

**PINAL COUNTY
PROPOSED ORDINANCE
CITIZEN WORKSHOP NOTES
OCTOBER 25, 2007
9am – 5pm
and
6pm – 8:35pm**

PLANNING STAFF PRESENT:

Mr. Stabley, Deputy Director
Ms. Sherwood, Planner
Ms. Hanna, Planner
Ms. Huerta, Admin. Manager
Ms. Kile, In-House Code Supervisor
Ms. McClary, Administrative Secretary

Mr. Stabley welcomed the public and began the forum at 9:00am. Mr. Stabley explained the agenda and asked staff to make introductions. Mr. Stabley reminded the public to sign in and give their e-mail addresses so staff would be able to keep them informed.

Ms. Sherwood made a statement that this is a **draft** Proposed Ordinance. Mr. Stabley stated this is a process and there will be many opportunities for the public to participate in these workshops and public hearings. Ms. Sherwood continued the presentation and explained existing zonings will stay in effect until a time that an owner would request a rezone. To sell property or to split property (Minor Land Division) does not change zoning, nor does an application for a building permit. Article 1, Section 110 states that zonings SR, SH, CAR, GR, CR-1A, CR-1, CR-2, CR-3, CR-4, CR-5, TR, CB-1, CB-2, CI-B, CI-1, CI-2, Guest Ranch, Mfd Home, RVP, MHP, and PM, are all zones that will remain in effect from the 1962 Zoning Ordinance.

Mr. Stabley explained that Proposition 207 puts limitations on zoning authority for municipalities. The Proposed Ordinance does not affect current zoning or current uses; current zonings and uses remain. What it will affect are those who wish to come in to change their zoning in the future.

SITE PLANS - Article 62:

Ms. Sherwood explained the three (3) types of Site Plans:

- 1) a **preliminary** site plan that accompanies the application for rezoning, a Planned Area Development (PAD) or a Special Use Permit (SUP);
- 2) an **individual** site plan accompanies applications for individual building permits or installation permits;
- 3) a **specific** site plan is for building permits for office, commercial, industrial, multi-family, churches, schools and when there is a change of use in the commercial zone.

Mr. Don Gabrielson, as a private citizen, asked if these presentations could be made available on the web. Mr. Gabrielson asked of the new Ordinance was something people can opt into.

Mr. Stabley responded yes, we will make these work sessions available. Mr. Stabley explained the Proposed Ordinance affects a person who wants to rezone their property.

Mr. Gabrielson asked if the request for rezoning is a discretionary approval or is everyone entitled as a matter of a right to rezoning and would neighbors receive notice of a proposed rezoning request.

Mr. Stabley responded no one has a right to rezone and neighboring property owners are notified of a pending case.

Ms. Karen Conway asked if setbacks for her property will change.

Ms. Sherwood explained the current zoning does not change nor will the permitted use or setbacks; they will remain the same.

Mr. Troy Peterson asked for clarification that **preliminary** site plans are valid for one year unless given an extension by the Planning Director upon request of the developer; what has to take place in order to determine the project is vested.

Ms. Sherwood responded a preliminary site plan comes in with the preliminary plat and the completion of the schedule of development would determine the approval.

Mr. Peterson asked that for **specific** site plan that is approved for a year, does that mean permits must be pulled within that year?

Ms. Sherwood responded it would be starting the development.

Mr. Peterson asked how long extension are for, can they be for a year.

Ms. Sherwood responded there is criteria for extension and Public Works has definite limits on their approvals and the schedule of development would also be considered.

Mr. Peterson asked for larger commercial developments, if all users are not known at the time of the site plan, could staff still approve the site plan as long as it is in conformance.

Ms. Sherwood responded a specific plan could be requested on each site and go through the site plan review.

BREAK: 9:25
RECONVENED: 10:00

Mr. Stably announced the next topic will be Building Heights and asked the staff to make introductions. Mr. Stably explained that residents keep their current zoning and uses and the Proposed Ordinance will only affect those who wish to rezone their property.

BUILDING HEIGHTS – Article 8:

Ms. Sherwood made a presentation and explained that building heights, as well as the exemptions and exceptions that must meet the development standards, are discussed in pertinent zoning classifications.

- 1) for the **Rural** categories:
Residential areas – 30' height, except multi-family is 36' height;
Office categories:
Minor office (0 - 1) – 25' height;
Office 2 (0 - 2) – 40' height;
- 2) for the **Commercial** categories:
C 1 (neighborhood) – 30' height;
C 2 (community) – 40' height;
C 3 (general) – 40' height;
- 3) for the **Industrial** categories:
I 1 - 35' height;
I 2 - 40' height;
I 3 - 50' height.

Mr. Stably explained that Office categories have been added so everyone will know that a site is slated for offices and a new heavy commercial (C3) category has been added for a better ability to buffer between residential and commercial properties.

Ms. Kelley Gorry asked staff to reconsider the height limit in Section 805 for hospitals on a case-by-case basis to allow for possible regional hospitals and self-storage facilities referred to C-1 & C-3 that are restricted to one-story.

Mr. Stabley explained the reason for the limit in C-1, is that C-1 allows uses that can fit into residential neighborhoods with minimal impact; the more intense commercial zoning categories allow more height.

Mr. Keith Kruger asked if hospitals are exempt from the height limitation. Mr. Kruger also asked if the area north of Hwy 60 could be restricted to one-story structures so views of the Superstition Mountain would not be obstructed.

Mr. Troy Peterson asked if the definition of building height referred to in Article 2 considers parapets?

Ms. Sherwood explained if the parapet is used for screen, it is exempt, if it is used as decoration, it would fall under height restrictions.

Mr. Peterson requested staff consider exemptions of parapets for architectural diversity and asked if Article 8 includes cellular towers.

Ms. Sherwood responded that Article 69 addresses wireless communication facilities.

Mr. Stabley explained there are few radio & television antennas in the County but we expect many cellular towers. There are criteria established for cellular towers and co-locations.

Mr. Peterson also asked that the height limitations for hospitals be reconsidered.

Mr. Stabley stated staff will take a look at the height limitation for hospitals.

BREAK: 10:25
RECONVENED: 11:00

Ms. Sherwood began the meeting and introduced Ms. Aleshia Quick, Plans Examiner. Ms. Sherwood began the next presentation.

PARKING & SIGNS
Off-Street Parking & Loading – Article 63:

Ms. Sherwood made a presentation and explained the charts included in the draft.

Mr. Troy Peterson commented the chart is very helpful and asked that clarification be made for single family and multi-family, the requirement is for 2/dwelling unit for off-street parking; do those spots include the driveway or garage. Mr. Peterson commented that the parking requirements (5/1000 plus 1 per employee) for professional and semi-professional offices, is high compared to other city requirements. They may go to 6/1000 for a medical facility and 1 space per 5 employees.

Ms. Sherwood responded staff would take the parking request into consideration.

Ms. Kelley Gorry asked staff to consider shared parking for the smaller commercial sites that may have a variety of peak business times and to consider a smaller aisle width. Ms. Gorry stated she is in agreement with Mr. Peterson and her studies show similar information for parking spaces. Ms. Gorry asked staff to also reconsider prohibiting on-street parking.

Ms. Jackie Guthrie made comment regarding parking standards in the multi-family and manufactured home parks. Ms. Guthrie commented on the parking requirements for hospitals and that to 6305.8 and 6306.2 seem to conflict.

Ms. Sherwood responded she has the discrepancy marked.

Signs – Article 64:
Ms. Sherwood made a presentation.

Mr. Keith Kruger commented that the lighting code insinuates signs are lit from the top; and requested staff to consider addressing sign lighting in the sign code as well.

Ms. Kelley Gorry requested staff to reconsider reader boards.

Mr. Troy Peterson referred to Sec. 6407.4 and asked if these are the “A” frame signs and did not see a provision for “A” frame signs.

Ms. Sherwood responded there is no provision for portable frame signs; this section is addressing directional type signs for traffic.

Mr. Peterson asked if portable signs are allowed.

Ms. Sherwood responded she is not aware of a definition for portable signs but will look into the Ordinance.

Ms. Jackie Guthrie commented she likes the sign section and told staff of a typo.

Mr. Keith Kruger commented that his research regarding reader board signs does increase traffic accidents. Mr. Kruger commented he is glad Pinal County prohibits reader boards.

BREAK: 11:20
RECONVENED: 1:00

Mr. Stabley announced the next session and introduced Mr. Seymour Gruber and staff members. Mr. Stabley reminded the public this is the first step in the process and there will be many more opportunities for the public to participate. Mr. Stabley reminded the public to sign in so we may keep them updated on the process.

LIGHTING – Article 67:

Mr. Stabley stated that Lighting is under Article 67 and lighting pollution has been extended to include private property. There are various light path trespass limits for different uses; different light levels have been set for parking lots, gas stations and car dealerships to provide safety. There are light fixture height limits for residential versus non-residential sites, and enforcement will be handled as a civil code violation. Types of lighting that will be prohibited will include mercury vapor, LED (light emitting diodes), and exposed neon lights, advertising by laser or strobe. Types of lighting that will be exempt include private detention facilities, stadium lighting, and low intensity fixtures.

Mr. Gruber explained the current Lighting Ordinance was written as a stand alone Ordinance in the 80’s and cases could only go to Justice Court. By placing it into the Zoning Ordinance it provides the ability to be handled as a civil matter, which enables the Code Enforcement Officers to testify at the Hearing Office.

Mr. Keith Kruger, International Dark Sky Association, made suggestions for the staff to consider in Section 6703.2, instead of 150 watt, use 60 watt; Section 6703.3D there is no maximum parking lot lighting, maybe it should be considered a maximum of no higher than 2 footcandles; Section 6704.5, stadium lighting does not include a depreciation strategy. Mr. Kruger read a statement regarding stadium lighting depreciation and gave a copy to staff for consideration. Mr. Kruger also suggested that all LED lighting not be banned as there are some that have practical uses such as solar powered lights. Mr. Kruger suggested an addition in Section 6705.1 language “...of electrical components that have failed, excluding the lamp”.

Dr. Jim Hall commented that he appreciates County staff’s willingness to address the lighting issue and asked Mr. Gruber if a violation is a misdemeanor.

Mr. Gruber explained that once the lighting portion becomes a part of the Ordinance, the enforcement provision applies to the entire Ordinance.

Dr. Hall commented that he hopes the enforcement will have strength behind it and that the enforcements will be followed.

Mr. Gruber explained that a violation of the Ordinance may cost a resident a maximum of \$700 and a business a maximum of \$5000. The Zoning Ordinance also states a violator may be charged for each day there is a violation.

Ms. Liz Alvarez, Kitt Peak National Observatory, stated she appreciates Pinal County updating the Zoning Ordinance and keeping the dark skies protected.

Mr. Ed O'Brien asked for confirmation of the lighting setbacks; are there restrictions on roping arenas.

Mr. Stabley responded there are no setbacks for lighting.

Mr. Gruber responded there is no specific language that speaks about roping arenas.

Mr. O'Brien asked if the maximum lighting wattage would apply to roping arenas and would they also require shielding.

Mr. Gruber responded the general lighting regulations would apply and the shielding would be required as well. The table in Section 6703.2 shows the requirements for various lighting.

Ms. Jackie Guthrie mentioned a typo on page 67-8, Section 6705.3 should be 6705.2. Ms. Guthrie commented that if roping facilities are considered a recreational facility, the lights would have to be out at 11:00pm.

Mr. Stabley responded yes, it would be considered a recreational facility.

Ms. Guthrie commented the height limit of 20' for lighting of an arena in a residential area may not be sufficient.

Mr. Gruber responded the height limits would apply in Section 6703.4.

Mr. Kruger commented that lighting for roping arenas should be shielded and directed straight down.

Ms. Maryanne Toohey asked staff to consider that in the summer months, it is too hot to ride during the day and many ride after 8:00pm at night and feels the 11:00pm rule is a tough one.

ADULT ENTERTAINMENT – Article 71:

Mr. Stabley made a presentation and explained Adult Entertainment (Adult Oriented Business – AOB) is the umbrella of many types of adult businesses and are permitted only in zonings of I-2 Light Industrial and I-3 Heavy Industrial.

No public comments.

BREAK: 1:45
RECONVENED: 2:05

OFFICE/ COMMERCIAL/ INDUSTRIAL

Office – Article 31

Mr. Stabley explained that when an applicant requests commercial zoning for offices, the County cannot enforce the applicant to then use the commercial space as office.

Ms. Sherwood made a presentation and explained the different Office Zonings.

Commercial - Article 35, 36, 37

Ms. Sherwood explained this zoning has been divided into three (3) categories and gave a brief description of each.

Industrial – Article 40, 41, 42

Ms. Sherwood explained the three (3) categories of Industrial Zoning and gave a brief description of each.

Mr. Harold Whitaker asked if the new regulations will override the existing, will the new zonings co-exist with the old zoning.

Ms. Sherwood explained the existing zonings will remain and stay the same. The only way it can change is for a property owner to request a change. The Articles in the Proposed Ordinance, such as lighting, will pertain and go into affect.

Mr. Whitaker commented he is opposed to self-storage facilities zoned as neighborhood commercial, so that they may be located in residential areas.

Ms. Kelley Gorry made comments regarding the square footage allowed for restaurants in an office area. Ms. Gorry explained some larger restaurants do well in office communities as a place to go after work hours and would also request a reconsideration of alcohol being served in establishments who have liquor licenses.

Ms. Gorry commented on Article 35 & 36, that the square footage limit may be too limiting.

Ms. Gorry made comments on the Industrial Zone, that these zonings include more uses to create more employment opportunities in the County and to consider mixing some Industrial and Commercial zones.

Mr. Stabley asked Ms. Gorry if she could share information with staff regarding the larger retail businesses.

Ms. Jackie Guthrie commented that in the Office and Commercial, regarding the 10' buffer with trees on center, this can create a problem if one tree dies or is damaged. Ms. Guthrie suggested to allow clumping in some areas and to also define "mature trees".

Ms. Guthrie suggested that neighborhoods allow bars/taverns in at least the C-1 and Industrial areas; also alcohol is not being permitted in restaurants located in Industrial Parks; and no drive through businesses in Industrial Parks.

BREAK: 2:30
RECONVENED: 3:05

WIRELESS FACILITIES – Article 69

Ms. Sherwood made a presentation and stated they will be permitted in the Industrial Zones and the General Commercial Zone.

Mr. Stabley commented that staff is aware they need to look at the stealth facilities being exempt from a Special Use Permit (SUP). Mr. Stabley explained this is to also give incentives for co-locations. If an applicant wishes to co-locate, they will only need to go through the site plan review; if they prefer not to co-locate, they would need to go through the entire process which can take up to 6 – 8 months. Mr. Stabley explained the various types of cell towers and the advantages or disadvantages.

Ms. Jackie Guthrie suggested that regarding Section 6903, a contact number be visible for repairs or emergencies.

Mr. Tom Wolfe asked about the height restriction of towers on buildings.

Mr. Stabley responded that on a non-residential building, the height can be up to 10' above the building height if they are screened from view.

Mr. Wolfe commented the height may be a problem in some areas due to mountain interference.

Mr. Keith Kruger asked if cell towers would be permitted on wood poles.

Mr. Stabley responded as a co-location that would not need a SUP.

Mr. Kruger asked if stand alone structures will be obsolete.

Mr. Stabley responded they will still be built and have to go through the SUP process.

Mr. Kruger suggested the County consider a timeframe well into the future so that when technology permits, the County will not be left with useless cell towers all over the County.

BREAK: 3:20
RECONVENED: 4:00

OTHER TOPICS:

Ms. Kelley Gorry made comments regarding the Schedule of Development and requested staff revise as outlined in the letter sent to staff. The concerns are for issues that may arise that are not in the control of the developer. Ms. Gorry commented about the size requirements for the Recreation Activity Areas and the restriction on retention/detention basins. Ms. Gorry requested that staff reconsider the restriction. Ms. Gorry also commented that Trails need to be clarified regarding Open Space and setbacks.

Ms. Jackie Guthrie made comments as follows:

Open Space & Recreation Area Design Manual:

- 1) pg. 1 – needs to be clarified as it seems to contradict the Zoning Code;
- 2) pg. 4 – Community Parks seem to be required to have a grade-separated crossing;
- 3) pg. 4 – washes with a buffer of @ 200' – shouldn't that be based on hydrologist study?;
- 4) Developed Open Space & retention/detention – should be reconsidered;
- 5) Off-site retention prohibited – should be reconsidered;
- 6) Parks connected by looping paths – does path include sidewalks?;
- 7) Section 5305-1: can't refuse containers be stored in a garage?;
- 8) Section 5312: typos in the table;
- 9) Section 5312.5: consider golf course as percent of open space;
- 10) Section 5312.7E: all trails completed prior to development of phased subdivisions?;
- 11) Section 5316.3: when is this information required?

Mr. Don Gabrielson, resident asked what is the timeframe for public comment.

Mr. Stabley responded the plan was to take the Proposed Ordinance before the Planning Commission in February, however, that timeline may change due to issues that have been voiced.

Mr. Gabrielson commented that the existing Zoning Ordinance definitions need to be clarified in relation to definitions in the Proposed Ordinance, ie: restaurants, guest houses.

Mr. Gabrielson made comments on:

- 1) Section 605.3: notifying all property owners of Text Amendments;
- 2) Article 7: needs to be clarified
- 3) Section 806: seems to conflict with Section 833 of 1962 Ordinance;
- 4) Section 813.1, .B & .C: setback for fencing?;
- 5) Section 814: are there parking lot setbacks?;
- 6) Section 1203: explain in the Ordinance how to access the GIS Zoning Maps;
- 7) Section 2002.2: limitations of large animals for fractional acreage?;
- 8) Article 36: what defines a restaurant or stand alone bar?;
- 9) Section 5703.1.L: indicates the need for a SUP for a private swimming pool?;
- 10) Suggested process for a SUP for a liquor license of a non-conforming business;
- 11) Section 5804.1.A: only the applicant may Appeal?;
- 12) Section 590 3.6: clarify "expansion" of non-conforming business;
- 13) Section 6704.5: reconsider LED lighting;
- 14) definitions for front yard, parcel and recreational vehicles;

Mr. Gabrielson suggested the principles of the 1962 Ordinance should be incorporated into the Proposed Ordinance. Mr. Gabrielson referred to Section 206.10 and suggested the adoption of the Federal standard of "Matter of Standing" and referred to Section 709.4 and suggested clarification for notification of property owners for the rezoning area.

Mr. Chip Wilson made comments as follows:

- 1) Section 702.2: can the Commission rezone a private owner's property?;
- 2) Section 709.1: publish in all papers, not just the County seat;

- 3) Section 706.5: do all recommendations go to the Board?;
- 4) Section 705.3B: conflicts with boundaries in Section 713.3;
- 5) What initiates rezoning?;
- 6) Why storage containers are not permitted?;
- 7) Why electric or barbed wire is prohibited in zones allowing animals?;
- 8) Why the acreage increase for a guest ranch?;
- 9) What defines a home occupation?

Public asked for answers regarding issues that were presented.

Mr. Stabley responded that staff will put together all input and will place notes on the website. Mr. Stabley reminded the public that their current zoning stays in place and they have all existing uses even if the Ordinance is revised.

BREAK: 5:05
RECONVENED: 6:05

Mr. Stabley introduced staff and explained the process of this public forum. Mr. Stabley explained this is an amendment to the existing Zoning Ordinance. Mr. Stabley requested the public to sign in so staff can keep the public informed.

Ms. Sherwood made a statement that this is a **draft** Proposed Ordinance. Ms. Sherwood explained this is a work shop and there will be more work shops for public comment. Ms. Sherwood made a presentation and explained the existing Ordinance will stay in effect and will be referred to as the 1962 Pinal County Zoning Ordinance and existing zoning will stay in effect until an owner requests a rezone. To sell property or to split property (Minor Land Division) does not change zoning, nor does an application for a building permit. Article 1, Section 110 states that zonings SR, SH, CAR, GR, CR-1A, CR-1, CR-2, CR-3, CR-4, CR-5, TR, CB-1, CB-2, CI-B, CI-1, CI-2, Guest Ranch, Mfd Home, RVP, MHP, and PM, are all zones that will remain in effect from the 1962 Zoning Ordinance.

Ms. Sherwood stated the areas addressed in the Proposed Ordinance are:
new zoning categories,
site plan review,
adult oriented businesses,
light pollution,
conditional zoning and
the implementation of the Open Space Plan.

Ms. Sherwood explained the new zoning categories include rural, residential, commercial, industrial and office.

Mr. Stabley explained the new office categories and that they are being established specifically for offices. Mr. Stabley explained the adult oriented business and light pollution ordinances will allow the County to enforce standards.

Mr. John Kantowski urged the public to get involved in the Comprehensive Plan Amendment as that is the starting point to County planning to protect a rural lifestyle.

Ms. Charlotte Bogart asked if she must change her zoning if her neighbor changes and will she have to get rid of her horses.

Mr. Stabley responded no, she would not have to rezone her property and her current zoning would stay in place and she can have unlimited horses in GR zoning. Mr. Stabley stated the previous livestock limitation has been removed from the Proposed Ordinance at the request of the Board of Supervisors.

Mr. Wilbur Bogart asked about the limit of large animals and if an easement on his property affects his acreage.

Mr. Stabley repeated there is no limit in GR Zoning but if it is CR-1A zoning, it is limited to 2 large animals, this is in the current Ordinance.

Ms. Sherwood responded the easement does not count against the acreage if it is GR Zoning.

Mr. Stabley announced that Ms. Kile is available and if someone wants to know their existing zoning and what is allowable, give her the information and she will have her staff get the information for them.

Mr. J.R. Henderson asked about light pollution regarding arenas, shops and horse pens.

Mr. Stabley responded all lighting is included but would not need shielding for 150 watts or less. He explained the County has heard from residents that dark skies are very important. Mr. Stabley stated staff will take a look at lighting for arenas and possibly making provisions.

Mr. Henderson asked about grandfathering.

Mr. Stabley responded that grandfathering means someone may be using property and if the property is then rezoned for a different use, the current use would still be allowed.

Mr. Henderson asked why there is nothing to protect current residents as opposed to developers and others moving in.

Mr. Stabley responded Pinal County is a rural county with a lot of people moving in. The Zoning Ordinance cannot protect anyone from property being rezoned, it basically shows what is allowed on property. The tools that are most helpful in protecting the rural lifestyle, begins with the Comprehensive Plan. Mr. Stabley urged the public to attend the meetings for the Comprehensive Plan.

Mr. Henderson asked why a developer can divide property and have building materials on the property and he cannot.

Mr. Stabley responded that the current Ordinance states building materials can be located on a property if a valid building permit has been issued. The Proposed Ordinance does not change this Ordinance. Mr. Stabley explained Mr. Henderson has the same right to apply for a rezone or a property division as a developer. Mr. Stabley explained that for a Minor Land Division, the property would have to meet the zoning code.

Mr. Stuart Thomas requested that horse property areas be identified and have more horse-friendly zonings.

Mr. Stabley responded there are a variety of land uses in Pinal County and we have an opportunity to accommodate many land uses.

Ms. Katrina Relph-Mueller also asked what protects current residents, who wants to keep a rural lifestyle and how do new developments get school locations when local residents have to bus their children.

Mr. Stabley explained that school districts are independent from any county or city government and the developers agree to build those schools or to donate the land.

Ms. Joyce Lapera asked for clarification that if she wanted to replace her manufactured home or build a house or garage, will that change her zoning.

Mr. Stabley explained her current zoning does not change and she will continue to be subject to the existing zoning.

Ms. Donna Guthrie asked about fencing, barns, shades and lighting.

Mr. Stabley responded there are proposed changes for lighting because the current Ordinance does not protect dark skies; but staff will look at a different standard for arenas.

Ms. Sherwood explained that GR zoning allows shade structures and addresses setbacks for structures. Ms. Sherwood stated this zoning is not changing.

Ms. Kile explained that for lighting an arena, residents are required to submit a drawing to show the arena and light placements to ensure there is no spillover into neighboring properties beyond 2 footcandles. This is being done now and is not changing.

Ms. Michelle Fulmer asked for clarification that pasture fencing could only be 4' in height along front of property.

Ms. Kile responded fencing in front yards has always been 4' in height for emergency purposes.

Ms. Fulmer expressed concern that she would now need 20 acres of property.

Ms. Sherwood explained the existing zoning and use of her property is not changing. The only way zoning can change is if the property owner submits a rezoning application and goes through the process.

Mr. Stabley commented staff can look at fencing provisions for corral uses.

Mr. Llyn Fulmer asked if being annexed into the City of Coolidge, affects Pinal County Zoning.

Mr. Stabley responded a city is required to give a property owner a compatible zoning when annexed and you are then under city control, the County has no jurisdiction.

Mr. John Kantowski asked if this is a major text amendment to the Comprehensive Plan.

Mr. Stabley explained the Comprehensive Plan Amendment process that has been going on for the past 1½ years. The information is on the website. Mr. Stabley urged the public to get involved.

Mr. Kantowski reminded the public their hands will be tied if they do not participate in the Comprehensive Plan.

Ms. Jaime Garcia shared her experience of fighting to keep her neighborhood protected.

Mr. Jeramiah Dixon asked if property is currently CR-1, can a person request to rezone to GR.

Mr. Stabley responded you could request to rezone as long as the property meets the land requirement.

Mr. Russ Medlock asked if the Ordinance is being broken if a person has building materials on their property for a project that does not require a building permit.

Ms. Kile responded if a complaint were made, a Code Compliance Officer would visit the property and as long as the materials are being used, there would be no problem; this is mostly to insure materials are not kept on properties for years and years.

Mr. Medlock asked about arena lighting for roping events.

Mr. Stabley responded the Ordinance does require shielding.

Mr. Medlock asked if the Commission or the Board takes into consideration what the area is when they are looking at zoning cases.

Mr. Stabley responded that is one of the things they look at to see how compatible it is with the area.

Ms. Kandy Cox asked if there would be areas specific for horses, would these areas allow other animals or just horses?

Mr. Stabley responded zoning mandates what can be done on property and it just mentions large animals, not just horses.

Mr. Ed O'Brien suggested Pinal County consider an equine center such as that in Norco, CA. and commented about the projected growth for Pinal County, the quality of life, infrastructure and the cost versus tax-based revenue.

Ms. Nina Henry urged the public to get organized in order protect the rural lifestyle.

Ms. Maryeileene Flanagan thanked Ms. Kile for her assistance with property she had owned in Casa Grande. Ms. Flanagan asked

- 1) Why eliminate the 1¼ zone from the Proposed Ordinance;
- 2) Why remove manufactured homes from the new Proposed rural area

Mr. Stabley explained there is 3500 square miles of GR and that will remain. GR zoning was not included in the new Ordinance because the 1-acre zone is very similar to the GR. The CR-1A zoning can be used in any part of the County. The Proposed Ordinance does not get rid of GR, but if a person wants to rezone their property, they would need to rezone to one of the new zoning categories.

Ms. Flanagan urged the public to get involved in the Comprehensive Plan revisions. Ms. Flanagan asked if she understood correctly that the Zoning Ordinance is not to protect current residents.

Mr. Stabley responded that the previous question was how we prevent people from coming in to rezone to higher densities next to us. The Zoning Ordinance can't be used for that purpose.

Ms. Flanagan asked if lighting is to be shielded, what about for lighting for artificial breeding and what about dairies.

Mr. Stabley responded that dairies are protected by the State and does not know about any issues regarding lighting.

Mr. Chip Wilson commented that in 4602.5 reads to allow horses only. Mr. Wilson asked about home occupancy.

Mr. Stabley responded this is a zoning for manufactured homes of 8000 sq. ft. lots.

Ms. Sherwood responded in the current MH Zone, in lots of 1 acre or more, may not have more than 2 horses. If the lot is 8000 sq. ft., you cannot have horses.

Mr. Stabley responded that Home Occupancy is designed for more of a suburban or urban situation; ranches or farms would be under the agriculture exemption.

Mr. Wilson stated that Sections 1302.9A and 1303.7E seem to conflict regarding setbacks, what is the definition between shade and housing for animals.

Ms. Kile explained housing is an enclosed structure, if it is a column with a roof that is considered a shade for animals.

Mr. Wilson suggested there be clarification of those definitions.

Mr. Wilson asked regarding pgs. 6-2 & 6-3, 1603.7E is this referring to tack for the animals or is this referring to the animals, as compared to the language used in 1303.7E.

Ms. Sherwood responded it is probably an inconsistency and staff will look at it.

Mr. Wilson stated it is also in 2003.7E & F; 3702.24 questions vet hospital setback, barbed wire fencing prohibited; Article 46, limited to 2 horses.

Ms. Sherwood responded this is a MH subdivision.

Mr. Wilson asked about horses regarding Article 52 regarding Clusters, Article 57 for 2nd dwelling permit allowed in SH, SR, GR & CR-1A, why not in the Proposed Ordinance?

Mr. Wilson offered his assistance through the State Horsemen's Association and personally.

Mr. Seraphim Larsen asked who gets notified, how are they notified and when are they notified when someone requests a zone change.

Mr. Stabley explained State law requires a letter to be sent to property owner's within 300 ft. of the requested site, the County notifies to 600 ft., legal notices are posted in papers, signs are placed every ¼ mile on the property, and applicant posts large signs on the property. The larger signs are posted about a 1½ months prior to the hearing, and the smaller signs are posted about 3 weeks before the hearing.

Mr. Larsen asked who decides if property is rezoned and what is the process to oppose a request.

Mr. Stabley responded the Board of Supervisors decide if the request is approved; the public does not have veto power, however, the Commission and the Board do listen and take public testimony into strong consideration.

Mr. Larsen asked why anyone would want to rezone from GR to RU-10.

Mr. Stabley responded it would most likely be for someone who wanted to develop a Master Planned Community.

Ms. Mary Sutherland commented she is concerned about the future ability to have a rural lifestyle and with development in her area, she had been cited for building material and an unlicensed vehicle.

Mr. Steve Jones commented on the Pinal County Comprehensive Plan objectives and asked if the County is not changing zonings, why is there a need for a new Ordinance.

Mr. Stabley explained that the Proposed Ordinance does not change zoning, it merely states what is or is not permitted in the specific zones. The request to rezone property is a separate process.

Mr. Warner Weber made comments to support a rural lifestyle and asked why the Planning Commission would have the right to request to rezone property.

Mr. Stabley explained that is a State Statute, which allows the Planning Commission to initiate rezoning.

Mr. Kenneth Carpenter commented that his community has been annexed by Coolidge and Florence and asked if the County was involved.

Mr. Stabley explained that cities can, by State law, annex land and the County has no part of that process and usually doesn't find out about an annexation until it is completed.

Mr. Carpenter asked questions regarding what he can or can not do now that he has been annexed into Coolidge or Florence.

Mr. Stabley responded that he does not know what the laws are in Coolidge and Florence. Mr. Stabley stated even though the land is still in Pinal County, once it has been annexed, it becomes the jurisdiction of that city.

The workshop adjourned at 8:35pm.