

**RESOLUTION NO. 11-942**

**A RESOLUTION OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF CHINO VALLEY, COUNTY OF YAVAPAI, ARIZONA, DECLARING AS A PUBLIC RECORD WITHIN THE MEANING OF A.R.S. § 9-801 THAT CERTAIN DOCUMENT FILED WITH THE TOWN CLERK AND ENTITLED “UNIFIED DEVELOPMENT ORDINANCE – AMENDMENTS DATED JANUARY 11, 2011”**

BE IT RESOLVED by the Mayor and Common Council of the Town of Chino Valley, County of Yavapai, Arizona:

That certain document entitled “Unified Development Ordinance – Amendments Dated January 11, 2011,” which was adopted with Ordinance No. 10-738, is hereby declared to be a public record within the meaning of A.R.S. § 9-801, three (3) copies of which are on file in the office of the Town Clerk and which are available for inspection by the public during normal business hours.

**PASSED AND ADOPTED** by the Mayor and Common Council of the Town of Chino Valley, Arizona this 11<sup>th</sup> day of January, 2011.

\_\_\_\_\_  
Jim Bunker, Mayor

ATTEST:

APPROVED AS TO FORM:

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Jami C. Lewis, Town Clerk

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Musgrove Drutz & Kack, P.C.  
Town Attorney

**UNIFIED DEVELOPMENT ORDINANCE –  
AMENDMENTS DATED JANUARY 11, 2011**

**THE UNIFIED DEVELOPMENT ORDINANCE (UDO) OF THE TOWN SHALL BE AMENDED AS FOLLOWS:**

**PART ONE OF UNIFIED DEVELOPMENT ORDINANCE AMENDMENTS.**

**ADDING SUBSECTIONS ON COMMERCIAL AND NON-COMMERCIAL GREENHOUSES INTO THE UDO:** Currently there are only two references in the UDO relating to Greenhouses and these two references do not provide enough guidance to allow expansion of existing greenhouses nor construction of new greenhouses. By adding additional subsections on greenhouses the Town of Chino Valley will be better able to assist with future greenhouse development as well as expansion of existing greenhouses.

**SUBSECTION 1.7 – SITE PLAN REVIEW COMMITTEE is hereby amended as follows:**

**SUBSECTION 1.7.3 POWERS, DUTIES, JURISDICTION – is hereby amended to add Commercial Greenhouses as part of projects subject to Site Plan review.**

- C. Prior to development, construction, remodel, change or alteration of any project subject to Site Plan review, the property owner or designated agent shall secure written approval from the Development Services Director, or his/her designee. Site Plan review is required for Subdivisions, Planned Area Developments (PAD's), multiple-family residential developments, mobile/manufactured home parks, recreational vehicle parks, COMMERCIAL GREENHOUSES, commercial buildings, over 5,000 sq. ft. in size (either singularly or in combination), industrial buildings/uses, public facility, public and private utility and other uses as specifically identified in this Ordinance.**

**SECTION 2 - DEFINITIONS. The following definitions are hereby added:**

**GREENHOUSE. A GREENHOUSE STRUCTURE, IN WHICH TEMPERATURE AND HUMIDITY CAN BE CONTROLLED FOR THE CULTIVATION OR PROTECTION OF PLANTS.**

**GREENHOUSE, COMMERCIAL. A GREENHOUSE ENTERPRISE IS A COMMERCIAL ENTERPRISE THAT GROWS PLANTS OR PARTS OF PLANTS BY THE APPLICATION OF WATER TO PLANTS THAT RESIDE WITHIN MOVABLE CONTAINERS, RAISED OR LINED BEDS THAT ARE DISCONNECTED FROM THE LANDS BENEATH THEM AND ARE NOT DEFINED AS IRRIGATED LANDS AS DEFINED IN ARIZONA REVISED STATUTES. A COMMERCIAL GREENHOUSE IS CONSIDERED A WATER INTENSIVE ENTERPRISE AND REQUIRES A LEGALLY PERFECTED WATER RIGHT THAT IS SUPPORTED BY THE ARIZONA DEPARTMENT OF WATER RESOURCES.**

**SUBSECTION 3.5 “AR-36” – Agricultural/Residential (36 Acre Minimum) is hereby amended as follows:**

**SUBSECTION 3.5.2 Permitted Uses – is hereby amended to add information on Non-Commercial and Commercial Greenhouses to the list of Permitted Uses:**

**E. Customary accessory structures such as barns, greenhouses, nurseries, corrals, private arenas, training tracks, coops, NON- COMMERCIAL GREENHOUSES UP TO 600 SQ. FT., and storage sheds for the care and keeping of non-household animals, fowl, produce, farm machinery and equipment. Accessory structures shall not be permitted prior to the issuance of a building permit for the primary residence.**

**J. COMMERCIAL GREENHOUSES. SEE SUBSECTION 4.30 COMMERCIAL GREENHOUSE DEVELOPMENT STANDARDS.**

**SUBSECTION 3.6 “AR-5” – Agricultural/Residential (5 Acre Minimum) is hereby amended as follows:**

**SUBSECTION 3.6.2 Permitted Uses – is hereby amended to add information on Non-Commercial and Commercial Greenhouses to the list of Permitted Uses:**

**D. Customary accessory structures such as barns, corrals, private arenas, training tracks, coops, NON- COMMERCIAL GREENHOUSES UP TO 600 SQ. FT., and storage sheds for the care and keeping of non-household animals, fowl, produce, farm machinery and equipment. Accessory structures shall not be permitted prior to the issuance of a building permit for the primary residence.**

**I. COMMERCIAL GREENHOUSES MAY BE PERMITTED WITH A MINIMUM OF 10 CONTIGUOUS ACRES. SEE SUBSECTION 4.30 COMMERCIAL GREENHOUSE DEVELOPMENT STANDARDS.**

**SUBSECTION 3.7 “AR-4” – Agricultural/Residential (4 Acre Minimum) is hereby amended as follows:**

**SUBSECTION 3.7.2 Permitted Uses – is hereby amended to add information on Non-Commercial and Commercial Greenhouses to the list of Permitted Uses:**

**D. Customary accessory structures such as barns, corrals, private arenas, training tracks, coops, NON- COMMERCIAL GREENHOUSES UP TO 600 SQ. FT., and storage sheds for the care and keeping of non-household animals, fowl, produce, farm machinery and equipment. Accessory structures shall not be permitted prior to the issuance of a building permit for the primary residence.**

**I. COMMERCIAL GREENHOUSES MAY BE PERMITTED WITH A MINIMUM OF 10 CONTIGUOUS ACRES. SEE SUBSECTION 4.30 COMMERCIAL GREENHOUSE DEVELOPMENT STANDARDS.**

**SUBSECTION 3.8 “SR-2.5” – Single Family Residential (2.5 Acre Minimum) is hereby amended as follows:**

**SUBSECTION 3.8.2 Permitted Uses – is hereby amended to add information on Non-Commercial to the list of Permitted Uses:**

- E. Customary accessory structures such as barns, corrals, private arenas, training tracks, coops, NON- COMMERCIAL GREENHOUSES UP TO 600 SQ. FT., and storage sheds for the care and keeping of non-household animals, fowl, produce, farm machinery and equipment. Accessory structures shall not be permitted prior to the issuance of a building permit for the primary residence.**

**SUBSECTION 3.9 “SR-2” – Single Family Residential (2 Acre Minimum) is hereby amended as follows:**

**SUBSECTION 3.9.2 Permitted Uses – is hereby amended to add information on Non-Commercial to the list of Permitted Uses:**

- E. Customary accessory structures such as barns, corrals, private arenas, training tracks, coops, NON- COMMERCIAL GREENHOUSES UP TO 600 SQ. FT., and storage sheds for the care and keeping of non-household animals, fowl, produce, farm machinery and equipment. Accessory structures shall not be permitted prior to the issuance of a building permit for the primary residence.**

**SUBSECTION 3.10 “SR-1.6” – Single Family Residential (1.6 Acre Minimum) is hereby amended as follows:**

**SUBSECTION 3.10.2 Permitted Uses – is hereby amended to add information on Non-Commercial to the list of Permitted Uses:**

- F. Customary accessory structures such as barns, corrals, private arenas, training tracks, coops, NON- COMMERCIAL GREENHOUSES UP TO 600 SQ. FT., and storage sheds for the care and keeping of non-household animals, fowl, produce, farm machinery and equipment. Accessory structures shall not be permitted prior to the issuance of a building permit for the primary residence.**

**SUBSECTION 3.11 “SR-1” – Single Family Residential (1 Acre Minimum) is hereby amended as follows:**

**SUBSECTION 3.11.2 Permitted Uses – is hereby amended to add information on Non-Commercial to the list of Permitted Uses:**

- F. Customary accessory structures such as barns, corrals, private arenas, training tracks, coops, NON- COMMERCIAL GREENHOUSES UP TO 600 SQ. FT., and storage sheds for the care and keeping of non-household**

animals, fowl, produce, farm machinery and equipment. Accessory structures shall not be permitted prior to the issuance of a building permit for the primary residence.

**SUBSECTION 3.15 “CL” – Commercial Light is hereby amended as follows:**

**SUBSECTION 3.15.2 Permitted Uses – is hereby amended to add information on Commercial Greenhouses to the list of Permitted Uses:**

**AD. COMMERCIAL GREENHOUSES MAY BE PERMITTED WITH A MINIMUM OF 10 CONTIGUOUS ACRES. SEE SUBSECTION 4.30 COMMERCIAL GREENHOUSE DEVELOPMENT STANDARDS.**

**SUBSECTION 3.16 “CH” – Commercial Heavy is hereby amended as follows:**

**SUBSECTION 3.16.2 Permitted Uses – is hereby amended to add information Commercial Greenhouses to the list of Permitted Uses:**

**N. COMMERCIAL GREENHOUSES MAY BE PERMITTED WITH A MINIMUM OF 10 CONTIGUOUS ACRES. SEE SUBSECTION 4.30 COMMERCIAL GREENHOUSE DEVELOPMENT STANDARDS.**

**SUBSECTION 3.17 “I” – Industrial is hereby amended as follows:**

**SUBSECTION 3.17.2 Permitted Uses – is hereby amended to add information on Commercial Greenhouses to the list of Permitted Uses:**

**G. COMMERCIAL GREENHOUSES MAY BE PERMITTED WITH A MINIMUM OF 10 CONTIGUOUS ACRES. SEE SUBSECTION 4.30 COMMERCIAL GREENHOUSE DEVELOPMENT STANDARDS.**

**SECTION 4 GENERAL REGULATIONS is hereby amended as follows:**

**SUBSECTION 4.5 Yard, Lot Shape and Area Requirements - is hereby amended to remove the reference to solar greenhouses:**

- A. Solar unit and dish antennas. Solar heating, solar cooling units, satellite dish antennas, ~~solar greenhouses~~ and associated apparatus notwithstanding any other provisions of this Ordinance shall not be located in any required front yard, but may be located in a required rear or side yard provided that such apparatus does not cover more than thirty (30) percent of that side yard and shall be no closer than ten (10) feet to any lot line.**

**SUBSECTION 4.22.8 – DETERMINATION OF REQUIRED SPACES is hereby amended to add parking calculation for Commercial Greenhouse:**

**COMMERCIAL GREENHOUSES  
USEABLE FLOOR AREA**

**1 SPACE PER 900 SQ.FT. NET**

**SUBSECTION 4.30 – COMMERCIAL GREENHOUSE STANDARDS is hereby added to the Unified Development Ordinance to provide guidance for future development that occurs within the Town of Chino Valley:**

**Commercial Greenhouse Development Standards:**

<b>Allowed in the following zoning districts. Greenhouse shall be setback a minimum of 500 feet from the State Route 89 right of way.</b>	<b>AR 10 acre minimum</b>	<b>CL 10 acre minimum</b>	<b>CH 10 acre minimum</b>	<b>I 10 acre minimum</b>
<b>Property Development Standards:</b>				
<b>Minimum Lot Area</b>				<b>10 acres</b>
<b>Minimum Linear Street Frontage</b>				<b>300 feet</b>
<b>Minimum Front Yard Setback (Except for properties adjacent to SR 89)</b>				<b>50 feet</b>
<b>Minimum Side Yard Setback</b>				<b>50 feet</b>
<b>Minimum Street Side Yard Setback</b>				<b>50 feet</b>
<b>Maximum Building Height</b>				<b>35 feet</b>
<b>Minimum Distance Between the Structures</b>				<b>20 feet</b>
<b>Maximum Lot Coverage Standards</b>				<b>50%</b>
<b>In Commercial or Industrial zoning, the maximum % of the building used for retail outlet/restaurant</b>				<b>10%</b>
<b>In Commercial or Industrial zoning, the maximum % of the Lot Area Used For Entertainment (this area shall conform to building setback requirements)</b>				<b>20%</b>
<b>Agricultural zoning, the maximum % of the building used for the sale of farm produce when primarily grown on site</b>				<b>10%</b>
<b>Outdoor Storage Standards</b>				<b>Screening required</b>
<b>Accessory Building Setbacks From the Side and Rear Property Lines</b>				<b>20 feet</b>
<b>Accessory Building Setbacks From Street Side</b>				<b>See Section 4.28</b>
<b>Off Street Parking and Loading Standards</b>				<b>See Section 4.22</b>
<b>Shall Have Access on an Arterial or Collector Street</b>				

**PART TWO OF UNIFIED DEVELOPMENT ORDINANCE AMENDMENTS.**

These changes to the “Handicapped Parking Standards” were requested by the Town of Chino Valley’s Planning Commission to accomplish the following goals:

1. Increase the overall number of Handicapped Parking Spaces (HC)
2. Link the number of HC spaces to the type of business; and
3. Establish “Universal Parking Space” dimensions

SECTION 4 GENERAL REGULATIONS is hereby amended as follows:

SUBSECTION 4.22.4 PARKING DESIGN STANDARDS, B, 7 - is hereby amended to allow tandem handicapped parking spaces:

7. Tandem arrangement of required parking spaces is prohibited, except FOR HANDICAPPED PARKING SPACES, and as otherwise permitted by this Ordinance.

SUBSECTION 4.22.8 – DETERMINATION OF REQUIRED SPACES is hereby amended to increase the overall number of handicapped parking spaces (HC), to link the number of required HC spaces to the type of business and to establish “Universal Parking Space” dimensions by adding subsection K, L and M as follows:

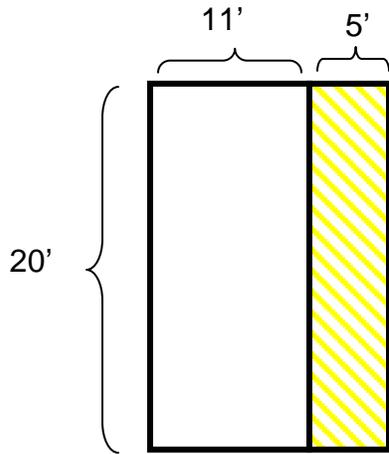
- J. All uses not specifically designated, or similar to a specified use, shall have parking space requirements determined by the Zoning Administrator. ~~In multiple-family, commercial, and industrial districts, handicapped parking spaces shall be provided at the ratio of three (3) spaces for the first fifty (50) parking spaces provided, and one (1) space for each fifty (50) spaces thereafter. Parking Space Allocation Requirements~~

- K. HANDICAPPED PARKING SPACES: In multiple-family, commercial (EXCLUDING HEALTH CARE USES), and industrial districts, handicapped parking spaces shall be provided at the ratio of ~~three (3) spaces for the first fifty (50) parking spaces provided, and one (1) space for each fifty (50) twenty five (25) spaces thereafter.~~ ONE SPACE FOR THE 1<sup>ST</sup> 20 PARKING SPACES PROVIDED, AND ONE (1) SPACE EVERY TWENTY FIVE (25) THEREAFTER.

- L. HANDICAPPED PARKING SPACES RATIO FOR HEALTH CARE USES SHALL BE AS FOLLOWING:

<u>1 - 10 SPACES</u>	<u>REQUIRE 1 HC SPACE</u>
<u>11 - 20 SPACES</u>	<u>REQUIRE 2 HC SPACES</u>
<u>21 - 30 SPACES</u>	<u>REQUIRE 3 HC SPACE</u>
<u>31- 50 SPACES</u>	<u>REQUIRE 4 HC SPACE</u>
<u>51 - 75 SPACES</u>	<u>REQUIRE 5 HC SPACE</u>
<u>1 HC SPACE</u>	<u>EACH 25 THEREAFTER</u>

**M. HANDICAPPED PARKING SPACES SHALL USE THE “UNIVERSAL PARKING SPACE” DIMENSIONS FOR ALL NEW HANDICAPPED SPACES WITHIN THE TOWN.**



**DIMENSIONS: 11 x 20 WITH A 5 FOOT AISLE. THIS SIZE WILL ACCOMMODATE BOTH CARS AND VANS**