



**CITY OF COTTONWOOD
PLANNING & ZONING COMMISSION
COUNCIL CHAMBERS**

826 N. Main St.
Cottonwood, AZ 86326

REGULAR MEETING
Monday, October 19, 2015
6:00 pm.

I. CALL TO ORDER

A. Roll Call

B. Approval of Minutes: September 21, 2015, regular meeting

II. CALL TO THE PUBLIC

This is the time for the public to comment on any matter that does not appear on the agenda. Commission members may not discuss items not identified on the agenda. Pursuant to A.R.S. §38-431.01(H), action taken as a result of public comment will be limited to directing staff to study the matter, responding to criticism, or scheduling the matter for consideration at a later date. Comments are limited to five minutes for each person.

III. NEW BUSINESS:

- 1. PCU 15-002 WINERY 101-** A Request for a Conditional Use Permit approval for wine tasting as an accessory use to an art gallery currently located at 747 N. Main Street (Manheim Gallery). APN: 406-38-055. Owner Kipling Douglas Stanton. Agent: Gavin Gallifant.
- 2. DR 15-007 RIVERFRONT WASTEWATER PLANT-** Design Review approval for the construction of a new city wastewater reclamation facility located at Riverfront Park. The project is located at 1187 E. Riverfront Rd. APN: 406-42-018U and 406-42-018W. Owner: City of Cottonwood Applicant: Roger Biggs

IV. UNFINISHED BUSINESS:

- 1. ZO 15-003- AMENDMENT TO SECTION 422 "I-2" ZONE (HEAVY INDUSTRIAL)-** Consideration of a Zoning Ordinance text amendment to Section 422 deleting multi-unit residential and manufactured home parks; and adding accessory residential uses, as Conditional Uses in the I-2 (Heavy Industrial) Zone.

A verbal comment period will be provided during each hearing item. The Chair may impose a time limit on each speaker. The Commission will not consider written materials submitted less than three working days before the meeting.

Pursuant to A.R.S. § 38-431.02(B) the Commission may vote to go into executive session on any agenda item pursuant to A.R.S. § 38-431.03(A)(3) and (4) for discussion and consultation for legal advice with the City Attorney.

The Cottonwood Council Chambers is accessible to the handicapped in accordance with Federal "504" and "ADA" laws. Those with needs for special typeface print or hearing devices may request these from the Planning Technician at 634-5505 (TDD 634-5526). All requests must be made at least 24 hours before the meeting.

V. DISCUSSION ITEM: NONE

VI. INFORMATIONAL REPORTS AND UPDATES:

A brief summary of current events by Chairperson, Commission members, and/or Community Development Director. (The public body does not propose, discuss, deliberate, or take legal action on any matter brought up during this summary unless the matter is properly noticed for legal action).

VII. ADJOURNMENT

A verbal comment period will be provided during each hearing item. The Chair may impose a time limit on each speaker. The Commission will not consider written materials submitted less than three working days before the meeting.

Pursuant to A.R.S. § 38-431.02(B) the Commission may vote to go into executive session on any agenda item pursuant to A.R.S. § 38-431.03(A)(3) and (4) for discussion and consultation for legal advice with the City Attorney.

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Official Minutes of the City of Cottonwood
Planning & Zoning Commission Regular Meeting
Held, September 21, 2015, at 6:00 P.M. at the City Council Chambers
826 N. Main St. – Cottonwood, Arizona

CALL TO ORDER & ROLL CALL

Chairman Kiyler called the meeting to order at 6:00 p. m. Roll call was taken as follows:

Planning & Zoning Commission Members Present

Chairman Ed Kiyler Robert Williams Ray Cox
Philip Rosen Judd Wasden Suzanne Poslaiko
Jean Wilder

Planning & Zoning Commission Members Absent

Staff Members Present

Berrin Nejad, Community Development Director
Charlie Scully, Community Development Planner
Scott Ellis, Community Development Planner
Christina Papa, Planning Technician, Recorder

APPROVAL OF MINUTES OF JUNE 15, 2015-REGULAR MEETING

Motion: ***To approve the minutes of 8/17/2015-regular meeting***

Made by: ***Commissioner Williams***

Second: ***Commissioner Cox***

Vote: ***Unanimous***

CALL TO THE PUBLIC (NONE)

OLD BUSINESS

1. **ZO 15-002- CERTIFICATE OF ZONING COMPLIANCE:** Consideration of a Zoning Ordinance text amendment adding a new Section 311. "Certificate of Zoning Compliance" providing a method to document completion of conditions required for development applications. Below is Scully's report:

BACKGROUND

The Certificate of Zoning Compliance would provide a standard method to review conditions and provide a status update to the Planning and Zoning Commission in a timely manner. Yavapai County and a number of other jurisdictions use a Certificate of Compliance as a method to document stipulations or conditions of approval within a specified time frame.

REQUESTED ACTION

Consider the amendment to the Zoning Ordinance adding a new Section 311 for “Certificate of Zoning Compliance” and provide a recommendation to the City Council.

REVIEW OF ISSUES

Applicability

The Certificate of Compliance could be used by the Planning and Zoning Commission for Conditional Use Permits, Design Review, and any other cases where the Commission has final decision-making authority. This process would also be applicable to Planning applications decided on by the City Council, such as rezoning cases or appeals of CUPs. The Board of Adjustment could also use the Certificate process to ensure any stipulations related to variances were met within a specified time frame.

Procedures

If the conditions are not met within a specified time frame, there is a method to revoke the Certificate. There is also a process to request an extension of time with a reason. An Appeal process also has to be included. The proposed Certificate of Zoning Compliance would be authorized by an amendment to the Zoning Ordinance adding new Section 311. “Certificate of Zoning Compliance,” which requires approval by the City Council.

Other Approvals

A Certificate of Occupancy is a separate document that is issued by the Building Official based primarily on completion of construction requirements. Completion of development requirements, such as landscaping and parking, may be required before issuance of Certificate of Occupancy – but the C of O is not as specialized or adaptable to cover the range of potential Zoning stipulations that may be applied. The Certificate of Zoning Compliance would directly address conditions of approval and a time frame for completion. The Certificate of Occupancy (C of O) is a separate document that would continue to be applied based on building requirements.

Chairman Kiyler asked staff if this is ready to go to City Council. Staff responded that yes it was ready. Chairman Kiyler asked if any commissioners had any questions regarding this text amendment. The commission had no questions. Chairman Kiyler asked the commission if they had any comments. Commissioner Cox mentioned that it was well done. Commissioner Wilder mentioned that it was a great idea to have this text amendment.

Motion: *To recommend ZO 15-002 consideration of a Zoning Ordinance text amendment adding a new Section 311. “Certificate of Zoning*

Compliance” providing a method to document completion of conditions required for development applications to the City Council.

Made by: Commissioner Williams
Second: Commissioner Rosen
Vote: Unanimous

NEW BUSINESS

1. **ZO 15-003- AMENDMENT TO SECTION 422 “I-2” ZONE (HEAVY INDUSTRIAL):** Consideration of a Zoning Ordinance text amendment to Section 422 deleting multi-unit residential and manufactured home parks as a potential Conditional Uses in the I-2 (Heavy Industrial) Zone. Below is Scully’s report:

BACKGROUND

I-2 (Heavy Industrial) Zoning is primarily located in three sub-areas of Cottonwood. The largest area is in proximity to the Cottonwood Municipal Airport west of State Route 89A. The airport industrial area has the most undeveloped property. Development around the airport has been progressing in several areas as roads and infrastructure have been extended. The second area is located along South 6th Street north of SR 89A from Cherry Street to South 7th Street. The 6th Street area has a few undeveloped or underdeveloped properties but properties are mostly built out. A third area includes mostly undeveloped property at the south “gateway” entrance to Cottonwood along State Route 260 north of Coury Drive.

Section 422 “I-2” Zone (Heavy Industrial) lists multi-unit residential development (subject to R-3 Zone standards) and manufactured home parks (subject to MH Zone standards) as potential Conditional Uses, (subject to obtaining a Conditional Use Permit (CUP) from the Planning and Zoning Commission.)

Existing Zoning: I-2 Zone, Section 422. C. (Conditional Uses)

2. Residences as allowed in the “R-3” Zone, subject to the property development standards of the “R-3” Zone.
3. Manufactured Home Parks, subject to the property development standards of the “MH” Zone.

REQUESTED ACTION

Amend the Cottonwood Zoning Ordinance, Section 422 “I-2” Zone by removing R-3 multi-unit residential projects and manufactured home parks from consideration as “Conditional Uses” in the I-2 (Heavy Industrial) Zone.

STAFF ANALYSIS

R-3 Zone potentially allows up to 29 dwelling units per acre on larger properties, subject to meeting property development standards. This is considered high density residential in Cottonwood. A manufactured home park requires a self-contained, 5-acre minimum project size where units have direct access from an interior private access-way.

The Purpose section for the I-2 Zone states the following:

“This district is intended to provide for and encourage commercial, industrial and manufacturing development within the City, while insuring that such activities will in no manner affect in a detrimental way any of the surrounding districts.”

General Plan Analysis: The Cottonwood General Plan 2025, approved by the voters in November 2014, indicates the I-2 zoned areas as both Industrial (IND) and Performance Commercial/Industrial (PCI) Land Use Classifications. The PCI land use classification supports mixed use business park type development with some amount of residential, subject to obtaining PAD (Planned Area Development) Zoning. The General Plan Land Use Map shows the PCI classification for some properties immediately west of SR89A, in the Cherry Street area west of S. 6th Street, and in the South 260 Gateway area. Mixed-use, commercial/residential rezoning could be supported in those areas based on the General Plan land use classification.

INDUSTRIAL: Intended to accommodate industrial uses, including manufacturing, outdoor processing and storage, and research and development facilities. Encourages planned industrial park development where most activity takes place within buildings, as well as uses that may include outdoor activity where appropriate. (I-2, I-1 Zone)

PERFORMANCE COMMERCIAL / INDUSTRIAL: Indicates areas that can accommodate mixed use development with emphasis on commercial and/or industrial uses with innovative design, quality architecture and integrated comprehensive site planning through a master development planning process. Appropriate for business and office parks, light industrial centers, auto malls or similar development. Could include some residential or other non-commercial use. (PAD Zone)

Rezoning Option: Consideration of residential development in I-2 Zone areas is best served through the Rezoning process. The Rezoning process can better consider the appropriateness of residential development within and near certain Industrial areas in terms of the General Plan land use classifications and related goals and objectives.

RECOMMENDATION

Consider the proposed amendment to the Zoning Ordinance to delete multi-unit residential and manufactured home park residential uses from consideration as Conditional Uses in the I-2 (Heavy Industrial) zone and provide a recommendation for the City Council.

Chairman Kiyler asked the commission if they had any questions. The commission had no questions. Chairman Kiyler asked if the commission had any comments. Commissioner Cox mentioned that it was well written. Commissioner Rosen mentioned that this would be an

appropriate change to make to this section of the Zoning Ordinance. Commissioner Wasden mentioned that it was a job well done. Commissioner Wilder feels the same as everyone else. Commissioner Poslaiko mentioned that it was good. Chairman Kiyler mentioned that it was a very good job done on the revisions to this section of the Zoning Ordinance.

Motion: *To recommend ZO 15-003 consideration of a Zoning Ordinance text amendment to Section 422 deleting multi-unit residential and manufactured home parks as a potential Conditional Use in the I-2 (Heavy Industrial) Zone to the City Council.*

Made by: *Commissioner Williams*

Second: *Commissioner Rosen*

Vote: *Unanimous*

2. **ZO 15-004- AMENDMENT TO SECTION 308 “MEDICAL MARIJUANA FACILITIES”:** Consideration of a Zoning Ordinance text amendment to Section 308 regarding the maximum area of cultivation, distance between facilities and options for infusion kitchen processing. Below is Scully’s report:

BACKGROUND

The City Council considered this item at their September 8, 2015, work session as a Discussion item. The Ordinance amendment is expected to be brought back to the City Council soon. The Planning and Zoning Commission has been asked to review the proposed Ordinance amendment and provide recommendations for the City Council.

REQUESTED ACTION

Discuss and provide recommendations to the City Council regarding possible amendments to Zoning Ordinance, Section 308 “Medical Marijuana Facilities” pertaining to the maximum area of cultivation, distance between facilities and revised options for infusion kitchen processing.

STAFF ANALYSIS

The Arizona Medical Marijuana Act was approved by the voters of Arizona in 2010. In response, the Cottonwood Zoning Ordinance was amended in March 2011, by adding Section 308 “Medical Marijuana Facilities,” pertaining to Dispensaries, Cultivation and Infusion facilities, which involves processing into edible products.

The existing MMJ ordinance placed a limit of 10,000 square feet, gross floor area, for cultivation facilities with a separation of 1,000 feet between such facilities. Infusion kitchens are limited to 5,000 square feet, gross floor area, also with 1,000 feet between

facilities. The ordinance currently describes infusion processing in association with cultivation facilities.

There has been interest expressed from the existing cultivation facility operator in Cottonwood to expand the size of the cultivation grow facility. Additionally, other potential operators have expressed interest in establishing similar new cultivation facilities in Cottonwood.

Summary of Proposed Changes:

A summary of possible changes to the Zoning Ordinance includes the following:

1. Hours of operation for dispensary extended to 10:00 PM. (from current 7:00 AM to 7:00 PM)
2. Delete size limit for cultivation facility. (Current 10,000 sq.ft. limit)
3. Delete size limit for infusion facility. (Current 5,000 sq.ft. limit)
4. Allow infusion facility as Permitted Use in I-2 Zone. (Currently not addressed as stand-alone facility.)
5. Allow infusion as accessory use with dispensary. (Currently not addressed.)
6. Delete separation requirement for cultivation or infusion from other/same. (Current 1,000 feet.)

Cultivation remains a Conditional Use in I-2 zone as there are unique issues with infrastructure and context of manufacturing activity. Infusion/manufacturing facilities would be considered as Permitted Use in I-2 industrial zone as this use is similar to other indoor manufacturing and processing uses.

RECOMMENDATION

Consider the proposed amendment to the Zoning Ordinance to and provide a recommendation for the City Council.

Chairman Kiyler asked the commission if there were any questions. Commissioner Poslaiko mentioned that Section C number 2 where it states the hours of operation, wasn't that tabled by Council? Staff responded that City Council wanted that change to be removed and kept as is. Commissioner Poslaiko also mentioned that there was quite a variation between the setbacks, so Cottonwood is at the minimum setback. Staff responded yes. Commissioner Cox did not have any questions. Commissioner Rosen had no questions. Commissioner Wasden asked if infusion and dispensary can be combined and a dispensary and cultivation to be in the same zoning. Staff responded that as long as it follows zoning which would be manufacturing and is in an I-2 zone. Commissioner Wasden also asked if the applicants that came in on 89A and the one on Cherry Street are affiliated. Staff responded that they are different. Commissioner Wasden asked staff what prompted this, was it that someone approached the City and is looking to expand? Staff responded yes. Commissioner Williams asked if the State also has to approve cultivation as well. Staff responded yes. Commissioner

Williams mentioned that the State could approve a 2nd facility in Cottonwood, they don't have to be restricted by 25 miles for the State to approve, are they looking to expand to like 20,000 square feet? Staff mentioned that they think it is more like 16,000 square feet, but may want to expand in the future. Commissioner Williams in response to staff mentioned that expansion based on legalization is putting the cart in front of the horse, also that, subsection 3 e, there is no number 1 but a number 2, eliminate subsection 2 on page 56-15. Staff mentioned that it was a typo. Chairman Kiyler pointed out that there was two pages 56-15. Staff noted.

Chairman Kiyler mentioned that they usually do not let the public comment during this time but thought that it would be beneficial if the commissioners could ask the representatives of the current facility some questions for clarification purposes.

Commissioner Rosen asked if there had been any security issues at the location. Representatives responded that they did not have any issues. Commissioner Williams asked how big of a facility are they looking for? Representatives responded about 14,000 to 15,000 square feet, if approval of legalization for recreational use they would need 25,000 to 30,000 square feet.

Chairman Kiyler closed the floor and asked the commission for discussion. Commissioner Cox had no comments. Commissioner Rosen had no comments. Commissioner Wasden mentioned that he understands what's coming up and driving it, like Commissioner Williams mentioned, we are anticipating what's unseen in the future, inclined to keep things where they are, this is not a lengthy process to come back and change at a later time. Commissioner Poslaiko had no comments. Commissioner Williams thinks it is great and that staff has done a great job, certainly don't want to stand in the way of your progress, would be more comfortable with a size restriction, not 15,000 square feet but 25,000 square feet, the infusion kitchen and cultivation I am fine with. Chairman Kiyler mentioned to the Commission that they are there to make a recommendation to City Council, and City Council can still overturn the decision that they make. Commissioner Williams mentioned that regardless if City Council can overturn the decision, the commission can still make a recommendation to make changes to the Ordinance prior to it going to Council, prefer to keep size down. Commissioner Rosen mentioned that there is no odor coming out of the facility, there are no waste issues at the facility, and there have been no security issues at the facility, we want to promote business and why should we hold them up? And why is it up to us? Commissioner Wasden it is not up to us it is up to Council. Commissioner Cox we need to be flexible enough to see what the market is doing. Chairman Kiyler stated to the Commission that this is a legitimate business tell me who else in the business world we limit building size, why are these people any different. Commissioner Wasden said there is no question regarding legitimacy we are determining something, we are acting to a variable, that's a market variable does it really matter. Commissioner Rosen stated why the commission should even get involved. Chairman Kiyler currently they are not using the whole building, they don't have to expand now it is market driven.

Motion: ***To recommend ZO 15-004 consideration of a Zoning Ordinance text amendment to Section 308 regarding the maximum area of cultivation, distance between facilities and options for infusion kitchen processing***

with the exception of sub section C-2-j (hours of operation) to City Council.

*Made by: Commissioner Williams
Second: Commissioner Wilder
Vote: 6-1*

DISCUSSION ITEMS- NONE

INFORMATIONAL REPORTS AND UPDATES- None

ADJOURNMENT

Meeting adjourned at 7:16p.m.

DRAFT



STAFF MEMO

TO: Planning and Zoning Commission

FROM: Scott Ellis, City Planner

THROUGH: Berrin Nejad, Community Development Director

HEARING DATE: October 19, 2015

PROJECT NUMBER: **PCU 15-002 Winery 101**

The applicant is requesting approval of a Conditional Use Permit to allow wine tasting as an accessory use to an art gallery (Manheim Gallery). This will include constructing an outdoor patio area for customers to sit and enjoy the experience. The proposed site is located at 747 N. Main Street, on the north side of the road. The location is zoned CR (Commercial Residential) and is in Old Town.

PROJECT DATA AND FACTS:

Applicant	Gavin R Gallifant
Property Owner/Agent	Douglas Stanton Kipling/Patt Manheim
Location of Property	747 N. Main Street (Manheim Gallery)
Present Zoning and Land Use	CR (Commercial Residential, Art Gallery)
Description of Applicant's Request	Obtain a Conditional Use Permit to allow wine tasting as an accessory use for an existing art gallery by constructing and outdoor patio for customers to sit.

LAND USE:

Description and Character of Surrounding Area
The site is on the north side of North Main Street, at the intersection of North Main Street and North 4 th Street. It is bordered by CR (Commercial/Residential) properties on all four sides.

PROJECT PROPOSAL:

Background
<p>The owner of the property is allowing the applicant space within an existing art gallery to provide wine tasting to customers. The applicant would also like to create an outdoor patio with seating on the west side of the building, bordering North 4th Street.</p> <p>With a Conditional Use Permit, the CR zone allows establishments serving food or beverages, however, it does not include bars, taverns, or lounges. The wine tasting does not fall within the bar, tavern, or lounge category, and will be treated as an accessory use to the art gallery that is currently on site. The applicant will only be allowed to provide wine tasting and any future expansion to include other alcohol or more intensive use will need to be reviewed for compliance with zoning.</p>

Parking:

The property owner also owns an adjacent lot to the northeast of this property which is used as parking. No additional parking is required for this use.

Lighting:

Lighting will comply with Dark Sky regulations and meet all zoning requirements regarding lumen counts.

Signage:

Applicant has proposed a sign on the building which will match the current Manheim Gallery sign (see attached image). This sign will not be illuminated.

Access:

Access to the establishment will be available through the parking lot to the northeast, which is accessible via North 5th Street.

CRB Review:

This project was reviewed by the Code Review Board on September 15th, 2015 and the applicant will meet all requirements before a Certificate of Occupancy will be issued.

RECOMMENDATION:

Staff has reviewed this project and finds it fits within zoning requirements of the CR zone and recommends the following stipulations:

1. That the project is developed in conformance with the project plans submitted 09-29-15 and as may be further modified by the Planning Commission.
2. That the project conforms to Code Review Board comments dated 09-18-15.
3. That the permit is only valid for wine tasting as presented as an accessory use to the art gallery and any future expansion will need to be reviewed and meet current zoning requirements.
4. The hours of operation for the outdoor patio use is determined by the Planning & Zoning Commission.
5. Any other stipulations the Commission deems necessary.

Winery Tasting Rooms – Hours of Operation

COTTONWOOD

Arizona Stronghold	S–Th 12 – 7 pm F–Sat 12 - 9 pm
Pillsbury	S–Th 11 am – 6 pm F– Sat 11 am - 9 pm
Burning Tree	S–Th 12 – 7 pm F–Sat 12 - 10 pm
Fire Mountain	S–Th 12 – 6 pm F–Sat 12 - 8 pm

PAGE SPRINGS RD.

Page Springs	S–Th 11 am – 7 pm F– Sat 11 am - 9 pm
Javalina Leap	11 am – 6 pm
Oak Creek	10 am – 6 pm

OTHER/JEROME

Alcantara	11 am – 5 pm
Four Eight	12 – 7 ish
Passion Cellars	S – Th 11 am – 6 pm F – Sat 11 am – 7 pm
Caduceus	S – Th 11 am – 6 pm F – Sat 11 am – 8 pm

Letter of Intent

September 28, 2015

Attention: Scott Ellis / Planning & Development
Community Development Planner
928-634-5505 sellis@cottonwoodaz.gov

RE: Manheim Gallery - Parcel 406-38-055 747 N Main St Cottonwood, AZ 86326

Dear Scott,

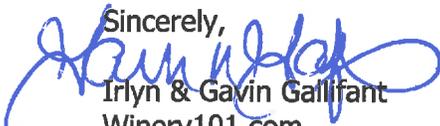
My wife and I, Irlyn and Gavin Gallifant, have signed a lease with Patt Manheim to open a tasting room within the existing Manheim Gallery. We have our primary business, Winery 101, in Peoria Arizona. The Gallery would be an Offsite Tasting Room. We have submitted our liquor application to the City of Cottonwood, which was approved on 9/6/2015 Council Agenda.

We are requesting a Conditional Use Permit to allow Wine/Alcohol to be served and sold in the CR zoning for the purpose stated above.

Our plans are to utilize the area, shown in our diagram, within the Gallery for wine tasting and a locked storage. The patrons would have access to the entire Gallery and a patio area for consumption of their wine. This room has an existing restroom for customers. With your approval we will convert the current West yard, opens to the wine tasting room, into a patio area. (Shown in 3D and 2D design) Patt Manheim owns the adjacent properties to the North and Northeast of the Manheim Gallery. Also, there is an egress between the properties to allow access to the NE Lot used for parking of up to 20 vehicles. The information and drawings provided focus on the patio area. We are requesting an exemption of the 72" solid screen residential fencing, to a 42" screened fence to compliment the Frank Lloyd Wright design of the Gallery, design provided. Additionally, a vacuum breaker would be installed for code compliance of the drip line irrigation.

We look forward to your response.

Sincerely,

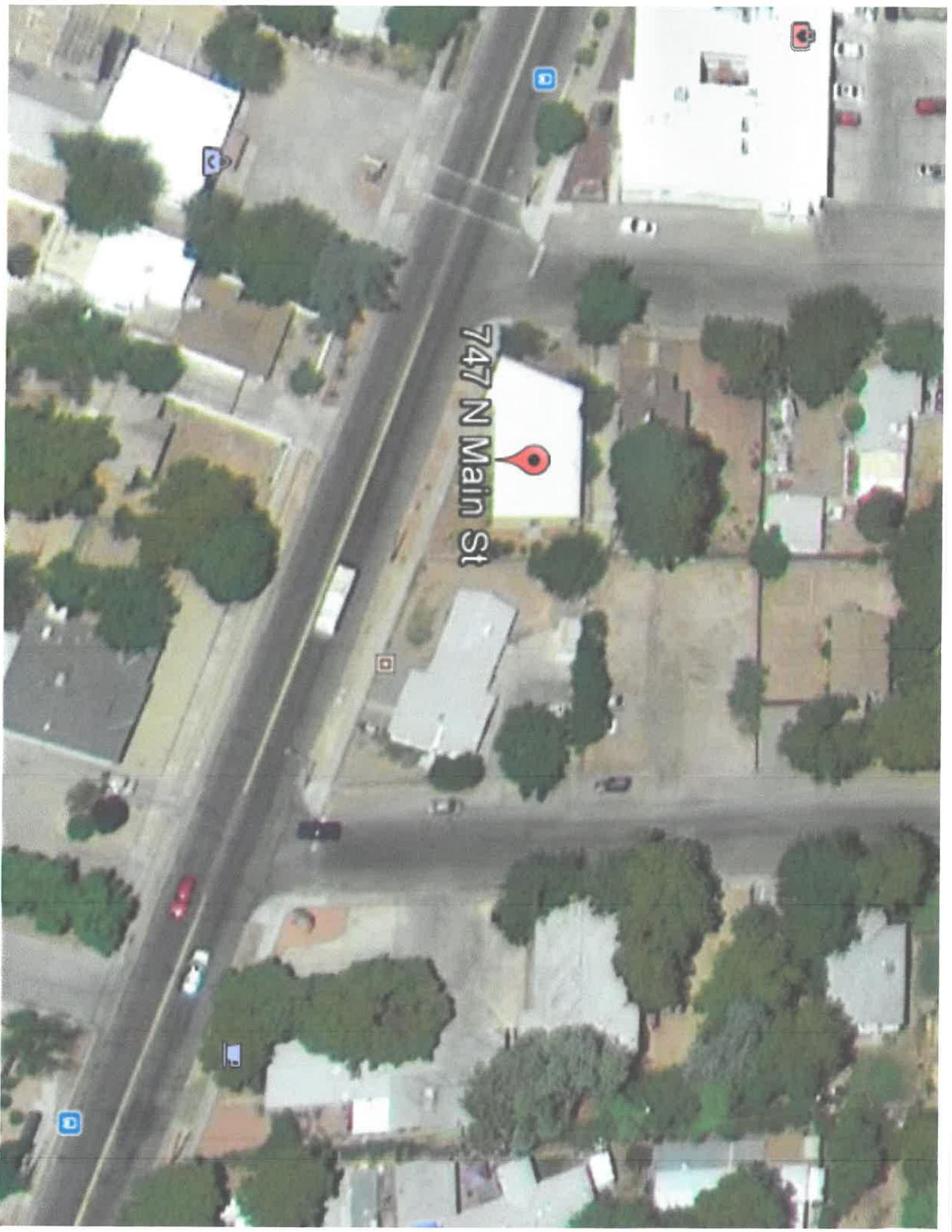


Irlyn & Gavin Gallifant
Winery101.com
Cell 602-332-8121

747 N Main St



7477 N Main St



4th St

Adjacent Property
owned by Pat Manheim

Parking Lot

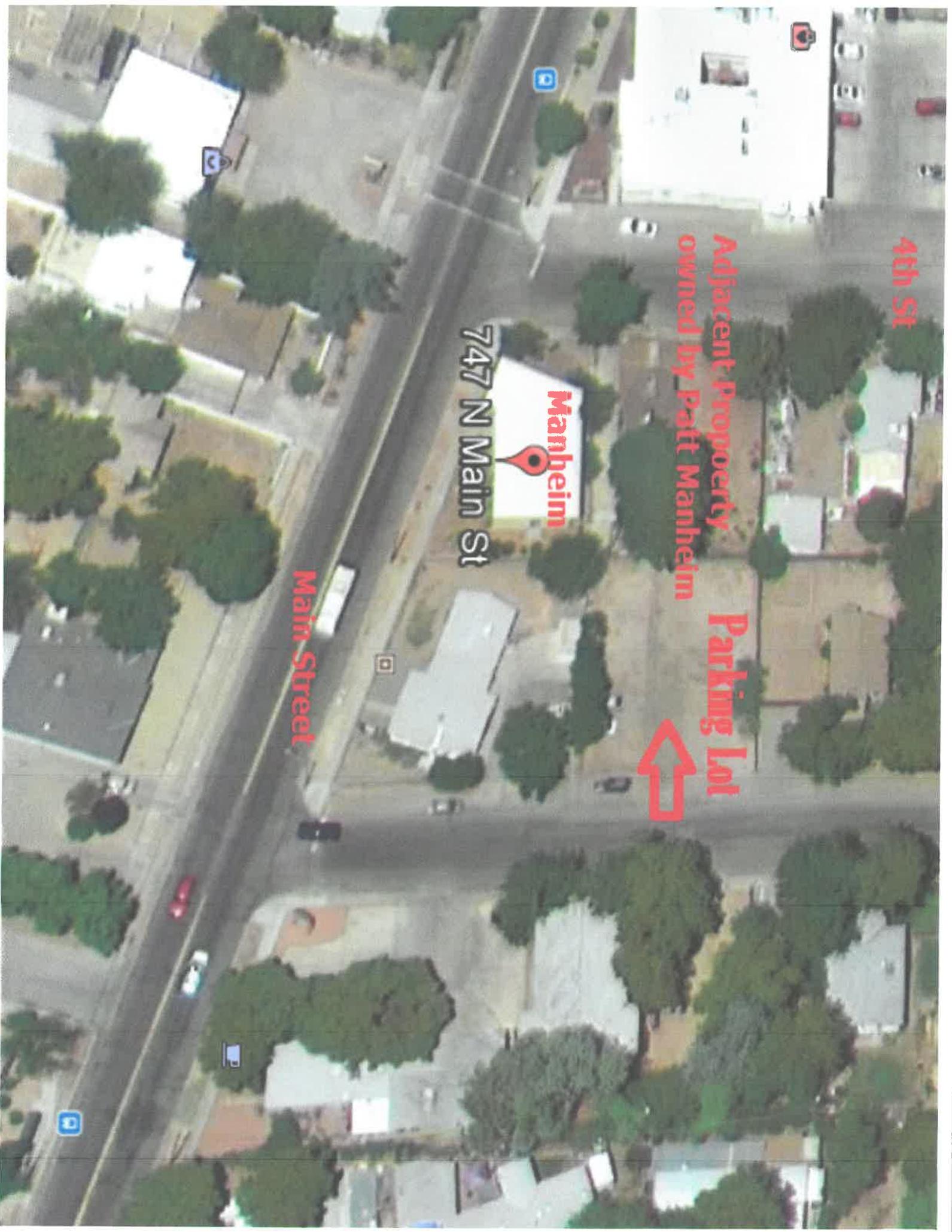


Manheim



747 N Main St

Main Street



Google Maps N 5th St



Cottonwood, Arizona

Street View - May 2008

Image capture: May 2008 © 2015 Google

Google Maps 743 N Main St

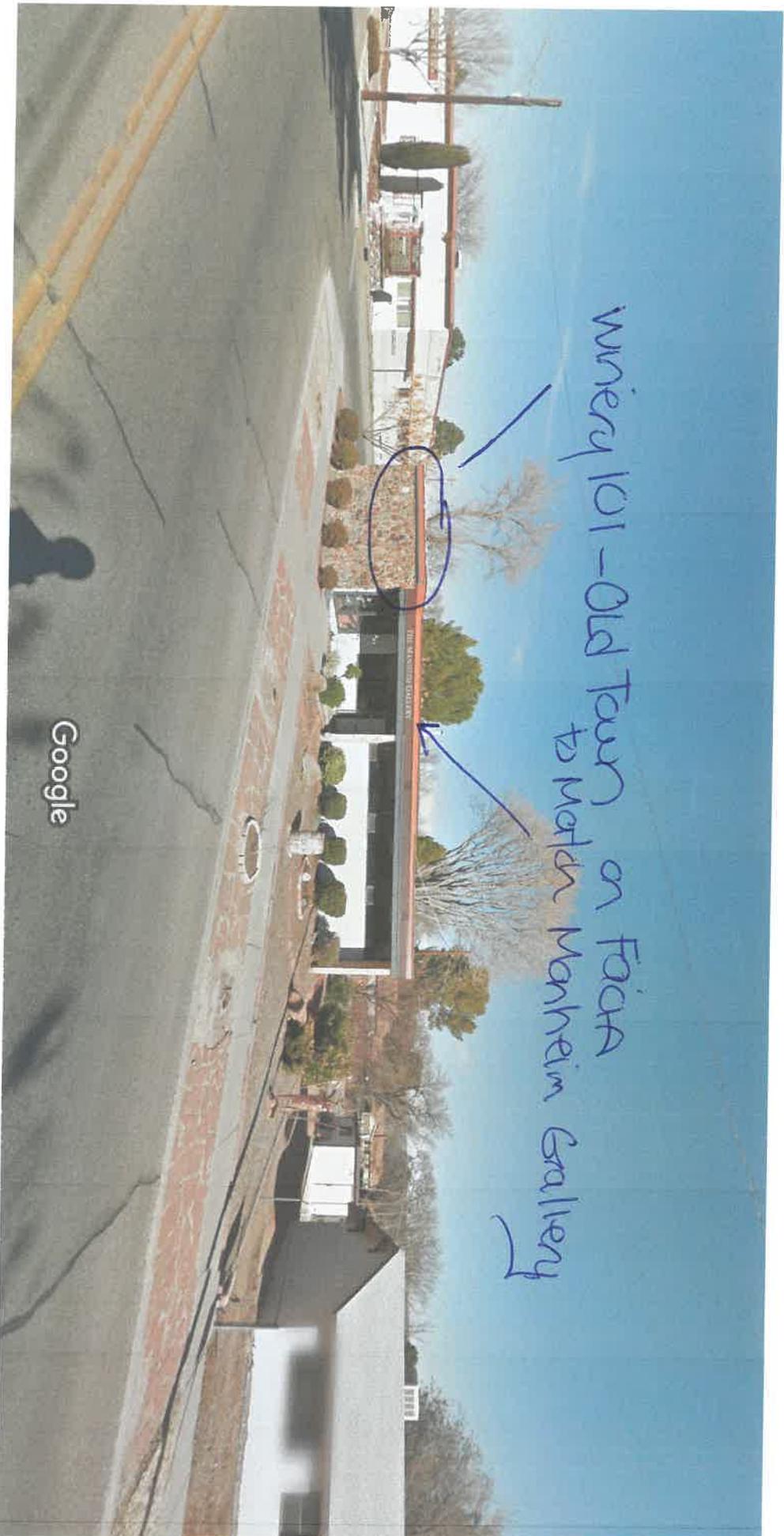


Cottonwood, Arizona

Street View - Jan 2012

Image capture: Jan 2012 © 2015 Google

Google Maps 743 N Main St



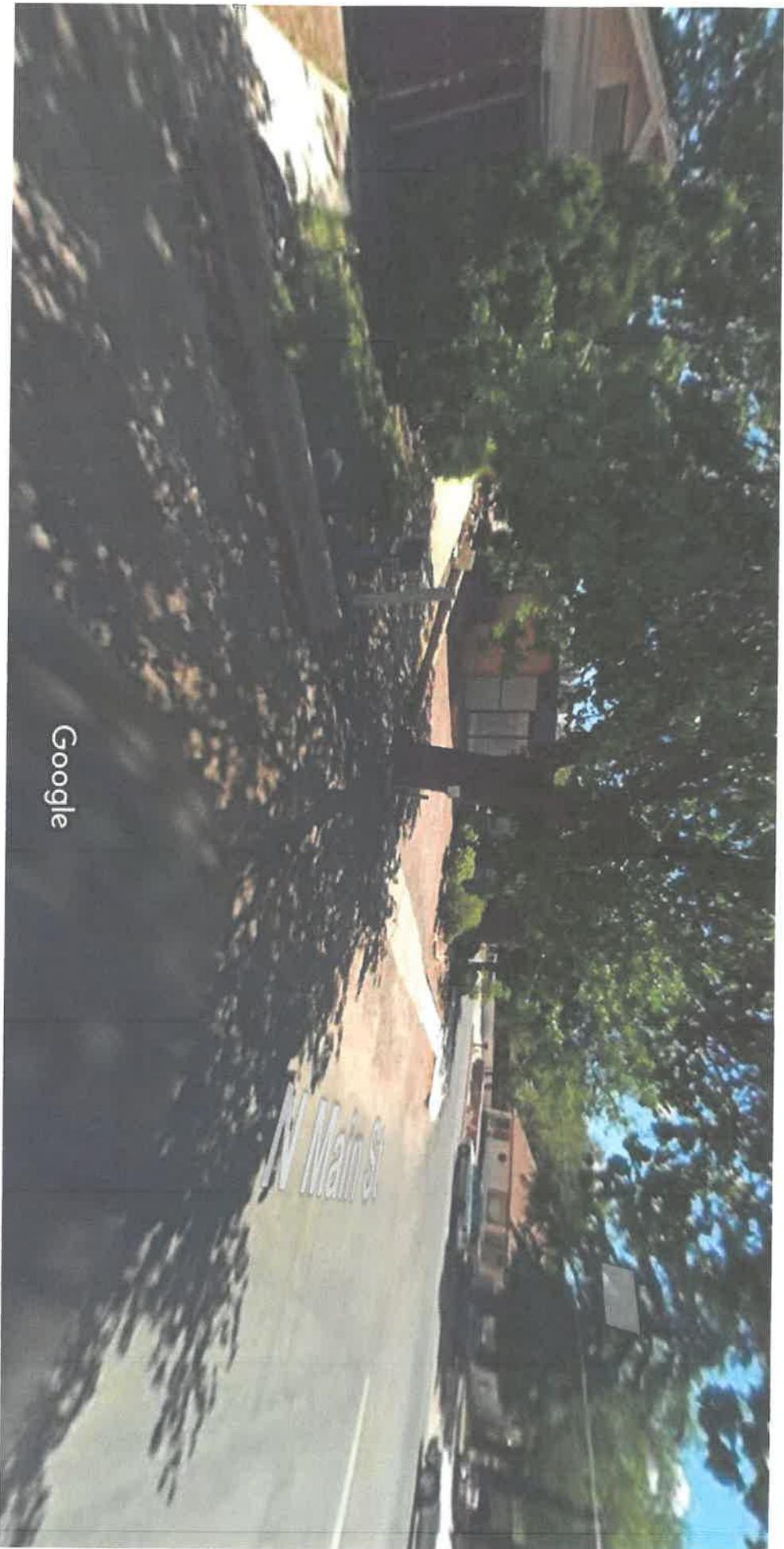
Cottonwood, Arizona

Street View - Jan 2012

Image capture: Jan 2012 © 2015 Google



Google Maps 703 N 4th St



Cottonwood, Arizona

Street View - May 2008

Image capture: May 2008 © 2015 Google

Google



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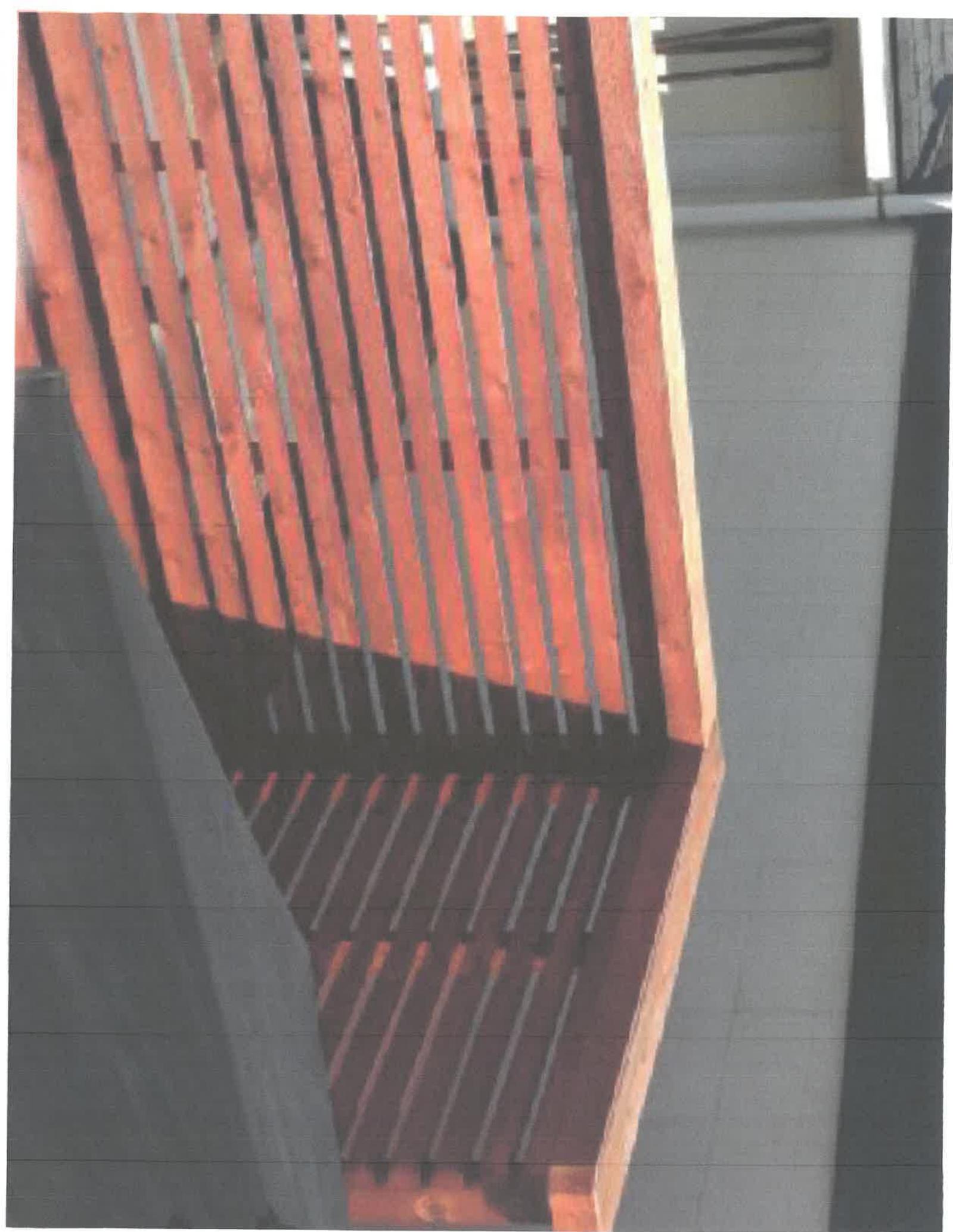
24ft

48ft



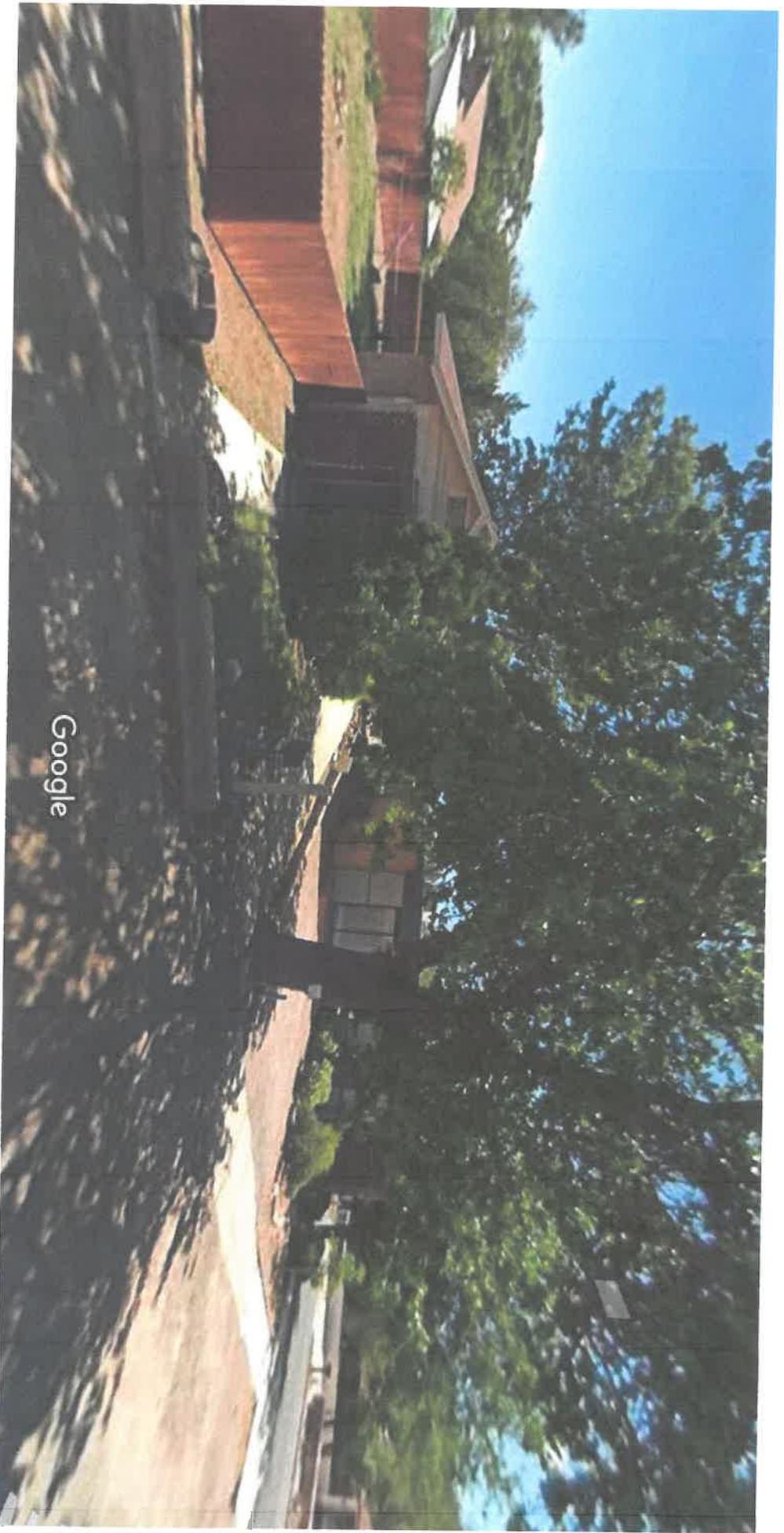








Google Maps 703 N 4th St



Cottonwood, Arizona

Street View - May 2008

Image capture: May 2008 © 2015 Google



10/01/2015 10:27



10/01/2015 10:27



10/01/2015 10:28



10/01/2015 10:28



10/01/2015 10:29



STAFF MEMO

TO: Planning and Zoning Commission

THROUGH: Berrin Nejad, Community Development Manager

FROM: Scott Ellis, Planner

MEETING DATE: October 19, 2015

SUBJECT: DR-15-005-Riverfront Water Reclamation Facility

APPLICANT:
Roger Biggs

PROPERTY OWNER:
City of Cottonwood

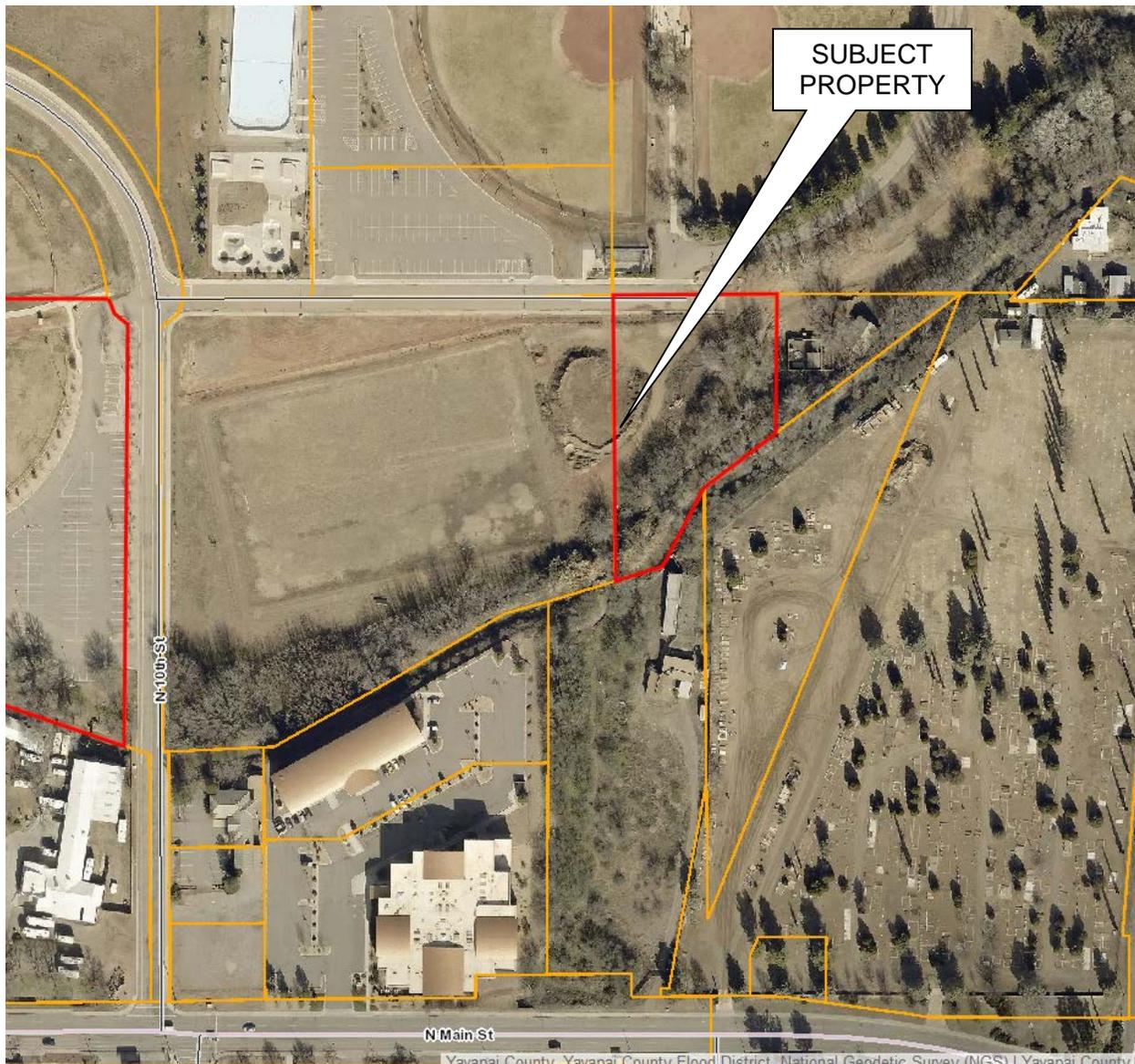
Consideration of a Design Review for a new Riverfront Water Reclamation Facility for the City of Cottonwood, located at 1187 E. Riverfront Rd. The property is currently vacant and a portion of it may possibly be used for future soccer fields. In July 2015 the Cottonwood City Council approved the project for construction.

Two main buildings will be constructed to allow operation and maintenance of the facility, with several smaller accessory buildings on site to house operating equipment. The two main buildings will be constructed of CMU with a stucco finish. A new access road from 10th Street to the plant gate will also be constructed. Landscaping will consist of various bushes and trees, and crushed granite will be placed throughout the property for ground cover.

RECOMMENDATION:

Staff recommends approval subject to the following stipulations:

1. That the development in conformance with the plans submitted October 2015 and as may be further modified by the Planning Commission.
2. That all the Code Review issues are addressed.
3. Any other stipulations the Commission deems necessary.





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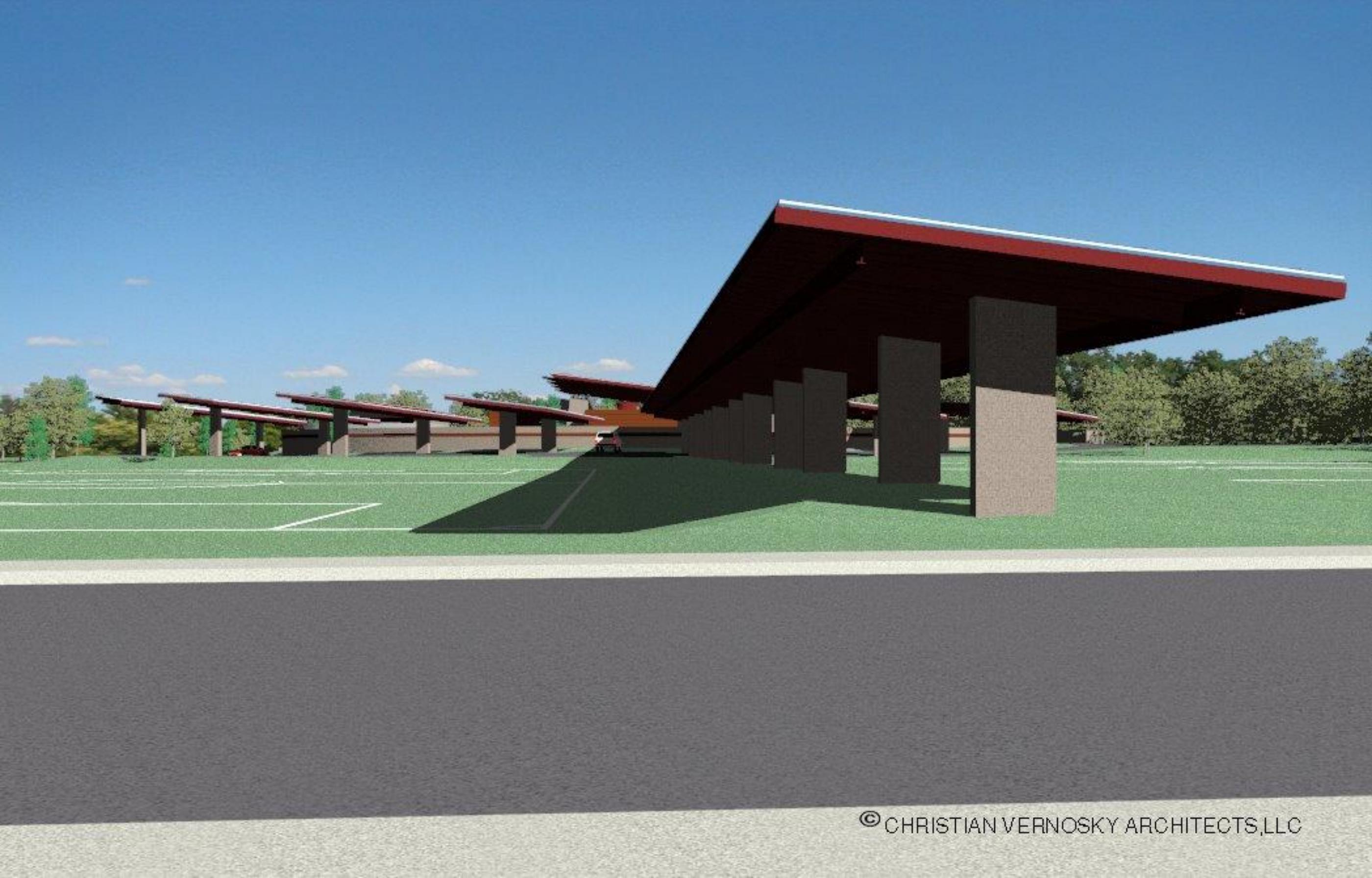










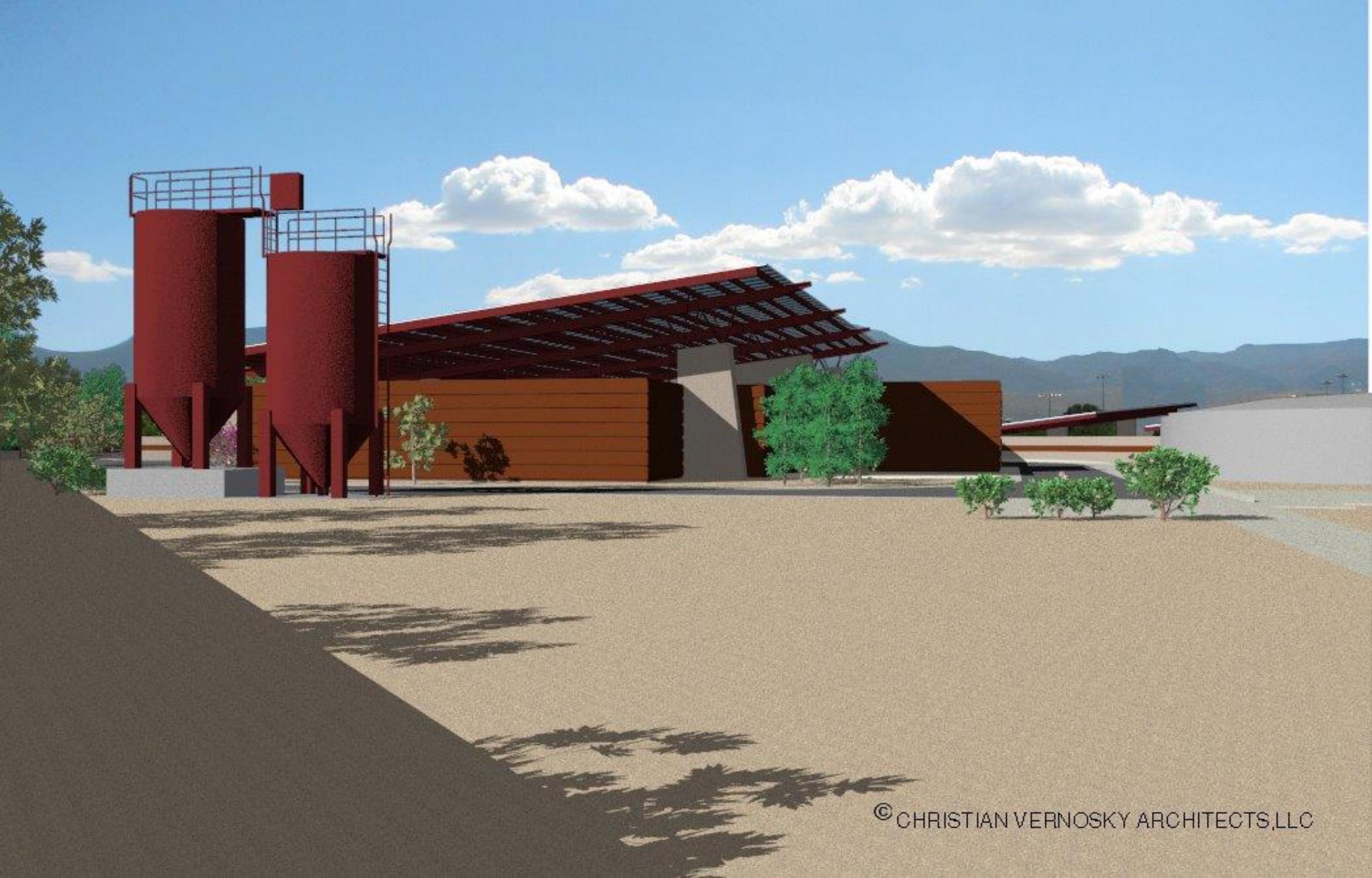














10/09/2015 09:17



10/09/2015 09:17



10/09/2015 09:17



10/09/2015 09:19



10/09/2015 09:23



STAFF MEMO

TO: Planning and Zoning Commission
FROM: Charlie Scully, Planner
THROUGH: Berrin Nejad, Community Development Manager
MEETING: October 19, 2015
SUBJECT: **ZO 15-003 AMENDMENTS TO SECTION 422 “I-2” ZONE (HEAVY INDUSTRIAL)** - Consideration of a Zoning Ordinance text amendment to Section 422 deleting multi-unit residential and manufactured home parks; and adding accessory residential uses, as Conditional Uses in the I-2 (Heavy Industrial) Zone.

BACKGROUND

The Planning and Zoning Commission considered the proposed amendment to remove multi-unit residential and manufactured home parks from consideration as I-2 Conditional Uses at their meetings of August 17 and September 21, 2015, and recommended approval.

Upon further review of the topic, the question of accessory residential uses came up. There are several existing examples in the I-2 Zone. Examples of accessory residential use include a single unit incorporated into a light industrial property; or institutional residential uses incorporated into a medical facility or public safety facility. As long as the residential use is accessory and secondary to a Permitted Use, it would be able to be considered as a Conditional Use.

REQUESTED ACTION

Amend the Cottonwood Zoning Ordinance, Section 422 “I-2” Zone by removing R-3 multi-unit residential projects and manufactured home parks from consideration as “Conditional Uses” in the I-2 (Heavy Industrial) Zone; and adding a new section to allow accessory residential uses as Conditional Uses in the I-2 Zone where associated with a Permitted Use.

STAFF ANALYSIS

The “Accessory Residential Use” is meant to accommodate:

- Accessory dwelling unit (mother-in-law unit, granny flat) within a building;
- Residential units for institutional use, such as in-patient apartments at Spectrum/Guidance Clinic;
- Residential/dormitory use for Public Safety facilities; or
- Permanent on-site manager unit for a Self-Storage facility.

The amendment is not meant to accommodate permanent housing at I-2 sites in the form of:

- Recreational vehicle (RV) or travel trailer unit for permanent manager residence at industrial use, such as distribution facility, processing use, manufacturing shop, storage facility, contractor's yard or storage yard; or
- Manufactured unit located on-site with an industrial building, auto body shop, office, storage facility or in a yard;

Section 307. "Temporary Use Permits" allows consideration a Watchperson's Trailer through the TUP process for a period of one year, with extensions possible, at an active construction site.

Amend Section 422 "I-2" Zone (Conditional Uses) as follows:

DELETE

- ~~2. Residences as allowed in the "R-3" Zone, subject to the property development standards of the "R-3" Zone.~~
- ~~3. Manufactured Home Parks, subject to the property development standards of the "MH" Zone.~~

ADD

- 2. Accessory residential use located in association with a permitted use provided the residential use is secondary to the permitted use and integrated within a permanent structure, and not including a manufactured home or recreational vehicle, except for a watchperson's trailer approved as per Section 307 "Temporary Use Permits."**

RECOMMENDATION

Consider the previous and revised ordinance amendments and provide a recommendation for the City Council.

ATTACHMENTS

- Updated Zoning Ordinance, Section 422. I-2 (Heavy Industrial) Zone, including Accessory Residential Use. (October 19, 2015)

SECTION 422. "I-2" ZONE, HEAVY INDUSTRIAL.

A. PURPOSE.

This district is intended to provide for and encourage commercial, industrial and manufacturing development within the City, while insuring that such activities will in no manner affect in a detrimental way any of the surrounding districts.

B. PERMITTED USES.

1. Any permitted or conditional use in the C-2 Zone, except residences and manufactured homes.
2. Warehouses.
3. Outdoor storage yards and junk yards.
4. Automobile wrecking yards.
5. Heavy construction equipment yards.
6. Industrial and manufacturing establishments.
7. Accessory buildings, structures and uses customarily incidental to a permitted use.

C. CONDITIONAL USES.

1. Adult Uses (as defined in Section 201)
 - a. An adult use shall meet the following separation criteria whereas the exterior building wall of adult uses shall not be located within five hundred (500) feet of the exterior property lines of:
 - (1) A nursery school, elementary school, secondary school or high school.
 - (2) Public libraries, service clubs, neighborhood or community public recreation facilities, and publicly owned and operated swimming or aquatic facilities.
 - (3) A state designated Local Alcohol Reception Center.
 - (4) A church.
 - (5) Bar or Cocktail Lounge.
 - b. Any adult use lawfully operating is not rendered in violation of these provisions by the subsequent location of a nursery school, elementary school, secondary school, high school, public library, service club, neighborhood or community public recreation facility, publicly owned and operated swimming or aquatic facility, state designated local alcohol reception center, church, bar or cocktail lounge.

- c. For the purpose of calculating the separation requirements, the distance shall be measured from the exterior surface of the walls of the buildings or portions thereof, in which the businesses are conducted.
 - d. An adult use shall not be located within five hundred (500) feet of any other adult use, measured from exterior building wall to exterior building wall.
 - e. The exterior building wall of an adult use shall not be located within five hundred (500) feet of an existing residential district boundary. A residential district for the purposes of this section shall include the following zoning districts: GA, AR-70, AR-43, AR-20, R-1, R-2, R-3, R-4, MH, or residentially designated areas within a PAD zoning district.
 - f. Any adult use will be required to obtain any and all required licenses for such business including a Cottonwood Business Registration.
- ~~2. Residences as allowed in the "R 3" Zone, subject to the property development standards of the "R 3" Zone.~~
 - ~~3. Manufactured Home Parks, subject to the property development standards of the "MH" Zone.~~
 - 2. Accessory residential use located in association with a permitted use provided the residential use is secondary to the permitted use and integrated within a permanent structure, and not including a manufactured home or recreational vehicle, except for a watchperson's trailer approved as per Section 307 "Temporary Use Permits."**
 - ~~3. 4. Sand and gravel plants, mines, batch plants, concrete plants and similar uses.~~
 - ~~4. 5. Any such other uses as determined by the Zoning Administrator to be similar to those uses listed above and not detrimental to the public health, safety and general welfare.~~

D. PROPERTY DEVELOPMENT STANDARDS.

- 1. Minimum Lot Area: 5,000 Sq. Ft.
- 2. Minimum Average Lot Width: 50 Ft.
- 3. Minimum Front Yard: 20 Ft.
- 4. Minimum Side Yard:
 - a. None required.
 - b. Where a lot adjoins a lot in a residential district along its side lot line, there shall be a 15 Ft. side yard.
 - c. Where a lot line abuts a street there shall be a 10 Ft. side yard.

5. Minimum Rear Yard: 5 Ft., except that if the lot adjoins a lot in a residential district along its rear lot line, there shall be a rear yard equal to the rear yard required in the residential zone.
6. Maximum Building Height: 2 ½ stories, but not to exceed 35 Ft., unless otherwise permitted under a Conditional Use Permit.
7. Screening: Where the lot adjoins or is adjacent to a residential district, an industrial, as listed under the Permitted Uses of I-2 Zone shall be screened from the residential property by a solid masonry fence, a minimum of six (6) Ft. in height; the height of such fence shall be subject to the provisions as set forth:
- a. The Zoning Administrator shall submit a recommendation as to the appropriate screening which includes findings of fact. This recommendation shall be presented to the Planning and Zoning Commission and/or City Council for their review, revision and approval. Such findings of fact must be forwarded to the applicant and maintained as public record. Such findings of fact shall be based on but not limited to the following considerations:
 - (1) Compatibility of land uses.
 - (2) Environmental effects of commercial or industrial use.
 - (3) Potential nuisance created by commercial or industrial use.

E. GENERAL PROVISIONS.

The provisions of Section 404 shall apply.

F. SIGNS.

The provisions of Section 405 shall apply.

G. PARKING AND LOADING.

The provisions of Section 406 shall apply.

H. ZONING CLEARANCE.

The provisions of Section 303 shall apply.

I. DESIGN REVIEW.

The provisions of Section 304 shall apply to all uses other than single-family residences and individual manufactured homes.

J. CODE REVIEW.

The provisions of Section 305 shall apply to all uses other than single-family residences.

K. LANDSCAPING REQUIREMENTS.

The provisions of Section 407 shall apply to all uses other than single-family residences.