



CITY OF SIERRA VISTA
PLANNING AND ZONING COMMISSION
DECEMBER 17, 2019
CITY COUNCIL CHAMBERS
1011 N. CORONADO DRIVE
REGULAR MEETING

REGULAR MEETING.....5:00 PM

CALL TO ORDER

ROLL CALL

ACCEPTANCE OF AGENDA

ACCEPTANCE OF MINUTES

1. November 19, 2019

CHAIR COMMENTS

CALL TO PUBLIC

OLD BUSINESS

NEW BUSINESS

2. **PUBLIC HEARING**
Resolution 1166
Street Renaming-Portion of Sherbundy Street
3. **PUBLIC HEARING**
Resolution 1167
Development Code Amendment
Section 151.22.006, Matrix of Use Permissions by Districts (Private/Charter schools)

FUTURE DISCUSSION ITEMS, COMMISSION REQUESTS, AND ANNOUNCEMENTS

INFORMATION

Update on Projects

CITY COUNCIL LIAISON COMMENTS

Update on City Council Items

ADJOURNMENT

SIERRA VISTA PLANNING AND ZONING COMMISSION
NOVEMBER 19, 2019
CITY COUNCIL CHAMBERS
Meeting Minutes

The regular meeting of the Sierra Vista Planning and Zoning Commission was called to order at 5:00 p.m. in the City Council Chambers.

Members Present: Sharon Lake, Chair
Bradley Snyder, Vice-Chair
Steven Miller
David Thompson
Robert Karp
Patricia Olson
Chrysti Lassiter

Members Absent: None

Staff Present: Matt McLachlan, Community Development Director
Jeff Pregler, Senior Planner

Council Present: None Present

Others Present:

ACCEPTANCE OF THE AGENDA:

Mr. Thompson made the motion to accept the agenda. Ms. Lassiter seconded the motion.

VOTE: Approved by a vote of 7-0

ACCEPTANCE OF THE MINUTES:

1. Mr. Miller made the motion to accept the minutes of October 15, 2019. The motion was seconded by Ms. Olson.

VOTE: Unanimously approved- 7-0.

CHAIR COMMENTS

None

CALL TO THE PUBLIC

Ms. Lake opened the meeting to the public. There being no public requesting to speak, Ms. Lake closed the meeting to the public.

OLD BUSINESS:

None.

NEW BUSINESS

2. PUBLIC HEARING
Resolution 1165
Reappointment of Members-Snyder, Thompson, Olson
Appointment Grieshop

Mr. Snyder made the motion to approve Resolution 1165. Seconded by Mr. Karp.

VOTE: Resolution 1165 was unanimously approved by a vote of 7-0.

3. Discussion Items-No action required.

Proposed Code Amendments-Section 151.22.006, Matrix of Use Permissions by Districts.

Mr. Pregler gave the staff presentation. He stated that *the code amendment to this section revises the use permissions for both charter schools and private general education schools. The current language in the Code permits charter schools in every zoning district. While private schools of general education are required to obtain a Conditional Use Permit in the Urban Ranch (UR), Neighborhood Convenience (NC), Limited Commercial (LC), General Commercial (GC), and Office Professional (OP) zoning districts. The Code prohibits private general education schools in all other zoning districts including Single Family Residence zoning districts.*

According to Arizona Revised Statutes 15.189.01, "municipalities and counties shall allow charter schools to be established and operate in at any location or in any facility for which the zoning regulations of the county or municipality cannot legally prohibit schools operated by school districts, except that a county or municipality may adopt zoning regulations that prohibit a charter school from operating on property that is less than an acre in size and that is located within an existing single family residence zoning district". Since public schools are exempt from local zoning regulations and locational standards, the same standards needs to apply to charter schools. However, cities can prohibit the location of charter schools if they are located on property that is less than an acre and are located within an existing single family residential zoning district. Since this is the case, the proposed amendment will prohibit charter schools on property less than once acre from locating within single family residential zoning districts.

According to Arizona Revised Statute 41-1493.03, Free Exercise of Religion, "government shall not impose or implement a land use regulation in any manner that treats a religious assembly or institution on less than equal terms with a nonreligious assembly or institution, regardless of a compelling government interest". In discussions with the City attorney,

religious institution or assembly extends to religious schools, thereby stating that the City cannot impose any additional regulations on religious schools that do not apply to non-religious or public schools. As a result, the proposed code amendment related to private general education schools shall be to permit these schools in all zoning districts except that schools on property less than one acre and located within single family residential zoning districts shall be prohibited. This is the same standard that applies to charter schools.

COMMISSION COMMENTS:

Mr. Karp asked about the City's authority to regulate traffic and access at public schools. Mr. Pregler stated that the City can regulate and provide restrictions on the use of the right-of-way regardless of the type of school because of potential safety concerns. Mr. McLachlan stated that public schools are exempt from local zoning regulations because they are a creature of the state. However, private general education schools would be required to meet all local regulations to include traffic and access standards. He also clarified that the proposed amendment relates specifically to a use permission and not an exemption to additional development code requirements.

Mr. Karp asked about the standard to regulate private general education schools which are not affiliated with a religion. Mr. McLachlan stated that the impacts of a general education school are very similar regardless of whether it is public or private. Therefore, the use permissions would be the same for all general education schools to include those that are not affiliated with a religious organization.

Mr. Snyder asked if the City has the ability to address traffic issues after approval of a site plan should it be determined that there are potential safety issues. Mr. McLachlan indicated that the City does have the ability to ensure the roadways are safe and can enforce additional safety measures, at any time, if necessary.

Mr. Snyder asked about the genesis of the code amendments. Mr. Pregler stated that the City had been approached by a private general education school requesting to construct within a Single Family Residential Zoning District. This prompted staff to review the Development Code requirements and any applicable state and federal laws pertaining to private general education schools.

Proposed Code Amendments-Article 151.19, Subdivision Platting Procedures and Requirements

Mr. Pregler gave the staff presentation. He stated that "City staff is proposing comprehensive revisions to Article 151.19 which provide for clear and understandable review processes, flexibility, and address many of the concerns of the development community.

Section 151.19.001-Purpose

Staff is proposing to include a Purpose section to explain the intent and purpose of this Article. Including a purpose section in the individual Articles is a standard practice in most municipal Development Codes.

COMMISSION COMMENTS:

Mr. Karp asked if the City reviewed subdivision regulations from other communities when creating the code amendments. Mr. Pregler stated that the City did review codes from other jurisdictions.

Section 151.19.002-General Regulations

Another section proposed to be included in this Article is Section 151.19.002, General Regulations. The inclusion of this section provides for common rules and regulations, applicability, and the parameters for which each development is required to meet. For example, this section includes the definition of subdivision, minor subdivision, and minor lot divisions.

COMMISSION COMMENTS:

Ms. Olson, when referring the recording of subdivision plats, asked how long it takes to record a plat and who is responsible for the recording. Mr. Pregler stated that the recording could be as quick as 24 hours and that the City records the plats.

Section 151.19.003-Related Statutes

The next section proposed for inclusion is Section 151.19.003-Related Statutes. This section indicates that all rules and regulations within this Code will be compatible with all applicable federal and state laws. Citations and references to the applicable state laws are included.

Section 151.19.004-Subdivisions

The current language in the Article references the subdivision platting process to include a separate review process for both preliminary and final subdivision plats. The proposed amendments contain additional review processes for both minor subdivisions and minor land divisions. All processes are distinctive, as such, three separate sections were created. This section addresses the review process specifically to subdivisions.

The amendments to this section include revisions to the subdivision review process to include the pre-application stage, the preliminary plat stage, and the final plat stage.

The notable changes to the preliminary plat review stage include simplifying and clarifying the submittal and approval processes, adding submittal requirements for condominiums, and providing for additional development flexibility.

Regarding the proposed submittal requirements for condominium subdivisions, the State Department of Real Estate regulates and enforces the creation of condominium subdivisions. Therefore, staff's recommendation is not to require additional standards and regulations on condominium developers, but rather to review the state required submittal requirements for compliance with development code standards. The condominium subdivision would follow the same review and approval process as a preliminary plat. Although City Council action is the final City approval, the developer would need to complete the review process with the Department of Real Estate.

The next amendment relates to the validity and expiration of the preliminary plat. The current language in this section states that a preliminary plat is valid for up to 12 months. Failure to submit a final plat within this 12 month period would require the developer to resubmit the preliminary plat unless the City Council extended the expiration date for an additional 6 months. The proposed language is more flexible and allows an expiration date for preliminary plats of up to 2 years. Further, there are additional avenues for the developer to request an extension which includes an automatic extension for those plats that are under a court order to cease the review process.

The amendments proposed in the final plat section include simplifying and clarifying the submittal and approval processes.

Section 151.19.005-Improvement Security

Improvement securities are required to be submitted by the developer as an assurance that the required public improvements, curb, gutter, sidewalk, etc. associated with the subdivision plat are constructed and completed to City standards. The City will ultimately accept maintenance responsibilities for the improvements so meeting minimum construction standards is necessary to minimize future maintenance costs.

The Development Code currently provides language related to improvement securities, however, the proposed amendments clarify the forms of security, provides minimum standards for the completion of the improvements, and includes parameters in which to release the assurances.

In regards to the completion of the public improvements, the proposed amendment is requiring that the improvements be completed within 2-years of final plat approval. This time frame is currently mandated through a separate document called a Subdivider's Agreement. The 2-year completion period will now be codified within the Development Code. In addition, the developer will have the ability to request an extension of the completion period similarly to that in the preliminary plat process.

Developers have stated their preference to construct the required public sidewalk incrementally and in conjunction with each individual platted lot rather than before the homes are constructed. Developers indicate that while the homes are under construction, a number of large vehicles access the lot by driving over the sidewalk which often results in damage and requires the developer to re-pour that section of sidewalk. As a result, staff is proposing to exclude the completion of the sidewalk within the 2-year completion period. This would apply to sidewalks only, as the other improvements would need to be completed within 2 years.

There are recommended changes relating to the release of assurances or securities. One such change is associated with sidewalk construction. Typically, once a developer has completed all public improvements, the security is released. However, there is a proposed amendment that would allow the full security to be released without completion of the sidewalk, as was discussed previously. To ensure construction of the sidewalk, the amendment states that the City would not release the certificate of occupancy until the portion of sidewalk is completed.

Another amendment to the release of assurances section would allow for the partial release of securities or in the case of a third party trust, the partial release of lots. The current language does not provide an avenue to release the funds incrementally based on partial completion of the improvements. In the current economic state of new home construction, a developer will typically only construct a specific phase or block of homes at any one time. Allowing the flexibility to only construct those public improvements applicable to the active development area is a benefit to the developers. Therefore, one amendment would allow the partial release of the assurance or lot. The amount of the release would be based upon the cost of the improvements. Typically, the contractor will provide the costs of all improvements to the City. The assurance can be incrementally released in conjunction with the completed improvements until 75 percent of the total assurance or lots have been released. After the 75 percent threshold is reached, all improvements are to be completed to allow the full release of the security or lots.

COMMISSION COMMENTS:

Mr. Karp asked if there was a warranty period on the public improvements. Mr. Pregler stated that there is a two-year warranty period for all public improvements following acceptance by the City. Further, he stated that there was a separate security during the warranty period to assure funding is available if the developer does not complete repairs to the improvements.

Mr. Karp asked about completion of the improvements if a new developer takes over the subdivision. Mr. Pregler stated that the City would be responsible for completing the improvements after the two year warranty should the development be sold to another developer. Again stating that the City would have the financial security to cover the cost of the repairs.

Mr. Karp asked if the City is more restrictive with regard to the improvement security. Mr. Pregler stated that there have been instances in the past where developers did not complete repairs on the public improvements during the warranty period. He said that this was the genesis for the warranty security.

Mr. Miller asked if two years was a typical warranty period among municipalities. Mr. Pregler stated that two years was standard in most Development Codes. Mr. McLachlan indicated that most defects typically occur during the two years.

Section 151.19.006-Minor Subdivisions

The current Article provides for subdivision standards and regulations. However, staff is recommending including a new process called Minor subdivisions. This section would allow Minor subdivisions, defined as ten lots or less to have a streamlined review process because these developments will typically be smaller in scope and scale than subdivisions. Minor subdivisions would only require the developer to go through a final plat process rather than the preliminary plat process, which ultimately helps to simplify the review.

Section 151.19.007-Minor Plat Amendments

The current subdivision regulations do not address amendments to subdivision plats. Currently, if a developer requests to amend a plat, they would follow the final plat process, which means obtaining signatures from all property owners in the subdivision and receiving

City Council approval. However, this process can be time consuming especially when the lots have been sold to individual property owners. Staff therefore is proposing to include a process that addresses minor amendments to a plat. Essentially, a minor plat amendment is defined as drafting or technical errors, or the combining, reconfiguring, or adjusting of lots. The adjustment of lots shall not change the external boundaries of the subdivision, increase the total number of lots, change the utility easements or dedications, and shall not effect more than 50 percent of the lots in the subdivision. The inclusion of this process provides for additional flexibility and a streamlined review and approval process.

Section 151.19.008-Minor Lot Divisions

The current language in Article 151.19 does not address minor lot divisions or lot splits. Therefore, staff in recommending the inclusion of a review process for minor lot subdivisions into the regulations. A minor lot division is any division of land not defined as a subdivision. As you may recall, subdivisions are defined as lots split into four or more lots. Therefore, a minor lot division review consists of three or fewer lots. A developer currently obtains permission to split the property through the County Recorder's Office. This process allows the developer to obtain approval through the City.

Section 151.19.009-Modifications

The final section to be included in the Article relates to City Council modifications. The Council can modify a provision in the Article if it is determined that extraordinary conditions exist which does not allow the developer to meet such provisions. The burden of proof is on the developer to determine why a modification is necessary.

COMMISSION COMMENTS:

Mr. Karp asked if this process would go directly to City Council. Mr. Pregler stated that the process would go directly to City Council.

FUTURE DISCUSSION ITEMS, COMMISSION REQUESTS, AND ANOUNCEMENTS

None

INFORMATION

Mr. Pregler provided an update on future code amendments to be heard by the Commission. He stated that amendments to Article 151.03, Administration and Enforcement and to Article 151.08, Public Facilities Standards, as they relate to street standards, will be considered by the Commission at future meetings. Mr. Pregler also informed the Commission that the General Plan implementation update will be discussed in 2020.

Mr. McLachlan provided an update on the previously approved code amendments. He stated that the amendments to Section 151.04.004, Dumping or Disposal or Rubbish and Article 151.19, Sign Regulations were approved by City Council. He indicated that the amendments relating to Section 151.06.004, Home Based Business was removed from City Council consideration due to a number of concerns that they expressed. Staff will address the issues of vehicle sales and parking with a more proactive application review process.

Mr. McLachlan indicated that the code amendments for Section 151.06.010, Accessory Dwelling Units, are currently within the 30-day public comment period and would be considered by Council on December 12. Mr. Karp stated that the Cochise County has a requirement that states that the accessory dwelling unit cannot be rented separately from the principal dwelling.

Mr. McLachlan stated that the open house for the Fry Boulevard improvement plan was well attended on November 13.

CITY COUNCIL LIAISON COMMENTS:

No additional Council liaison comments.

ADJOURNMENT

The meeting adjourned at approximately 6:10 p.m.

SHARON LAKE
Chair
Planning & Zoning Commission

MATT MCLACHLAN, AICP
Executive Secretary
Planning & Zoning Commission

JEFF PREGLER, AICP
Recording Secretary

STAFF MEMORANDUM

TO:	Planning and Zoning Commission
FROM:	Jeff Pregler AICP, Senior Planner
MEETING DATE:	December 17, 2019
SUBJECT:	PUBLIC HEARING Street Renaming- Section of Sherbundy Street
REQUESTED ACTION:	I move that Resolution 1166 , to rename a section of Sherbundy Street, as shown in Exhibit A, be recommended for approval by the Mayor and City Council.

BACKGROUND:

The City received a request to change the name for a section of Sherbundy Street as shown in Exhibit A. The applicant, Beth Hughes, representing Sierra Vista Realty, has asked that the street be renamed to Watkins Way, after the founder of Sierra Vista Realty, Bob Watkins. The attached letter of request provides additional information about Mr. Watkins.

The section of Sherbundy Street proposed to be renamed does not have any properties that are addressed from the street. Therefore, the street name change will not require any address changes.

ANALYSIS

The portion of Sherbundy Street proposed to be renamed is disconnected from the remaining portion of Sherbundy due to the construction of a block wall at the Regency Inn Suites. As a result, there is often driver confusion, with the assumption that Sherbundy Street connects to N. Garden Avenue. Therefore, to prevent additional confusion and increase safety, staff supports the renaming of the roadway to Watkins Way. Staff has also received support from the Public Works, Fire, and Police Departments.

PUBLIC NOTIFICATION

Per the City's street renaming policy, all adjoining properties are to be notified of the hearing dates. The only adjoining property on this street, other than Sierra Vista Realty is the Westwood Village Apartments. The owners of the apartments were notified and no comments have been received.

RESOLUTION 1166

A RESOLUTION OF THE PLANNING AND ZONING COMMISSION OF THE CITY OF SIERRA VISTA, COCHISE COUNTY, ARIZONA; REAFFIRMING SETTLED POLICY, APPROVING THE RENAMING OF A SECTION OF SHERBUNDY STREET, AS ILLUSTRATED IN EXHIBIT A; AND DIRECTING THE EXECUTIVE SECRETARY TO PERFORM ALL ACTS NECESSARY TO CARRY OUT THE PURPOSES AND INTENT OF THIS RESOLUTION.

WHEREAS, City of Sierra Vista Resolution 1258 adopted policies and procedures for creating and changing street names; and

WHEREAS, The City of Sierra Vista has received a request from Beth Hughes to rename a section of Sherbundy Street; and

WHEREAS, as required by Resolution 1258 of the City Code, the Chairperson and Members of the Planning and Zoning Commission held a public hearing, after proper notice had been given; and

WHEREAS, the Chairperson and Members of the Planning and Zoning Commission considered all of the facts of the application and the comments of the citizens at the public hearing.

NOW, THEREFORE, BE IT RESOLVED BY THE PLANNING AND ZONING COMMISSION AS FOLLOWS:

SECTION 1

That the policy of resolution 1258 be, and hereby is, reaffirmed.

SECTION 2

That the renaming of a section of Sherbundy Street, as illustrated in Exhibit A, be, and hereby is, recommended to the City Council for approval.

SECTION 3

That the Executive Secretary be, and hereby is, directed to transmit the Planning and Zoning Commission's recommendation and comments to the City Council.

PASSED AND ADOPTED BY THE CHAIRPERSON AND MEMBERS OF THE PLANNING AND ZONING COMMISSION OF THE CITY OF SIERRA VISTA, ARIZONA, THIS 17TH DAY OF DECEMBER, 2019.

SHARON LAKE
Chair

APPROVED AS TO FORM:

ATTEST:

NATHAN WILLIAMS
City Attorney

JILL ADAMS
City Clerk

PREPARED BY:

Jeff Pregler
Senior Planner

EXHIBIT A





LETTER OF REQUEST

301 North Garden Ave, Sierra Vista, AZ 85635
Office: 520.458.4388 **Fax:** 520.459.7603 **Toll Free:** 800.388.4388
Website: www.SierraVistaRealtyAZ.com

Dear Jeff Pregler and Sierra Vista City Counsel,

I would like to request a name change of the road that adjoins 301 N Garden Ave on the south side. It is currently the west end of Sherbundy Steet. The road dead ends into a block wall that divides Sherbundy Street. People come into our office confused on how to get to Sherbundy that runs east from the block wall. I would like to propose the city change the name of the west side of Sherbundy Street (from the block wall west) to Watkins Way. There isn't any current addresses associated with this part of Sherbundy and the confusion for the public will be taken care of. Sierra Vista Realty, Inc was founded by Bob Watkins in 1960 and he bought our current location from Mrs Carmicheal in 1968. We will be celebrating 60 years of business in Sierra Vista next year. Bob Watkins was born and raised in Cochise County, graduated from Annapolis Navy Academy then after serving came home and opened our real estate company. He belonged to every civic organization that was available in Sierra Vista and was responsible for many benefits to our city. We would like to start our 60th year by celebrating our founder by re-naming the street after him. Thank you for your consideration. Please contact me with any questions or concerns.

Sincerely,

Beth Hughes
Owner/Broker
Sierra Vista Realty Inc.



STAFF MEMORANDUM

TO:	Planning and Zoning Commission
FROM:	Jeff Pregler AICP, Senior Planner
MEETING DATE:	December 17, 2019
SUBJECT:	PUBLIC HEARING Development Code Amendments Section 151.22.006-Matrix of Use Permissions by Zoning District (Permitting of private general education schools)
REQUESTED ACTION:	I move that Resolution 1167 , providing for text amendments to Development Code Section 151.22.006-Matrix of Use Permissions by Zoning District, as shown in Exhibit A, be recommended for approval by the Mayor and City Council.

BACKGROUND:

The Community Development Department, through the annual work program, regularly reviews current code provisions and procedures to reduce obsolete or unnecessary code provisions in expectation of making city government accountable, collaborative and efficient. The proposed code amendment relating to the permitting of private general education schools reflects these goals. The Planning & Zoning identified these amendments during discussion of the annual work program as medium to high priority.

ANALYSIS

Section 151.22.006-Matrix of Use Permissions by Zoning District-

The code amendment to this section revises the use permissions for both charter schools and private general education schools. The current language in the Code permits charter schools in every zoning district. While private schools of general education are required to obtain a Conditional Use Permit in the Urban Ranch (UR), Neighborhood Convenience (NC), Limited Commercial (LC), General Commercial (GC), and Office Professional (OP) zoning districts. The Code prohibits private general education schools in all other zoning districts including Single Family Residence zoning districts.

According to Arizona Revised Statutes 15.189.01, "municipalities and counties shall allow charter schools to be established and operate in at any location or in any facility for which the zoning regulations of the county or municipality cannot legally prohibit schools operated by school districts, except that a county or municipality may adopt zoning regulations that prohibit a charter school from operating on property that is less than an acre in size and that is located within an existing single family residence zoning district". Since public schools are exempt from locational standards, the same locational standards needs to apply to charter schools. However, cities can prohibit the location of charter schools if they are located on property that is less than an acre and are located within an existing single family residential zoning district. Since this is the case, the proposed amendment will prohibit charter schools on property less than once acre from locating within single family residential zoning districts.

According to Arizona Revised Statute 41-1493.03, Free Exercise of Religion, "government shall not impose or implement a land use regulation in any manner that treats a religious assembly or institution on less than equal terms with a nonreligious assembly or institution, regardless of a compelling government interest". In discussions with the City attorney, religious institution or assembly extends to religious schools, thereby stating that the City cannot impose any additional regulations on religious schools that do not apply to non-religious or public schools. As a result, the proposed code amendment related to private general education schools, religious and non-religious, shall be to permit these schools in all zoning districts except that schools on property less than one acre and located within single family residential zoning districts shall be prohibited. This is the same standard that applies to charter schools.

RESOLUTION 1167

A RESOLUTION OF THE PLANNING AND ZONING COMMISSION OF THE CITY OF SIERRA VISTA, COCHISE COUNTY, ARIZONA; BY RECOMMENDING APPROVAL OF AMENDMENTS TO CHAPTER 151 OF THE CITY CODE OF ORDINANCES, THE DEVELOPMENT CODE, AS SHOWN ON EXHIBIT A; AND DIRECTING THE EXECUTIVE SECRETARY TO TRANSMIT THE PLANNING AND ZONING COMMISSION'S RECOMMENDATION AND COMMENTS TO THE CITY COUNCIL.

WHEREAS, the provisions of A.R.S. 9-462.04 and Chapter 151, Development Code, of the City Code of Ordinances, allow text amendments to be granted by the City; and

WHEREAS, in accordance with the provisions of Article 151.31 of the Development Code and established policy, the City of Sierra Vista, has proposed amendments to the following: Section 151.22.006, Matrix of Use Permissions by Zoning District; and

WHEREAS, Article 151.31 of the Development Code requires that the Planning and Zoning Commission review all applications for text amendments, and to forward recommendation on the application to the City Council; and

WHEREAS, as required by Article 151.31 of the Development Code, the Planning & Zoning Commission held a public hearing on the application, after proper notice had been given; and

WHEREAS, the Planning and Zoning Commission considered all of the facts of the application and the comments of the citizens at the public hearing.

NOW, THEREFORE, BE IT RESOLVED BY THE PLANNING AND ZONING COMMISSION OF THE CITY OF SIERRA VISTA, COCHISE COUNTY, ARIZONA, AS FOLLOWS:

SECTION 1

The Planning and Zoning Commission reaffirms settled policy for recommending Development Code text amendments to City Council.

SECTION 2

That text amendments to Chapter 151 of the City Code of Ordinances, the Development Code, as shown on Exhibit "A" are hereby recommended to the Mayor and City Council.

SECTION 3

That the Executive Secretary be, and hereby is, directed to transmit the Planning and Zoning Commission's recommendation and comments to the City Council.

RECOMMENDED FOR APPROVAL BY THE CHAIRPERSON AND MEMBERS OF THE PLANNING AND ZONING COMMISSION OF THE CITY OF SIERRA VISTA, ARIZONA THIS 17TH DAY OF DECEMBER, 2019.

SHARON LAKE
Chairperson

APPROVED AS TO FORM:

ATTEST:

NATHAN WILLIAMS
City Attorney

JILL ADAMS
City Clerk

PREPARED BY:

Jeff Pregler, AICP,

EXHIBIT A

**DEVELOPMENT CODE AMENDMENT
SECTION 151.22.006- MATRIX OF USE PERMISSIONS BY ZONING DISTRICTS
(APPLICABLE PORTION)**

USE CLASSIFICATIONS	ZONING DISTRICT												
	UR, Urban Ranch	SFR, Single Family Residence	MFR, Multiple Family Residence	MHR, Manufactured Home Residential	RVP, Recreational Vehicle Park	NC, Neighborhood Commercial	LC, Limited Commercial	OP, Office Professional	GC, General Commercial	LI, Light Industrial	IP, Industrial Park/LI, Light Industry	HI, Heavy Industrial	OS, Open Space
PUBLIC/SEMI-PUBLIC													
Accessory Telecommunications Antenna/Ancillary Structure	A ⁽⁷⁾	A ⁽⁷⁾	A ⁽⁷⁾	A ⁽⁷⁾	A ⁽⁷⁾	A	A	A	A	A	A	A	A
Airport	NC	NC	NC	NC	NC	NC	NC	NC	NC	NC	NC	NC	P
Alternative Energy Systems	P	A	A	A	A	A	A	A	P	P	P	P	P
Cemeteries	NC	NC	NC	NC	NC	NC	NC	NC	NC	NC	NC	NC	P
Columbarium	C	C	C	C	C	C	C	C	C	C	C	C	C
Community Gardens	P	P	P	P	P	P	P	P	P	P	P	NC	P
Community Service Uses	NC	NC	NC	NC	NC	P	P	P	P	P	P	NC	P
Funeral Home/Mortuary	NC	NC	NC	NC	NC	P	P	P	P	NC	NC	NC	NC
Golf Courses, Public or Private	P	NC	NC	NC	NC	NC	NC	NC	NC	NC	NC	NC	P
Heavy Utility Service	NC	NC	NC	NC	NC	NC	NC	NC	C	P	P	P	C
Light Utility Services	C	C	C	C	C	P	P	P	P	P	P	P	P
Museums, Cultural Centers & Similar Uses	P	P	P	P	P	P	P	P	P	NC	NC	NC	P
Parks and Recreation Facilities	A	A	A	A	A	A	A	A	A	NC	NC	NC	P
Place of Worship	C	C	C	C	C	C	C	C	C	C	C	NC	C
Private Clubs	C	C	C	NC	NC	P	P	P	P	C	C	NC	NC
Public Education Facilities & Charter Schools	P	P/NC ⁽⁸⁾	P	P	P	P	P	P	P	P	P	P	P
School of General Education, Private	PG	P/NC ⁽⁸⁾	PNG	PNG	PNG	PG	PG	PG	PG	PNG	PNG	PNG	PN G
School of Special Education, Private	C	NC	NC	NC	NC	P	P	P	P	NC	NC	NC	NC

**DEVELOPMENT CODE AMENDMENT
SECTION 151.22.006- MATRIX OF USE PERMISSIONS BY ZONING DISTRICTS
(APPLICABLE PORTION)**

USE CLASSIFICATIONS	ZONING DISTRICT												
	UR, Urban Ranch	SFR, Single Family Residence	MFR, Multiple Family Residence	MHR, Manufactured Home Residential	RVP, Recreational Vehicle Park	NC, Neighborhood Commercial	LC, Limited Commercial	OP, Office Professional	GC, General Commercial	LI, Light Industrial	IP, Industrial Park/LI, Light Industry	HI, Heavy Industrial	OS, Open Space
Social Service Agency/Non-Profit	C	C	C	NC	NC	P	P	P	P	C	C	NC	P
Telecommunications Tower													
When Located on Non-Residentially Used Property													
60 feet in height or less and not located within 150 feet of a property zoned or used for residential purposes	A	A	A	A	A	A	A	A	P	P	P	P	P ⁽⁶⁾
60 feet in height or more and/or located within 150 feet of a property zones or used for residential purposes	C	C	C	C	C	C	C	C	C	C	C	C	C ⁽⁶⁾
When Located on Residentially Used Property	NC	NC	NC	NC	NC	NC	NC	NC	NC	NC	NC	NC	NC

(6) Stand alone telecommunications towers on City-owned property with an active recreational use are not permitted.
 (7) Not permitted when attached to any single story building or residential building containing fewer than five dwelling units.
 (8) Charter schools and private general education schools: Not permitted when located on property less than 1 acre in size.