



Town of Paradise Valley

6401 E Lincoln Dr
Paradise Valley, AZ 85253

Minutes - Draft

Planning Commission

Tuesday, September 20, 2016

6:00 PM

Council Chambers

1. CALL TO ORDER

Acting Chairman Wainwright called the meeting to order at 6:00 p.m.

STAFF MEMBERS PRESENT

Town Attorney Andrew M. Miller
Community Development Director Eva Cutro
Building Official Robert Lee
Senior Planner Paul Michaud
Planner George Burton

- Present** 5 - Commissioner Thomas G. Campbell
Commissioner Richard K. Mahrle
Commissioner Scott Moore
Commissioner Jonathan Wainwright
Commissioner Daran Wastchak
- Absent** 2 - Chairperson Dolf Strom
Commissioner Jeff Wincel

3. EXECUTIVE SESSION

None

4. STUDY SESSION & CITIZEN REVIEW WORK SESSION ITEMS

- A. [16-302](#) Citizen Review Work Session on Article XXIV, Walls and Fences, Zoning Code Text Amendment (MI-16-2)

George Burton gave a presentation on applicants request for an amendment to Article XXIV of the Town Zoning Ordinance to allow a partial view fence or "combination view fence" at a 20' front yard setback and to modify the definition of a view fence to accommodate decorative elements such as knuckles, scrolls, and spears. The presentation included the current code and history behind applicant's request.

Three options for the definition of hedges were presented by staff. The Commission was in favor of Option 3.

Option 3. Any group of shrubs planted in line or in groups that form a compact, dense, living barrier that protects, shields, separates, or demarcates an area from view; any similar plant material, which is eighty (80) percent opaque within twelve (12) months after planting.

Commission discussed side yard setbacks and definition of front yard versus side yard. Eva Cutro will provide better definition at the next meeting.

Commissioner Mahrle expressed his opposition of the proposed amendment stating he did not feel it adds to the feeling of openness and it reduces visibility for the police department.

Commissioners Wastchak and Campbell expressed support for the approval of the amendment stating they felt the option would incentivize residents.

Ms. Cutro explained the proposed amendment does allow for shrubs to be planted behind the walls.

George Burton read a letter from Chairman Dolf Strom with his suggestions which included a 30-foot setback rather than the 20-foot proposed by applicant. Commission discussed the limitations of the 30-foot setback suggestion proposed by Chairman Strom.

The Planning Commission would like to see the verbiage changed from front property line to back of curb/pavement.

All agreed more clearly defined definitions would be needed.

George Burton reviewed the presentation regarding wall finishes adjacent to adjoining properties.

The Planning Commission agrees with at least two written requests when notifying neighbors of adjacent property wall changes. Ms. Cutro will bring language to next meeting.

No public comments.

No Reportable Action

- B.** [16-292](#) Property Maintenance/Property Nuisance

Eva Cutro gave a presentation on the continuation of the quality of life initiative on property maintenance including the International Property Maintenance Code.

The Planning Commission discussed the following areas:

- Changing 14 days to 30 days regarding storage of material in front yards without active building permit.
- Grandfathering of residents if changes are approved.
- Are dumpsters and/or PODS included?
- Homeowners Association language regarding quality of life initiative.

Ms Cutro will research above areas and present at the next Planning Commission meeting.

Eva Cutro gave a presentation about construction timeframes including current code and suggested changes.

Commissioner Moore questioned if the 180-day timeframe language included expiration if construction had not started. Ms. Cutro informed Commissioner Moore that the current code included said language.

Mr. Lee stated there was no language in the code requiring that construction once started must be finished and that he was not aware of any town code that was as lenient as the Town of Paradise Valley.

Planning Commission discussed this topic as well as the reason behind the codes themselves.

Ms. Cutro felt it had little positive or negative effect and stated she was okay if it was left in or taken out. It was decided to leave it as is.

No Reportable Action

6. ACTION ITEMS

A. [16-293](#) Consideration of Noise Code Text Changes

Bob Lee gave a presentation regarding proposed changes to the Town Code addressing changes to the following sections on noise: 8-10-2 B, 8-10-2 D and 10-7-5.

Acting Chairman Wainwright opened the session for public comment.

No public comments or comments by The Planning Commission were

made.

A motion was made by Commissioner Campbell, seconded by Commissioner Moore, to recommernd for approval to the Town Council changes to the noise code in the following sections : 8-10-2 B, 8-10-2 D and 10-7-5. The motion carried by the following vote:

Aye: 5 - Commissioner Campbell, Commissioner Mahrle, Commissioner Moore, Commissioner Wainwright and Commissioner Wastchak

Absent: 2 - Chairperson Strom and Commissioner Wincel

5. PUBLIC HEARINGS

A. [16-291](#) Consideration of Lighting Code Revisions

Eva Cutro presented to the Planning Commission the recommendations to the Town Council for approval of the proposed revisions to Article 10 Height and Area Regulations, Section 1023 Outdoor Lighting and Illumination; Article 22 Hillside Development Regulations, Section 2208 Outdoor Lighting; Article 25 Signs, Section 2506 Lighting; and Special Use Permit Guidelines, Section 2 Lighting as contained in Ordinance # 2016-04.

Ms. Cutro covered the specific areas of proposed language change, the definition behind each item and what language would be removed.

Planning Commission would like a more descriptive definition of rope lighting.

Commissioner Campbell would like the language to include 4 lights per tree instead of the 3 proposed.

Commissioners Moore, Mahrle and Wainwright wish it be kept to 3 lights per tree.

Acting Chairman Wainwright expressed concern with fallback from businesses regarding commercial lighting only allowed during hours of business.

Attorney Miller indicated there could be and he would do more research on this matter.

Acting Chairman Wainwright opened the meeting for public comment. There was no public comment.

A motion was made by Commissioner Mahrle, seconded by Commissioner Moore, to recommend to the Town Council changes in lighting to Article 10 Height and Area Regulations, Section 1023 Outdoor Lighting and Illumination; Article 22 Hillside Development Regulations, Section 2208 Outdoor Lighting; Article 25 Signs, Section 2506 Lighting; and Special Use Permit Guidelines, Section 2 Lighting as contained in Ordinance # 2016-04. The motion carried by the following vote:

Aye: 5 - Commissioner Campbell, Commissioner Mahrle, Commissioner Moore, Commissioner Wainwright and Commissioner Wastchak

Absent: 2 - Chairperson Strom and Commissioner Wincel

7. CONSENT AGENDA

- A. [16-296](#) Approval of September 6, 2016 Planning Commission Minutes

A motion was made by Commissioner Wastchak, seconded by Commissioner Mahrle, to approve the September 6, 2016 minutes. The motion carried by the following vote:

Aye: 5 - Commissioner Campbell, Commissioner Mahrle, Commissioner Moore, Commissioner Wainwright and Commissioner Wastchak

Absent: 2 - Chairperson Strom and Commissioner Wincel

8. STAFF REPORTS

George Burton noted the change to the hillside committee meeting schedule. It is now the second Wednesday at the request of Planning Commission.

9. PUBLIC BODY REPORTS

10. FUTURE AGENDA ITEMS

11. ADJOURNMENT

A motion was made at 7:45 pm by Commissioner Campbell, seconded by Commissioner Wastchak, to adjourn the meeting. The motion carried by the following vote:

Aye: 5 - Commissioner Campbell, Commissioner Mahrle, Commissioner Moore, Commissioner Wainwright and Commissioner Wastchak

Absent: 2 - Chairperson Strom and Commissioner Wincel

Paradise Valley Planning Commission

By: _____
Eva Cutro, Secretary