

BOARD OF SUPERVISORS' HEARING
PLANNING AND ZONING AGENDA
February 9, 2022

CONSENT AGENDA

Title: Carefree Crossings RV & Boat Parking Extension
Case #: Z2021098
Supervisor District: 3
Applicant & Owners: Casey Mahoney / Carefree Crossings SS/RV LLC, Mahoney Properties LLP/ETAL & Carefree Drainage Association
Request: Special Use Permit Major Amendment for Carefree Crossings RV & Boat Storage Extension
Site Location: Generally located at the NWC of 10th St. & Carefree Hwy.
Commission
Recommendation: On 1/13/22, the Commission voted 6-0, to recommend **approval** of Z2021098 subject to conditions 'a' – 'k':

- a. Development of the site shall be in substantial conformance with the Site Plan entitled, "Carefree RV Center Expansion" consisting of one full-size sheet dated December 21, 2021, and stamped received December 21, 2021, except as modified by the following conditions.
- b. Development of the site shall be in substantial conformance with the Narrative Report entitled, "Special Use Permit Major Amendment to Z2015014 for Carefree Crossings RV & Boat Extension", consisting of 11 pages, dated, revised December 17, 2021, and stamped received December 17, 2021, except as modified by the following conditions.
- c. The property owner shall submit a 'will serve' letter from the Daisy Mountain Fire District for fire protection services for the project site. A copy of the 'will serve' letter shall be required as part of the initial construction permit submittal.
- d. Deleted.
- e. The following Maricopa County Environmental Services Department (MCESD) conditions shall apply:
 1. The owner will abandon the septic systems and connect to a public sewer system when one is available, and participate in a fair share of the public sewer system funding.
 2. Development and engineering design shall be in conformance with the Maricopa County Stormwater Quality Management and Discharge Control Regulation. The owner/developer shall prepare a Stormwater Site Plan (SWPP) and obtain approval by MCESD prior to construction (a separate submittal to MCESD is required).

3. Upon completion of construction, the owner shall fulfill MCESD post-construction requirements. This will include appropriate operation and maintenance requirements.
- f. The following Planning Engineering conditions shall apply:
1. The site contains a small area of regulated floodplain and jurisdictional washes in its southeast corner. Floodplains must be clearly mapped on construction plans. Any disturbance to the floodplain will require a floodplain use permit concurrent with building permit(s). Owner/Applicant is responsible for identifying and procuring any permit(s) for disturbance of, or work within delineated jurisdictional (404) washes.
 2. Detailed Grading and Drainage (Site Infrastructure) Plans must be submitted with the application for Building Permits indicating that the site will drain to an existing retention basin.
 3. No new driveways to Carefree Highway or 7th Street are included with this entitlement. Access to the development site shall be via the existing driveway located on 7th Street.
 4. The subject site is located within the County's Urbanized Area. A Storm Water Pollution Prevention Permit (SWPPP) from the County will be required prior to issuance of any construction permits.
 5. Engineering review of planning and/or zoning cases is for conceptual design only. All development and engineering design shall be in conformance with Section 1205 of the Maricopa County Zoning Ordinance; Drainage Policies and Standards; Floodplain Regulations for Maricopa County; MCDOT Roadway Design Manual; and current engineering policies, standards and best practices at the time of application for construction.
 6. Based on the conceptual design nature of the information submitted, changes to the site layout may be necessitated by the final engineering design of the site's drainage infrastructure.
- g. Noncompliance with any Maricopa County Regulation shall be grounds for initiating a revocation of this Special Use Permit as set forth in the Maricopa County Zoning Ordinance.
- h. The granting of this change in use of the property has been at the request of the applicant, with the consent of the landowner. The granting of this approval allows the property to enjoy uses in excess of those permitted by the zoning existing on the date of application, subject to conditions. In the event of the failure to comply with any condition, and at the time of expiration of the Special Use Permit, the property shall revert to the zoning that existed on the date of application. It is, therefore, stipulated and agreed that either revocation due to the failure to comply with any conditions, or the expiration of the Special Use Permit, does not reduce any rights that existed on the date of application to use,

divide, sell or possess the property and that there would be no diminution in value of the property from the value it held on the date of application due to such revocation or expiration of the Special Use Permit. The Special Use Permit enhances the value of the property above its value as of the date the Special Use Permit is granted and reverting to the prior zoning results in the same value of the property as if the Special Use Permit had never been granted.

- i. The drainage channel included within the SUP area shall be maintained in perpetuity by the property owners of all parcels within the C-2 CUPD zoning district.
- j. GSA Pavement shall be permitted as an acceptable pavement for parking spaces and internal driveways with the approval of a dust control plan in accordance with the requirements of Maricopa County Air Quality Control.
- k. Development of the site shall comply with all conditions of Z2015013 except that the undulating setback shall comply with the Site Plan entitled "Carefree RV Center Expansion" consisting of one full-size sheet dated December 21, 2021, and stamped received December 21, 2021.

REGULAR AGENDA

Title: Group Homes (Cont. from 1/12/22)
Case #: TA2020001
Supervisor District: All Districts
Initiator: Staff
Requests: Text Amendment to amend Chapter 2 Definitions, Chapter 3 Administration, Chapter 5 Rural Zoning Districts, Chapter 6 Single-Family Residential Zoning Districts, Chapter 7 Multiple-Family Residential Zoning Districts, Chapter 8 Commercial Zoning Districts, Chapter 12 Development Standards, and Chapter 13 Use Regulations of the Maricopa County Zoning Ordinance (MCZO) relating to Group Homes and Drug and/or Alcohol Recovery

Commission Recommendation: On 12/9/21, the Commission voted 8-0, to recommend **approval** of TA2020001.

Title: Bungalows at 19th Ave. & Parsons Road
Case #: Z2021051
Supervisor District: 3
Applicant & Owner: Kurt Waldier, Beus Gilbert McGroder PLLC / Bungalows at Norterra LLC
Request: Zone change from Rural-43 to R-2
Site Location: Generally located on the SEC of 19th Ave. and Parsons Rd. in the Phoenix area

Commission Recommendation: On 1/13/22, the Commission voted 6-0, to recommend **approval** of Z2021051 subject to conditions 'a' - 'h':

- a. Development of the site shall be in conformance with the Zoning Exhibit entitled "Bungalows at Norterra", consisting of 1 full-size sheet, stamped received October 12, 2021, except as modified by the following conditions.
- b. Development of the site shall be in substantial conformance with the Narrative Report entitled "Bungalows at Norterra", consisting of 5 pages, dated October 8, 2021, and stamped received October 12, 2021, except as modified by the following conditions.
- c. The following Planning Engineering conditions shall apply:
 1. Without the submittal of a precise plan of development, no development approval is inferred by this review, including, but not limited to drainage design, access and roadway alignments. These items will be addressed as development plans progress and are submitted to the County for further review and/or entitlement.
 2. The applicant will be responsible for coordinating with the City of Phoenix to review any traffic impact, right-of-way dedication, permitting or roadway improvement requirements for 19th Avenue in conjunction with this and future entitlement(s).
 3. Design for site development must ensure that historic drainage patterns are maintained at the up and downstream limits of development.
 4. A traffic impact study must be submitted with any future entitlement application (i.e. plan of development).
 5. Design for site development must provide for at least two (2) paved points of access to existing and improved public roads.
 6. The site is encumbered by Federal Patent easements which must be abandoned prior to site development. <https://www.maricopa.gov/775/Abandonment-of-Patent-Easements>
 7. All development and engineering design shall be in conformance with Section 1205 of the Maricopa County Zoning Ordinance; Drainage Policies and Standards; Floodplain Regulations for Maricopa County; MCDOT Roadway Design Manual; and current engineering policies, standards and best practices at the time of application for construction.
- d. Prior to approval of the initial final plat or precise plan of development approval, the applicant shall provide the Maricopa County Planning and Development Department with an executed pre-annexation service agreement with the City of Phoenix that identifies the detail for when the proposed project will be annexed and the provision of water and sewer service. In lieu of pre-annexation service agreement, the developer must provide a 'will serve' letter from the certificated water and sewer providers.

- e. Administrative approval of a Plan of Development will be required prior to approval and issuance of construction permits to develop and establish use of the site. Prior to issuance of a building permit, written confirmation will be required from the emergency fire protection jurisdiction having authority that the facility has been designed in accordance with their regulations and requirements, and that emergency fire protection service will be provided to the facility. Prior to issuance of the certificate of occupancy, local fire protection jurisdiction review and approval will be required.
- f. Noncompliance with any Maricopa County Regulation shall be grounds for initiating a revocation of this Zone Change as set forth in the Maricopa County Zoning Ordinance.
- g. The property owner/s and their successors waive claim for diminution in value if the County takes action to rescind approval due to noncompliance with conditions.
- h. The granting of this change in use of the property has been at the request of the applicant, with the consent of the landowner. The granting of this approval allows the property to enjoy uses in excess of those permitted by the zoning existing on the date of application, subject to conditions. In the event of the failure to comply with any condition, the property shall revert to the zoning that existed on the date of application. It is, therefore, stipulated and agreed that either revocation due to the failure to comply with any conditions, does not reduce any rights that existed on the date of application to use, divide, sell or possess the property and that there would be no diminution in value of the property from the value it held on the date of application due to such revocation of the Zone Change. The Zone Change enhances the value of the property above its value as of the date the Zone Change is granted and reverting to the prior zoning results in the same value of the property as if the Zone Change had never been granted.