



# Town of Paradise Valley

6401 E Lincoln Dr  
Paradise Valley, AZ 85253

## Minutes - Final

### Planning Commission

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Tuesday, August 1, 2017

6:00 PM

Council Chambers

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#### 1. CALL TO ORDER

The meeting was called to order at 6:00 p.m.

##### **Staff Members Present**

Town Attorney Andrew Miller  
Community Development Director Eva Cutro  
Town Engineer Paul Mood  
Planner George Burton

#### 2. ROLL CALL

**Present** 6 - Chairperson Daran Wastchak  
Commissioner James Anton  
Commissioner Thomas Campbell  
Commissioner Richard Mahrle  
Commissioner Dolf Strom  
Commissioner Jonathan Wainwright

**Absent** 1 - Commissioner Charles Covington

#### 3. EXECUTIVE SESSION

None

#### 4. STUDY SESSION ITEMS

##### **A. 17-261**

##### **Discussion of Draft Visually Significant Corridors Master Plan (VSC)**

Eva Cutro, Community Development Director, presented the topic in accordance with the packet. Ms. Cutro discussed the time line and purpose for the VSC project.

The format and the four zones of the draft master plan were discussed. The Commission should prioritize and rank the concepts, evaluate the processes for enhancing easements and the right-of-way, and evaluate mechanisms for screening utility boxes.

The Commission discussed the screening of the utility box at 56th St and Lincoln Dr.

The Commission would also like the consultant to check on solutions to

quieting the noise that is generated when vehicles drive over manhole covers.

The Commission also discussed decorative designs in the street and asked the Town Engineer if he could identify decorative pavement options that are durable.

Commissioner Strom stated that we should start with the cross walks and turn lanes and see what's left over.

Commissioner Anton inquired about the 56th St improvement and asked for clarification on who paid for the improvements and who is responsible for maintaining the improvements (such as cleaning the trash).

Chair Wastchak outlined the September meeting schedule for Visually Significant Corridors.

Commissioner Strom requested that a revision date be added to all the modified pages of the draft master plan.

## **B. 17-260**

### **Discussion of Hillside Code Updates (Article XXII of the Town Zoning Ordinance)**

George Burton, Planner, presented the history of the hillside revisions and the Statement of Direction from Town Council.

Guardrail height was discussed. Currently the IRC allows for a 36" guard. The draft ordinance will allow for a maximum guard rail height of 42". There was a consensus that the safety rail "must meet IRC Code and not exceed 42" in height". There was also discussion of allowing an 18" curb along driveways.

Driveway Disturbance credit was another area of concern. There are different driveway disturbance standards for new homes and remodels. The current proposal is to tie the amount of disturbance to the height of the driveway above or below natural grade. It was decided that Mr. Burton and Commissioner Campbell will further study this topic and bring it back to the Commission.

Lighting was next on the list of topics. The Statement of Direction limits the Commission's focus on lighting. Commissioner Strom would like to expand the scope of the lighting regulations. It was decided that Commissioner Strom will work with staff and Commissioner Campbell on this topic.

Hillside Assurance was discussed. A concern was how to establish the bond amount and whether bonds can be used for landscaping. A rule of reasonableness must be utilized when establishing fees. There was discussion of removing the assurance fees from the Hillside Code and placing it in the Town fee schedule.

Nan Murley, resident, spoke. She showed a realty listing depicting an

unfinished home that created scarring on the mountain.

Currently the code lists \$25 per cubic yard of combined cut and fill. Commissioner Strom recommends the fee must be adjusted to a minimum of \$35 and then adjusted regularly for inflation. He recommended keeping the language in the current Hillside Code that allows the Hillside Committee to adjust this fee for special circumstances, but to move the assurance fee to the Town's fee schedule.

There was discussion as to when to call the bond in and under what circumstances. There was discussion of "within 6 months of expiration of the building permit". Also, there was discussion if the Town can use the bond if it is a health, safety, welfare concern (even if the permit is still valid). There appeared to be consensus on this idea. Commission was supportive of allowing the bond to apply to landscaping as well. This will allow the applicant to receive a Certificate of Occupancy prior to landscaping the property; however, the assurance would not be refunded until the landscaping is installed and inspected.

La Place du Sommet and the 1984 Code. Currently, there is a belief that the entire 1984 Code applies to La Place du Sommet. Records show that portions of the 1984 Code apply, but perhaps not the entire Code. Andrew Miller researched this issue. He is still researching minutes and will be drafting an opinion that will probably identify that only the disturbance section of the 1984 Code applies and that it only applies to specific lots (such as Lots 7 - 17). There was discussion as to whether this needs to be addressed in the Hillside Code or in a separate document. There was consensus to identify this clarification in the Code with language referencing the settlement agreement.

Solar was discussed. There was discussion of allowing stealth solar technology on pitched roofs. The Commission identified that the reflectivity of the solar must be taken into consideration. There was consensus that there is no opposition of using stealth solar technology on pitched roofs, however, the parameters must be established so they remain stealth and meet certain light reflective values. Staff will further study this issue.

Cantilever restrictions. The Statement of Direction limits the cantilever to a maximum horizontal length of four feet and a maximum vertical height of eight feet. There was direction that the area under the cantilever will also count as disturbed area and floor area.

On-Site Retention. The draft code identifies a 50% credit towards disturbance for retention areas that do not need retaining walls and are vegetated with native plants. Commissioner Strom worked with Paul Mood, Town Engineer, and proposed additional language to clarify how to calculate the required amount of retention on hillside properties. This was reviewed by the Commission and there was discussion as to whether to include this detailed information in the Hillside Code or to add language referring applicants to the Town's Storm Water Design

Manual. Commissioner Strom recommends including the calculations in the Hillside Code. Staff recommended adding language referencing the Storm Water Design Manual for the retention requirements. There was discussion of just adding the definitions to the Hillside Code and keeping the requirements in the Storm water Design Manual. Another suggestion was to add Commissioners Strom's information to the Hillside application instead of adding it to the Hillside Ordinance. The consensus was to add this information to the Hillside application rather than the Code.

Safety Section. The Commission identified unstable terrain or steep slopes as a safety concern. There should be language regarding when additional studies may be necessary and how to tie these studies back to the application fees. There was a comment that safety from construction equipment should also be considered, including items such as proper staging areas for equipment and vehicles with proper turn arounds. Blasting was also discussed and it was noted that blasting is covered in a different section of the Town Code, not in the Hillside Code. It was noted that a reference to the blasting section of the Town Code should be referenced in the Hillside Ordinance for concerns regarding blasting. Additional code language is also necessary regarding fees for additional studies.

The Hillside Code updates will return to the Commission for review on September 5th.

**5. ACTION ITEMS**

None

**6. CONSENT AGENDA**

None

**7. STAFF REPORT**

Andrew Miller updated the Commission on the Jones Gorden appeal and noted that the appeal was withdrawn.

**8. PUBLIC BODY REPORTS**

Commissioner Strom noted that he stayed in an Air BnB while the owner was present. He stated that this may be a great control for Air BnBs in the Town.

**9. FUTURE AGENDA ITEMS**

Staff noted the future agenda items and the tentative meeting dates for each item.

**10. ADJOURNMENT**

A motion was made at 8:38 p.m. by Commissioner Campbell to adjourn the meeting. Seconded by Commissioner Wainwright. The motion carried by the following vote:

**Aye** 6 - Chairperson Daran Wastchak, Commissioner James Anton, Commissioner Thomas Campbell, Commissioner Richard Mahrle, Commissioner Dolf Strom, and Commissioner Jonathan Wainwright

**Absent** 1 - Commissioner Charles Covington

**Paradise Valley Planning Commission**

By:  \_\_\_\_\_  
Eva Cutro, Secretary