

MEETING DATE: June 9, 2022

TO: PINAL COUNTY PLANNING & ZONING COMMISSION

CASE NO.: PZ-C-005-21 & PZ-C-001-22 (*Zoning Ordinance Title 2, Minor Land Division, Subdivision Regulations, Engineering Guidelines and Design Guidelines Update work-session*)

CASE COORDINATOR: Steve Abraham

Executive Summary:

This is a regulations amendment (MLD, Subdivision Code Amendment) that amends Title 3, & 4 of the PCDC. The amendment pertains to multiple Sections of Title 3 & 4, the Adopted Engineering Guidelines and proposes to adopt new development design guidelines and is the culmination of over 10 years of requested amendments. It is being proposed because the last major update was in 2012. This amendment will affect all properties in unincorporated Pinal County.

And

This is a zoning regulations amendment (Zoning Code Amendment) that substantially amends Title 2 (Zoning Ordinance) of the PCDC. The amendment pertains to multiple Sections of the entire zoning ordinance and is the culmination of over 10 years of requested amendments. It is being proposed because the last major update was in 2012. This zoning ordinance amendment will affect all properties in unincorporated Pinal County.

Today's discuss on several points of discussion that the Commission identified during the review of Modules 1-5

REQUESTED ACTION & PURPOSE:

PZ-C-005-21 – Work-session: in accordance with A.R.S. § 11-813(D) and PCDC 2.165.030.A and at the request of the Pinal County Community Development Department a zoning regulations amendment to **Title 2** of the **Pinal County Development Services Code** to modify:

- **Title 2 – ZONING: (and all sections within the enumerated Chapters)**
 - **CHAPTER 2.05. - PURPOSE AND APPLICATION**
 - **CHAPTER 2.10. - DEFINITIONS**
 - **CHAPTER 2.15. - ZONING DISTRICTS, MAPS AND BOUNDARIES**
 - **CHAPTER 2.20. - SR SUBURBAN RANCH ZONE**
 - **CHAPTER 2.25. - SR-1 SUBURBAN RANCH ZONE**
 - **CHAPTER 2.30. - SH SUBURBAN HOMESTEAD ZONE**
 - **CHAPTER 2.35. - CAR COMMERCIAL AGRICULTURE RANCH ZONE**
 - **CHAPTER 2.40. - GR GENERAL RURAL ZONE**
 - **CHAPTER 2.45. - GR-5 GENERAL RURAL ZONE**
 - **CHAPTER 2.50. - GR-10 GENERAL RURAL ZONE**
 - **CHAPTER 2.55. - CR-1A SINGLE RESIDENCE ZONE**
 - **CHAPTER 2.60. - CR-1 SINGLE RESIDENCE ZONE**

- CHAPTER 2.65. - CR-2 SINGLE RESIDENCE ZONE
- CHAPTER 2.70. - CR-3 SINGLE RESIDENCE ZONE
- CHAPTER 2.75. - CR-4 MULTIPLE RESIDENCE ZONE
- CHAPTER 2.80. - CR-5 MULTIPLE RESIDENCE ZONE
- CHAPTER 2.85. - TR TRANSITIONAL ZONE
- CHAPTER 2.90. - CB-1 LOCAL BUSINESS ZONE
- CHAPTER 2.95. - CB-2 GENERAL BUSINESS ZONE
- CHAPTER 2.100. - CI-B INDUSTRIAL BUFFER ZONE
- CHAPTER 2.105. - CI-1 LIGHT INDUSTRY AND WAREHOUSE ZONE
- CHAPTER 2.110. - CI-2 INDUSTRIAL ZONE
- CHAPTER 2.115. - GUEST RANCH REGULATIONS
- CHAPTER 2.120. - MH MANUFACTURED HOME ZONE
- CHAPTER 2.125. - RV RECREATIONAL VEHICLE HOMESITE ZONE
- CHAPTER 2.130. - MHP - MANUFACTURED HOME PARK ZONE
- CHAPTER 2.135. - PARK MODEL (PM) AND RECREATIONAL VEHICLE (RVP) PARK ZONE
- CHAPTER 2.140. - OFF-STREET PARKING AND LOADING - PUBLIC GARAGES AND GAS STATIONS
- CHAPTER 2.145. - SIGNS, BILLBOARDS, NAME PLATES AND OTHER OUTDOOR ADVERTISING
- CHAPTER 2.150. - GENERAL PROVISIONS, STANDARDS AND EXCEPTIONS
- CHAPTER 2.151. - PERMITS: SPECIAL USE, SPECIAL DENSITY, TEMPORARY USE AND SPECIAL EVENT
- CHAPTER 2.155. - BOARD OF ADJUSTMENT, VARIANCES AND APPEALS
- CHAPTER 2.160. - ENFORCEMENT
- CHAPTER 2.165. - ZONING REGULATIONS AMENDMENTS
- CHAPTER 2.166. - REZONINGS
- CHAPTER 2.175. - PLANNED AREA DEVELOPMENT (PAD) OVERLAY ZONING DISTRICT
- CHAPTER 2.176. - PLANNED AREA DEVELOPMENT (PAD) OVERLAY ZONING DISTRICT ON AND AFTER FEBRUARY 18, 2012
- 2.176.260. - Amendments to the PAD overlay zoning district.
- CHAPTER 2.180. - DESIGN REVIEW OVERLAY (DRO) ZONING DISTRICT
- CHAPTER 2.185. - OUTSIDE STORAGE AND PARKING
- CHAPTER 2.190. - ADULT ORIENTED BUSINESSES AND ADULT SERVICE PROVIDERS
- CHAPTER 2.191. - MEDICAL MARIJUANA DISPENSARY, MEDICAL MARIJUANA DISPENSARY OFF-SITE CULTIVATION LOCATION AND MEDICAL MARIJUANA FOOD ESTABLISHMENT
- CHAPTER 2.195. - OUTDOOR LIGHTING
- CHAPTER 2.200. - SITE PLANS AND REVIEWS
- CHAPTER 2.205. - WIRELESS COMMUNICATIONS FACILITIES
- CHAPTER 2.210. - RESIDENTIAL PHOTOVOLTAIC SOLAR ENERGY DEVICES
- CHAPTER 2.215. - ADDRESSING AND STREET NAMING
- CHAPTER 2.220. - RU-10 RURAL ZONING DISTRICT
- CHAPTER 2.225. - RU-5 RURAL ZONING DISTRICT
- CHAPTER 2.230. - RU-3.3 RURAL ZONING DISTRICT
- CHAPTER 2.235. - RU-2 RURAL ZONING DISTRICT
- CHAPTER 2.240. - RU-1.25 RURAL ZONING DISTRICT
- CHAPTER 2.245. - RU-C RURAL COMMERCIAL ZONING DISTRICT
- CHAPTER 2.250. - R-43 SINGLE RESIDENCE ZONING DISTRICT
- CHAPTER 2.255. - R-35 SINGLE RESIDENCE ZONING DISTRICT
- CHAPTER 2.260. - R-20 SINGLE RESIDENCE ZONING DISTRICT
- CHAPTER 2.265. - R-12 SINGLE RESIDENCE ZONING DISTRICT
- CHAPTER 2.270. - R-9 SINGLE RESIDENCE ZONING DISTRICT
- CHAPTER 2.275. - R-7 SINGLE RESIDENCE ZONING DISTRICT
- CHAPTER 2.280. - MD MIXED DWELLING ZONING DISTRICT

- CHAPTER 2.285. - MR MULTIPLE RESIDENCE ZONING DISTRICT
- CHAPTER 2.290. - AC-1 ACTIVITY CENTER ZONING DISTRICT
- CHAPTER 2.295. - AC-2 ACTIVITY CENTER ZONING DISTRICT
- CHAPTER 2.300. - AC-3 ACTIVITY CENTER ZONING DISTRICT
- CHAPTER 2.305. - O-1 MINOR OFFICE ZONING DISTRICT
- CHAPTER 2.310. - O-2 GENERAL OFFICE ZONING DISTRICT
- CHAPTER 2.315. - C-1 NEIGHBORHOOD COMMERCIAL ZONING DISTRICT
- CHAPTER 2.320. - C-2 COMMUNITY COMMERCIAL ZONING DISTRICT
- CHAPTER 2.325. - C-3 GENERAL COMMERCIAL ZONING DISTRICT
- CHAPTER 2.330. - I-1 INDUSTRIAL BUFFER ZONING DISTRICT
- CHAPTER 2.335. - I-2 LIGHT INDUSTRIAL AND WAREHOUSE ZONING DISTRICT
- CHAPTER 2.340. - I-3 INDUSTRIAL ZONING DISTRICT
- CHAPTER 2.345. - MH-8 MANUFACTURED HOME ZONING DISTRICT
- CHAPTER 2.350. - MHP-435 MANUFACTURED HOME PARK ZONING DISTRICT
- CHAPTER 2.355. - PM/RVP-435 PARK MODEL/RECREATIONAL VEHICLE PARK ZONING DISTRICT
- CHAPTER 2.360. - MULTI-PURPOSE COMMUNITY MASTER PLAN (MP-CMP) ZONING DISTRICT
- APPENDIX. - SIGN REVIEW COMMITTEE EVALUATION SHEET FOR PCDC 2.145.150
- adding new chapters for the new zoning district classifications and establishing the uses, standards and requirements for each zoning district; and
- adding design manuals, development guidelines, integrating digital technology into processes;
- converting zoning districts adopted prior to 2012 to their equivalent zoning classifications adopted after 2012
- to make any other amendments deemed necessary during the amendment process to meet the current needs of the county.

AND

PZ-C-001-22 – Work-session: in accordance with A.R.S. § 11-802 and 11-806 and the PCDC and at the request of the Pinal County Community Development Department, a regulations amendment to **Title 3, and 4** of the **Pinal County Development Services Code** to modify/adopt:

- **Title 3 – Subdivision Regulations: (and all sections within the enumerated Chapters)**
- **Title 4 – Minor Land Divisions (and all sections within the enumerated Chapters)**
- **Amend the adopted Engineering Guidelines**
- **Adopt Development Guidelines as the “The Pinal County Community Design Handbook”**
- adding new chapters for the processing of subdivision addressing submittal requirements standards required improvements and re-plat procedures
- Adding new chapters to address submittal requirements processing and criteria for approval of Minor Land Divisions
- Amending the Engineering Guidelines for sub-division improvements and associates public infrastructure
- Adopting design guidelines to address Residential Commercial industrial multifamily and civic uses in Pinal County
- to make any other amendments deemed necessary during the amendment process to meet the current needs of the county.

HISTORY/ANALYSIS: The current zoning ordinance was adopted in 2012, prior to that the most substantial ordinance update occurred in 2008. Over the ten years, changes in development trends, Court cases, State and Federal Legislation, issues arising from enforcement, interpretations from both the Board of Adjustment and Community Development Director, and development desires from the Board of Supervisors have all contributed to the substantial amendment proposed today.

The adoption process will break the ordinance amendments down into smaller “modules” for Commission analysis rather than attempt to go through the whole Code line by line. Staff intends to present the modules in a series of work sessions, one on one’s and group review (not a quorum) to answer any questions that may arise.

And Although a Commission initiation is not required for Title 4 (Minor Land Divisions) and Title 3 Staff will be partnering an amendment with this discussion as another module. Amendments to title 4 and title 3 will be adopted as a separate item.

Today’s discussion will focus on topics identified by the Commission and staff suggested changes during the review of Modules 1-5 and are roughly identified below:

Zoning Ordinance Topics:

Topics requiring Commission consensus before advertisement:

- Today’s topics will focus on topics 18-27. Items in strike through have been discussed by the Commission

- ~~1. Plan for conversion: discuss methods administrative/versus BOA.~~
- ~~2. BOA must grant variance for non-conformity caused by conversion (Bulk requirements only) no time limit.~~
- ~~3. Ensure PAD adopted prior to 2012 can still develop.~~
- ~~4. Double check word group homes used through change to new language~~
- ~~5. No limit on group home occupation (explain)~~
- ~~6. Definition of family~~
- ~~7. Definition of transitional living homes~~
- ~~8. Daycare if limits go away for group homes why have it for child care~~
- ~~9. Talk about business customers vs. day care kids vs. group homes~~
- ~~10. Doctor’s offices beyond home occupations in residential settings (Expand Home Occupation)~~
- ~~11. Medical Marijuana requested changes. Sheriff involvement (prevalence throughout county both Dispensaries and Grow Facilities.~~
- ~~12. Reduction of parking requirements (policy discussion)~~
- ~~13. Inoperable vehicles (commercial and residential, ATV’s & toy haulers)~~
- ~~14. RV’s as temporary housing (Where When How Long, permit requirements)~~
- ~~15. Lighting Compliance by date specific (AKA sunset clause)~~
- ~~16. Director can waive submittal requirements. (define parameters) re-zonings 2.166 & Site Plan~~
- ~~17. Delete BOS “shall” initiation of code amendments and Initiations.~~

Topics that require discussion & additional explanation from Staff:

18. Explain guest house/casita permitting standards.
19. Ensure 20 feet drive from Subdivision regulations is in the res design standards among other things
20. Call out when a TIA is required and when a TIS is required (Change in roadway LOS?)
21. Hog producing/Hog farm by SUP in all rural zoning categories (allow in industrial?) no slaughtering? (min 5 ac.)
22. Explain calculation of accessory building coverage in rural zones
23. Discussion Item & Note for Commission: McCartney lots we are not allowing construction on with septic even in subdivisions?
24. Explanation of the industrial zoning categories.
25. Manufactured homes date of install 25 years or newer. (Check with state Statute)
26. Open vs. closed construction (internal issue) how is it permitted?
27. Septic tanks on one acre, what about commercial uses, what if tank fails can it be replaced? Yes only if sewer lines aren't available.
28. Explain political signage (Covered under state statute)
29. Define "Grand opening" how long, permitting(Commission wanted to discussion time frames) required (45 day permit one per year when conditions are met)
30. 3 mins limit for motion sensor lighting
31. Clarification on special events what constitutes a special event

Module 5:

All seems reasonable, will await public involvement on all of module five for discussion. Preliminary discussion topics include: time frame for expiration of plats, design & engineering guidelines

The Following are suggested changes since the Commission initial review:

1. Add Package plat to I-3 Define package plant:
2. Add language to 2.176.010 to allow PAD's to develop as previously approved before adoption date of this Ord.
3. 2.176.060, parking and lighting standards may be altered; add to 2.176.030
4. Add Current to 2.176.060: 3.35.010. - Applicability and purpose. Through 3.35040
5. 2.176 B9 Tia vs. TIS add criteria for when TIS is required
6. Add general provision 2.150.290 Water conservation:
7. Septic tanks: 2.150310: to read only individual lots are over 1 acre can get septic delete B
8. 2.205 H Stealth designed facilities in nonresidential zones when a permitted use
9. Define corral

10. Define Dwelling unit: “Dwelling unit” means a room or suite of two or more rooms that is designed for or is occupied by a person or persons for living purposes and having its own self contained cooking and sanitary facilities, within and accessible from inside of a building
11. Define road: synonymous with street
12. Rename Administrative setback reduction
13. 2.166B: add: in such case the rezoning if approved by the BOS shall become effective after the referendum period for the comp plan has expired, or if a referendum petition is filed, when the comprehensive plan amendment is successfully defended against the referendum.
14. 2.170 proposals must be decided upon by the BOS before the end of the calendar year in which the proposal is made.
15. 2.200 2. Optional Conceptual Pre-application Meeting. This meeting for the purpose of discussing applicant’s development concept and requires minimal submittals minimal submittals which are a completed application and eight-and-one-half-inch by 11-inch or 11-inch by 17-inch copies of the conceptual site.
16. 2.200 “required pre-application meeting: Upon completion of the pre-application meeting the CDD may waive the formal submittal process should upon examination of the submitted documents during the pre-application stage the goals objectives and purpose of this section can be fulfilled as part of a zoning clearance or other permitting process submittal.
17. Revise 2.200 Site Plan Review Development Guideline Manual. The planning and development department Community Development Department shall prepare a manual for the purpose of providing information and guidelines for review and design of site plans and displaying the forms for the various county application processes dealing with land use to aid the applicant and the county departments in reducing processing times and streamlining the review processes for multiple applications on a single development project. The planning and development department Community Development Department may revise the forms, guidelines and timelines as needed. Such revisions are not amendments to this title and shall not effect any change in the title itself. This title governs over the manual.
18. Add to enforcement: The Community Development Department may at its discretion prepare manuals for the purpose of providing information and guidelines for review of site plans, rezonings, Planned Area Developments and amendments thereto, zoning clearances and displaying the forms for the various county application processes dealing with land use to aid the applicant and the county departments. Development Department may revise the forms, guidelines and timelines as needed. Such revisions are not amendments to this title and shall not affect any change in the title itself. This title governs over the manual. The Community Development Director may at his/her discretion may conduct a public participation program to aid in the development of such manuals.
19. Changes to Engineering manual as directed, will discuss in wrap up after Public Outreach.
20. Add LED lights to streetlight standards, in Engineering guidelines
21. Legal access definition (private recorded access)
22. Shipping containers in all large lot residential zones
23. Attached accessory buildings 2.150.140. - Accessory building attached to main building.
24. Park models as accessory uses in General Provisions.
25. Winery/Tasting room in conjunction with AG use via SUP
26. Veterinary clinic vs. Veterinary Hospital
27. AC/DC converter stations I-1 zoning