailer park;
- (2) The proposed Planned Area Development for parcel number 306-14-008M for a high-density manufactured home and mobile home park; and
- (3) The Minor Plan Amendment for parcel number 306-14-008M from Commercial to Medium Density Residential to maximize the number of manufactured homes and mobile homes which will be fitted into this parcel.

The Bjorklund's object to this dramatic change in the Town's General Plan and the damage these proposals will undoubtedly do to the character of the adjoining properties. These proposals have been mischaracterized as "minor" changes to the General Plan, have been pitched to the neighbors as being substantially different from what has actually been proposed and are inappropriate under the UDO.

Turning first to the General Plan, it is abundantly clear that this property, located on the Highway 89 Corridor, should be and remain designated Commercial under the Plan. The Town's General Plan was adopted by the Town and endorsed by the citizens of Chino Valley through a

public vote. Key issues such as the location of commercial versus residential areas and protection of existing residential areas from the adverse effects of high density, high impact uses were established by a vote of the people, and the Town should be wary of thwarting the will of the voters by eroding major designations like the Commercial Corridor along Highway 89 through a series of so-called “minor” plan changes:

Commercial Land Use Guidelines

Commercial. The commercial designation is intended to guide the expansion of commercial uses throughout the town as the community grows. Commercial uses are directly connected to transportation modes and major intersections. Currently, the Highway 89 corridor is the designated commercial sector for the community.

General Plan, P.33.

Further, the General Plan states as one of its goals the protection of existing single family homes from the adverse impact of increased traffic and other problems associated with high density, especially transient, uses:

LU-4.5 Ensure that high-density residential developments have direct access to arterial or collector streets to *minimize impacts on lower density residential areas.*

General Plan, P.39. Accordingly, the Bjorklund’s respectfully submits that the proposals noted above are contrary to the spirit and the letter of the General Plan and should, on that basis, be rejected.

Further, the proposed zoning change from CL/AR to CH for the purpose of developing a transient trailer park is completely contrary to the UDO. The CH land use designation is the second most intense use permitted under the UDO. It is specifically **not** intended to be adjacent to residential zoning.

3.16.1 Purpose

This district is intended to provide for and encourage commercial and light manufacturing facilities that are *not appropriately located next to residential zoning.*

The list of permitted uses amplifies the Bjorklund’s concerns. The applicant proposes to have a transient mobile home park, which the UDO equates with the following uses in terms of their impactfulness:

3.16.2 Permitted Uses

- A. All “Permitted” and “Conditional uses” uses allowed in the “CL” Zone.
- B. Wholesale establishments.

C. Manufacturing.

D. Bottling and packaging companies.

E. Warehouses, minimum-storage, transfer and storage facilities including the storage of RV's, boats, and other operable vehicles.

F. The sale and storage of products such as firewood, stone products, and agricultural commodities.

G. Welding Shops.

H. Underground Liquid Petroleum retail and wholesale distribution facilities subject to the design requirements of the Arizona State Fire Marshall and the local Fire Marshall having jurisdiction.

I. Commercial outdoor kennels.

J. Antennas and wireless communication towers.

K. Farming and agriculture including, if primarily non-commercial, the keeping of cattle, horses, (swine limited to one (1) per acre), sheep, goats, fowl, but not feed-lots, slaughterhouses, fertilizer yards or plants for the reduction of animal matter. A minimum lot size of one (1) are is required.

L. Contractors Yards.

M. Campgrounds and recreational vehicle parks with twenty-six or more units.

Because the list of high-impact uses was intended to be broad, the scope of uses which require a Conditional Use Permit could not even be described:

3.16.3 Conditional Uses (Conditional Use Permit Required)

Because no list of uses can be complete, decisions on specific uses not listed above shall be rendered by the Commission with appeal to Council.

Finally, the proposed Planned Area Development does not comply with the UDO's guidelines for PADs. UDO §1.9.4(B) describes the type of residential developments which are appropriate for PADs"

Residential neighborhoods shall include a *range of types and styles*. In the development of a *balanced community*, a variety of housing within one project shall be deemed most in keeping with the objectives of this Ordinance. *All other uses shall be reviewed based on the compatibility of such uses with each other as well as with surrounding land uses* and shall conform to policies established in the Town General Plan.

While the proposed rezoning discussed above would classify zone the subject parcels as CH, the other components of this combined development are residential. The developer seeks to plant a transient trailer park and a very high density mobile home park immediately adjacent to a neighborhood of established single family homes with large lots and a comfortable rural feel. On top of that, the proposed development, as noted above, would defeat the General Plan's intent to have the Highway 89 corridor represent the Town's commercial core.

We thank the Town for its kind attention to these concerns and the Bjorklund family respectfully requests that each of the three (3) applications identified above be rejected in their entirety in order to respect the Town's General Plan and preserve the existing neighborhood.

Yours very truly,
JOLLEY LAW, PLC

J. Andrew Jolley
For the Firm

4/22/10

TO THE MEMBERS OF THE CITY COUNCIL OF CHINA VALLEY, AZ. LET ME INTRODUCE MYSELF & MY WIFE.

MY NAME IS FRED MORTON & MY WIFE'S NAME IS DORIS. WE LIVE AT 2187 N. RD. 1 EAST.

WE HAVE CONCERNS ABOUT THE PROPERTY THAT IS BEING DEVELOPED ACROSS THE STREET FROM OUR HOME. JACK TULLS IS IN THE 1ST STAGE OF BUILDING A MOBIL HOME PARK & KEEA CAMP GROUNDS, AS YOU WELL KNOW.

WE BOUGHT HERE IN APRIL OF 2008. WE NEVER WOULD HAVE DONE THAT IF WE KNEW THERE MIGHT BE ANY POSSIBILITY OF THE CITY COUNCIL REZONING THIS LAND SO THAT JACK TULLS OR ANY OTHER DEVELOPER COULD DO WHAT EVER THEY WANTED TO DO.

OUR PROPERTY VALUE HAS DROPPEN CONSIDERABLY ALREADY BECAUSE OF THE ECONOMY & IF JACK TULLS IS ALLOWED TO GO FORWARD, THE VALUE OF EVERYONE'S PROPERTY IN THE NEIGHBORHOOD WILL DROP DRASTICALLY AGAIN. YOU AS CITY COUNCIL, JUST CANT LET THIS HAPPEN.

ITEMS OF CONCERN

- ① OVER A 100 FIRE RINGS.
(SMOKE, EPA, TRASH BEING BURNED)
- ② TRAFFIC PROBLEMS
(PEOPLE TURNING AROUND IN PRIVATE DRIVEWAY. NO RESPECT FOR OTHER PEOPLES PROPERTY.)

③ Mobil Home Park

SITES VERY CLOSE TO EACH OTHER,
DISPUTES WITH NEIGHBORS, SHERIFF
BEING CALLED OUT ALL HRS. OF THE
DAY & NIGHTS. THE PROBLEM WITH
THE LIGHTS, AT NIGHT TIME.

THIS IS NOT THE DEFINITION OF
WHAT ITS ZONED FOR, IT IS NOT THE
DEFINITION OF COUNTRY LIVING, THE
SERENITY OF PEACE & QUIET, & PRIVACY.

MEMBERS OF THE CITY COUNCIL
WE PLEAS WITH YOU, NOT TO LET
THIS HAPPEN TO OUR COMMUNITY.
I'M SURE EACH & EVERYONE OF YOU
WOULDN'T WANT DIESEL RIGS
PULLING IN YOUR NEIGHBORHOODS IN
THE MIDDLE OF THE NIGHT MAKING
NOISE & WAKING YOU UP.

JACK TULS COULD CARE LESS
ABOUT OUR COMMUNITY, OR LET ME
SAY IT ANOTHER WAY, THE JACK TULS
OF THIS GREAT COUNTRY OF OURS
COULD CARE LESS ABOUT ANY COMMUNITY.

Fred Blaine
Line Director

WE ARE GREATLY APPROSED TO
THIS DEVELOPMENT.

Charles C. Arnold
PO BOX 3184
Chino Valley, AZ 86323

April 17, 2010

Jack Tuls Jr.
2144 North Road 1 East
Chino Valley, AZ 86323

RE: Assessor's Parcel Number: 306-14-008M & 306-14-008K
Property Address for Both Parcels: 2144 North Road 1 East
: Chino Valley, AZ 86323

Type of Application: Planned Area Development, Rezone, Minor Plan Amendment

Dear Property Owner:

It is the intent of *JT Properties represented* by Charles Arnold to rezone the parcel 306-14-008k from the current zoning of Commercial light/ Agricultural to Commercial Heavy & parcel 306-14-008M to a Planned Area Development, this would change the existing zoning from Commercial Light/ Agricultural to Manufactured Home Park 4 acre minimum These parcels are located at the south east corner of Highway 89 and Road 3 1/2 North and requires the following:

1. 306-14-008K A rezone application from the existing zoning of Commercial Light/ Agricultural to Commercial Heavy for the Construction of a KOA overnight Stay Recreational Vehicle Facility
2. 306-14-008 M A Planned Area Development application for an approximately 20acre Gated Manufactured Home Park.
3. 306-14-008 M A Minor Plan Amendment to change future land use from Commercial to Medium Density Residential 2 acres or less.

A public hearing will be held before the Planning and Zoning Commission on May 6, 2010 at the Chino Valley Senior Center, 1021 W. Butterfield Rd at 6pm. All interested parties are invited to attend. Please return the lower portion of this letter with your comments to: Town of Chino Valley, Development Services Department, 1020 Palomino Road, Chino Valley, AZ, 86323 or you can express any concerns by contacting David Nicoletta with the Town of Chino Valley Development Services Department at 928-636-4427 or email dnicoletta@chinoaz.net.

Thank you for your consideration in this matter.

Detach Here

Please Check One: *Applicant Name*

Applicant APN #

I approve of this rezoning/conditional use permit.

I oppose this rezoning/conditional use permit.

Comments: We wish for the attached 17 pages to be presented in the Planning + Zoning package

Name: Dean + Candy Blakeslee

Signature: Candy Blakeslee Dean Blakeslee

Address: 2225 N Road 1E

PLEASE RESPOND BY *April 28, 2010*

PLEASE NOTE: Comment letters may be submitted to the Development Services Department 24 hours prior to the scheduled Public Hearing

Own's APN 306 17-012Q

We are **opposed** to the rezoning of parcels 306-14-008K and 306-14-008M.

The Chino Valley General Plan calls for these parcels to be zoned Commercial, and that should not be changed. If this zoning request is approved it will increase street congestion, promote crowding of land, and be financially detrimental to the current residents of the neighborhood.

Therefore, we request that the pending application *be denied* for the following reasons:

- Adding over 130 residences, 119 campsites, and 28 cabins will increase traffic congestion on Road 1 East. No matter how the developer encourages residents to use Hwy 89, there will be residents that will use Road 1 East.
- Adding a mobile home park will promote crowding of the land and dramatically reduce the small-town rural feeling of the neighborhood. This development will drastically change the scenic drive down Road 1 East, for anyone headed to, the "crown jewel" of Chino Valley, the Granit Creek Vineyard. Now instead of a rural tree lined street, there will be a 6-foot high block fence, desert landscaping, and a trailer park.
- The residents of the mobile home park are unlikely to share the neighborhood and community wide interests, and are likely to complain about the neighbors' horse and goat farms. We chose a rural life style and knew that included livestock, animal noise, dust, & flies. These facts will possibly be a surprise to people who choose to live in an upscale-gated manufactured home park.
- The additional traffic on Road 1 East will hasten the road widening, which will threaten the old growth trees along either side. These trees are an important part of Chino Valley's feel and heritage. Old growth trees, multi-acre agriculture businesses, horse farms, and the Granite Creek Winery line this part of Road 1 East. This road is an important tourist part of Chino Valley; **please do not change its character.** (See Resolution No. 381, signed September 9, 1993).
- The widening of Road 1 East will create additional expense for the city to obtain property easements and will possibly result in the condemnation of houses. Our house was built in 1944 and the 50-foot arterial street right away comes to our front porch.
- While the developer says that this proposed development will increase the economic vitality of Chino Valley, he has no experience in developing mobile home parks or KOA Kampgrounds. Mr. Tuls told us that he purchased this property after coming to the area and not finding a place to "camp" in his Diesel Bus RV. We are not convinced that there is a demand for camping spots or more mobile home spaces in Chino Valley. Should this project fail, Mr. Tuls will be at his home in Las Vegas, while the city and neighbors will be left with the results of a failed development.

- The developer's representative stated that this project must be viable or the SBA would not finance it. While on the surface that brings some reassurance, we do not know if the bank is basing their loan on the project or the ability of Jack Tuls to repay the loan.
- According to Charlie Arnold, this will be the nicest KOA Kampground in the USA. Does it make sense that Chino Valley can support "the nicest" Kampground in the USA?
- The Flagstaff KOA Kampground is currently for sale, at an asking price of \$885,000. It has " 29 full hookups, 27 water and electric sites, 35 tent sites with 2 one room camping kabins and 2 two room camping kabins Total sites: 91". This is the facility in Flagstaff, the gateway to one of the Seven Wonders of the World! If approved, Chino Valley's KOA will have 119 hookups, 28 to 32 camping kabins -- around 147 total sites. This just does not sound like a viable business plan to us, based on the currently available local attractions.
- Current property owners should **not** be monetarily punished for the benefit of Mr. Tuls. During the neighborhood meetings several neighbors said, they would not have purchased their property if there was an existing trailer park across the street. Therefore, it is our conclusion, from these comments, that this zoning change will decrease our property value.
- We purchased our property for its rural feel and were aware of the surrounding properties' zoning. Based on zoning codes and the General Plan, these uses did NOT include a trailer park. This dramatic change in zoning denies us the inherent right to enjoy our property.
- While we respect Charlie Arnold's expertise in land development within the Chino Valley area, there is no guarantee that he will remain on this project. In addition, he does not have any experience in developing a KOA Kampground.

Caveat Emptor...beware of the false promises of this project. Please support the people who live, invest, and love Chino Valley. Do NOT approve this zoning change.

Dean & Candy Blakeslee
2225 N Road 1 E
Parcel number -- 306-17-012Q

Attached:

Exhibit A Questions we sent to Charlie Arnold with the responses that he returned to us. Please note...we added an "A" in front of his answers.

Exhibit A

Candy, thank you for forwarding these questions to me, as with any project some items will remain fluid until final council approval, with that being said I have tried to answer these questions to the best of my ability, while protecting the privacy of business. I appreciate the opportunity to explain this further in person.

The first group of questions has to do with the viability of this project. While Jack may have money to loose...if this project goes bad...we have to live with the results.

1. How many RV sites, tent sites, and cabin sites will the KOA have?

A- 119 RV Spaces

28-32 Cabins

2. How much are the fees to camp in the KOA? Tent site, cabin, RV site?

A- These are the numbers as of today and Subject to Change.

RV Camping \$49.00 per night

Cabin \$80.00-\$110.00 per night

3. How full does the KOA campground needs to be to meet expenses?

A- We are planning a 45% average occupancy rate however contingency and considerations are given if the park does not meet these goals in the initial years. As with any business, we are planning in a very conservative startup .

4. What is the expected occupancy rate of the KOA?

A- Our annual average will be approximately 45%

5. What is the current occupancy rate at the Best Western, Teapot Inn, etc.

A- In speaking with members of the lodging community it appears that the 7 day average is 50%(as a note some do better and some do worse)

6. If the KOA is not profitable, what is the plan?

A- We have structured in a contingency for several years as the park becomes known and as annual occupancy rates increase. And due to use restrictions will be limited to a RV campground

7. How many campsites could you have without the zoning change?

A- None, a Conditional Use Permit would be required

8. Is it possible to build the campground with a Conditional Use Permit, based on the current zoning?

A- With a conditional Use Permit if approved would allow for 25 spaces.

9. How much will the rent be for the spaces in the mobile home park?

A- \$300-600 per month.

10. How many spaces need to be rented to meet expenses?

A- Due to the fluid nature of construction costs and lending cost it difficult to place a number on this, however as was previously stated the our financial planners have put in a 3-5 absorption rate to fill the park to 90%. This project is being planned with high consideration of the current and future economy in mind.

11. What is the plan if not enough spaces are rented to meet expenses.

A- We have structured in a contingency for several years as the park becomes known and as annual occupancy rates increase.

12. What is the average cost of a mobile home in park?

A- The cost for a manufactured home varies widely I expect that the Average cost will be around \$80,000

13. In this credit crunch, is financing available for mobile homes, especially if the owner does not own the land?

A- Manufactured homes do have financing available today and as the market returns over the next 1-2 years these options will expand. It is very common for Manufactured homes to be financed as personal property not real property.

14. How soon do you expect all of the Mobile Home Park spaces to be rented?

A- We are estimating 3-5 years from completion of construction, this number may modify based on construction timing and phasing.

15. What is the occupancy rate for the other mobile home parks in the area?

A- This number varies based upon available lots, some projects have significantly overbuilt for this current economy, we are planning on phasing our park to meet the demands of the economy.

This next group of questions has to do with how this potential project will affect the neighborhood's life-style.

1. Will the asphalt be black?

A -

At this point the answer is yes, we have looked at colored asphalt for the KOA however no decision has been made about changing from Black.

2. How many square feet of asphalt will this project have?

A -

Approximately 14% of the almost 60 acres will have asphalt

3. How much heat will the asphalt add to the area? Can you please supply us a copy of this study?

A -

No such study exists for this part of Arizona that we could find.

4. What are the result of the EPA impact study for 119 wood burning campfires/outdoor cooking sites?

A -

After further discussion, there will be no wood burning campfires/outdoor cooking sites. There will be a few propane fire rings in the common areas which will be controlled by KOA staff. Also we are looking into placing propane grills at a majority of the Overnight Stay sites to prevent the use of Charcoal.

5. How will you prevent people from burning trash in their campfires?

A -

No campfires in individual sites

6. How do you enforce the 28-day rule, at the KOA? Who will enforce this rule and how will the neighbors know that it is being enforced?

A -

This item will be finalized in the use agreements with the Campers and based on the standards applied at all campsites.

7. How long does a camper have to be gone before they can start another 28 days?

A -

As with the previous item this agreement is being created and will address this item.

8. Can owners, of the mobile home units, rent them out?

A- Our current discussions are to allow no more than 10% of the units to be rented; unlike a subdivision we have the ability to revoke a lease if they are rented without our consent. This 10% would be subject to additional requirements and restrictions.

9. How will you evict someone who does not pay their rent space or follow the parks rules? Because they own their mobile home, we are curious how you can keep them from their home.

A- The state of Arizona has landlord tenant laws in place, if we are forced to evict someone we would receive a notice to evict from the courts and law enforcement would assist in the eviction, this is the same procedure should you rent your property and have to evict someone. The law enforcement officer/ courts would provide us with options for removal of the unit.

10. Will the mobile home park rental agreement include acknowledgement that there is livestock nearby which can increase flies, odor, & noise (barking dogs, crowing roosters, neighing horses, mooing cows, etc.)? Can we have a copy of the rental agreement? Will the neighbors be a part of any change to this agreement?

A - Our legal council is reviewing this request. The rental agreement is in the process of being drafted.

11. You stated that these will all be new mobile homes/manufactured homes. Does that mean that every year, the any new homes moved in, will be manufactured in that year? On the other hand, does that mean that 2011 and newer homes will be allowed in the park?

A - New will be defined as never occupied, so if a unit is a 2009 and was model that was never occupied then it would qualify, our intention is to let only new units into the property year within reason becomes irrelevant.

This set of questions is to discover the level of comment this project has to work with its neighbors, if forced on us. Please note, as far as we know this zoning change is not acceptable to any of the neighbors.

1. Are you open to no wood burning fires, including outside cooking?

A - As previously stated we will not have any wood burning fires.

2. Are you open to a 6-foot solid block wall on the north, east, & south sides of the project?

A - We will in response to the neighbors' concerns place a solid block wall along the east boundary and the south boundary of the project.

3. In order to preserve the old growth trees are you willing to allow a 75-foot road right away on your property. That would mean 75 feet from the center of the road and would protect the old growth trees along the east side of Road 1 East for the length of your property.

A - This is a question for the engineering department however it has been expressed that a "jog" in the road that is that significant would not be acceptable

4. What are your plans for the potential of all of the old growth trees at the Granite Creek Vineyard being cut down to widen the street for the traffic? The trees, at the Vineyard that line the street, are within the road setback. Because there is a house on the other side of the street, some, or all of those trees will have to go when they widen the street (along with one of the houses).

A - This project will not cause the road to be widened, the towns existing plans do call for road 1 east to be widened and these plans were drawn up long before the planning of this project. This is a question for the town and future plans.

4. Have you made a decision about the fire hydrants on 1 East? However, this may be a moot point because it sounds like the city will require this.

A - Regardless if there is a requirement or not we will work with the fire district and the town to install fire hydrants along the project portion of road 1 east.

5. What are you dust control plans for construction?

A - As is standard we will implement a dust control plan which will include the use of water to minimize dust.

6. Are you willing to have a road around the outside of the entire project so that no campsite or mobile home will back up to the outside wall, and therefore not back-up to current residences or businesses?

A - At this point in time the site plan has been submitted and this would constitute an extreme change to the project and possibly would not fall within the allowed zoning/standards

This group of questions has to do with the neighbor's direct financial impact of this project.

1. Are you willing to reimburse property owners for all of their sewer hook-up expenses and their monthly sewer charges for 10 years? The city of Chino Valley requires any home within 400 feet of a sewer to hook up and pay the monthly fee.

The town has put an emphasis on expanding its wastewater system, the extension of the sewer line is a requirement by the town.

Therefore we do not have the option to deviate and cannot fulfill this request.

A-

2. Are you willing to reimburse, all of the effected property owners, for the depreciated value of their properties? Or for the lost income, as in the case of the neighbors who run a horse boarding facility?

Back to a previous point, this project will not cause a new widening of road 1 east, for several years it has been public record of the towns plans. Our position is that this project will add to the areas values. We have no control over the towns future right-of-way needs however the town does compensate for their acquisition.

A-

6

Project: High Plains Chino Valley

April 27, 2010

The property owner Mr. Tuls Jr is requesting the following modifications to the Manufactured Home Park 4 acre minimum zoning (MHP-4) under the current PAD proposal .

1. Modify minimum width from:
 - a. G. Minimum Mobile/Manufactured Home Size: Width ----- 12 feet

To a minimum width of 8.5 feet.
2. Modify the minimum length to 25 ft to accommodate the Park Model Homes for a maximum of 31 lots.

These modifications will allow for the proper installation of Park Model Homes, Singlewide Homes and Double Wide Homes within the proposed project

The owner Mr. Tuls Jr. is asking for the following modifications to the Technical Review Report.

1. Modify the following from Engineering/Public Works -Interior Streets "4 foot sidewalk, vertical curb & gutter, one side minimum"

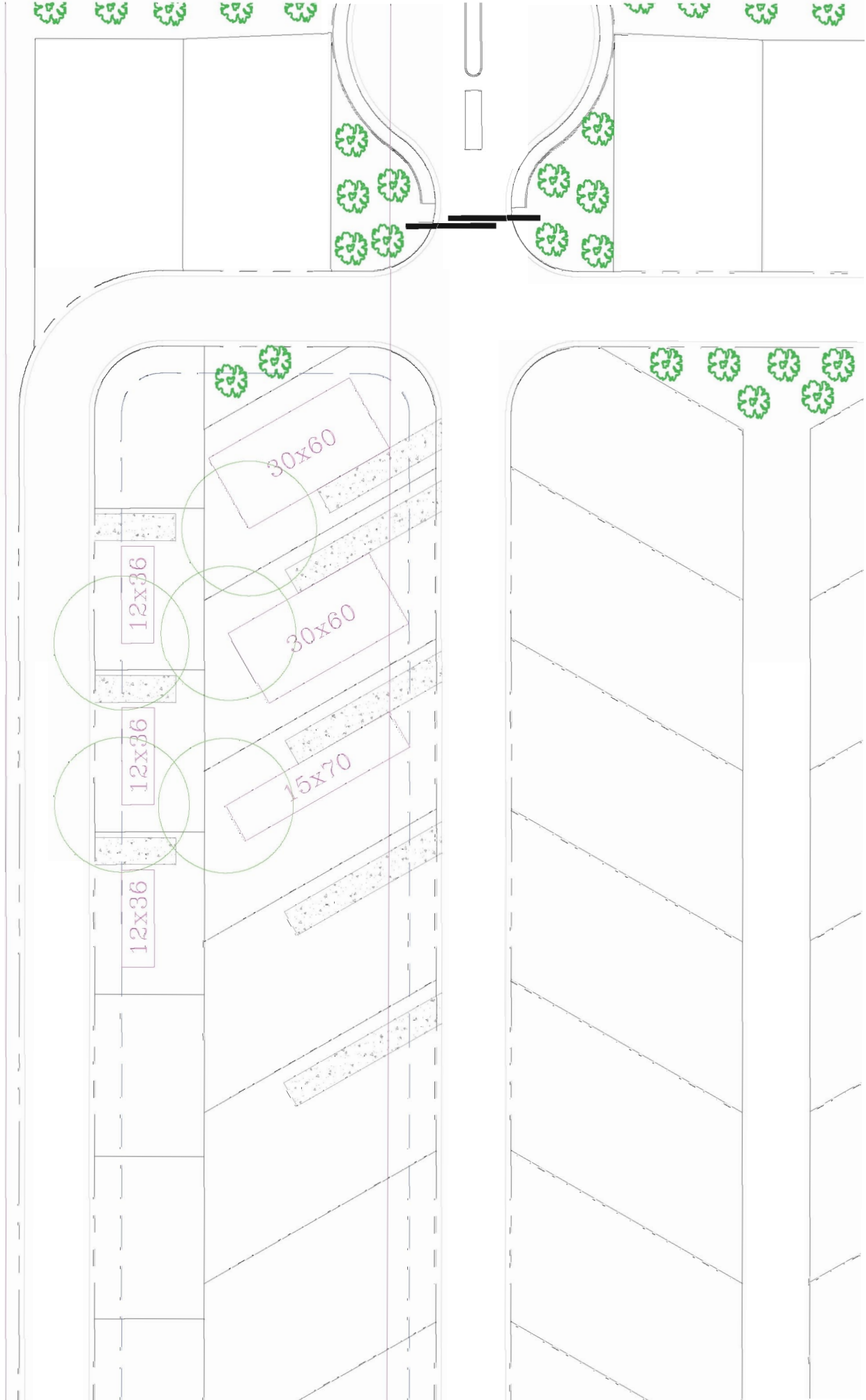
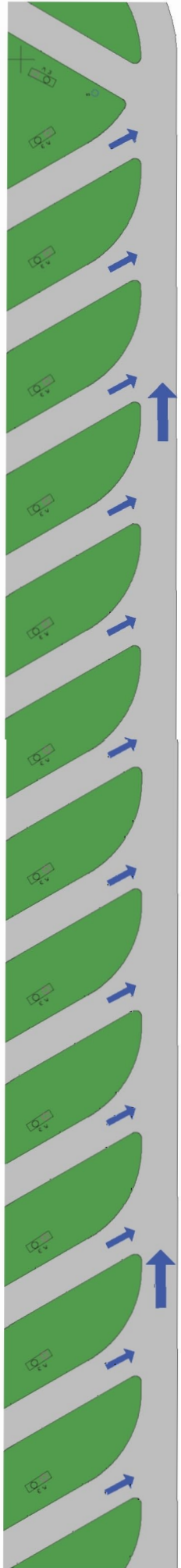
To rolled curb no sidewalk
2. Modify the following from Engineering/Public Works- Commercial Streets (RV Park) "4 foot sidewalk on each side"

To no sidewalk
- 3.-Currently the Town of Chino Valley is requiring all interior streets consist of a Fifty (50) foot right-of-way.
-The Applicant is requesting that the interior streets consist of a Twenty Eight (28) foot right-of-way. This would consist of Two (2) Twelve (12) foot road sections equaling Twenty four (24) feet with two (2) feet of curb on either side.

This request is following the example of the recently completed County West Mobile Home Park Phase IV.

Submitted

Charles Arnold on Behalf of JT Properties, Chino Valley



DEVELOPMENT SERVICES
1020 WEST PALOMINO ROAD
CHINO VALLEY, AZ 86323

BUILDING DIVISION
TELEPHONE (928) 636-4427
FAX (928) 636-6937

October 20, 2009

Dear Mr. Tuls

This letter is written to summarize the discussion and comments from the Technical Review Meeting, held Tuesday, October 13, 2009 for your project, High Plains in Chino Valley, Arizona. APN: 306-14-008D & 306-14-008E.

The following Town Staff was present at the Technical Review Meeting:

Pat Clingman, Development Services Director
David Nicolella, Associate Planner
Mike Bovee, (Acting) Assistant Zoning Administrator
Dan Trout, Senior Building Inspector
Ron Grittman, Town Engineer
Robin Allen, Senior Civil Engineer
Mark Holmes, Director, Water Resources
Mary Brasher, Administrative Clerk

Also present: Dave Wharton, Fire Marshal
Tim Gray, Project Manager
Jack Tuls, Owner
Mike Haywood, Surveyor

The following may not be all-inclusive, but attempts to summarize Staff comments in an effort to assist you in moving your project forward:

Development Services – Pat Clingman/David Nicolella/Mike Bovee (928) 636-4427:

As proposed, the development will require the following processes:

- A minor amendment to the General Plan Future Land Use map from CL to MDR 2 Acres or Less.
- A subdivision application to subdivide the parcel.
- Once the subdivision plat is established the parcel lines are required to remain the same.
- A zone change application to rezone the parcel from AR/CL to CL, MHP-4 and CH.
- The Mobile Home Park section of the development does not meet the minimum lot size requirement of 7,260 square feet. If you would like to move forward with the proposed lot sizes then you will have to go through the Planned Area Development Process (PAD).
- A Conditional Use Permit (CUP) application for the clubhouse, RV storage area and a comprehensive sign plan.
- A Site Plan Review application to present the proposal to the Planning Commission and Town Council for review and approval.



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- The RV Park shall include a men and women's restroom facility in the laundry room to include two showers in the men's and women's restroom.

Engineering/Public Works – Ron Grittman/Robin Allen (928) 636-7140:

- Required to submit site plans to ADOT for their recommendations and approval. ADOT may require a TIA.
- Development must submit a Water System Report, Sewer System Report, and a Drainage Report (with detention).
- Development is required to connect to municipal sewer.
- Private streets must be constructed to a public standard.
- Road 3 ½ North (collector street).
 - The Town prefers that 3 ½ North be used as a collector street at this time to allow better traffic flow to and from the site, and allow for emergency access.
 - If the roadway is utilized now (as part of this project) a minimum ROW dedication of 50 feet is required.
 - If 3 ½ North does not connect at this time, a minimum ROW dedication of 35 feet is required.
 - Requires a 5 foot sidewalk, vertical curb, one side minimum.
- Road 1 East (Arterial)
 - Required to have a dedication of 50 feet from the road Centerline.
 - Requires a 5 foot sidewalk, vertical curb and gutter, one side minimum.
- Interior Streets
 - 50 foot Easement/ROW dedication required.
 - 4 foot sidewalk, rolled curb, one side minimum.
- Commercial Streets (RV Park)
 - Requires a 60 foot Easement/ROW dedication.
 - 4 foot sidewalk on each side, rolled curb and gutter permitted.

Water Resources – Mark Holmes (928) 830-6084:

- Requires the applicant to submit a site plan for review to the Arizona Department of Water Resource to determine the requirements, if any, regarding a certificate of assured water supplies.
- Required to comply with all regulations as set forth by the Arizona Department of Water Resources.
- Strongly encourage any landscaping use drought tolerant, low water use plants, trees and shrubs approved on the ADWR plant list or the new Coalition approved low water use plant list.
- Encourage the use of waterless urinals and dual-flush toilets or high efficiency toilets (HET) meeting the 1.3 gallons per flush, and sink fixtures with high efficiency devices.



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- Recommend the use of rainwater recapture for supplemental water for landscaping and could be easily considered as part of the drainage requirement required by engineering.
- If the proposed development will be served by the Town's water or sewer services, water and/or a sewer service agreement or master development agreement must be approved prior to any notice of intent to serve documents are delivered.

Fire Department – Dave Wharton (928) 636-2442:

- Requires Fire Hydrants be installed every 500 ft throughout the site.
- Requires a minimum radius of 28 ft on all corners for ample space for fire truck turn around.

Building Department – Pat Clingman/Dan Trout (928) 636-4427:

- Required to use Arizona design professionals with the plans stamped by the registrant.
- Required that all contractors be commercially licensed for all phases of construction.
- Required to comply with section 4.19 of the Unified Development Ordinance in reference to public restroom facilities.
- Fire Sprinklers may be required depending on the size and occupancy load of the buildings.

The comments from the Technical Review Committee are valid for one year from the date of this letter.

If you have any questions, please contact the appropriate Staff for information related to project requirements of that department, Monday – Thursday, from 7:30 A. M. to 5:00 P. M.

Respectfully,

Town of Chino Valley
Technical Review Committee

CC: Tim Gray

