

DUE TO PANDEMIC PHASED RE-OPENING PLAN, MEETINGS WILL BE OPEN TO A MAXIMUM OF 25 PUBLIC ATTENDEES. MEETINGS WILL BE LIVE STREAMED ON SOCIAL MEDIA AND ZOOM. PLEASE REFER TO PAGE 2 FOR PARTICIPATION INSTRUCTIONS.



Town of Chino Valley

MEETING NOTICE PLANNING AND ZONING COMMISSION

**SPECIAL MEETING
WEDNESDAY, MARCH 10, 2021
6:00 P.M.**

**Council Chambers
202 N. State Route 89
Chino Valley, Arizona**

AGENDA

- 1. CALL TO ORDER**
- 2. PLEDGE OF ALLEGIANCE**
- 3. ROLL CALL**
- 4. MINUTES**
- 5. STAFF REPORTS**
- 6. PUBLIC HEARING**
 - a.** Consideration and possible recommendation to Town Council of approval to amend the Town of Chino Valley Unified Development Ordinance, Chapter 154, by amending section 2.1 Meanings of Words and Terms, by amending definitions relating to Manufactured Homes. (Will Dingee, Planner)
- 7. NON-PUBLIC HEARING**

- a. Selection of Chair and Vice-Chair.

8. DISCUSSION ITEMS

9. PUBLIC COMMENTS

Call to the Public is an opportunity for the public to address the Commission on any issue within the jurisdiction of the Commission that is not on the agenda. Public comment is encouraged. Individuals are limited to speak for three (3) minutes. The total time for Call to the Public may be up to 30 minutes per meeting. Commission action taken as a result of public comment will be limited to directing staff to study the matter, scheduling the matter for further consideration and decision at a later date, or responding to criticism.

10. ADJOURN

Dated this 4th day of March, 2021.

By: Joshua Cook, Development Services Director

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) or use 711 (Telecommunications Arizona Relay Service) to request accommodation to participate in this meeting.

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Webinar ID: 840 9724 6327

Planning and Zoning Commission Special Meeting

6. a.

Meeting Date: 03/10/2021

T-02-21 Text Amendment for Manufactured Homes Definition

CASE DESCRIPTION:

Consideration and possible recommendation to Town Council of approval to amend the Town of Chino Valley Unified Development Ordinance, Chapter 154, by amending section 2.1 Meanings of Words and Terms, by amending definitions relating to Manufactured Homes. (Will Dingee, Planner)

LOCATION:

Town of Chino Valley

FACTS:

1. Applicant:.....Town of Chino Valley
2. Owner:..... N/A
3. Parcel Number.....N/A
4. Site Area.....N/A
5. Existing zoning:..... N/A
6. Intended Use.....N/A

ANALYSIS:

See attached Staff Report

TECHNICAL REVIEW:

See attached Ordinance

SITE PLAN

N/A

RECOMMENDATION

Staff recommends that Planning and Zoning Commission forward a recommendation of approval to Town Council to amend the Town of Chino Valley Unified Development Ordinance, Chapter 154, by amending section 2.1 Meanings of Words and Terms, by amending the definitions relating to Manufactured Homes.

Attachments

- Ordinance for MFH with Language
 - Ordinance for MFH with Comparison
 - PZ Staff Report ManuHomes
-

ORDINANCE NO. 2021-XXX

AN ORDINANCE OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF CHINO VALLEY, ARIZONA, AMENDING THE CHINO VALLEY TOWN CODE TITLE XV, LAND USAGE, CHAPTER 154, UNIFIED DEVELOPMENT ORDINANCE, BY AMENDING THE PROVISIONS RELATING TO MEANINGS OF WORDS AND TERMS.

WHEREAS, the Mayor and Common Council of the Town of Chino Valley (the "Town Council") desires to amend the Chino Valley Town Code, Title XV, Land Usage, Chapter 154, Unified Development Ordinance of the Town of Chino Valley (the "UDO"), by modifying the definitions relating to factory-built buildings, guesthouses, manufactured homes, modular homes, motor homes, park model trailers and park trailers, portable camping trailers, recreational vehicles, travel trailers, and truck campers (the "Text Amendment"); and

WHEREAS, the Town Council has determined that the Text Amendment conforms with the Town of Chino Valley General Plan and any applicable specific area plan, neighborhood plan, or other plan; and

WHEREAS, all required public notice was provided and all required public meetings and hearings were held in accordance with applicable state and local laws; and

WHEREAS, the Planning and Zoning Commission recommended approval of the Text Amendment; and

WHEREAS, in accordance with Article II, Sections 1 and 2 of the Arizona Constitution, the Town Council has considered the individual property rights and personal liberties of the residents of the Town before adopting this Ordinance.

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Common Council of the Town of Chino Valley, Arizona, as follows:

Section 1. The recitals above are incorporated as if fully set forth herein.

Section 2. The UDO, Section 2.1 (Meanings of Words and Terms), is hereby amended as follows (deleted text is shown in strikethrough, and new text is shown in ALL CAPS):

BUILDING, FACTORY-BUILT. HAS THE MEANING SET FORTH IN A.R.S. § 41-4001(17), AS AMENDED.

GUESTHOUSE. Living or sleeping quarters for the sole use of occupants of the premises, guests of such occupants or persons employed on the premises. Such quarters shall not be rented and/or otherwise listed for income purposes.

“GUESTHOUSE” DOES NOT INCLUDE RECREATIONAL VEHICLES AS DEFINED IN THIS ARTICLE.

MANUFACTURED HOME. HAS THE MEANING SET FORTH IN A.R.S. § 41-4001(25), AS AMENDED, PURSUANT TO THE NATIONAL MANUFACTURED HOUSING CONSTRUCTION AND SAFETY STANDARDS ACT OF 1974 AND TITLE VI OF THE HOUSING AND COMMUNITY DEVELOPMENT ACT OF 1974 (P.L. 93-383, AS AMENDED BY P.L. 95-128, 95-557, 96-153 AND 96-339). ~~A movable or portable dwelling of at least four hundred (400) square feet of gross living area (based on external dimensions) and twelve (12) feet or more in width; constructed to be towed on its own chassis and designed so as to be installed with or without a permanent foundation; for human occupancy as a residence containing complete toilet, shower and cooking facilities; which may include one or more components that can be retracted for towing purposes and subsequently expanded for additional capacity, or two or more units separately towable which can be joined to form a single unit, and constructed on or after June 15, 1976. Does~~“MANUFACTURED HOME” DOES NOT INCLUDE recreational vehicle or travel trailer RECREATIONAL VEHICLES as defined in this article. The removal of the wheels and running gear shall not change the meaning of this term. ~~The “manufactured home” shall not include “modular home” or “prefabricated home” both of which are considered “single family” or “multiple family” dwellings when~~WHEN constructed to conform with the TOWN’S building ordinances of the Town, MODULAR HOMES AND FACTORY-BUILT BUILDINGS ARE CONSIDERED SINGLE-FAMILY OR PERMANENT MULTIFAMILY DWELLINGS AND ARE NOT MANUFACTURED HOMES.

MODULAR HOME. A TYPE OF FACTORY-BUILT BUILDING BUILT FOR HUMAN OCCUPANCY AS A RESIDENCE. “MODULAR HOME” DOES NOT INCLUDE A MANUFACTURED HOME OR RECREATIONAL VEHICLE AS DEFINED IN THIS SECTION.

MOTOR HOME. A RECREATIONAL VEHICLE AS DEFINED IN A.R.S. § 41-4001(33)(b), AS AMENDED.

PARK MODEL TRAILERS; PARK TRAILERS. A RECREATIONAL VEHICLE AS DEFINED IN A.R.S. § 41-4001(33)(c), AS AMENDED. A PARK MODEL OR A PARK TRAILER SHALL NOT BE CONSIDERED A SINGLE-FAMILY OR MULTIFAMILY PERMANENT DWELLING, SHALL NOT BE USED AS A GUESTHOUSE, AND SHALL BE RESTRICTED TO MOBILE HOME PARKS, RV PARKS, AND TRAILER PARKS.

PORTABLE CAMPING TRAILER. A RECREATIONAL VEHICLE AS DEFINED IN A.R.S. § 41-4001(33)(a), AS AMENDED.

RECREATIONAL VEHICLE (RV). HAS THE MEANING SET FORTH IN A.R.S. § 41-4001(33), AS AMENDED. ~~A vehicular type unit primarily designed as temporary living quarters for recreational, camping, or travel use, which either has its own motive power~~

~~or is mounted on or drawn by another vehicle. This includes motor homes, travel trailers, fifth-wheel trailers, and campers.~~

TRAVEL TRAILER. A RECREATIONAL VEHICLE AS DEFINED IN A.R.S. § 41-4001(33)(d), AS AMENDED.

TRUCK CAMPER. A RECREATIONAL VEHICLE AS DEFINED IN A.R.S. § 41-4001(33)(e), AS AMENDED.

Section 4. All ordinances and parts of ordinances in conflict with the provisions of this Ordinance are hereby repealed.

Section 5. If any section, subsection, sentence, clause, phrase or portion of this Ordinance is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance.

Section 6. The Mayor, the Town Manager, the Town Clerk and the Town Attorney are hereby authorized and directed to take all steps necessary to cause the execution of the Agreement and to take all steps necessary to carry out the purpose and intent of this Ordinance.

[SIGNATURES ON FOLLOWING PAGE]

PASSED AND ADOPTED by the Mayor and Common Council of the Town of Chino Valley, Arizona this ____ day of _____, 2021.

Jack W. Miller, Mayor

ATTEST:

Erin N. Deskins, Town Clerk

APPROVED AS TO FORM:

Gust Rosenfeld PLC, Town Attorney
By: Andrew J. McGuire

I hereby certify the above foregoing Ordinance No. 2021-XXX was duly passed by the Council of the Town of Chino Valley, Arizona, at a meeting held on _____, and that quorum was present, and that the vote thereon was _____ ayes and _____ nays and _____ abstentions. _____ Council members were absent or excused.

Erin N. Deskins, Town Clerk

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WHEREAS, the Town Council has determined that the Text Amendment conforms with the Town of Chino Valley General Plan and any applicable specific area plan, neighborhood plan, or other plan; and

WHEREAS, all required public notice was provided and all required public meetings and hearings were held in accordance with applicable state and local laws; and

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[SIGNATURES ON FOLLOWING PAGE]

PASSED AND ADOPTED by the Mayor and Common Council of the Town of Chino Valley, Arizona this _____ day of _____, 2021.

Jack W. Miller, Mayor

ATTEST:

Erin N. Deskins, Town Clerk

APPROVED AS TO FORM:

Gust Rosenfeld PLC, Town Attorney
By: Andrew J. McGuire

I hereby certify the above foregoing Ordinance No. 2021-XXX was duly passed by the Council of the Town of Chino Valley, Arizona, at a meeting held on _____, and that quorum was present, and that the vote thereon was _____ ayes and _____ nays and _____ abstentions. _____ Council members were absent or excused.

Erin N. Deskins, Town Clerk

Document comparison by Workshare 10.0 on Thursday, February 18, 2021
3:26:54 PM

Input:	
Document 1 ID	iManage://GRWORK01/Phoenix/4039421/4
Description	#4039421v4<Phoenix> - ORD - 2021-XXX - Recreational Vehicles and Manufactured Homes v4
Document 2 ID	iManage://GRWORK01/Phoenix/4039421/5
Description	#4039421v5<Phoenix> - ORD - 2021-XXX - Recreational Vehicles and Manufactured Homes v5
Rendering set	Standard

Legend:	
<u>Insertion</u>	
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Format change	
Moved deletion	
Inserted cell	
Deleted cell	
Moved cell	
Split/Merged cell	
Padding cell	

Statistics:	
	Count
Insertions	1
Deletions	2
Moved from	0
Moved to	0
Style change	0
Format changed	0
Total changes	3



TOWN OF CHINO VALLEY
Planning and Zoning
Staff Report March 10, 2021

APPLICATION SUMMARY

File Number:	T-02-21
Applicant:	Town of Chino Valley
Request:	Request to amend the Town of Chino Valley Unified Development Ordinance, Chapter 154, by amending section 2.1 Meanings of Words and Terms, by amending the definition of Manufactured Homes.

SUMMARY

DISCUSSION

Under current Town Code, the definition of Manufactured Home is outdated and not in line with the State of Arizona’s current definitions. Due to this inconsistency and an ongoing issue that has come about with a Chino Valley property owner, staff and legal counsel believe that a change to the definitions within our code are necessary to protect the Town from this perfect storm situation. Staff and the Town Attorney have redrafted the language to bring it in line with the current state definition in order to avoid future issues regarding this matter.

At the October 28, 2020 UDO Subcommittee meeting staff brought draft language forward to discuss. The UDO Subcommittee requested it be brought back for another discussion. On February 28, 2021, staff met with the UDO Update Subcommittee and discussed the route to be taken with the text amendment draft. After discussion between staff, the subcommittee and Town Attorney, the subcommittee gave staff the go ahead to take the language forward to the Planning and Zoning Commission.

Staff has attached a copy of the proposed language to this staff report (**See Attachment 1: Proposed Text Amendment Language**).

CITIZENS OUTREACH

Staff has notified all residents within Chino Valley through public notification. The draft text amendment has been uploaded to the Town of Chino Valley’s homepage and can be accessed by citizens by going to the news flash section. Staff has encouraged the citizens to send comments to the Development Service Department. To date, staff has not received any comments or emails from residents.

STAFF RECOMMENDATION

Staff recommends that Planning and Zoning Commission forward a recommendation of approval to Town Council to amend the Town of Chino Valley Unified Development Ordinance, Chapter 154, by amending section 2.1 Meanings of Words and Terms, by amending the definition of Manufactured Homes.

Attachment 1: Proposed Text Amendment Language

BUILDING, FACTORY-BUILT. HAS THE MEANING SET FORTH IN A.R.S. § 41-4001(17), AS AMENDED.

GUESTHOUSE. Living or sleeping quarters for the sole use of occupants of the premises, guests of such occupants or persons employed on the premises. Such quarters shall not be rented and/or otherwise listed for income purposes. "GUESTHOUSE" DOES NOT INCLUDE RECREATIONAL VEHICLES AS DEFINED IN THIS ARTICLE.

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TRUCK CAMPER. A RECREATIONAL VEHICLE AS DEFINED IN A.R.S. § 41-4001(33)(e), AS AMENDED.

Planning and Zoning Commission Special Meeting

7. a.

Meeting Date: 03/10/2021

Selection of officers

CASE DESCRIPTION:

Selection of Chair and Vice-Chair.

ANALYSIS:

RECOMMENDATION

Attachments

No file(s) attached.
