

**CITY OF SAFFORD**  
**PLANNING AND ZONING COMMISSION MEETING**  
**THURSDAY, MARCH 13, 2008 – 5:30 P.M.**  
**CITY OF SAFFORD ANNEX COMMUNITY ROOM**  
**808 S. 8<sup>TH</sup> AVENUE, SAFFORD, ARIZONA**

**“The mission of the City of Safford is to make Safford a great place to live, work, and visit”**

**MEMBERS PRESENT:** Dr. Ray Tuttle, Chairman; Commission Members: Patricia Cervantez; Gherald Hoopes; Dalton Overstreet and E.C. “Buff” Cunningham (5:45 p.m.).

**MEMBERS ABSENT:** Gene Fowler, Vice-Chairman; Commissioner Jim Moser.

**CITY STAFF PRESENT:** Pete Stasiak, Community Development Director; Sandra Findley, Administrative Assistant, Dustin Welker, Planner/Downtown Coordinator, Randy Petty, City Engineer and Don Knight, Administrative Services Director.

**VISITORS:** Steve Hohulin.

Chairman Tuttle called the Meeting of the Planning and Zoning Commission to order at 5:30 p.m. and stated that the Commission did have a quorum with four members present.

3. **PUBLIC COMMENT ON AGENDA:** None.

4. **MINUTES:** Review and approval of minutes of the February 28, 2008 Planning and Zoning Commission Meeting. It was moved by Commissioner Hoopes, seconded by Commissioner Overstreet, and carried unanimously (5-2 absent) to approve the Minutes of February 28, 2008.

MOTION APPROVED

5. **WORK SESSION:**

Mr. Stasiak stated this meeting was for information and discussion for the Community Master Plan Zoning Ordinance (CMP) and that comments from this meeting will be taken to the work session with the City Council. He turned the meeting over to Mr. Welker for further explanation.

Mr. Welker said that the CMP was a tool that will help the City manage large scale developments (200 or more acres) and to give the ability to plan for future residential, commercial and industrial developments.

Mr. Welker reviewed the following questions and comments from the last meeting:

- Commissioner Hoopes asked if a CMP could be formed on a parcel that was in both the city and the county. Mr. Hohulin clarified that the CMP could be on the entire

portion of the property but the zoning could only be for the portion that was annexed into the city.

- Commissioner Moser commented it would be an advantage to have the roads and infrastructure in place from the beginning.
- Vice-Chair Fowler stated the plan would allow plans for future schools, etc.
- Commissioner Hoopes asked why 200 acres was picked as a minimum size and Mr. Hohulin stated they felt it was a manageable size for the community.

Mr. Welker turned the meeting over to Mr. Hohulin.

Mr. Hohulin read the following Community Master Plan – Specific Standards:

## **COMMUNITY MASTER PLAN – SPECIFIC STANDARDS**

### **PURPOSE**

In order to encourage and promote large scale developments that include innovative mixed-use design containing residential and non-residential land uses, and as an alternative to conventional zoning and planned unit development requirements outlined in this chapter, the following Community Master Plan (CMP) procedures and regulations are set forth in order to create attractive, harmonious and sustainable developments within the community. A CMP if so specified at the time of approval, may include standards, regulations, and/or criteria that differ from those regulations pertaining to other districts in the City's Zoning Ordinance.

The CMP is further established to provide both the developer and the City with reasonable assurances that specific and proposed uses, and densities, intensities and phasing are not inconsistent with the City's adopted General Plan.

### **MINIMUM REQUIREMENTS FOR CMP**

CMP applications will only be accepted under the following conditions:

- A. The project site for which the CMP is proposed must be a minimum of 200 acres in size;
- B. The project site is under unified control at the time of application and planned as one community;
- C. The land uses and design of the CMP shall conform to the general intent of the City's adopted General Plan.

### **PERMITTED USES**

All uses allowed in the City's Zoning Ordinance may be proposed as part of the CMP application.

## **GENERAL PLAN COMPLIANCE**

This process shall constitute a Specific Area Plan under ARS 9-461.08, and as such shall amend the City's General Plan upon approval of the CMP.

## **STANDARDS AND GUIDELINES**

The following standards and guidelines apply to all CMP applications:

- A. Design Characteristics. The proposed CMP shall be designed to provide for the unified development of the area in accordance with the purpose of the district or districts in which the development is located. The design may provide for modification of yard, setback, minimum dwelling unit size or height requirements, or other variations consistent with the intent of this chapter. The design may provide for one or more dwelling unit types, and may consist of individual lots or it may have common building sites. Open spaces and/or common land shall be an essential and major element of the plan unless demonstrated by the Developer that the particular use of the property proposed for the Community Master Plan is such that these areas are impossible to accommodate.
- B. Density of Development. Maximum densities in the CMP shall be determined by conditions specifically applicable to the site such as topography, the character of the surrounding property, traffic movement, or adequacy of public services.
- C. Building Height. No specific maximum; however, building heights not compatible with the surrounding area shall require the developer/applicant to submit a modification/waiver request for review and approval by City Council.
- D. Lot Size. No minimum requirement, however, lot sizes not in compliance with underlying zoning district requirements shall require the developer/applicant to submit a modification/waiver request for review and approval by City Council.
- E. Yards. All yard setbacks shall comply with compatible zoning districts as specified in this Ordinance. Modifications/waiver to the yard requirements shall require the developer/applicant to submit a modification/waiver request for review and approval by City Council.
- F. Not less than ten percent (10%) of the gross area of the development shall be designated as common space for parks and playgrounds for the use of occupants. The land covered by vehicular roads and off-

street parking and the yards surrounding buildings that constitute open space pertinent to individual dwelling units shall not be included in computing the required area for open space.

- G. Access. The streets within the proposed development must be public and within a public right-of-way. Other driveways and pedestrian ways must be adequate to serve the residents and visitors of the CMP.
- H. Parking. Adequate off street parking must be provided per City parking standards.
- I. Homeowners Association. Homeowners associations may be required, and homeowners association documents shall be recorded, prior to certificate of occupancy permits being granted, for purposes of improving, operating and maintaining private common facilities, including drives, service areas, parking areas, recreation areas, and any other function reasonably required by City Council.
- J. Drainage. The CMP shall adhere to the drainage requirements set forth in the Safford Drainage Ordinance.

#### **PROCEDURES FOR REVIEW AND APPROVAL**

- A. CMP Plan Submittal. The application shall be considered in the same manner as a rezoning request and the same procedures shall be followed for application, review and public hearing. Upon final approval by City Council, the CMP shall be designated on the Zoning District Map.

Unless the CMP is to be constructed in one phase, the plan shall provide for staged development of the project.

Prior to the Planning and Zoning Commission holding a public hearing for the proposed CMP, the City staff shall review the plan for conformance with all standards and ordinances.

- B. The CMP submittal shall include the following:
  - a. Name of the CMP.
  - b. A north arrow, scale, small location map, and the size of the site to the nearest one-tenth (0.1) of an acre.
  - c. The names and addresses of the record owners of the land and their agents.
  - d. Names of adjacent property owners of unsubdivided land and the names of adjacent subdivisions.
  - e. The location of the boundary lines of the site in relation to any section line, quarter-section line, and any corporate boundaries immediately adjoining.
  - f. The existing topography of the site with contour intervals no greater than five (5) feet, and the specific location of the one hundred-year flood plain, if applicable.

- g. The location and number of parking spaces, drives, walkways, and the parking ratio.
  - h. The location and width of existing street rights-of-way, alleys, roads, railroad rights-of-way, and recorded easements; and the proposed location, width, name and grade for any new street.
  - i. The location and size of existing and proposed sanitary sewers, water mains, storm sewers and natural gas mains within or adjacent to the site and any proposed easements.
  - j. The types of dwelling units, other uses, and proposed density of development.
  - k. The location and size, in acres or square feet, of all areas to be conveyed, dedicated or reserved as common open space, public parks, pedestrian ways, recreational areas, school sites, and similar public or semi-public uses.
  - l. Signature blocks for Planning and Zoning Commission and City Council approvals on all exhibits considered part of the final CMP plan.
  - m. The Planning and Zoning Commission and/or City Council may require other plans or data as it deems necessary to review a specific site including but not limited to the following:
    - i. Conceptual Water Master Plan;
    - ii. Conceptual Wastewater Master Plan;
    - iii. Master Circulation Study; and
    - iv. Conceptual Drainage Study.
  - n. Storm water management plans, which shall include provisions for erosion control during construction.
  - o. Any proposed variances to subdivision regulations.
- C. Modification/waiver Process: The modification/waiver request process is for use by a developer/applicant when variations to the Zoning and/or Subdivision Ordinances are proposed during the CMP process. This is done when proposing something that does not substantially alter the intent of City ordinances.

The developer/applicant is required to submit a written request for a modification/waiver with a written justification to demonstrate that what is proposed on the plan is equal to or better than the development standard. This must be done while still meeting the overall intent and objectives of the City's ordinances.

If said modifications, in the judgment of City Council, constitute a more beneficial use of the site than provided for under the requirements of the zoning district in which the site of the CMP is located, City Council, in its sole discretion, may grant the modifications.

- D. Development Agreements are required as part of this process in order to fully document all approvals, waivers and cost sharing items unless waived by the City.
- E. The Planning and Zoning Commission, after the public hearing, shall recommend, recommend with conditions or recommend denial of the CMP application. The Planning and Zoning Commission shall forward the CMP application to City Council with its recommendation.
- F. City Council, after review of the CMP application, may approve, approve conditionally, or deny the CMP application. Approval of the CMP application shall be binding upon the owners, their heirs and assigns

until such time as City Council may release such limitations on the use of the subject property under the procedures provided herein.

- G. Final approval of the CMP plan shall be deemed as satisfying the requirements of the subdivision regulations for a preliminary plat for any portion of the project for which the requirements have been met. Any modifications/waiver to the subdivision regulations proposed, as part of the CMP shall be clearly stated on the final CMP development plans. Such modifications/waivers shall be considered along with Planning and Zoning Commission and City Council review of the preliminary and final development plans. The process for requesting a modification/waiver is outlined in Subsection C above.
- H. Approval of a portion or all of a CMP that has satisfied the requirements of the subdivision regulations shall remain in effect for two (2) years from the date of City Council's decision.
- I. No building permit shall be issued for any construction in the CMP until a final subdivision plat for the property on which permits are requested has been approved by City Council.
- J. Changes to land uses and/or roadway alignments that do not constitute a substantial change from an approved CMP Plan may be authorized by the Community Development Director or Assignee with the following exception:
  - a. An increase in the total number of dwelling units from the approved CMP shall constitute a major CMP amendment and shall require the approval by City Council.

#### **CMP AMENDMENT PROCESS**

An amendment to a CMP may be initiated by the property owner or owner's agent upon submittal of a written application as follows:

- A. The application shall be accompanied by a statement documenting the need for the amendment;
- B. The Community Development Director or Assignee shall determine if the amendment would result in a substantial or non-substantial change to the CMP.
- C. A non-substantial change is one in which:
  - a. Transfer of densities or lots from one parcel to another;
  - b. Changes to the development standards, so long as said changes do not alter the impacted development standards or phase by more than fifteen percent (15%).

- c. Changes to the land use boundaries that do not increase the total number of dwelling units and the area of any land use does not increase by more than 15% (Except Parks and Open Space).
- D. A substantial change is one in which:
- a. Increases in the number of dwelling units;
  - b. Provides arterial street intersections at locations other than presented in the approved CMP;
  - c. Provides densities and intensities not included in the approved CMP;
  - d. Changes the designated open space, buffers or perimeter landscaping which was required in the approved CMP;
  - e. Results in a significant change to pedestrian or traffic circulation within the approved CMP or surrounding areas.
- E. If the request is determined to be a substantial change, the Community Development Director or assignee shall refer the request to the Planning and Zoning Commission for public hearing and recommendation to City Council for review and action.
- F. The Community Development Director may administratively approve non-substantial changes.

Mr. Hohulin stated that the “Purpose” statement could be the most important piece of the document as it will be referenced as changes develop in the future for the City and the developer. He added that the CMP will assure that infrastructure, roads, water issues, etc. will be in place before zoning. He said that this ordinance covers residential and non-residential but the language may need to be changed to “and/or” to plan for commercial only or residential only areas.

**Discussion:**

Mr. Petty asked for clarification in the “Purpose” paragraph that states a CMP may include standards that differ from those regulations pertaining to other districts in the City’s Zoning Ordinance. Mr. Hohulin explained that the developer can ask for a variance on a road width for instance. He must justify the need for the variance and the Commission will then approve or disapprove the request. Mr. Petty clarified that any standards that would differ would be brought up at the beginning of the project (yes). Mr. Welker asked if the developer did not ask for a different standard would it revert back to the standard ordinance requirement (yes). Mr. Welker asked if the developer could use that statement in his favor against the City standards (no), all standard differences must have approval.

Mr. Petty asked if the CMP was passed and ten years later the property was sold does the ordinance on the property still apply (yes). Mr. Hohulin explained any changes would go before the Planning and Zoning Commission for approval. He added that the City can also ask for their own modifications creating flexibility for best locations of certain buildings.

Chairman Tuttle asked if the CMP overrides the General Land Use Plan. Mr. Hohulin stated that the General Plan is a very broad plan and that the CMP will allow for a more specific plan and zoning ordinance for an area. He added that changes to the General Plan are allowed by the Arizona State Statutes using a Specific Area Plan.

Chairman Tuttle stated that the General Land Use Plan is not specific to the property that is being discussed as it is unincorporated land. Commissioner Hoopes asked if using the Specific Area Plan to make changes is a less rigorous process than changing the General Use Plan. Mr. Hohulin stated that the biggest difference in the two is the Specific Plan can be done at any time and the General Plan can only be changed one time per year. Mr. Stasiak stated that the application for the General Plan change is accepted in April and the hearing is in October. Mr. Hoopes clarified that the Specific Plan gives a vehicle for change (yes).

Chairman Tuttle stated the General Land Use Plan establishes land use with a broad use of zonings. He added that when the CMP comes together these areas will have a land designation but the specific zoning for each parcel will be determined as developed. Mr. Hohulin stated that was correct, overall acreage and densities cannot change, but that the plan allows lines to move as long as the acreage is the same and as long as it doesn't change the overall plan. Mr. Stasiak and Mr. Hohulin stated that once the plan is submitted the developer has spent a great deal of time and money on it and there will be very little change.

Mr. Petty asked if there was a time limit for the plan after submitted. Mr. Hohulin stated that there is a specific timeframe to start on any part of the overall plan.

Commissioner Hoopes asked if the 200 acres must be continuous acres. Mr. Hohulin explained that continuous acres are not required, but that the plan must work together to function as a community and that the Commission would decide and approve it. Commissioner Hoopes asked if that is defined in the document (no).

Mr. Stasiak stated that it will be a unified controlled plan when submitted. Mr. Welker asked if specific requirements could be stipulated, such as road requirements (yes).

Commissioner Hoopes asked if the property will all be within the city limits, Mr. Stasiak explained it will be a phased process. Mr. Hohulin stated that you can plan beyond your city boundaries, but you can't zone it until the property is annexed. Mr. Knight said that the CMP is only for the city and that the county's plan will not change. Mr. Stasiak explained that the property will be in the county zoned agricultural until annexed by the city. Mr. Welker asked if Langley sells some of the property could the zoning be changed through the county to something different. Mr. Hohulin stated that is always a possibility. Commissioner Hoopes asked if something could be written to prevent that from happening (no). Chairman Tuttle asked if they would be bound by the CMP if they were annexed (yes).

Commissioner Hoopes asked what the lot sizes will be for the proposed single family homes. Mr. Hohulin explained the developer would have to propose a standard lot size for approval. Mr. Stasiak stated it is important for everyone to work together to make sure a good community is planned. He added that once the plan is accepted the amount of proposed homes can be reduced, but not added to. Commissioner Hoopes clarified that a developer will stay within our lot size requirements unless they present a modification waiver (yes).

Commissioner Overstreet asked if the placement of open spaces can be determined by the Commission (yes). Mr. Hohulin stated that this plan allows for innovative ideas, but that those ideas must be approved.

Commissioner Overstreet asked if the City has specific parking standards (yes).

Mr. Hoopes clarified that there are no timelines on staged developments (correct). He asked if there should be a timeline stipulation implemented that stated the City has the right to review and modify the plan after a certain number of years. Mr. Hohulin stated a continual process statement could be written in and he will research it. Mr. Stasiak stated that the land use will not change, if nothing happens for a number of years the land will still be available as farm land. Mr. Knight said a developer may want to put in an industrial park in (for instance) and Mr. Stasiak explained that would require approval and that the City would work with the owner to develop the land in the best interest for the community and for the developer.

Commissioner Hoopes stated some confusion with the modification waiver process. Mr. Hohulin explained that if there were minor modifications to the ordinance they could be submitted for approval. Commissioner Hoopes asked if modifications must be identified if they are outside the City standards (yes). Mr. Knight stated that the modifications are part of the original request up front (yes). Chairman Tuttle stated he was in favor of the idea that all modifications would be summarized and submitted with the original request. Mr. Stasiak explained all modifications would be identified before taken to the Commission.

Mr. Petty asked how plats will be handled. Mr. Hohulin explained that the entire property is considered a zoning and pre-plats are submitted as properties are developed.

Chairman Tuttle asked if the CMP will be nullified if they do not begin to develop the property within the two year timeframe after approval (yes). Mr. Hohulin explained that wording may need to be modified for the timeframe to begin on commercial development. Chairman Tuttle suggested adding a provision for renewal. Mr. Hohulin stated he thought that would be a good idea and he will work on the wording for it; perhaps updates should be given every two years. Mr. Stasiak stated that he understands the need for two year updates, but that some commercial

development processes take several years to complete. Mr. Hohulin suggested putting in wording to say “unless modified” and that the development agreement would supersede. Mr. Stasiak explained that what was not covered by the CMP should be covered within the development agreement.

Commissioner Hoopes asked if the approval procedure will be the same for residential subdivisions under this plan. Mr. Stasiak explained that procedures are being re-written. Pre-plats will be approved by the Planning and Zoning Commission and final plats will be approved by City Council with the Planning and Zoning recommendations.

Mr. Hohulin stated that he will send notes and recommended changes to Mr. Stasiak and Mr. Welker.

6. **CALL TO THE PUBLIC:** None
7. **NEXT SCHEDULED MEETING:** March 27, 2008
8. **ANNOUNCEMENTS:** None
9. **ADJOURN:** The meeting adjourned at 7:21 p.m.

APPROVED:

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Ray Tuttle, Chairman  
Planning and Zoning Commission

ATTEST:

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Sandy Findley, Administrative Assistant