

**MINUTES**  
**ORO VALLEY PLANNING AND ZONING COMMISSION**  
**REGULAR SESSION**  
**August 4, 2015**  
**TOWN HALL, DIS BUILDING, HOPI ROOM**  
**11000 N. LA CA ADA DRIVE**

PZC 08-04-2015 PACKET

REGULAR SESSION AT OR AFTER 6:00 PM

CALL TO ORDER

Chairman Rodman called the August 4, 2015 regular session of the Oro Valley Planning and Zoning Commission to order at 6:00 PM.

ROLL CALL

**PRESENT:**

- Bill Rodman, Chairman
- Greg Hitt, Commissioner
- Malanie Barrett, Commissioner
- Charlie Hurt, Commissioner
- Tom Drazazgoski, Commissioner
- Bill Leedy, Commissioner

**EXCUSED:** Frank Pitts, Commissioner

CALL TO AUDIENCE - at this time, any member of the public is allowed to address the commission on any issue not listed on today's agenda. Pursuant to the Arizona open meeting law, individual commission members may ask town staff to review the matter, ask that the matter be placed on a future agenda, or respond to criticism made by speakers. However, the commission may not discuss or take legal action on matters raised during "call to audience." In order to speak during "call to audience" please specify what you wish to discuss when completing the blue speaker card.

There were no speaker requests.

COUNCIL LIAISON COMMENTS

Council Member Hornat updated the Planning and Zoning Commission and audience on the following:

- Eagles Nest (Olson Property) has some activity on site
- Update on property located between Shannon Road and Camino Del Fierro just north of Tangerine Road

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1. PUBLIC HEARING: DISCUSSION AND POSSIBLE ACTION ON A PROPOSED CONDITIONAL USE PERMIT TO INSTALL A CABLE LINE ON EXISTING UTILITY POLES ON THE NORTH SIDE OF INA ROAD, BETWEEN PASEO DEL NORTE AND ORACLE ROAD, OV1500812

OV1500812 Zayo Conditional Use Permit Staff Report

Attachment 1 - Applicant's Submittal

Attachment 2 - Location Map

Attachment 3 - Zoning Map

Attachment 4 - Zoning Analysis

Robert Kirschmann, Planner, presented the following:

- Applicant's Request
- Location
- Project Views
- General Plan Criteria
- Conditional Use Permit Criteria
- Recommendation

Michael Scooles, construction manager for Zayo, presented the following:

- Area of Interest
- Total Length
- Zayo fiber will be placed

Michael Waites, project manager for Zayo, commented that Zayo is working with Cox Communication to see if work can be done simultaneously.

Chairman Rodman opened the public hearing.

Chairman Rodman closed the public hearing.

**MOTION:** A motion was made by Commissioner Hurt and seconded by Commissioner Leedy to Recomend Approval of the Conditional Use Permit to allow Zayo Group to install approximately 1,130 feet of cable line on existing utility poles on the north side of Ina Road between Paseo Del Norte and Oracle Road, based on the finding that the proposal is consistent with the Conditional Use Permit Review Criteria.

**MOTION** carried, 6-0.

There were no speaker request.

2. YOUR VOICE, OUR FUTURE DISCUSSION AND COMMENTS

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## YVOF Update and Discussion Staff Report

Attachment 1 - YVOF Public Review Draft - Planning and Zoning Commission Targeted Topics

Attachment 2 - YVOF Public Review Draft - General Plan Amendment Excerpt

Attachment 3 - YVOF Response Letter from Don Cox

Bayer Vella, Planning Manager, presented the following:

- Meeting Purpose
- Land Use Proposal Open House

### Questions/Concerns from the Commission

- What is the essential difference between Commercial Office Park vs. Neighborhood Commercial Office?
- What is the benefit to the developer in having down grade in zoning?
- Will the input from these meetings effect the recommendation?
- If these properties are controversial we ought to go through the Major General Plan Amendment process which involves public involvement.
- Page 72, number 70: Creating development review strategies that require new development to link adjacent or contiguous environmentally sensitive lands together. Is this a new requirement to have the lands linked together?
- Page 72, number 69: Reviewing and amending the zoning code as needed.  
Page 72, number 72: Developing new and improve existing land use regulations that discourage unnecessary spread of development.  
Continuing to manage development and allow for compact development and flexible design options, including clustering, transfer of development rights or other techniques.

The actions are probably not just for maintenance of our current laws but actually saying we are going to be developing, reviewing and amending the codes that we have.

Page 74, number 72: strike the text allowing for compact development and flexible design

options, including clustering, transfer of development rights or other techniques. Insert we have the Environmentally Sensitive Lands

Ordinance (ESLO) and that's what going to stand, but we are not going to have an action saying we are going to develop and improve the existing one.

A concern that the lot sizes are becoming too small is what the Commission is

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hearing from guest speakers. The current General Plan isn't changing that. In the proposed draft cluster development takes it one step further and develop new cluster development. This is more than we currently have. The reason to strike the text is to develop new and improve existing land use regulations that do that.

There is a concern with lot size and community conflict with ESLO, but don't see a problem continuing with the current policy. Lets not suggest that we intend to alter the interpretation.

Deleting the last two bullet points of number 72 doesn't do any damage to our existing law. Deleting the text doesn't say we are going to go even further on that path.

Bill Adler, Oro Valley resident, commented that what the commission is speaking about is in the environmental section. You shouldn't be surprised that this section they are talking about preserving and less concerned about growth. The problem we all have is that there are going to be in any kind of document that tries to represent the community you are going to have inconsistencies but down right contradictions.

We need to make sure we are reflecting the community and isn't what you think is desirable it's what the community thinks is desirable. It's the Guiding Principles on which the Plan is based on. All the committees focused on how they can develop policies based upon these Guiding Principles.

Why are we against compact development, clustering and the transfer of development rights and what are the negatives of that?

A concern heard from guest speakers at Commission meetings are lots without yards, people should have yard. There are a lot of houses that fill out the entire lot with no yard with the kids playing in the street and in the desert with BB guns. This does not promote safety, it says we want to attract young professionals, family entertainment, good schools, parks, hiking and recreation, swimming pool, access and low crime rate in the Guiding Principles. All this is furthered by a balance between family-friendly community that people can have at least a small yard.

Mr. Adler continued on with his comments that in maintaining financial stability you're going to have growth. Since we have very little space left, it's going to be higher density which many people are not in favor of.

Concerned about the clustering and any other part in the draft that encourages it, as opposed to leaving the current process, and agrees with other commissioners as to why it has to be in here. Not sure that is what the general public would in fact want. This should go back to the Committees and do as they choose. What are the major causes for concerns we have about clustering, maybe in the update the commission can see where it's worked well or need some tweaking.

All these are great ideas. Transfer of development rights is a great way for people

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to have high density in one location and preserve other parcels that the Town doesn't have to buy. Transfer development rights is probably the best thing we can do. Clustering is much more effective for infrastructure and resources. It's a win-win that the conservation people thinks is good idea, the development community still get to develop their property.

- More specific provisions being made for recreation for youth, the Town of Oro Valley itself provided some low cost recreational activities for youth. When people said they wanted a community center, people thought this is what the community center was going to do. We do allow for little league and soccer but none of it is provided by the Town or through the Community Center.

Guiding Principles talk about family entertainment, activities for all ages, attracting young professionals, opportunities to interact and amenities. These are listed in the Guiding Principles as things people wanted but don't see a whole lot of in the actions.

Page 22, CC.2. Provide equitable and appropriate park facilities and services for residents of all ages in the community. It would be nice to include a provision for equitable low cost appropriate park facilities and services.

Page 69, number 28: Youth civic engagement and involvement, this is the place where the above provision could be added.

Page 70, number 45: Study and evaluate the feasibility of the development of public recreation or community education facilities in the community. This can be more specific, maybe include things that are listed from the Guiding Principles.

Mr. Adler, stated the committees had some control on the criteria to amend the General Plan. This is where we can hold the applicant's feet to the fire for things that were important to the community. These criteria's are not in the current Plan and originated by careful reading of the General Plan. The Committees took the comments from the community and Mr. Adler believes what is in the draft is fair and actually reflect the interpretation of what the Guiding Principles say.

Diane Bristow, Oro Valley resident, distributed a hand out to the Commission on Type 1 versus Type 2 - Acreage table. Existing is 5 acres or larger to trigger a Major General Plan Amendment and the proposed is 20 acres of larger. Staff notes Marana has a threshold of 80 acres of larger and Pima County has 640 acres or larger. Ms. Bristow used a conversion table to compare all the square miles in Oro Valley, Marana and Pima County into acres.

Don Bristow, Oro Valley resident, commented that the chart shows a shortage of land so we should be looking at it very critically. The only possibility for it to be looked at critically is not to be raising the allowable acreage to 40 acres. Keeping the acreage down is still in harmony with other communities. We need to look at where we are today and what we have to work with it.

Chairman Rodman commented that the 40 acres is suitable to give all the attention that is need in terms of how land is developed.

4. Page 7 of Attachment 1 - Targeted Topics, number 1: On balance, the request is consistent with the Vision, Goals, and Policies of the General Plan, and will not adversely impact the community as a whole or a portion of the community, text should be added to include unreasonably adversely impact the community. The way it currently stands we are going to hear people say that this will adversely impact the community.

Letter c: Impact other public services including police, fire, parks, water and drainage unless careful analysis and explanation of anticipated impacts is provided to the Town for review. Some kind of statement that the Town would also approve these services. This statement is just saying that it has been provided.

#### PLANNING UPDATE (INFORMATIONAL ONLY)

#### ADJOURNMENT

**MOTION:** A motion was made by Commissioner Leedy and seconded by Commissioner Barrett to adjourn the August 4, 2015 Planning and Zoning regular session meeting at 7:44 PM.

**MOTION** carried, 6-0.