

SIERRA VISTA PLANNING AND ZONING COMMISSION
REGULAR MEETING
NOVEMBER 7, 2017
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: Patricia Olson, Chair
Dave Grieshop
David Thompson
Gerald Gabel
Sharon Lake

Members Absent: Kevin Jorgenson, Vice Chair
John Barton

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

Council Present: Councilmember Gray

Others Present: Tricia Gerrodette
Robin Dumas
Robert Karp

ACCEPTANCE OF THE AGENDA:

Mr. Grieshop made the motion to accept the agenda. Motion was seconded by Mr. Thompson.

VOTE: Approved by a vote of 5-0.

ACCEPTANCE OF THE MINUTES:

1. Mr. Thompson made the motion to accept the minutes of September 19, 2017. The motion was seconded by Mr. Gabel.

VOTE: Approved by a vote of 5-0.

CHAIR COMMENTS

Ms. Olson thanked Mr. Grieshop for his service as this is his final Commission meeting.

CALL TO THE PUBLIC

Ms. Olson opened the meeting to the public. There being no response, Ms. Olson closed the meeting to the public.

NEW BUSINESS

2. Resolution 1141
Appointments/Reappointments of Commission members

Ms. Lake made the motion to recommend appointment of David Thompson and Robert Karp to the Commission. Seconded by Mr. Gabel.

VOTE: Approved by a vote of 5-0.

Following the vote, Ms. Olson indicated that she would also be requesting reappointment on the Commission.

Mr. Pregler stated that the recommended appointment will go before the City Council on November 9, 2017.

3. Resolution 1142
Proposed Code Amendments

Water Adequacy Clarifications
Article 151.19, Subdivision Regulations

Manufactured Home and RV Development Standards
Section 151.02, Definitions
Section 151.22.006, Matrix of use Permissions by District
Section 151.22.011, Manufactured Home Residential Zoning District

Administrative Modifications and Fence & Wall Height
Section 151.04, Supplementary District Regulations
Administrative Site Plan Standards and Submittal Requirements
Article 151.18, Site Plans

Increased Commercial Building Heights; Reduced Building Setbacks in Infill Incentive District
Section 151.02, Definitions
Section 151.22.018, General Commercial Zoning Districts

Water Harvesting
Section 151.04.015, Required Drainage Facilities
Article 151.09, Off-Street Parking & Loading
Article 151.15, Landscaping, Walls, Screening, Buffer

Removal of Article 151.05, Performance Standards and Relocation of Text
Article 151.05, Performance Standards
Article 151.08.007, Sewerage Facilities
Chapter 150 of City Code, Building and Property Maintenance Code
Chapter 93 of City Code, Noise

*Property Maintenance Enforcement
Chapter 150 of City Code, Building and Property Maintenance Code*

Mr. Pregler gave the staff presentation. The amendments were organized by category.

Water Adequacy Clarifications

Applicable Development Code Article: 151.19, Subdivision Regulations

From a review of the existing water adequacy language the definition of subdivision was unclear. According to the state legislation, water adequacy is only applicable to the county definition of subdivision which includes splitting property into 6 or more lots. The municipality definition of a subdivision is the splitting of property into 4 or more lots. Therefore an amendment was proposed which made reference to the Arizona Revised Statutes county definition of subdivision which helps to clarify that water adequacy is only applicable to those subdivisions meeting the county definition.

Manufactured Home and RV Development Standards

Applicable Development Code Sections: 151.02.003 Definitions; 151.22.006, Matrix of Use Permissions by District; 151.22.011, Manufactured Home Residential Zoning District

To provide additional development flexibility, an amendment has been included that would permit up to 30 percent of the spaces within a manufactured home park to be dedicated to recreational vehicles. There has been a recent trend to provide various forms of land uses at manufactured home parks and this amendment reflects this market trend. Other amendments include adding a definition of Manufactured Home Park and simplifying development standards for the MHR Zoning District.

Administrative Modifications and Fences & Wall Height

Applicable Development Code Sections: 151.04, Supplementary District Regulations

The Modification of Setback process, to be changed to the Administrative Modification of Dimensional Standards process) currently allows property owners an administrative avenue to reduce the side and rear yard building setbacks for existing homes.

The first amendment that relates to this process, which is applicable to existing single family residences, clarifies that a building setback shall not be less than 5 feet to the rear and side property line unless abutting a platted alley or dedicated drainageway, in which case, the setback cannot be less than one foot.

The second amendment related to Administrative Modifications allows for additional setback flexibility for properties within the Infill Incentive District area by allowing setback reductions for both new and existing single family residences. In addition, a reduction to a front yard setback can also be requested provided the setback is not less than 15 feet from the front property line adjoining the primary frontage or less than 10 feet from the front property line adjoining the secondary frontage. However, no reduction will be allowed for the portion of the front facade containing an enclosed garage or carport, to ensure the parking of vehicles is wholly contained on private property.

A third amendment would now allow that requests for additional wall height be processed through an Administrative Modification. This process will allow staff to review each request for wall height using objective criteria and standards and also allow comment by the affected property owners. The request must be certified by a registered engineer or architect that the existing wall or fence can support additional height.

Finally, one of the amendments would allow the portion of the wall located within the frontyard setback to have a maximum height of 4 feet on property less than 10,000 square feet and maximum height of 5 feet on property greater than 10,000 square feet. The larger lots will typically have greater street frontage and larger separation between homes, thus allowing drivers additional time to observe any conflicts. However, the City has received a number requests asking for additional wall height for privacy.

Administrative Site Plan Standards and Submittal Requirements

Applicable Development Code Article: 151.18, Site Plans

The first amendment recommends objective criteria that would better define minor commercial development and clarifies the submittal requirements. The last amendment renames the Modified Site Plan process to the Administrative Site Plan process which better describes the review process.

Increased Commercial Building Heights; Reduced Building Setbacks in Infill Incentive District

Applicable Development Code Sections: 151.02.003, Definitions; 151.22.018, General Commercial Zoning Districts

The first amendment would increase the height for commercial buildings to a maximum of 36 feet and for buildings located within 100 feet of a residential zoning district a maximum of 30 feet. This is in response to the number of developers requesting additional building height to allow for higher ceilings and additional architectural features

A second amendment relates to building setbacks for GC zoned property within the Infill Incentive District, which consists of all properties west of 7th Street and north of Busby Drive. As a way to encourage development, the City is recommending reducing the front yard building setbacks in the Infill Incentive District Area. The reduced setbacks will allow for flexible building and site design while allowing marketable buildings on the smaller lots. The front yard setbacks shall be reduced to the following minimums:

Standard Commercial Lot- 5 feet (Currently 40 feet)

Through Lot- 5 feet on primary frontage; 10 feet on secondary frontage (Currently 40 feet)

Corner Lot- 5 feet on primary frontage; 10 feet on secondary frontage (Currently 40 and 20 feet)

The final amendment defined Primary and Secondary frontage.

Low Impact Development

Applicable Development Code Sections: 151.04.015, Required Drainage Facilities; Article 151.09, Off-Street Parking & Loading; Article 151.18, Landscaping, Walls, Screening, and Buffer

One amendment would require roof and foundation drains to discharge into landscaped areas provided there was sufficient buffer from the building. A second amendment requires all rainwater be directed toward depressed landscape areas prior to entering the detention basins. A final amendment allows for pervious or semi-pervious surfaces in non-required parking areas of commercial parking lots. These amendments will have the effect of purifying the water before its discharged into the public right-of-way, reducing water usage, and potentially reducing the size of the detention basins.

Removal of Article 151.05, Performance Standards and Relocation of Text

Applicable Development and City Code Sections: 151.05 Performance Standards; 151.08.007, Sewerage Facilities; Chapter 150 of City Code, Building and Property Maintenance Code; Chapter 93 of City Code, Noise

The Development Code provides development standards for new development. The requirements in Article 151.05, Performance Standards relate to existing uses. Therefore, staff is recommending the removal of the this Section and either deleting text due to duplication ore relocating the text to other City approved documents.

Property Maintenance Enforcement

Applicable City Code Section: Chapter 150, Building and Property Maintenance Codes

Section 150.37 of the property maintenance code limits the authority to bring criminal misdemeanor complaints under Chapter 150 to a Sierra Vista Police Officer or the City Attorney. This category of complaint is reserved for repeat offenders or cases presenting egregious property maintenance violations posing a serious threat to public health and safety. Staff is recommending an amendment which would allow a Code Enforcement Officer to bring a criminal misdemeanor complaint in these cases, which will then be prosecuted by the City Attorney if contested. This will improve efficiency and allow the Police Department to focus on those criminal matters more appropriate to law enforcement.

Secondly, the property maintenance code states that applicable City staff may inspect private property to ensure compliance with the code. However, inspecting buildings not readily accessible or visible from the public requires a separate process in conformance with A.R.S. 9-833. The staff amendment clarifies the distinction between the two processes.

In reference to the Administrative Site Plan process, Mr. Gabel asked if the one-time expansion applied to accessory structures. Mr. McLachlan stated that accessory structures have a smaller footprint than the principal structures and therefore, would not be limited to one expansion provided the structures do not exceed the impervious surface requirements.

Ms. Olson asked for some clarity about the water adequacy amendments and the current prohibition on grass following her reading of public comment letters related to the amendment. Mr. McLachlan stated that the water adequacy amendments are clarifying when a developer is required to apply for a water adequacy letter from the Arizona Department of Water Resources.

He continues by explaining that state law specifically states that a water adequacy letter is only required when meeting the County definition of a subdivision, which is when property is split into 6 or more parcels. The amendments are providing reference to the County subdivision definition as found in A.R.S. 32-2101. In regards to the prohibition on turf, he clarifies, that the City prohibits turf in the front yards of new development as a water conservation measure. Separately, it was explained, that there is currently a regulation in the property maintenance code that prohibits weeds and grass from growing more than twelve inches in height when visible from public infrastructure.

Mr. Grieshop asked about the complaint process regarding weeds within the right-of-way. Mr. McLachlan stated that weed abatement in the right-of-way on local streets is the responsibility of the property owner and the City's responsibility on collector or arterial roadways.

There being no further questions, Ms. Olson opened the meeting to the public.

Ms. Robin Dumas made the following comments:

Relating to Section 151.22.018, General Commercial Zoning District, had a concern about the amendment raising the height of commercial buildings to 36 feet. She stated that this would affect views of the mountains.

Relating to Section 151.22.018, had a concern about reducing the front yard setbacks within the Infill Incentive District areas. She stated that the reduce setbacks could have an effect on emergency service vehicle access and parking. Mr. McLachlan stated that in his experience, emergency access is not an issue and in fact locating the buildings closer to the roadway provides additional security because it's more visible to the public street.

Relating to City Code Chapter 93, wanted clarification about adding the Vibration section into the Chapter and asked if the City ever receives complaints about excessive vibration. Mr. McLachlan indicated that the vibration language is currently a requirement and that it was being relocated to the City Code because of the removal of Article 151.05 in the Development Code.

Ms. Tricia Gerrodette made the following comments:

Ms. Gerrodette had provided a public comment letter prior to the meeting about the water adequacy amendments and verified that the Commission had received the letter.

Ms. Gerrodette proposed an amendment to exempt certain native grasses from the property maintenance code which currently prohibits weeds and grass from growing more than twelve inches in height if viewed from public infrastructure. She provided photos and a comment letter to the Commission. Ms. Olson asked Ms. Gerrodette if there was a specific height desired for grasses and plants. Ms. Gerrodette did not have a specific height. Mr. Grieshop asked if the City regulates grass in the backyard. Mr. McLachlan stated that vegetation in the backyard is only regulated if it can be viewed from public infrastructure and further stated that overgrowth was the biggest property maintenance complaint in the community.

There being no additional comments Ms. Olson closed the public hearing.

VOTE: The Commission voted 4-1 to approve the motion. Ms. Olson stated she voted against the amendment because there should be some consideration to allow native grasses in the property maintenance code.

3. Presentation from David Grieshop about a mixed use development at 133 The Promenade in Long Beach California.

FUTURE DISCUSSION ITEMS, COMMISSION REQUESTS, AND ANNOUNCEMENTS

Ms. Olson asked if the City proactively contacts manufacturing or industrial businesses about locating to Sierra Vista. Councilmember Gray stated that the Economic Development Department is assessing all potential businesses to determine their economic viability in Sierra Vista. The Department will create an Economic Development Plan and inform the Council in 2018 about the type of businesses the City will be pursuing.

Mr. Grieshop asked about Sierra Vista's economic advantage in attracting business to the community? Councilmember Gray stated that quality of life is the advantage.

INFORMATION

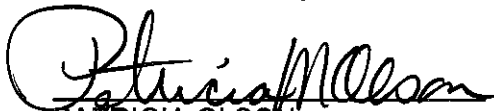
Mr. Pregler gave an update on recently reviewed, approved or completed projects. He indicated that Sierra Cycles and Lawley Nissan are under construction, and that the Olympic Karate, Apostolic Truth Tabernacle, Christian House Fellowship, and Emmanuel Lutheran Church currently have site plans under review.

CITY COUNCIL LIAISON COMMENTS:

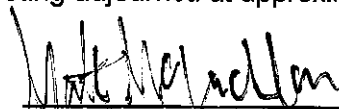
Councilmember Gray stated that the Council had a consensus to direct staff to proceed with text amendments related to backyard chickens. She also thanked Mr. Grieshop for his service on the Commission and recognized the other member appointments/reappointments.

ADJOURNMENT

Ms. Olson moved to adjourn the meeting. The meeting adjourned at approximately 6:20 p.m.



PATRICIA OLSON
Chair
Planning & Zoning Commission



MATT MCLACHLAN, AICP
Executive Secretary
Planning & Zoning Commission



JEFF PREGLER
Recording Secretary