

**MINUTES
ORO VALLEY PLANNING AND ZONING COMMISSION
SPECIAL SESSION
AMENDED AGENDA
October 21, 2014
ORO VALLEY COUNCIL CHAMBERS
11000 N. LA CANADA DRIVE**

SPECIAL SESSION AT OR AFTER 6:00 PM

CALL TO ORDER

Chairman Cox called the October 21, 2014 session of the Oro Valley Planning and Zoning Commission Special Session to order at 6:00 PM.

ROLL CALL

PRESENT:

Don Cox, Chairman
John Buette, Vice-Chairman
Greg Hitt, Commissioner
Bill Leedy, Commissioner
Frank Pitts, Commissioner
Bill Rodman, Commissioner
Tom Drazazowski, Commissioner

ALSO PRESENT:

Joe Hornat, Council Member and Council Liaison
David Laws, Permitting Manager

PLEDGE OF ALLEGIANCE

Chairman Cox led the Planning and Zoning Commission members and audience in the Pledge of Allegiance.

CALL TO AUDIENCE -

Bill Adler, Oro Valley resident, expressed his concern with the confusion among citizens on land use over General Plan Designations. Staff and the applicant's need to start using lot size as the reference because the applicant knows how this thing is going to pencil out. Part of our job is education, which is communication with citizens and the need to use one terminology rather than two or three.

COUNCIL LIAISON COMMENTS

Council Member Hornat had no updates to present this evening.

SPECIAL AGENDA

1. PUBLIC HEARING: REQUEST TO AMEND SECTION 27.10.D. OF THE ZONING CODE TO ALLOW THE TOWN ENGINEER DISCRETION TO MODIFY THE DRIVEWAY ACCESS REQUIREMENTS TO ENSURE SAFE DRIVING CONDITIONS, OV714-006

Michael Spaeth, Senior Planner, presented the following:

- Tangerine Road Corridor Overlay District

David Laws, Permitting Manager, presented the following:

- Tangerine Road Widening Project
- Driveway Separation Requirements
- What's the issue?

Michael Spaeth, concluded the presentation with the following:

- Proposed Code Amendment
- Discussion

Chairman Cox opened the public hearing.

There were no speaker requests.

Chairman Cox closed the public hearing.

MOTION: A motion was made by Commissioner Leedy and seconded by Commissioner Hitt to recommend approval of the Zoning Code Amendment in Attachment 1 related to the Tangerine Road Corridor Overlay District, based on the finding that the request would allow the Town Engineer to maintain safe driving conditions.

**Attachment 1
Proposed Code Amendment
Tangerine Road Corridor Overlay District Code Amendment
OV714-006
October 21, 2014, Planning and Zoning Commission**

Section 27.10.D.3.f.vi.b

Tangerine Road

A tract of not less than twenty-five (25) feet in width for commercial developments located at arterial intersections and fifty (50) feet in width for all other developments

shall be designated on all properties abutting Tangerine Road, measured from the right-of-way. Crossing of the tract with roads, public or private, and driveways (except for emergency vehicle access where required) is prohibited without the approval of ADOT and the Town. ~~and in no case shall such~~ NO direct access crossing SHALL be less than three hundred thirty (330) feet from an arterial intersection or less than one thousand (1,000) feet from another vehicular tract crossing, UNLESS OTHERWISE APPROVED BY THE TOWN ENGINEER DUE TO SIGNIFICANT TRAFFIC SAFETY CONCERNS SUPPORTED BY RECOGNIZED TRAFFIC SAFETY ENGINEERING STANDARDS.

MOTION carried, 7-0.

***2. PUBLIC HEARING: REQUEST TO AMEND SECTION 22.5 OF THE ZONING CODE TO UPDATE THE CONDITIONAL USE PERMIT REVIEW CRITERIA AND CONSIDERATION OF THE COORDINATION OF CUP AND REZONING PUBLIC HEARINGS, OV714-007**

Michael Spaeth, Senior Planner, presented the following:

- What is a Conditional Use Permit
- Existing CUP Evaluation Criteria
- Impact of a CUP
- Proposed Code Amendment
- Timing of Rezoning and CUP
- Discussion

Chairman Cox opened the public hearing.

Bill Adler, Oro Valley resident, commented that he has advocated to Town Council on convenience uses and asked that this process be removed. There is no use in the table of conditional and permitted uses that cannot be reviewed adequately during the rezoning process. Staff has the skills and the talent to do this. Mr. Adler's suggestion would be to deny this particular proposal and place it on a future agenda to discuss doing away with conditional use permits.

Don Bristow, Oro Valley resident, expressed concern with words like reasonable. There is a need for a definition beyond reasonable when we are making up our minds about conditional use permits.

Dave Perry, Oro Valley resident, stated that this is deep water for him. Why do conditional use permits need to take so long at the expense of the developer. Maybe put some of the meetings together to reduce meetings. This is a good thing and maybe figure out a way to do that. It's important for us as a community to make our processes simpler, easier to follow, with less meeting times and less subjective. He encouraged developing ways to change this process to accomplish these goals.

Chairman Cox closed the public hearing.

MOTION: A motion was made by Vice-Chairman Buette and seconded by Chairman Cox to recommend denial of the Zoning Code Amendment in Attachment 3 related to the Conditional Use Permit review criteria, as the request does not meet the finding that the request would improve the effectiveness of and add specificity to the conditional use permit review criteria.

Chairman Cox withdrew his 2nd.

Vice Chair Buette withdrew his motion.

MOTION: A motion was made by Vice-Chairman Buette and seconded by Commissioner Rodman to continue the Zoning Code Amendment at a future date for further discussion.

Bayer Vella, Planning Manager, requested direction to deliver what is needed.

- Some logical presentation on why we need conditional use permits
- Specificity
- Streamline this process

MOTION carried, 7-0.

3. **PUBLIC HEARING: REQUEST TO AMEND SECTION 28.6.B OF THE ZONING CODE TO ADD A NEW TEMPORARY SIGN TYPE FOR BUSINESSES IN ROAD CONSTRUCTION ZONES, OV714-008**

Patty Hayes, Senior Planning Technician, presented the following:

- Proposal
- Completed Road Improvement
- Road Construction in Progress
- Road Construction Impact
- Solution
- Proposed Sign Size Example
- Sign Relief Program
- Discussion

Chairman Cox opened the public hearing.

Don Bristow, Oro Valley resident, voiced his concern with signage directing people into the business. Thought needs to be put into this and if nothing is going to be done to help the driver, then the nice big sign isn't going to help a lot.

Bill Adler, Oro Valley resident, expressed his concern with the stipulation that the sign be on private property as well as signs needing to be two way signs and portable. For

the advertising for the businesses themselves, they need to be on public property and closer to the roadway to expedite the advertising purpose.

Dave Perry, Oro Valley resident, echoed the previous speaker's comments and a suggestion of black type on white background. Mr. Perry also agreed with Mr. Adler in regards to getting the signs closer to the roads. His suggestion would be flexibility to the staff in allowing different solutions for different projects.

Chairman Cox closed the public hearing.

Bayer Vella, Planning Manager, pointed out that on attachment 2, staff intended to strike L4.

MOTION: A motion was made by Commissioner Rodman and seconded by Commissioner Drazazgowski to recommend approval of the Zoning Code Amendment to Section 28.6. B to provide a special sign type for commercial, religious institutions and multi-family properties during road construction and deletion of L4 in attachment 2.

MOTION carried, 7-0.

PLANNING UPDATE (INFORMATIONAL ONLY)

Bayer Vella, Planning Manager, provide the following:

- Change to November 20th Special Planning and Zoning Commission meeting
- Vice Chair Buette and Chairman Cox term out December 31st
- Recruitment for the above two vacant seats
- Upcoming three neighborhood meetings

ADJOURNMENT

MOTION: A motion was made by Commissioner Leedy and seconded by Commissioner Rodman to adjourn the October 21, 2014, Planning and Zoning Commission meeting at 7:46 PM.

MOTION carried, 7-0.