

# CITY OF LITCHFIELD PARK

## PLANNING AND ZONING COMMISSION

Regular Meeting  
Tuesday, August 12, 2014  
6:00 p.m.  
Church at Litchfield Park  
Souers Hall  
300 N. Old Litchfield Road  
Litchfield Park, Arizona 85340

Members of the Litchfield Park Planning and Zoning Commission may attend either in person or by telephone conference call.

**I. Call to Order**

**II. Pledge of Allegiance**

**III. Call to the Community**

(This is the time for citizens who would like to address the Commission on any non-agenda item. Action taken as a result of public comment will be limited to asking Staff to review the matter, asking that the matter be put on a future agenda, or responding to criticism.)

**IV. General Plan Amendment Application Study Sessions**

**Information**

- A. 2014 General Plan Major Amendment (GPA #14-01, amended)** (applicant application is available for viewing at City Hall and on the City's web site)

The Commission will hold a study session to review and discuss a proposed General Plan Amendment (GPA#14-01, amended), requesting to change the General Plan land use designation from Resort, Golf Course, and Open Space to Medium Density Residential for 31.1 acre property located at the northwest corner of Litchfield Road and Village Parkway.

- 1. Staff Report**
- 2. Discussion**
- 3. Public Comments**

- B. 2014 General Plan Major Amendment (GPA #14-02, amended)** (application is available for viewing at City Hall and on the City's web site)

The Commission will hold a study session to review and discuss a proposed General Plan Amendment (GPA#14-02, amended), requesting to change the General Plan land use designation from Commercial to Mixed Use (High Density Residential and Commercial) for property located at the northwest corner of Litchfield Road and Wigwam Boulevard.

- 1. Staff Report**
- 2. Discussion**
- 3. Public Comments**

- C. 2014 General Plan Major Amendment (GPA #14-03, amended)** (application is available for viewing at City Hall and on the City's web site)

The Commission will hold a study session to review and discuss a proposed General Plan Amendment (GPA#14-03, amended), requesting to change the General Plan land use designation from Golf Course to Resort for 18.5 acres located on portions of the Wigwam Driving Range and the Wigwam Gold and Patriot (Blue) Golf Courses.

- 1. Staff Report**
- 2. Discussion**
- 3. Public Comments**

- D. 2014 General Plan Major Amendment (GPA #14-05, amended)** (application is available for viewing at City Hall and on the City's web site)

The Commission will hold a study session to review and discuss a proposed General Plan Amendment (GPA#14-05, amended), requesting to change the General Plan land use designation from Mixed Use (Public Facility/Residential) to Commercial and Mixed Use (Residential/Public Facility/Agritourism) for property located at the northwest corner of Litchfield Road and Camelback Road.

1. Staff Report
2. Discussion
3. Public Comments

**V. Business**

- A. Citizen Review: Proposed Zoning Code Amendment Related to New Agritourism Zoning Code District**

**Information**

1. Staff Report
2. Public Comments
3. Discussion

A study session will be held to discuss and gather information from citizens regarding a proposed text amendment to the Litchfield Park Zoning Code to add a definition for Agritourism and a new Section Agritourism to set forth a new zoning district to provide for Agritourism uses and set forth regulations and requirements for uses, development standards, setbacks, and application requirements for the district.

- B. Public Hearing: Proposed Zoning Code Amendment Related to Sign Regulations**

**Information**

1. Staff Report
2. Public Comments

Citizens may ask questions or speak for or against a proposed amendment to the City of Litchfield Park Zoning Code repealing the current Section 35 Signs and adding new Section 35 Signs to add/revise definitions for A-Frame Sign, Awning Sign, Banner Sign, Billboard, Building Front Footage, Business Front Footage, City/Church/Civic Special Event Sign, Commercial Special Event Sign, Development Sign, Drive-Thru/Menu Board, Freestanding Sign, Garage Sale/Yard Sale Sign, Identification Sign, Ideological Sign, Illegal Sign, Indirect Lighting, Internal Lighting, Lighting, Multi-Family Complex Sign, Multi-Tenant Building or Complex, Permanent Sign, Political Sign, Portable Sign, Prohibited Sign, Public Right-of-Way or R-O-W, Quasi-Governmental, Real Estate Sign, Reader Panel Sign, Sign Copy, Sign Area, Sign Height, Sign Walker, Structural Member, Subdivision Sign, Temporary Sign, and Window Sign; to add new subsections setting forth: the purpose and objectives for sign regulations; general sign standards and requirements; standards and requirements for Comprehensive Sign Programs; standards and requirements for signs in Residential, Public Facility (PF), Community Commercial (CS), Neighborhood Commercial (NC), Regional Commercial (RS), Resort (R), and General Industrial (I) Zoning Districts; requirements for temporary signage in all zoning districts; standards and requirements for flag poles; and requirements and procedures for maintenance and enforcement.

**C. Proposed Zoning Code Amendment Related to Sign Regulations**

**Action**

Discussion and possible recommendation to City Council for approval of a proposed amendment to the City of Litchfield Park Zoning Code repealing the current Section 35 Signs to add/revise definitions for A-Frame Sign, Awning Sign, Banner Sign, Billboard, Building Front Footage, Business Front Footage, City/Church/Civic Special Event Sign, Commercial Special Event Sign, Development Sign, Drive-Thru/Menu Board, Freestanding Sign, Garage Sale/Yard Sale Sign, Identification Sign, Ideological Sign, Illegal Sign, Indirect Lighting, Internal Lighting, Lighting, Multi-Family Complex Sign, Multi-Tenant Building or Complex, Permanent Sign, Political Sign, Portable Sign, Prohibited Sign, Public Right-of-Way or R-O-W, Quasi-Governmental, Real Estate Sign, Reader Panel Sign, Sign Copy, Sign Area, Sign Height, Sign Walker, Structural Member, Subdivision Sign, Temporary Sign, and Window Sign; to add new subsections setting forth: the purpose and objectives for sign regulations; general sign standards and requirements; standards and requirements for Comprehensive Sign Programs; standards and requirements for signs in Residential, Public Facility (PF), Community Commercial (CS), Neighborhood Commercial (NC), Regional Commercial (RS), Resort (R), and General Industrial (I) Zoning Districts; requirements for temporary signage in all zoning districts; standards and requirements for flag poles; and requirements and procedures for maintenance and enforcement.

**D. Citizen Review: Proposed Zoning Code Amendment Related to Accessory Uses**

**Discussion**

1. Staff Report
2. Public Comments
3. Discussion

A study session will be held to discuss and gather information from citizens regarding a proposed text amendment to the Litchfield Park Zoning Code regarding accessory uses.

**E. Board of Adjustment/Design Review Board Update**

**Information**

Update on the June 5, June 26 and July 10, 2014 Design Review Board meetings and the June 26 Board of Adjustment meeting.

**F. Topics for Referral to City Council**

**Information  
Action**

Discussion of and possible referral of new topics to the City Council.

**G. Minutes**

**Information  
Action**

Possible approval of the minutes of the April 23, 2014 Joint City Council/Planning and Zoning Commission Meeting, and the May 6 and May 20 Special Meetings.

**VI. Executive Session**

An Executive Session may be called during the public meeting on any item on this agenda pursuant to (i) A.R.S. § 38-431.03(A) (3) for the purpose of receiving legal advice.

**Action**

**VII. Staff Report on Current Events**

**Information**

**VIII. Commissioners' Reports on Current Events**

**Information**

This is the time Commissioners may present a brief summary on current events. The Commission may not propose, discuss, deliberate or take any legal action on the information presented, pursuant to A.R. S. § 38-431.02.

**IV. Adjournment****Action**

Jeff Raible, Chairman

Persons with special accessibility needs should contact City Hall, 623 935-5033 at least 48 hours prior to the meeting.

**Affidavit of Posting**

I, Pamela J. Maslowski, Planning Services Coordinator, do hereby certify that I caused to be posted a true and correct copy of this agenda for the Planning and Zoning meeting of August 12, 2014, in the following places in the City of Litchfield Park:

1. The City Hall outside bulletin board
2. The City web site



**Meeting Date:** August 12, 2014

**To:** Planning and Zoning Advisory Commission

**From:** Jason Sanks, Planning Consultant

**Subject:** GP14-01  
31 Acres at the NWC of Litchfield Road and Village Parkway  
– Study Session

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Staff has prepared a Study Session staff report for the purpose of establishing discussion points for each case. The intent of the report is to facilitate dialogue on the applications and offer the Planning and Zoning Advisory Commission, staff, and the applicant the ability to share information in a public forum. The public will also be able to provide input at the end of the discussion. As mentioned in the Citizen Review Meeting and prior Study Session meetings, the following considerations should be taken into account while considering a change in land use on the General Plan:

- Financial impacts on the City of Litchfield Park (revenues/expenses)
- Engineering impacts (sewer, water, traffic, environmental)
- Economic Development impacts (sales tax generation)
- Planning (good land use principles)

In an effort to study the requests in greater detail and to gather public comment on the applications, the following efforts have been made to date:

- Preparation and presentation of the Retail Market Feasibility Study
- Neighborhood Meetings hosted by the applicants
- Citizen Review Meetings hosted by the City of Litchfield Park
- Financial Impact Analysis prepared by the City's Finance Director
- Study Sessions with the PZ Advisory Commission
- Multiple channels for public comment on the applications

#### **GPA14-01 (JDM proposal) – Parcel A**

The 31 acre property is located at the northwest corner of Litchfield Road and Village Parkway, within the Village at Litchfield Greens Planned Development. Most of the property is designated as Resort, although there are 5 acres of Commercial and a few acres of Open Space and Golf Course (Heritage “Red” Course). The last approval on the property was for a project known as “Awenasa”, a condominium project tied to the Wigwam that was an effort to provide the resort overflow rooms. That project did not include any of the Commercial, Open Space, and Golf course designated land that is in the current proposal.

The last PZ Study Session for this case was May 6, 2014. At that time, the request for the 31 acres was for High Density Residential 8.1+ DU/acre. Since then, the requested land use designation has been lowered to Medium Density Residential 4-8 DU/acre. JDM's intent is to either sell to, or partner with, Cachet Homes to build out the property in the near term. This would ultimately disassociate the development from the Wigwam (no longer overflow rooms) as it would develop independently from the resort.

Staff met with the JDM, Cachet Homes, and their attorney representative on August 4, 2014 for a rezoning pre-application meeting and had the opportunity to review their initial land plan for the site. The property is approximately 28 acres and includes 180 units with three different housing types resulting in a density of 6.4 dwelling units per acre. The plan proposes single family detached homes on the west side of the development, with a mix of townhomes and condominiums as the project extends east to Litchfield Road. All units will be "for sale". Staff anticipates receiving the rezoning application within a week and will distribute to the PZ Advisory Commission and City Council once received. Since the Cachet proposal is only 28 acres, the General Plan amendment application will need to be reconciled to the smaller acreage (28 versus 31) to maintain consistency. Staff was pleased to see that the reduced acreage in the site plan would allow more land designated Open Space and Golf Course to remain.

Staff continues to maintain the position that Commercial is still viable in this location and that there is insufficient justification in the General Plan application materials to argue otherwise. The Rick Hill Retail Study also found commercial viable in this location. Although Cachet Homes has a reputation as a quality builder and the initial review of their land plan showed a strong first run at a design for the community, Staff finds it possible to maintain a five acre commercial parcel that integrates into their proposal.

Discussion points should include:

- Traffic impact on Village Parkway and Litchfield Road, possible modifications needed
- High density resort related units versus the proposed "for-sale" housing development
- Impact of additional residents on open space and public facilities
- Removal of commercial land use and future retail sales tax generation
- Retail Study identifies commercial land use as viable
- Slight encroachment on open space and golf course
- Cost of services to new residences – Financial Impact Analysis
- Impact on adjacent land uses – low density next to medium density
- Maintenance Building for golf course location
- Companion zoning case will establish a site plan, maximum number of units, building architecture, and conditions of approval. The zoning case would also establish limitations on building heights, setbacks, and other related development standards that are not possible through the GPA application
- Development Agreement (DA) impacts need to be reviewed and an amendment to the existing DA needs to be filed by the applicant.



**Meeting Date:** August 12, 2014

**To:** Planning and Zoning Advisory Commission

**From:** Jason Sanks, Planning Consultant

**Subject:** GP14-02  
15 Acres at the NWC of Litchfield Road and Wigwam Boulevard– Study Session

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Staff has prepared a Study Session staff report for the purpose of establishing discussion points for each case. The intent of the report is to facilitate dialogue on the applications and offer the Planning and Zoning Advisory Commission, staff, and the applicant the ability to share information in a public forum. The public will also be able to provide input at the end of the discussion. As mentioned in the Citizen Review Meeting and prior Study Session meetings, the following considerations should be taken into account while considering a change in land use on the General Plan:

- Financial impacts on the City of Litchfield Park (revenues/expenses)
- Engineering impacts (sewer, water, traffic, environmental)
- Economic Development impacts (sales tax generation)
- Planning (good land use principles)

In an effort to study the requests in greater detail and to gather public comment on the applications, the following efforts have been made to date:

- Preparation and presentation of the Retail Market Feasibility Study
- Neighborhood Meetings hosted by the applicants
- Citizen Review Meetings hosted by the City of Litchfield Park
- Financial Impact Analysis prepared by the City's Finance Director
- Study Sessions with the PZ Advisory Commission
- Multiple channels for public comment on the applications

**GPA14-02 (JDM proposal) – Parcel B**

The property is located at the northwest corner of Litchfield Road and Wigwam Boulevard. It consists of 15 acres of property that is currently designated as Commercial. JDM now wishes to re-designate the property as both Commercial and High Density Residential 8.1+ DU/acre, basically overlaying both land uses to allow for flexibility in forthcoming zoning cases. The exact zoning district boundaries are unknown at this time and the exhibits provided in the General Plan amendment application show possible divisions between the land uses.

The last PZ Study Session for this case was May 6, 2014. Since that time, the application generally remains unchanged except that JDM is willing to commit to a minimum of

75,000 SF of commercial space on the parcel rather than their initial offering of 50,000 SF.

Staff finds that insufficient justification is provided as to why the City needs additional high density residential land uses in this location. High density residential is already located west of this site, and proposed to the north under application GP14-01. Any consideration of Staff support for high density residential in this location will need to include some level of sophisticated, vertical mixed-use land planning as originally intended for this parcel. Based upon the materials provided and the lack of details on the development intent, it appears the application is simply speculative in an effort to broker the property to a multi-family developer. Staff finds that the City has a land use interest in receiving a more comprehensive development proposal prior to considering any support for the proposed change in land use.

Discussion points should include:

- Traffic impact on Wigwam Blvd. and Litchfield Rd.
- Impact of additional residents on open space and public facilities
- Consideration of multi-family land use impacts versus commercial
- Removal of the majority of the commercial land use and future retail sales tax generation possible on the site
- Retail Study identifies commercial land use as viable in larger quantities on this property than as proposed, but also notes multi-family as a possible second land use in the context of a vertical mixed-use “lifestyle” type development
- Cost of services to new residences – Financial Impact Analysis
- Impact on adjacent land uses
- Need for companion zoning case to establish a site plan, maximum number of units, building architecture, and other conditions of approval. The zoning case would also establish limitations on building heights, setbacks, and other related development standards that are not possible through the GPA application
- Development Agreement – necessary to establish a minimum number for commercial SF



**Meeting Date:** August 12, 2014

**To:** Planning and Zoning Advisory Commission

**From:** Jason Sanks, Planning Consultant  
Sanks and Associates, LLC

**Subject:** GPA14-03 Parcel C – Wigwam Golf Course – Study Session

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Staff has prepared a Study Session staff report for the purpose of establishing discussion points for each case. The intent of the report is to facilitate dialogue on the applications and offer the Planning and Zoning Advisory Commission, staff, and the applicant the ability to share information in a public forum. The public will also be able to provide input at the end of the discussion. As mentioned in the Citizen Review Meeting and prior Study Session meetings, the following considerations should be taken into account while considering a change in land use on the General Plan:

- Financial impacts on the City of Litchfield Park (revenues/expenses)
- Engineering impacts (sewer, water, traffic, environmental)
- Economic Development impacts (sales tax generation)
- Planning (good land use principles)

In an effort to study the requests in greater detail and to gather public comment on the applications, the following efforts have been made to date:

- Preparation and presentation of the Retail Market Feasibility Study
- Neighborhood Meetings hosted by the applicants
- Citizen Review Meetings hosted by the City of Litchfield Park
- Financial Impact Analysis prepared by the City's Finance Director
- Initial Study Session review by PZ on May 13, 2014
- Multiple channels for public comment on the applications

#### **GPA14-03 (JDM proposal) – Parcel C**

This property was last reviewed at Study Session on May 13, 2014. At that time, the proposed Resort designation was proposed for 24.7 acres embedded within the Wigwam Golf Course directly north of the Wigwam Resort and east of Old Litchfield Road. Since that time, the proposal has been revised down to 18.5 acres and the location moved to a portion of the Patriot (Blue) course, a portion of the 18<sup>th</sup> green of the Gold course, and the driving range. JDM continues to seek a Resort designation on the Golf Course designated property to facilitate the development of 200 condominiums that will feature rentable units (by owners) to expand the room inventory of the resort during peak business periods (up to 400 possible additional rooms). Their intent is to partner with a multi-family developer and sell the units to buyers who could subsequently rent

rooms/units back to the Wigwam Resort. The proposed density at this time is 10.8 units per acre, based upon the 200 condominium units.

Since the May 13<sup>th</sup> study session, Staff has met with the applicant in an effort to find a solution to expanding the Wigwam's room base while limiting any impact to the golf courses and adjacent single-family homes. A land planning exercise proposed by Staff included the redevelopment of the villas and the area around Red's restaurant to provide sufficient land area for the requested additional rooms. However, the applicant decided on a different course as shown in the resubmitted documents.

Although the proposal may fit the needs of JDM's business model for selling the desirable parcel and obtaining the additional rooms, staff finds that development of the driving range into 200 condominium units is not the best solution for the overall community. The proposal shifts all of the negative impacts onto the community by reducing green space and negatively impacting the historic golf courses that Litchfield Park has come to identify with. View corridors on adjacent single-family homes will be impacted. Old Litchfield Road would experience a large increase in traffic congestion which also impacts the walkability of the community in that area. At this time, it is unknown where the new driving range would be located and how that would impact the current layout of the Blue and Gold courses. Redevelopment on these courses would have additional impacts on the surrounding neighborhoods.

Discussion points may include:

- Loss of 18.5 acres of Golf Course (open space)
- Impacts on view corridors from adjacent residences along the golf course
- Traffic impact on Old Litchfield Road
- High density resort related units versus existing Golf Course/Open Space uses
- Impact of additional residents on open space and public facilities
- Consideration of the most appropriate location for the resort room expansion
- Economic impact of overall Wigwam Resort room expansion and its ability to attract larger groups, more guests to Litchfield Park
- Cost of services to new residences – Financial Impact Analysis
- Consideration of room tax income to offset cost of services
- Impact on adjacent land uses – low density next to high density
- Construction access and impact on neighborhood
- Proposal for multi-story units near single story neighborhoods
- Need for companion zoning case to establish a site plan, maximum number of units, building architecture, and conditions of approval. The zoning case would also establish limitations on building heights, setbacks, and other related development standards that are not possible through the GPA application
- Development Agreement (DA) impacts – owner occupied restrictions and proportion of “lock off” units can be established through a DA.



**Meeting Date:** August 12, 2014

**To:** Planning and Zoning Advisory Commission

**From:** Jason Sanks, Planning Consultant  
Sanks and Associates, LLC

**Subject:** GPA14-05 NWC Litchfield and Camelback Roads – Study Session

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Staff has prepared a Study Session staff report for the purpose of establishing discussion points for each case. The intent of the report is to facilitate dialogue on the applications and offer the Planning and Zoning Advisory Commission, staff, and the applicant the ability to share information in a public forum. The public will also be able to provide input at the end of the discussion. As mentioned in the Citizen Review Meeting and prior Study Session meetings, the following considerations should be taken into account while considering a change in land use on the General Plan:

- Financial impacts on the City of Litchfield Park (revenues/expenses)
- Engineering impacts (sewer, water, traffic, environmental)
- Economic Development impacts (sales tax generation)
- Planning (good land use principles)

In an effort to study the requests in greater detail and to gather public comment on the applications, the following efforts have been made to date:

- Preparation and presentation of the Retail Market Feasibility Study
- Neighborhood Meetings hosted by the applicants
- Citizen Review Meetings hosted by the City of Litchfield Park
- PZ Study Session on May 20, 2014
- Financial Impact Analysis prepared by the City's Finance Director
- Multiple channels for public comment on the applications

#### **GPA14-05 (Sun Health proposal)**

This property was last reviewed at Study Session on May 20, 2014. At that time, the proposed Commercial designation was intended for the 60 acres in an "L" shape configuration that included the immediate northwest corner of the two arterials and extended some distance to the north and west. Since that time, the Commercial designation request has been revised down to just 32 acres along Camelback Road. Sun Health intends to develop the other 28 acres along Litchfield Road with a mix of agritourism related uses. Since agritourism is not specifically identified in the General Plan, staff has provided direction to the applicant that the City will update the current "Mixed Use Public Facility / Residential" land use designation to read "Mixed Use Public Facility / Residential / Agritourism". Subsequently, Staff has drafted a new

Agritourism zoning district to provide development standards and use restrictions that will guide the development. The applicant has indicated rezoning cases for both the commercial and agritourism properties are forthcoming. These applications will provide site planning details needed to more closely evaluate both requests. It is important to note that nearly two-thirds of the property proposed with the Commercial designation is already zoned commercial and partially developed with medical offices. The westernmost one-third would need a commercial zoning application and is currently vacant.

Agritourism is a growing industry in the United States and several facilities around the Phoenix area are already operating. The trend towards healthier living, locally grown and less processed foods, has contributed to the interest in these types of facilities. Typical agritourism uses may include crop growing, harvesting, processing, farmers markets, farm stands, general retail and services, plant nurseries, U-pick, tours, on-farm classes, fairs, festivals, pumpkin patches, Christmas tree farms, social/corporate events, orchard dinners, youth camps, barn dances, restaurants, barn dances, winery, distillery, micro-brewery, health spa, and community garden to the extent such uses further the agritourism use. Staff finds that the incorporation of an agritourism facility on the Sun Health property will be an amenity to not only the residents onsite, but everyone in Litchfield Park and overall West Valley.

Discussion points may include:

- The Commercial Land Use designation is generally considered more intense than the Mixed Use designation. Are there any related concerns with this?
- Additional Commercial land uses may generate more calls for police protection.
- Traffic impact of additional commercial development on Camelback Road. Additional right-of-way and improvements are likely needed.
- A pedestrian under (or over) pass to the northeast corner of Camelback and Litchfield Road is required by Development Agreement. How will this be impacted by the proposed Agritourism/Commercial Development?
- Additional commercial development is likely to generate additional Sales Tax revenue to offset associated costs of services the City provides to the property.
- Consider PZ Commission direction to the applicant on design concepts for the site plan and architecture as they prepare their zoning application filing. Staff has advised that a village style/organic concept that integrates with the La Loma project is preferred, particularly over any linear strip retail format that only orientates to the adjacent arterial roadways. The applicant should elaborate on their design intentions for the site.
- Need for companion zoning case(s) to establish site plans and building architecture to ensure compatibility with the facility, nearby community, and overall La Loma concept. The zoning case(s) could also establish limitations on building heights, setbacks, and other related development standards that are not possible through the GPA application.
- Concurrent processing of the new Agritourism Zoning District is necessary for the forthcoming zoning application.



**Meeting Date:** August 12, 2014

**To:** Planning and Zoning Advisory Commission

**From:** Jason Sanks, Planning Consultant

**Subject:** Zoning Code Section - Agritourism (AT) – Staff Report

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The request for a major General Plan amendment at the northwest corner of Camelback and Litchfield Roads has established the need for a new zoning district to accommodate a proposed agritourism facility. The concept of agritourism has been growing in popularity in the United States over the last 15 years as healthy eating trends and the desire for locally grown and processed foods has become an interest to many people. Agritourism can be defined as a commercial and educational enterprise, which may include some product processing, that allows members of the general public, for recreational, entertainment, or educational purposes, to view or enjoy rural activities, including farming, historic, cultural, harvest-your-own activities, or natural activities and attractions. The current General Plan is being amended to accommodate the land use under the existing Mixed Use Public Facility/Residential designation (to add Agritourism). Additionally, this new proposed zoning district will accommodate a range of uses not currently identified in the Use Matrix within the Zoning Ordinance.

### **Agritourism**

The setbacks and signage of the new AT zoning district were primarily derived from the Community Commercial (CS) zoning district. Staff anticipates that there will be a range of retail and service uses associated with the facility that are similar to the CS district and therefore should subsequently be buffered from different land uses and arterial streets. However, special provisions for lot coverage have been provided considering agricultural production can have unique needs for shade cover, green houses, etc... in the desert climate.

Several uses have been listed as permitted, subject to a Use Permit. Staff finds that these uses have unique characteristics that may have potentially negative impacts on adjacent property owners. The Use Permit process will afford the City an opportunity to review in greater detail what those impacts are and perhaps impose restrictions to the extent necessary to mitigate them. For example, a Use Permit is required for “Outdoor music and/or video broadcasts”. The noise and light associated with this use could be a nuisance to surrounding neighborhoods. An example restriction that could be imposed through a Use Permit would be a limitation on how late the music is allowed to be

played. Any number of events could involve outdoor music, such as a wedding or festival.

Staff is also proposing to add an additional definition to the Zoning Ordinance for “Unlisted Uses” as the proposed Agritourism concept may present uses not currently considered at this time but appropriate for the district. This definition will provide some flexibility, through the Zoning Administrator, to accommodate new and substantially similar uses to those already listed. This provision will provide the same flexibility to other zoning districts as well.

Staff understands through discussions with Sun Health that they are working with the owners of the Queen Creek Olive Mill for a possible second location on this site. The Queen Creek location features an olive tree farm, mill, marketplace, eatery, “olivespa”, tours, catering, and event hosting. The La Loma property offers a unique opportunity for another mill with its unique topography, historic nearby home, and excellent access and proximity to the Wigwam Resort to further enrich the experience of visitors. Integration of the facility into the Sun Health project will add a significant amenity for onsite residents.

### **Discussion Points**

The Planning and Zoning Advisory Commission may wish to discuss and comment upon the following points associated with the proposed Agritourism zoning district:

- Development standards – setbacks, lot coverage, signage
- Use list
- Uses subject to Use Permit approval
- Additional regulations as listed in the draft district
- Association with the La Loma property
- Tour bus access and parking
- Integration into the Sun Health facility and its future needs

## **SECTION 2 DEFINITIONS**

### **2.04 Definitions**

**Agritourism** A commercial and educational enterprise, which may include some product processing, that allows members of the general public, for recreational, entertainment, or educational purposes, to view or enjoy rural activities, including farming, historic, cultural, harvest-your-own activities, or natural activities and attractions.

## **SECTION ## AGRITOURISM (AT) DISTRICT**

Subsections:

- ##.01 Land Use Definition
- ##.02 Use Regulations
- ##.03 Property Development Standards
- ##.04 Height Regulations
- ##.05 Setback Regulations
- ##.06 Additional Regulations

### **##.01 Land Use Definition**

Agritourism: this category provides areas for agritourism uses that encompass multiple commercial and agricultural enterprises at one location consistent with the protection of adjacent residential uses.

Permitted uses in this district include crop growing, harvesting, processing, farmers markets, farm stands, general retail and services, plant nurseries, U-pick, tours, on-farm classes, fairs, festivals, pumpkin patches, Christmas tree farms, social/corporate events, orchard dinners, youth camps, barn dances, restaurants, barn dances, winery, distillery, micro-brewery, health spa, and community garden to the extent such uses further the agritourism use..

Accessory uses, temporary uses, farm stays, bed and breakfasts, hotels, outdoor music, video broadcasting, and bee-keeping require a Use Permit.

### **##.02 Use Regulations**

A building or premises shall be used only for the purposes as set forth in the City of Litchfield Park zoning matrix (Section 28).

### **##.03 Property Development Standards**

#### **a. Lot Area**

Each lot shall have a minimum area of 5 acres.

#### **b. Lot Width**

Each lot shall have a minimum width of 150 feet.

#### **c. Lot Coverage**

The maximum lot coverage shall be 25 percent of the lot area. Shade structures related to growing and agricultural production may cover an additional 15 percent of the lot for a total allowed lot coverage of 40 percent of the lot area.

#### **d. Buffers**

Buffer yards, consisting at a minimum of landscaping for the required setback distance, including pathways as appropriate, as approved by the Design Review Board, shall be provided between dissimilar uses or other districts.

#### **e. Site Plan Review**

Development plans shall be submitted for approval by the Design Review Board in accordance with the provisions of Section 37 of this code.

### **##.04 Height Regulations**

The height of the buildings shall not exceed forty feet above grade nor two stories.

### **##.05 Setback Regulations**

#### **a. Front Yard**

1. There shall be a front yard having a depth of not less than fifty feet unless approved as part of a Development Plan.
2. Where a lot is located at the intersection of two or more streets, there shall be a yard conforming to the front yard requirements on each street side of a corner lot. No accessory building shall project into yards required to conform with the front yard requirements.

#### **b. Side Yard**

None required, except that:

1. Where a lot is adjacent to a residential zoning district there shall be a side yard on the side of the lot adjacent to such residential zoning district having a width of not less than thirty feet but at least equal to one foot of setback for each one foot of vertical height of the principal building.
2. Where a lot abuts two streets there shall be a side yard on the street side of such corner lot having a width not less than fifty feet.
3. If a side yard is otherwise provided it shall have a width of not less than fifty feet.

### **c. Rear Yard**

None required, except that:

1. Where a lot abuts a residential zoning district whether or not separated by an alley, there shall be a rear yard having a depth of at least thirty feet but not less than one foot of setback for each one foot of vertical height of the principal building.
2. Where a lot abuts two streets there shall be a side yard on the street side of such corner lot having a width not less than fifty feet.

### **##.06 Additional Regulations**

- a) An application for an Agritourism district shall include a master development plan showing the proposed locations of the permitted Agritourism uses and the general sequence of proposed development. The master development plan shall become part of the approved re-zoning ordinance. The Council may require that a development agreement pursuant to ARS Section 9-500.05 be processed and approved concurrently with the approval of the Agritourism district.
- b) Any site plan approved pursuant to Section 37 of this zoning code or minor land division or preliminary plat approval pursuant to Chapter 14 of the city code shall be consistent with the master development plan approved as part of the ordinance establishing the Agritourism district.
- c) Development of the parcel requires review and approval of the Design Review Board in accordance with Section 39 of this Zoning Code.
- d) Any exterior lighting shall be directed downward and away from adjacent property in accordance with the city code and this zoning code. See Section 31.15.
- e) Provision of on-site stormwater retention/drainage and off-site stormwater drainage both entering and leaving the property shall be as required by the City and The Maricopa County Flood Control District, the procedures for which shall be approved by the Council.
- f) Property signage shall conform with Commercial zoning district signage standards as described in Section 35 of the Zoning Code.
- g) All requirements of the Maricopa County Health Department, the Arizona Department of Health Services and other applicable laws shall be complied with.
- h) The processing and/or milling locations of agricultural products must be shown on the project site plan and described in detail in the rezoning narrative. Any associated noise, smell, smoke, light or other potential negative impacts on adjacent properties must be identified. Greater setbacks than based district standards may be imposed on the location of these facilities at the discretion of the City Council.
- i) Tour and Charter bus access and staging areas shall be shown on the project site plan. Buses may only idle for 15 minutes before and after passenger drop off.
- j) Outdoor music or video broadcasts are subject to Use Permit approval.
- k) Special events require a special event permit pursuant to Chapter 19 of the City Code.

**CITY OF LITCHFIELD PARK  
NOTICE OF CITIZEN REVIEW MEETING**

Pursuant to A.R.S. § 9-462.02 and Section 4.05 of the Litchfield Park Zoning Code, notice is hereby given that the Litchfield Park Planning and Zoning Advisory Commission will hold a work session open to the public to discuss a proposed text amendment to the Litchfield Park Zoning Code at the date and time set forth below. The purpose of the meeting will be to gather information regarding the proposed text amendment and provide an opportunity to interested persons to express any issues or concerns they may have with respect to the proposed text amendment. Members of the public are encouraged to attend.

**DATE: AUGUST 12, 2014 AT 6:00 P.M.**  
**PLACE: CHURCH AT LITCHFIELD PARK  
SOUERS HALL  
300 N. OLD LITCHFIELD ROAD  
LITCHFIELD PARK, ARIZONA**

A copy of the proposed amendment is available for viewing online at [www.litchfield-park.org](http://www.litchfield-park.org), and at the Litchfield Park City Hall, 214 West Wigwam Blvd, Litchfield Park, Arizona 85340 during normal office hours: Monday through Friday, 8 a.m. to 5 p.m.

The substance of the proposed amendment is generally described as follows:

Amending Section 2 Definitions to add a definition for agritourism. Also adding a new section Agritourism (AT) District with additional subsections: Land Use Definition setting forth that the Agritourism District will provide for agritourism uses, encompassing multiple commercial and agricultural enterprises at on location consistent with the protection of adjacent residential uses, setting forth permitted uses in the district, and setting forth those uses that would require a Use Permit in this district; Use Regulations setting forth that a building or premise in this district shall only be used for the purposes as set forth in the Litchfield Park Zoning Matrix; Property Development Standards setting forth development standards for the district; Height Regulations setting forth height regulations for the district; Setback Regulations setting forth the front, side and rear yard setback requirements for the district; and Additional Regulations setting forth additional regulations for the district, including application requirements, requirement that the site plan, minor land divisions, and/or preliminary plats be consistent with the master development plan approved when establishing the district, requiring; requiring Design Review Board approval of any district development, requiring development aspects be in compliance with City, Maricopa County Flood Control District, Maricopa County Health Department, Arizona Department of Health Services, and other applicable laws; requiring that the processing and/or milling locations of agricultural products be shown on the project site plan and described in detail, requiring any associated potential negative impacts on adjacent property be identified, setting forth that City Council may impost setbacks greater than the required base standards; requiring that tour/charter bus access and staging areas be shown on the project site plan and setting forth restrictions on bus idling; requiring that outdoor music or video broadcasts are subject to Use Permit approval and requiring that special events require a special event permit pursuant to the City Code. The proposed amendment would also amend Section 38 Zoning Matrix District Requirements Summary to the new Agritourism Zoning District and uses allowed therein.

Pamela J. Maslowski  
Planning Services Director



**Meeting Date:** August 12, 2014

**To:** Planning and Zoning Advisory Commission

**From:** Jason Sanks, Planning Consultant

**Subject:** Zoning Code Update  
Section 35 Signs

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Staff was tasked with drafting an update to the City's Sign Code. Specifically, we were to focus on temporary signage, include references to new technology where applicable (L.E.D. signage) and minimize the impact on existing non-residential requirements. As such, Staff reviewed multiple other Cities' and Towns' codes to ascertain what level of requirements and restrictions were being used in Arizona. Staff reorganized the existing code and then drafted additional sections in an effort to meet the future needs of the City of Litchfield Park.

#### **Current Section 35: Signs**

The current Sign code section is divided up into 35 separate sections. Staff found that the organization of these separate sections was confusing and did not follow a logical progression of ideas, concepts or requirements. One such illustration of this would be the section on definitions of terms. Typically the definition section of a code is located near the beginning after the purpose statement or at the very end. In the current iteration of the code the definition section is located in the middle.

Aside from the problems with the organization of the code, there are also key requirements found in many other codes that are not addressed within the City's code. Some of the missing or inadequate covered requirements include temporary signs, residential signage, A-Frame signs, sign walkers, encroachment of signs, and conditions for allowing/disallowing encroachment. Other sections of the Sign Code have been updated or modified, building upon existing text.

#### **Updated Section 35 Signs**

Staff reorganized the code into 17 main sections. The previous code sections were updated and modified in order to be placed within the new sections. The reorganization of sections was based on content and type of requirements.

Some changes and clarifications were requested by the Commission at the July 8, 2014 Regular Study Session meeting. Staff found other items within the draft that needed clarification or additions. Those items are listed as:

- Added provisions and restrictions for “Sign Walkers” under General Regulations.
- Added definition for Billboard Signs.
- Deleted duplicate definition “Area of Sign”
- Clarified that all wall signs shall be constructed of reverse pan channel letters and illumination may be backlit. The intent is to now restrict the use of typical internally illuminated pan channel letter signs that have translucent color plexi-glass on their outward face.

As presented, Staff finds that the current draft is ready for Planning and Zoning Advisory Commission action.

**Staff Recommendation**

Staff recommends approval of Section 35 Signs.

## **SECTION 35 SIGNS**

Subsections:

- 35.01 Purpose and Objectives
- 35.02 Definitions
- 35.03 General Requirements
- 35.04 Comprehensive Sign Program
- 35.05 Residential and Public Facility Sign Standards
- 35.06 Commercial Sign Standards
- 35.07 Resort Sign Standards
- 35.08 Temporary Signage
- 35.09 Flag Pole Requirements
- 35.10 Nonconforming Signs
- 35.11 Abandoned, Illegal, Prohibited or Inadequately Maintained Signs
- 35.12 Revocation of Permit
- 35.13 Liability
- 35.14 Removal of Signs Placed in the Public Right-of-Way
- 35.15 Removal of Political Signs Placed in the Public Right-of-Way
- 35.16 Emergency Removal or Repair
- 35.17 Violation; Penalty

### **35.01 Purpose and Objectives**

The purpose of this section is to establish regulations for signs within the city to enable communication through signs consistent with the need to regulate aesthetics and avoid clutter and the protection of free speech, to protect safety of the traveling public and to promote economic development in commercial districts.

The objectives on which the provisions and specifications regulating signs are founded are:

- a. Preserving the city's character, scenic appeal and uncluttered appearance
- b. Adopting balanced regulations that represent a reasonable and defensible compromise between prohibiting signs altogether and proliferation of signs of all sizes, shapes and colors, particularly along major thoroughfares.
- c. Encouraging the use of Comprehensive Sign Programs, where applicable, to provide flexibility that will encourage creativity and quality in signage design appropriate to the character of Litchfield Park, as well as to provide adequate identification and information, and to promote traffic safety.

### **35.02 Definitions**

#### **a. Terms Defined**

**A-Frame Sign:** A temporary sign supported by its own frame in the shape of an "A" when in use, or an upside down "T"; also referred to as a "sandwich" or "tent" sign. A-Frame sign does not include signs not visible from streets or public rights-of-way.

**Abandoned Sign:** A sign that pertains to a business, use, time or event which no longer exists or when the purpose for which the permit for the sign was approved has been fulfilled or no longer exists.

**Awning Sign:** A structure often made of plastic or canvas that serves as a shelter or projection over a storefront, window, door or deck that displays the name and/or logo of a commercial business.

**Banner:** Any sign of lightweight fabric or similar material that is permanently or temporarily mounted to a pole or a building by a permanent or temporary frame at one or more edges. Banner includes pennants and streamers. Banner does not include national flags, state or municipal flags, or the official flag of any institution or business.

**Billboard Sign:** A sign which meets any one or more of the following criteria:

- a. A permanent structure sign which is used for the display of off-site commercial messages;
- b. A permanent structure sign which constitutes a principal, separate or secondary use, as opposed to an accessory use, of the parcel on which it is located;
- c. An outdoor sign used as advertising for hire, e.g., on which display space is made available to parties, other than the owner or operator of the sign or occupant of the parcel (not including those who rent space from the sign owner, when such space is on the same parcel as the sign), in exchange for a rent, fee or other consideration; or
- d. An off-site outdoor advertising sign on which space is leased or rented.

**Building Front Footage:** The maximum dimension of the building front measured on a straight line parallel to any fronting street.

**Business Front Footage:** The lineal distance of the building space occupied by the particular business measured on a straight line parallel to the face of the building in which the main entrance into that particular business is located.

**City, Church, Civic Organization Special Event Sign:** A temporary sign used primarily to promote a special event to be held in the City by the City, a church or civic organization.

**Commercial Special Event Sign:** Temporary sign to advertise commercial special event.

**Commercial Special Event:** Seasonal sale, holiday sale, weekend/clearance sales and similar temporary non-recurring events.

**Contractor or Subcontractor Sign:** A temporary sign which identifies the firm, business, person(s), or entity responsible for the work or activity in progress at the location of the sign.

**Development Sign:** A temporary sign which identifies a development in progress, or one in prospect, and which displays the name of a development, the developer's name and contact information, and information regarding the designer and contractor for the site to which it is placed.

**Directional Sign:** A sign whose purpose is to indicate the route to be followed in traveling to the destination named on the sign.

**Directory Sign:** A sign whose purpose is to indicate the route to be followed to a specific business or place within a multiple-tenant commercial building or complex.

**Drive-Thru/Menu Board:** Reader panel sign that contains menus for a drive-thru restaurant.

**Entryway Sign:** A freestanding sign identifying the entrance to a resort facility, a subdivision, a townhouse complex or a commercial plaza or district.

**Fascia:** A parapet-type wall (see definition for parapet) used as part of the facade of a flat-roofed building and projecting not more than six feet from the building face immediately adjacent thereto and enclosing at least three sides of the projecting flat roof.

**Freestanding Sign:** A sign mounted or erected on its own self-supporting structure that is detached from any building, fence or wall.

**Garage Sale/Yard Sale Sign:** A sign displayed on the date when a garage sale, yard sale, moving sale, estate sale or similar event involving the occasional sale of used goods on residential property.

**Grand Opening Sign:** A sign introducing, promoting, and/or announcing a new business, store, shopping center, office, or an established business that has new ownership or management.

**Ground Level:** The finished grade of existing sidewalks or where there is no sidewalk, six inches above the street grade. In native terrain, ground level is the mean level of the area immediately around the sign.

**Identification Sign:** A sign that only includes the name of a business with no additional message.

**Ideological Sign:** A sign other than a political sign which expresses, conveys, or advocates a non-commercial message that is not related to the advertisement of any product or service or the identification of any business.

**Illegal Sign:** Any sign except the following:

- a. A sign allowed by this section and not requiring a permit;
- b. A sign allowed by this section for which a valid permit has been issued and is in force;
- c. A sign whose permit renewal is delinquent for fourteen days or more.

**Indirect Lighting:** A source of external illumination, either to back light the sign, or located a distance away from the sign, but which is, itself, not visible from any normal position of view.

**Internal Lighting:** A source of illumination entirely within the sign which makes the contents of the sign visible at night by the light being transmitted through a translucent material but wherein the source of the illumination is not visible.

**Lighting:** The method of illuminating a sign for visibility.

**Maintenance:** The replacing or repairing of a part of a sign without changing the wording, location, composition, or color of said sign.

**Monument Sign:** A visually prominent, non-movable sign, not attached to a building, which identifies a single or multiple building development.

**Multifamily Complex Sign:** A monument sign used to identify name of multi-family development.

**Multi-Tenant Building or Complex:** A structure or structures which houses or is intended to house a variety of separate residential living units or commercial activities.

**Nonconforming Sign:** A sign which does not conform to the provisions of this code but which, when first constructed, was legally established.

**Off-premises Sign:** A sign related to a use or structure on property other than the property on which the sign is located.

**On-premises Sign:** A sign related to a use or structure on the same property as that on which the sign is located.

**Open House:** A sign inviting the public for a walk-through inspection of property which is for sale or for lease.

**Parapet Wall:** A wall extending above the plate line of a building.

**Permanent Sign:** A sign which is intended to be displayed for an indefinite or long-lasting period.

**Plate Line:** The point at which any part of the main roof structure first touches or bears upon an external wall.

**Political Sign:** A sign designed, used or intended to induce voters to vote for either the election or defeat of a candidate for nomination or election to any public office, or which identifies or expresses a position, conveys a message concerning, or advocates a position on an issue in an upcoming election and includes without limitation banners, campaign signs, posted handbills and notice of any kind.

**Portable Sign:** Any sign not permanently attached to the ground or other permanent structure; signs converted to A-Frames; menu and sandwich board signs; balloons used as signs; umbrellas

for advertising; does not include signs attached to or painted on vehicles parked and visible from the public right-of-way, unless said vehicle is used in the normal day-to-day operations of the business.

**Prohibited Sign:** All signs not expressly permitted.

**Public Right-of-Way or ROW:** Land which by deed, conveyance, agreement, easement, dedication, usage or process of law is reserved for or dedicated to the general public for street, highway, alley, public utility, pedestrian walkway or landscape purposes.

**Quasi-Governmental:** An agency or business supported by the local, county, state or federal government but managed privately; an agency or business that, by general practice, possesses some of the legal characteristics of both the government and private sectors. (E.g. a quasi-governmental health-care agency)

**Real Estate Sign:** A sign located at the property or premises advertising the sale, lease or rental of the property or premises upon which the sign is located.

**Reader Panel Sign:** An onsite sign which is designed to permit immediate change of copy.

**Setback:** The shortest straight line distance in feet from the nearest property or lot boundary to a main or accessory building, structure, sign, or the like located on the same property or lot.

**Shingle Sign:** A sign which identifies a business or activity whose front is under an extended roof (e.g. an overhang), a covered walkway, a covered porch, or the like.

**Sign Copy:**

- a. Any device for visual communication that is used for the purpose of bringing the subject thereof to the attention of the public, but not including any flag, badge, or insignia of any local, state, or federal governmental agency.
- b. The term "sign" shall mean and include any display of any letter, numeral, figure, emblem, picture, outline, character, announcement or means whereby the same are made visible and for the purpose of attracting attention to make anything known, whether such display be made on, attached to, or as a part of, a structure, surface or thing including, but not limited to, the ground or any rock, tree, or other natural object, which display is visible beyond the boundaries of the lot or parcel of property on or over which the display appears.

**Sign Area:** Sign area is the sum of the areas of all permitted signs, except directional signs, street addresses or safety signs (e.g., stop engine, no smoking). Sign area shall be measured as follows:

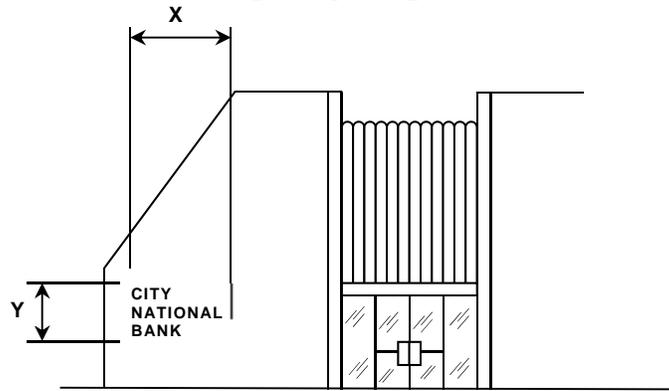
- a. For sign copy mounted or painted on a background panel or area distinctively painted, textured or constructed, the Sign area is the area within the outside dimensions of the background panel or surface.

**Example Sign Copy Area**



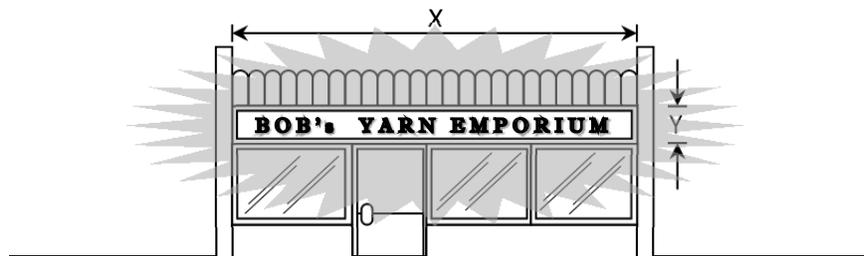
b. For sign copy consisting of individual letters and/or graphics affixed to a wall or portion of a building that has not been painted, textured, or otherwise altered to provide a distinctive background for the sign copy, the sign area is the area within the smallest rectangle that will enclose the sign copy. Sign area shall not include any architectural enhancements, decorative embellishments or support structures so long as said support structures, decorative embellishments or architectural enhancements are appropriately scaled to the size of the copy as determined by the Design Review Board and shall not extend more than two feet (2') above the height of the measurable sign area.

**Example Sign Copy Area**



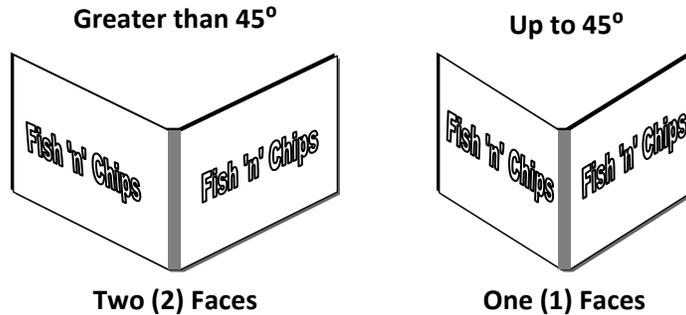
c. Unless modified as part of a Comprehensive Sign Program, for sign copy mounted or painted on an internally-illuminated sign or internally-illuminated element of a building, the entire internally-illuminated surface or architectural element that contains sign copy will be counted as sign area.

**Example Illuminated Sign Copy Area**



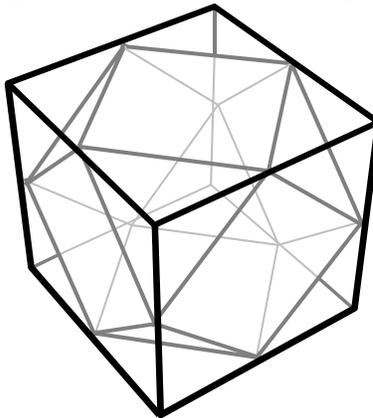
- d. Unless modified as part of a Comprehensive Sign Program, number of sign faces:
1. One – Area of the single face only.
  2. Two – If the interior angle between the two sign faces is forty-five (45) degrees or less, the sign area is the area of one face only; if the angle between the sign faces exceeds forty-five (45) degrees, the sign area is the sum of the areas of the two faces.
  3. Three or more – For any sign containing three or more faces, the sign area shall be measured as the sum of areas of the all the sign faces.

**Example Sign Copy Area**

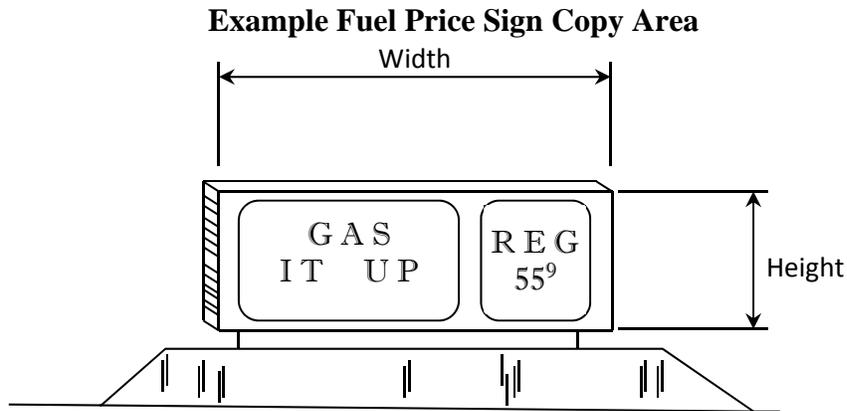


- e. Unless modified as part of a Comprehensive Sign Program, three dimensional, sculptural or other non-planar signs – Sign area will be the sum of the areas of the vertical faces of the smallest polyhedron that will encompass the sign structure.

**Example Dimensional Sign Copy Area**

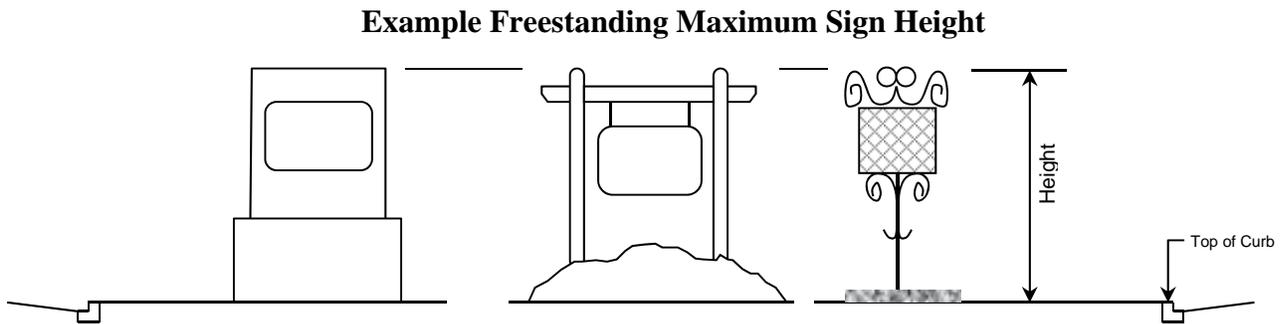


f. Unless modified as part of a Comprehensive Sign Program, signs having more than one component (e.g., a service station identification/price sign combination mounted on a common base), the sign area is the area of the rectangle enclosing all components of the sign.

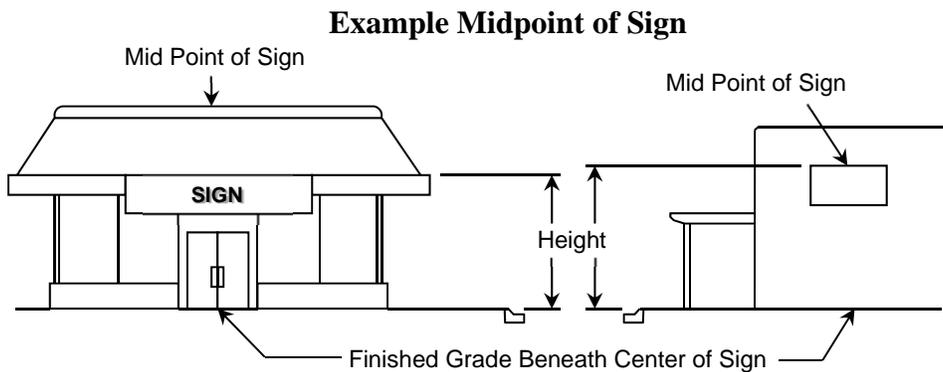


**Sign Height: Sign height is defined as follows:**

a. Freestanding Sign: Sign height is the distance from the top of the measurable sign area, to the top of curb of the public road nearest the sign, or to the crown of public road nearest the sign if no curb exists. Non-illuminated architectural embellishments may extend an additional 18” in height from the highest point of sign copy.



b. Wall or Fascia Mounted Signs: Sign height is the distance measured from a point perpendicular to the top of the midpoint of the sign structure, to the top of the finished floor of the ground floor level directly below the midpoint of the sign.



**Structural Member:** A support that is a constituent part of any structure or building.

**Subcontractor Sign:** A temporary sign which identifies the firm, business, person(s), or entity responsible for work or activity in progress at the location of the sign.

**Subdivision Sign:** A monument sign or individual letters mounted on a wall to identify a residential subdivision.

**Temporary Sign:** A sign displayed that is not permanently anchored to the ground, to a structure, or permanently affixed to a permanent sign that relates to an infrequent or sporadic activity or use. Temporary signs include, but are not limited to, open house signs, political signs, development signs, and yard sale signs.

**Traffic Directional Sign:** Those signs whose purpose and placement are solely to define and streamline the flow of vehicular and pedestrian traffic so as to minimize congestion and promote safety.

**Wall Sign:** A sign attached to, painted on or erected against a wall of a building or structure with the face of the sign in the plane of the wall or on a surface parallel to the face of the wall and which may only be used to identify the business.

**Window Sign:** A sign visible through and/or affixed in any manner to a window or exterior glass door that is intended to be viewable from the exterior (beyond the sidewalk immediately adjacent to the window), including signs located inside a building but visible primarily from the outside of the building.

**Yard Sale Sign:** A sign displayed on the date when a garage sale, yard sale, moving sale, estate sale or similar event involving the occasional sale of used goods on residential property.

### **35.03 General Requirements**

#### **a. Sign Permit**

A sign permit approved by the city shall be required prior to any sign, other than those specifically exempted herein, being erected, exhibited, re-erected, altered in any material way, or relocated in the city.

**1. Illuminated Signs:** Signs which are to be illuminated electrically shall require a separate electrical permit in conformity with the electrical code of the city.

**2. Permit Exceptions:** A permit is not required for the following signs or sign alterations, but all such signs and alterations shall be subject to all pertinent provisions of this section:

- A. Signs required by this section and listed herein.
- B. Repainting without changing wording, composition or colors or minor nonstructural repairs except electrical repair.
- C. Relocation of sign as required by city.

D. Window signs, non-illuminated, and having an area of four square feet or less.

E. Real estate signs no larger than four square feet exhibited or placed by the proprietors of properties or premises on the properties or premises advertised. In addition, one real estate sign, no larger than four square feet may be exhibited or placed on each street on which the parcel of land or premises for sale abuts.

### **3. Permit Application and Expiration**

A. To obtain a permit, the applicant shall file an application on a form furnished by the city. The application shall contain the location by street and number of the proposed signs and the name and address of the sign contractor. All applications shall be accompanied by the written consent of the owner, lessee, agent, or trustee having charge of the property on which the sign is posted.

B. Every permit issued under this section shall expire and become null and void if the work authorized by such permit is not completed within 90 days from the date of such permit. Before such work can be recommenced, a new permit shall be obtained and the fee for the new permit shall be 1/2 of the fee required for a new permit for such work, provided no changes have been or will be made in the original plans and specifications for such work.

### **4. Permit Fees**

Application and fees:

A. All applications for a sign permit shall be submitted with a fee established by the council.

B. The fee will be refunded to the applicant if the application for permit is denied.

### **5. Requirement of Plans**

A. The original and one copy of plans and specifications shall be submitted with the application for each sign larger than four square feet. Such plans shall show the size of the sign, the method of attachment or support, locations and materials to be used, and the name and address of the person who designed, and set the specifications for such sign. Plans for supports for any sign subject to excessive stresses, as determined by the city engineer or building inspector, shall be accompanied by structural computations. Sufficient data shall be submitted to show that supporting surfaces and other members of an existing building to which the sign is to be attached are in good condition and are adequately strong to support the load, including the proposed sign.

2. One copy of such plans and specifications shall be returned to the applicant at the time the permit is granted and shall indicate the permit number and date of issuance.

### **6. Sign Permit**

The Zoning Administrator or designee is authorized to issue sign permits in accordance with this section.

**b. Code Limitations**

Nothing contained herein shall prevent the erection, construction and maintenance of official traffic, fire or police signs, signals, devices and markings of the state of Arizona and/or the city or other public authorities or the posting of notices required by law.

**c. Conflicting Provisions**

In the event a provision in this section conflicts with another provision or another code then the more restrictive provision shall apply.

**d. Procedures and Enforcement of Code**

The Zoning Administrator is authorized to enforce this section pursuant to the procedures set forth in this section and applicable law.

**e. Design and Construction**

**1. Building Code**

In addition to the requirements of this section, all signs shall conform to the requirements of the building codes of the city.

**2. Permanent Sign Materials**

All permanent signs shall be constructed using structural members of materials subject to approval of the Zoning Administrator or designee. Nonstructural trim may be of wood, metal, approved plastics or any combination thereof.

**3. Materials for Temporary Signs**

Materials proposed to be used in constructing temporary signs shall be stated in the application for the sign permit. Adequacy of the material proposed from the standpoints of stability and safety and of composition and color shall be subject to approval by the Zoning Administrator or designee.

**f. Lighting and Movement**

1. All wall mounted signs shall be constructed with reverse pan channel letters and may be backlit with no visible lighting source. The reverse pan channel letters shall be constructed of metal with no translucent material on the outward face of the letter.

1. All free-standing monument signs shall be internally illuminated with no visible lighting source unless otherwise approved by the Design Review Board through a Comprehensive Sign Program.

2. No single light source element, which exceeds 15 watts (or its equivalent), shall be used in connection with a sign or to illuminate a sign in a way that exposes the face of the bulb light or lamp when viewed from a public street or adjacent residential use,

3. Illumination resulting from all signs and lighting on any one property in a non-residential zone shall be shielded so that the light source elements (light bulbs) are not directly visible from property in a residential zone that is adjacent to or across a street from the property in the non-residential zone.

4. No internally illuminated sign, other than reverse pan channel and backlit, shall be allowed on property in a residential zone. Lighting from all light sources operated for the purposes of sign illumination on property in a residential zone shall be shielded from other property in the residential zone.

5. Other signs including ground directional signs less than four square feet may be internally illuminated or externally illuminated. Exterior illumination shall be top mounted and shielded to aim downward only.

6. A sign or signs or any part thereof which moves or may be moved by any means shall be prohibited.

**g. Location**

1. Obstruction of Exits

No sign shall be installed so as to obstruct any door, window or fire escape of any building or to interfere in any way with a person's moving freely through any one of them.

2. Traffic Hazards

No sign shall be erected in such a way as:

- A. To interfere with or to confuse traffic;
- B. To create any traffic hazard; or
- C. To obstruct the vision of motorists.

3. Construction over Public Property

No sign shall be erected in a manner which projects over any public sidewalk, street, alley, or public place without the city's express approval for a limited time.

**h. Maximum Size, Height, and Number of Signs, and Minimum Setbacks**

The permissible areas, height, setbacks, and number of signs depend upon the type, purpose and location of the proposed sign(s) and such criteria as are defined herein in those sections and subsections pertaining to the particular sign.

**i. Signs not specifically authorized herein, temporary or permanent, are prohibited, including, but not limited to the following:**

- 1. Change-panel signs.
- 2. Advertising flags.
- 3. Neon, projected image and laser image signs except as otherwise permitted in this section
- 4. Roof signs, or signs that project above the highest point of the roofline, parapet, or fascia of the building.
- 5. Signs emitting sound.
- 6. Animated, moving, or flashing sign, including televisions or signs with streaming video.
- 7. Billboard signs.
- 8. Non-electrically illuminated signs.
- 9. Non-public signs in public right-of-way or on public property, except as otherwise permitted in this section.
- 10. Off-premise signs, except as otherwise allowed for in this section.
- 11. Banners, pennants, streamers, flags, searchlights, strobe lights, beacons, inflatable signs, balloons (fixed or otherwise), placards, posters, paintings, etc. visible from off premises except as otherwise allowed for in this section.
- 12. Signs imitating an official traffic control sign and any sign or device obscuring such traffic control signs or devices.

13. Temporary, portable, mobile (except for sign walkers), or A-frame signs except as otherwise permitted in this section.

**j. Inspections and Maintenance**

1. Inspections

Unless waived by the Zoning Administrator, all signs shall be subject to the following inspections:

- A. Footing inspection on all freestanding signs;
- B. Electrical inspection on all illuminated signs;
- C. Inspection of braces, anchors, supports and connections on all signs;
- D. Inspection to ensure that the sign has been constructed according to an approved application and sign permit.

2. Inspection Markings

All signs shall be marked with the permit number. This marking shall be permanently placed by the fabricator of the sign. The permit number shall be assigned and recorded on the permit at the time the permit is issued. The permit number shall be shown on the face of the sign, preferably in the lower right-hand corner, and shall be in numbers between two and one-half and four inches high.

3. Maintenance

Failure to maintain signage in compliance with this section or an approved sign program constitutes a violation of this section. .

- A. Any sign or component of a sign which is in a damaged or deteriorated condition and constitutes a danger or hazard to public safety, or a visual blight shall be promptly repaired or replaced. Surface materials and components shall be kept free of chipping, peeling, fading, cracks, holes, buckles, warps, splinters, or rusting visible from an adjacent property or street. Illuminated signs shall be maintained in good operating condition including prompt removal and replacement of all defective bulbs, light emitting diodes, fluorescent tubes, neon or other inert gas light segments, damaged or deteriorated electrical wiring, and malfunctioning control devices and related circuitry.
- B. All signs are subject to the following:
  - 1. Footing inspection on all freestanding signs;
  - 2. Electrical inspection on all illuminated signs;
  - 3. Inspection of braces, anchors, supports and connections on all signs;
  - 4. Inspection to ensure that the sign has been constructed according to an approved application and sign permit.
- C. Abandoned Signs: Abandoned signs shall be removed. When a sign is removed, the structure behind the sign shall be restored to its original condition and color. No additional sign permits will be issued until this is completed. Any on-site sign or abandoned sign, including its supporting structure, which no longer

identifies the current occupancy of the premises upon which such sign is located or otherwise fails to serve its original purpose, shall be deemed a public nuisance after a six month lapse and shall be removed by the owner of the land or building upon which such sign is located..

**k. Requirement for Conformity**

It shall be illegal for a sign to be placed or maintained in the city, except as provided in this code.

1. The violation of any provision of this section or failure to comply with any order or regulations made hereunder shall constitute a misdemeanor.

**l. Sign Walkers.** Sign walkers shall be permitted, subject to the following regulations:

1. Location: sign walkers shall be located only:
  - A. 30 feet from a street or driveway intersection measured from the back of the curb or edge of pavement if no curb exists.
  - B. 5 feet from the street measured from the back of curb or edge of pavement if no curb exists.
  - C. Sign walkers shall yield right-of-way to pedestrians, bicycles and all others traveling or located on the sidewalks.
  - D. At grade level.
2. Prohibited locations: sign walkers shall not be located:
  - A. In raised or painted medians.
  - B. In parking aisles or stalls.
  - C. In driving lanes or driveways.
  - D. On fences, boulders, planters, other signs, vehicles, utility facilities, or any structure.
  - E. Within a minimum distance of 20 feet from any other sign walker.
  - F. In a manner that results in sign walkers physically interacting with motorists, pedestrians, or bicyclists.
3. Display. Signs shall be:
  - A. Displayed only during the hours the business is open to conduct business.
  - B. Held, worn or balanced at all times.
4. Elements prohibited. The following shall be prohibited:
  - A. Any form of illumination, including flashing, blinking, or rotating lights;
  - B. Animation on the sign itself;
  - C. Mirrors or other reflective materials;
  - D. Attachments, including, but not limited to, balloons, ribbons, speakers.

**35.04 Comprehensive Sign Program**

The Comprehensive Sign Program affords flexibility that will encourage creativity and quality in signage design appropriate to the character of Litchfield Park, as well as to provide adequate identification and information, and to promote traffic safety. All new construction or

developments (residential and non-residential) shall be required to submit a Comprehensive Sign Program.

**a. Consistent Themes:** For all commercial projects under one ownership or controlled by a single development, a uniform standard in design and materials quality for signage apply.

**b. Flexibility:** The Comprehensive Sign Program may allow greater flexibility in sign location, number, area or proportion of sign types within the total maximum aggregate allowed; as well as height, illumination and any other standards contained herein consistent with applicable district standards, project scale, sign elements, design enhancements and visual improvements.

**c. Building Wall Mounted:** Under the Comprehensive Sign Program, wall signs may have a maximum area not to exceed 0.75 square feet for each lineal foot of the building frontage or sixty-four square feet in area, whichever is less.

**d. Approval:** All Comprehensive Sign Program submittals shall be reviewed and approved by the Design Review Board.

**e. Evaluation Criteria:** In reviewing a Comprehensive Sign Program, the Design Review Board evaluation shall include, but not be limited to, consideration of the following criteria: visibility and readability for sign function, location relative to traffic movement and access points, size of development, design compatibility with architectural and/or natural features of the project, context of the surrounding area and landscape enhancements. The program shall propose, and the Design Review Board shall consider for approval, proportionate substitutions or trade-offs of signage and project enhancements.

**f. Design Elements:** The Comprehensive Sign Program shall require that certain design elements be considered and addressed. The consideration and inclusion of other design elements is encouraged to enhance the quality of the signage program and to conform to village planning concepts of the City of Litchfield Park. Comprehensive Sign Program preparation should include investigation of new lighting technologies and methods for incorporation, where practicable, to reduce unwanted light emission from signage.

1. The design elements that must be described and illustrated include:
  - A. Type and style of lettering and numbering;
  - B. Size of lettering and numbering;
  - C. Size of any logotype and/or graphic representation, which shall be included in total signage area calculations;
  - D. Color of sign elements, including color of sign background;
  - E. Composition of sign elements;
  - F. Lighting: internal, external with manufacturer specifications pertaining to lumens;
  - G. Sign materials;
  - H. Construction details;
  - I. Placement of sign on building;
  - J. Location of monument sign(s) on the site;
  - K. Relation of sign to other development signage.

2. In addition to the otherwise permitted signage, the Design Review Board may approve a project identification monument sign at the corner of two arterial streets or principal entry into a project; such sign shall not include tenant names and shall not exceed eight feet in height or sixty-four square feet in area.

**g. Monument Signage:** One monument sign, not more than eight feet in height and width with a maximum of one identification panel for each tenant is allowed on each arterial road frontage. Where arterial street frontage is five hundred (500) feet or more, an additional monument sign is allowed for every additional two hundred-fifty (250) linear feet of arterial street frontage. An additional ten square feet of sign area may be approved for every one foot of height below eight feet. Location of all monument signs must be approved by the City Engineer as not to interfere with vehicular sight visibility along the adjacent public streets and ingress and egress to adjacent streets or private property.

**h. Major Tenant Signage (within a Comprehensive Sign Program):**

1. Any single building tenant occupying more than ten thousand square feet gross leasable area shall be allowed a wall sign maximum area of one and one-half square feet for each linear foot of the building frontage upon which the sign is displayed, or two hundred fifty square feet in area, whichever is less.
2. Allowable major tenant signage may include three individual franchise identification signs and two product service signs, each not exceeding thirty square feet.

**i. Program Submittal Requirements:** Consideration of the Comprehensive Sign Program includes a two-stage review process: the first conducted by staff; the second, by the Design Review Board.

1. Submittal of three copies of a written presentation, in a bound format, containing all the required elements.
2. Following review and comments by staff, the applicant shall prepare a completed revised package for consideration by the Design Review Board.
3. A minimum of ten copies shall be submitted to the City's Planning Department a minimum two weeks before meeting will be scheduled.
4. City staff review and transmittal, with findings, shall accompany the program submitted to the Design Review Board for determination that the sign program has met a higher design standard.
5. The Design Review Board shall review the submittal and approve, approve with stipulations or deny the application.
6. Decisions of the Design Review Board are appealable to the City Council.

### **35.05 Residential and Public Facility Sign Standards**

Signs regulations govern Residential and Public Facility Districts and residential and public facility uses in planned development (PD) districts unless the signs are governed by a comprehensive sign program pursuant to Section 35.05. Any new development shall be required to submit a comprehensive sign program to be reviewed and approved by the design review board.

<b>Subdivision Signs</b>	<b>Single Family</b>
<b>Design</b>	Monument style or individual letters mounted on Freestanding Wall
<b>Location</b>	Monument style signage shall be located within a landscaped area of 2 sf per 1 sf of sign area.
<b>Size/Area</b>	≤ 40 sf
<b>Height</b>	6' maximum
<b>Approval</b>	Final location approved by City Zoning Administrator or designee

<b>Apartments and Condominium Signs</b>	<b>Multi-Family</b>
<b>Design</b>	One (1) Freestanding sign located within a landscaped area of 2 sf per 1 sf of sign area. Wall mounted sign permitted as an alternative.
<b>Location</b>	5' setback from property line
<b>Size/Area</b>	≤ 40 sf for freestanding sign ≤ 24 sf for wall mounted sign. Must be located below roofline. ≤ 60 sf with Design Review Board approval of a Comprehensive Sign Program
<b>Height</b>	6' maximum
<b>Approval</b>	Final location approved by City Zoning Administrator or designee

<b>Reader Panel</b>	<b>All Residential and Public Facility Districts</b>
<b>Uses</b>	Municipal, Religious, Academic Institution, Fraternal Organizations and Quasi-Government
<b>Number</b>	One (1) reader panel sign permitted
<b>Size/Area</b>	≤ 20 sf
<b>Height</b>	4' maximum
<b>Lighting</b>	External illumination is allowed. Light source must be shielded from direct view.
<b>Prohibited Content</b>	No advertising of daily/weekly deals is allowed.

<b>Monument for non-residential uses within a residential district</b>	<b>All Residential and Public Facilities Districts</b>
<b>Uses</b>	Municipal, Religious, Academic Institution, Fraternal Organizations and Quasi-Government
<b>Number</b>	One (1) per street side
<b>Size/Area</b>	≤ 24 sf
<b>Height</b>	6' maximum
<b>Content</b>	May include name and hours, shall include address. No Advertising.
<b>Approval</b>	New signs subject to Design Review Board Approval

### 35.06 Commercial Sign Standards

Signs regulations govern Neighborhood Commercial (NC), Community Commercial (CS) and Regional Commercial (RS) Districts, and those uses in Planned Development (PD) Districts, unless the signs are governed by a comprehensive sign program pursuant to Section 35.05.

Any new development shall be required to submit a comprehensive sign program to be reviewed and approved by the design review board.

<b>A-Frame Signs</b>	<b>All Commercial Developments</b>
<b>General Requirements</b>	<ol style="list-style-type: none"> <li>1. Permitted w/ <b>ZA approved permit</b> which expires 1 year from date of issuance and must be renewed</li> <li>2. Displayed only during posted open hours</li> <li>3. At grade &amp; on the property of business advertised</li> <li>4. Designed and constructed to withstand 30 MPH gusts of wind</li> <li>5. Must be maintained - no chipping paint, cracks, gouges, missing letters, etc.</li> </ol>
<b>Number</b>	1 per business permitted with <b>Zoning Administrator or designee approved permit</b>
<b>Area</b>	6 sq ft maximum
<b>Size</b>	≤ 2' width & 3' height
<b>Location</b>	Prohibited: <ol style="list-style-type: none"> <li>1. Parking aisles or stalls, driving lanes, on trails</li> <li>2. Fences, boulders, trees, planters, other signs, vehicles, utility facilities, or any structure</li> <li>3. W/in a min. 20' of A-Frame signs and of any access drive or street intersection</li> <li>4. Min. 3' clearance for pedestrians on all walkways</li> </ol>
<b>Design</b>	<ol style="list-style-type: none"> <li>1. Min. 1/2" high density exterior grade compressed wood, i.e. Omega or Medium 2. Density Overlay Board</li> <li>3. Water Resistant Coating/Impervious to adverse weather conditions</li> <li>4. Cut Vinyl Graphics (zip tracks may be used)</li> <li>5. No attachments (Balloons, ribbons, speakers, etc.)</li> <li>6. Similar materials may be approved by the ZA</li> </ol>
<b>Lighting</b>	Prohibited: Any form of illumination - including flashing, blinking, rotating lights, no Animation or reflective materials

<b>Awning Signs</b>	<b>Neighborhood Commercial</b>	<b>Community &amp; Regional Commercial</b>
<b>Size/Area</b>	20% maximum of front awning face.	20% maximum of front awning face
<b>Content</b>	Name, and/or logo. Shall not include an additional advertising.	Name, and/or logo. Shall not include an additional advertising.
<b>Sign Calculations</b>	50% of awning sign area shall be included in aggregate sign calculations.	-

<b>Directional Signs</b>	<b>Neighborhood Commercial</b>	<b>Community &amp; Regional Commercial</b>
<b>Size/Area</b>	6 sf	6 sf
<b>Height</b>	4'	4'
<b>Maximum</b>	25% of total center allowable sign area. Does not count against site's allowable aggregate signage.	25% of total center allowable sign area. Does not count against site's allowable aggregate signage.
<b>Location</b>	Outside of Visibility Triangles.	Outside of Visibility Triangles.
<b>Lighting</b>	Internal or external illumination allowed. All lighting sources must be shielded from view	Internal or external illumination allowed. All lighting sources must be shielded from view
<b>Allowances</b>	Use, number, and location approved only through comprehensive sign program and comply with other requirements.	Use, number, and location approved only through comprehensive sign program and comply with other requirements.

<b>Directory Signs</b>	<b>Neighborhood Commercial</b>	<b>Community &amp; Regional Commercial</b>
<b>Size/Area</b>	24 sf max (does not count toward site's total aggregate allowable signage)	24 sf max (does not count toward site's total aggregate allowable signage)
<b>Height</b>	6'	6'

<b>Lighting</b>	May be illuminated subject to Section 35.12	May be illuminated subject to Section 35.12
<b>Purpose</b>	Used to Identify the location of buildings, offices or businesses within a complex.	Used to Identify the location of buildings, offices or businesses within a complex.
<b>Allowances</b>	Use, number, and location approved only through comprehensive sign program and comply with other requirements.	Use, number, and location approved only through comprehensive sign program and comply with other requirements.

<b>Drive-Thru Restaurant Menu Boards</b>	<b>Neighborhood Commercial</b>	<b>Community &amp; Regional Commercial</b>
<b>Number</b>	-NA-	One (1) Preview and one (1) ordering/menu board per vehicle queuing lane.
<b>Setback</b>	-NA-	45' from street side
<b>Visibility</b>	-NA-	Front of the boards shall not be visible from any public street.
<b>Size/Area</b>	-NA-	24 sf (does not count toward site's total allowable aggregate signage)
<b>Height</b>	-NA-	6'
<b>Design</b>	-NA-	Freestanding menu boards shall have a monument style base matching the architecture and construction materials of the building
<b>Landscaping</b>	-NA-	2 sf for each sf of sign area
<b>Lighting</b>	-NA-	Internal and/or external illumination is allowed. Light sources must be shielded from view.

<b>Monument</b>	<b>Neighborhood Commercial</b>	<b>Community &amp; Regional Commercial</b>
<b>Number</b>	One monument per development, except as permitted otherwise. For Multiple building developments or commercial centers 1 additional sign	One monument per development, except as permitted otherwise. One (1) per arterial frontage for Multiple building developments or commercial centers
<b>Size/Area</b>	24 sf for single building/Tenant 24 sf for Multi-tenant/building	24 sf for single building/Tenant 60 sf for Multiple building commercial Center, approved by the DRB
<b>Separation</b>	-	Additional Freestanding signs may be placed along street frontage with a Comprehensive Sign Program. Minimum 300' between signs, max 24 sf in area and may be either a Center ID sign or a Multi-Tenant ID Sign.
<b>Height</b>	Max of 6'	Max of 6' or 24 sf for single building or single tenant
<b>Content</b>	Name and/or logo of business and shall include address	Name and/or logo of business and shall include address
<b>Exceptions</b>	Individual buildings/pads shall not be considered separate developments for signage purposes.	Individual buildings/pads shall not be considered separate developments for signage purposes.
<b>Signage Calculations</b>	Monument sign(s) for multi-tenant, multi-building or Commercial Center Developments shall not count toward individual businesses/major tenants if their name is not part of center ID.	Monument sign(s) for multi-tenant, multi-building or Commercial Center Developments shall not count toward individual businesses/major tenants if their name is not part of center ID.

<b>Reader Panel Signs</b>	<b>Neighborhood Commercial</b>	<b>Community &amp; Regional Commercial</b>
<b>Additional Uses Permitted</b>	Municipal, religious, academic institutions, fraternal organizations or quasi-government uses	Municipal, religious, academic institutions, fraternal organizations or quasi-government uses
<b>Number</b>	One (1) freestanding reader panel	One (1) freestanding reader panel
<b>Size/Area</b>	20 sf	32 sf
<b>Height</b>	4'	6'
<b>Lighting</b>	No Scrolling or flashing	No Scrolling or flashing
<b>Sign Area</b>	Sign area <u>will be</u> included in the total site aggregate signage calculation.	Sign area <u>will be</u> included in the total site aggregate signage calculation.
<b>Sign Design</b>	Change panel and Marquee signs and service station price signs shall be allowed.	Change panel and Marquee signs and service station price signs shall be allowed.

<b>Shingle Signs</b>	<b>Neighborhood Commercial</b>	<b>Community &amp; Regional Commercial</b>
<b>Number</b>	One (1) shingle sign per business	One (1) shingle sign per business
<b>Height</b>	8' clearance minimum	8' clearance minimum
<b>Size/Area</b>	3 sf maximum	4 sf maximum
<b>Content</b>	Name and/or logo of business. No additional advertising allowed.	Name and/or logo of business. No additional advertising allowed.
<b>Placement</b>	Placed perpendicular to the building immediately adjacent to the business.	Placed perpendicular to the building immediately adjacent to the business.

<b>Wall Mounted Signs</b>	<b>Neighborhood Commercial</b>	<b>Community &amp; Regional Commercial</b>
<b>Size/Area</b>	0.67 sf / 1 linear foot 32 sf maximum each	0.67 sf / 1 linear foot 50 sf maximum
<b>Location</b>	May be placed on any side of the building business is located	May be placed on any side of the building business is located
<b>Setback</b>	If > 300' from Arterial 1.5 sf / 1 linear foot permitted with a Maximum 160 sf	If > 300' from Arterial 1.5 sf / 1 linear foot permitted with a Maximum 250 sf
<b>Maximum Aggregate</b>	Single Tenant = 120 sf Multi-Tenant = 240 sf	Single Tenant = 250 sf Multi-Tenant = 1 sf / 1 linear foot on Arterials
<b>Placement Requirements</b>	Horizontal length < 50% of width of building. 36+ in. between top of sign and top of building.	Horizontal length < 50% of width of building. 36+ in. between top of sign and top of building.
<b>Lighting</b>	Subject to lighting standards in Section 35.12.	Subject to lighting standards in Section 35.12.

<b>Window Signage</b>	<b>Neighborhood Commercial</b>	<b>Community &amp; Regional Commercial</b>
<b>Size/Area</b>	20% of total window area through which sign will be visible	25% of total window area through which sign will be visible
<b>Location</b>	Signs may be displayed within 3' behind the window. Sign copy shall be limited to business identification and a graphic symbol or any combination thereof. In no case shall product signs be allowed.	Signs may be displayed within 3' behind the window. Sign copy shall be limited to business identification and a graphic symbol or any combination thereof. In no case shall product signs be allowed.

### 35.07 Resort Sign Standards

Sign regulations govern Resort Districts and resort uses in Planned Development (PD) Districts. Any new development shall be required to submit a comprehensive sign program to be reviewed and approved by the design review board.

<p><b>Location &amp; Size/Area</b></p>	<ol style="list-style-type: none"> <li>1. Resort identification signs may be located at each primary entrance to the resort from a Major or Minor arterial or collector street. The maximum height shall be 8 feet and the maximum sign area shall be seventy (70) square feet, aggregate per entry. Dual entrance monuments are permitted if total sign area does not exceed seventy (70) square feet.</li> <li>2. Use identification monuments, for businesses that are located within the resort shall be allowed smaller monument signs not to exceed four feet (4') in height and eight (8) square feet in area per sign face. These business identification monuments may be 4-sided or three-dimensional (3D).</li> <li>3. Wall signs are permitted for individual uses within the resort not to exceed sixty (60) square feet in area.</li> </ol>
<p><b>Lighting</b></p>	<p>Signs shall be illuminated by backlit or indirect lighting.</p>
<p><b>General Requirements</b></p>	<ol style="list-style-type: none"> <li>1. No moving or animated signs shall be permitted. Changeable copy is permitted within the allowable sign area.</li> <li>2. Traffic and directional signs within the site shall not exceed 8 square feet in area, aggregate, and shall not exceed 5 feet in height.</li> <li>3. Signs mounted on an exterior wall of any structure that are not identification signs shall contain only building identification (i.e. numbers or letters) as necessary for emergency access with a maximum area of 24 square feet.</li> <li>4. Signs placed at resort pedestrian gate entrances and exits shall be allowed and shall contain directions for entrance/exit, deliveries, and any restrictions and shall not exceed 4 square feet in area maximum.</li> <li>5. Resorts may also obtain temporary special event banners as defined within the temporary sign section below.</li> <li>6. Total quantity and aggregate size of internal direction and identification signs shall be approved by the Design Review Board as part of the Comprehensive Sign package.</li> </ol>

### 35.08 Temporary Signage

Temporary signs located in any Zoning District shall comply with the following regulations:

- a. Safety-related signs (alerting motorists or pedestrians to potential hazards such as road construction, work in progress, open excavation, detours and the like) are required; flashing light signs required during period of low visibility.
- b. Permits for temporary signs may be issued or renewed by the Zoning Administrator or designee for a period not to exceed one year (except subdivision signs until last residence is sold) in all zones unless otherwise specified.
- c. "No Trespassing" signs are permitted in all districts without permit, may be freestanding, and not to exceed four square feet not in R-O-W or within one hundred feet of similar sign on same parcel.
- d. Rights-of-way (R-O-W or ROW) as used in this section means those lands or easements, whether improved or unimproved, dedicated to or owned by the city, state or other government entity for use by the public for public access or transportation.

- e. Prohibited Temporary Signs: Same as prohibited permanent signs and vehicle-mounted or transported (other than bumper sticker or mounted on taxi, busses or other public transportation); attached to utility poles
- f. No temporary sign shall block a public right-of-way or sidewalk, nor be placed in a location to be a hazard or obstruct visibility.

Sign Type	Temporary Signs are permitted subject to the following regulations:				General Requirements
	Number	Area	Setbacks	Height	
<b>Development Signs</b>	One sign is permitted per abutting street to the development	The sign shall not exceed 32 square feet	Minimum setback for the sign shall be 5 feet	Sign shall not exceed 6 feet in height to the top of the placard or framing	
<b>Political Signs on Private Property</b>	12 signs for each property address.	16 square feet	Not allowed in a location where it would be a hazard or obstructs vision	8'	Must be removed within 15 days after election. No permit required
<b>Political Signs in ROW</b>	No Restriction	16 square feet if in a residential zone. 32 square feet if in a other zones	Not allowed in a location where it would be a hazard or obstructs vision	3'	May not be placed more than 60 days before election & must be removed within 30days after election  Not allowed in a commercial tourism, commercial resort and hotel political sign free zone adopted by City Council resolution
<b>Development Signs (Developer, Contractor, and Subcontractor Identification)</b>	One sign permitted per major entry or abutting street)	Sign area shall not exceed 16 square feet	Minimum setback for the sign shall be 15 feet	Sign shall not exceed 6 feet in height	
<b>Temporary Special Event</b>	Zoning Administrator or designee may approve signs for special events on a temporary basis. The Zoning Administrator or designee has the authority to approve design standards including number of signs, size, height and setback. The temporary special use signs may be approved for a timeframe of 30-days and under special circumstances may be renewable once for an additional 30-days.				
<b>Yard Sale</b>	Six yard sale signs shall be permitted	Sign area shall not exceed 4 square feet per sign	Signs shall be placed a minimum of 2 feet from any curb	Maximum height for each sign shall be 2.5 feet	
<b>Off Premise Open House Directional Signage</b>	One sign for each change of direction, plus one sign per mile of	Sign area shall not exceed 4 square feet per sign	Signs shall be placed a minimum of 2 feet from any curb		Signs shall only be displayed while the sales person is attending the open house and shall be

	arterial/collector roadway, not to exceed 5 signs total				removed at the end of the day.
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**35.09 Flag Pole Requirements**

- a. Flags poles shall not exceed the maximum building height allowed in each zoning district and shall be located and constructed that if it should collapse, its reclining length would be contained on the property for which it was installed.
- b. Unless specifically permitted by the Zoning Administrator or designee, no more than one (1) flag may be flown or hung on any one (1) site, structure, or pole; provided, however, that one (1) State of Arizona and one (1) foreign national flag may be flown in addition to the one (1) permitted flag on such site, structure, or pole.
- c. The maximum size of any corporate flags shall not exceed fifteen (15) square feet, with no single dimension to exceed six (6) feet.
- d. A sign permit is required to display any corporate flag and must be included as part of the total aggregate sign area.
- e. Display of the United States flag must meet all requirements of the United States Flag Code, including national and local lighting standards.
- f. A model home complex may use flags in addition to the United States flag and State of Arizona flag, in the following manner:
  - 1. There can be no more than two (2) flags on the lot of one model home and one (1) flag on each additional lot with a model home located upon it, not to exceed five (5) total flags.
  - 2. The maximum size of any model home flag shall not exceed eight (8) square feet.
  - 3. Model home flags shall not be illuminated.
  - 4. Flagpole shall not exceed twenty-five (25) feet in height.
- g. Permits are required for sign poles. No sign permits are required for flags unless otherwise noted.
- h. The maximum size of a United States flag, State of Arizona flag or foreign national flag shall be sixty (60) square feet. This limit does not apply to a United States flag or State of Arizona flag flown on a national or state holiday.

**35.10 Nonconforming Signs**

Nonconforming signs are any signs which do not conform to the provisions of this code, but which, when first constructed, were legally allowed by the political subdivision then having control over signs.

- a. Reasonable repairs and alterations may be made to nonconforming signs. However, in the event any such sign is damaged after January 1, 1989, the cost of repair of which exceeds fifty percent of the cost to replace it, such cost to be determined by a competent appraiser, or in the event such sign is removed by any means, including an act of God, such sign may be restored, reconstructed, altered or repaired only to conform with the provisions of this code.

**35.11 Abandoned, Illegal, Prohibited or Inadequately Maintained Signs**

- a. The Zoning Administrator or designee shall notify the owner of any abandoned, illegal, prohibited or inadequately maintained sign to correct a violation of this section or to remove the sign within three days of receipt of such notice.

- b. A copy of such notice shall also be sent to the owner of the property on which the offending sign is located.
- d. The notice shall state clearly and briefly the manner in which the sign is in violation of the city's code citing, as may be appropriate, the section and paragraph of the code violated. Also, as may be appropriate, or if not evident from the violation cited, the notice shall state briefly what action is required of the owner of the sign to correct the violation.
- e. In the event corrective action is not undertaken or an appeal is not made to the city by the owner of the sign against the decision within the three-day period, the Zoning Administrator or designee shall serve or cause to be served a complaint on such sign owner.
- f. The complaint shall contain at least: 1) date, time and place and the section(s) of the code of the alleged violation, 2) the date, time and place for the defendant to appear, 3) an affirmation signed by the Zoning Administrator or designee that the violation exists.

### **35.12 Revocation of Permit**

The Zoning Administrator or designee has the authority to revoke any permit if the sign authorized by the permit has been constructed or is being maintained in a manner inconsistent with the permit.

- a. Notice of the zoning administrator's decision to revoke a sign permit shall be served upon the holder of the permit; a) by personally delivering a copy of the notice to the holder of the permit, or to one of its officers; or b) by leaving a copy of this notice with any person in charge of the premises; or c) in the event that no such person can be found, by affixing a copy of the notice in a conspicuous position at an entrance to the premises and by depositing in the United States mail, certified, another copy of the notice addressed to the last known post office address of the holder of the permit.
- b. The notice shall state the reasons and grounds for revoking the permit, specifying the deficiencies or defects in such sign in a reasonable and definitive manner and the violations charged. Such notice shall specify what repairs, if any, will make such an installation conform to the requirements of this section and shall specify that the sign must be removed or made to conform to the provisions of this code within the notice period provided herein. This notice shall be known as a non-compliance notice.
- c. The holder of the permit may appeal the decision of the Zoning Administrator to the board of adjustment. This appeal must be filed within 14-days of the date the notice was served.
- d. If no appeal has been filed by the end of the 14-day appeal period, then the permit is revoked and the sign is illegal. The Zoning Administrator then shall initiate the procedure for the removal of the illegal sign.

### **35.13 Liability**

- a. The provisions of this code shall not be construed to relieve or to limit, in any way, the responsibility or liability of any person, firm or corporation which erects or owns any sign for personal injury or property damage caused by or attributed to a sign, nor shall the provisions of this code be construed to impose upon the city, its officers or employees any responsibility or liability by reason of the approval of any sign under the provisions of this code.

### **35.14 Removal of Non-Political Signs Placed in the Public Right-of-Way**

- a. The zoning administrator shall remove or arrange for the removal of any sign, banner or poster of any kind placed in a public right-of-way by any non-governmental entity without the city's express approval, as provided herein.
- b. Before removing any sign placed in a public right-of-way, the Zoning Administrator shall take a photograph or arrange for a photograph to be taken of the sign and its location.
- c. The owner of the sign shall be notified of the removal by telephone and by confirming such telephone notification by mailing a sign recovery notice to the owner.
- d. A copy of the sign recovery notice shall be held on file in the city hall attached to the snapshot of the sign at the point of removal.
- e. The sign shall be returned to the owner or the owner's agent upon payment of:
  1. Cost to the city of removing and impounding the sign, plus
  2. A Recovery Fee set by the city, plus
  3. Per Diem storage charge, also set by the city.

### **35.15 Removal of Political Signs Placed in the Public Right-of-Way**

- a. The zoning administrator shall remove or arrange for the removal of any sign, banner or poster of any kind placed in a public right-of-way by any non-governmental entity without the city's express approval, as provided herein.
- b. Before removing any sign placed in a public right-of-way, the zoning administrator shall take a photograph or arrange for a photograph to be taken of the sign and its location.
- c. The owner of the sign shall be notified of the removal if contact information is available.
- d. The sign shall be returned to the owner or the owner's agent upon payment of:
  1. Cost to the city of removing and impounding the sign, plus
  2. A Recovery Fee set by the city, plus
  3. Per Diem storage charge, also set by the city.

### **35.16 Emergency Removal or Repair**

- a. The Zoning Administrator or designee is authorized to cause the immediate removal or repair of any sign or signs found to be unsafe or defective to the extent that it creates an immediate and emergency hazard to persons or property.
- b. Notice: If the Zoning Administrator or designee has determined that a hazard to persons or property exists, then actual notice to the property owner or lessee shall not be required. The Zoning Administrator or designee shall make a reasonable effort to notify the property owner or lessee that the unsafe or defective sign must be removed or repaired immediately.
- c. All the actual cost and expense of any such removal or repair shall be borne by the owner of such sign and by the owner of the premises on which the sign is located; each of them shall be jointly and severally liable therefore, and an action for recovery thereof may be brought by the city upon proper certification of such cost and/or expense by the Zoning Administrator.

### **35.17 Violation; Penalty**

Any person found guilty of violating any provision of this Section 35 shall be guilty of a class 1 misdemeanor, and upon conviction thereof shall be punished by a fine not to exceed two thousand five hundred dollars or by imprisonment for a period not to exceed six months, or both such fine and imprisonment. Each day that a violation continues shall be a separate offense punishable as described in this subsection. (Ord. 04-90 § 4)

**CITY OF LITCHFIELD PARK  
NOTICE OF PUBLIC HEARING**

Pursuant to A.R.S. Section 9-462.04(A)(1), Notice is hereby given that the Litchfield Park Planning and Zoning Advisory Commission and the Litchfield Park City Council will hold public hearings at the dates and times set forth below to consider adoption of an ordinance to amend the City of Litchfield Park Zoning Code.

**THE PLANNING AND ZONING ADVISORY COMMISSION PUBLIC HEARING  
WILL BE HELD ON TUESDAY, AUGUST 12, 2014, AT 6 P.M.  
AT THE CHURCH AT LITCHFIELD PARK, SOUERS HALL  
300 N. OLD LITCHFIELD ROAD, LITCHFIELD PARK, AZ 85340**

**THE LITCHFIELD PARK CITY COUNCIL PUBLIC HEARING  
WILL BE HELD ON WEDNESDAY, SEPTEMBER 17, 2014, AT 7 P.M.  
AT THE  
~~LITCHFIELD LIBRARY, COMMUNITY ROOM~~ (location amended after publication)  
~~101 WEST WIGWAM BLVD., LITCHFIELD PARK, AZ 85340~~  
**LITCHFIELD ELEMENTARY SCHOOL CAFETERIA  
300 W. WIGWAM BOULEVARD, LITCHFIELD PARK AZ 85340****

The City proposes to amend the Zoning Code of Litchfield Park. The amendments are generally described as follows:

Repealing the current Section 35 Signs and adding new Section 35 Signs, consisting of the following subsections: Subsection 35.01 Purpose, setting forth the purpose and objectives for sign regulations; Subsection 35.02 Definitions, adding and /or revising definitions for A-Frame Sign, Awning Sign, Banner Sign, Building Front Footage, Business Front Footage, City/Church/Civic Special Event Sign, Commercial Special Event Sign, Development Sign, Drive-Thru/Menu Board, Freestanding Sign, Garage Sale/Yard Sale Sign, Identification Sign, Ideological Sign, Illegal Sign, Indirect Lighting, Internal Lighting, Lighting, Multi-Family Complex Sign, Multi-Tenant Building or Complex, Permanent Sign, Political Sign, Portable Sign, Prohibited Sign, Public Right-of-Way or R-O-W, Quasi-Governmental, Real Estate Sign, Reader Panel Sign, Sign Copy, Sign Area, Sign Height, Sign Walker, Structural Member, Subdivision Sign, Temporary Sign, and Window Sign; Subsection 35.03 General Requirements, setting forth general information and requirements for Code limitations, conflicting provisions, conformity; setting forth general standards & requirements for sign permits, sign design & construction, sign lighting & movement, sign inspections and maintenance, removal of signs from public property, and sign walkers; and setting forth that the permissible areas, heights, setbacks and number of sign criteria are defined in the sections pertaining to the particular signs and that signs not specifically allowed are prohibited; Subsection 35.04 Comprehensive Sign Program, requiring all new construction or developments (residential and commercial) to submit a Comprehensive Sign Program, and setting forth standards, requirements, and application and approval procedures for a Comprehensive Sign program; Subsection 35.05 Residential and Public Facility Sign Standards, setting forth standards and requirements for signs in Residential and Public Facility zoning districts, including Subdivision, Apartment/Condominium, Reader

Panel, and Monument signs; Subsection 35.06 Commercial Sign Standards, setting forth standards and requirements for signs in Community Commercial, Neighborhood Commercial, and Regional Commercial Zoning Districts, including A-Frame, Awning, Directional, Directory, Drive-thru/Menu Boards, Monument, Reader Panel, Shingle, Wall Mounted, and Window signs; Subsection 35.07 Resort setting forth standards and requirements for signs in Resort Zoning Districts ; Subsection 35.08 Temporary Signage, setting forth standards and requirements for temporary signs including Development, Political, Development Identification, Special Event, Yard Sale, and Off Premise Open House/Directional signs; Subsection 35.09 Flag Pole Requirements, setting forth standards and requirements for flag poles; Subsection 35.10 Nonconforming Signs, setting forth requirements for nonconforming signs; Subsection 35.11 Abandoned, Illegal Prohibited or Inadequately Maintained Signs, setting forth enforcement procedures for abandoned, illegal, prohibited and inadequately maintained signs; Subsection 35.12 Revocation of Permit, setting forth the City's authority to revoke permits and procedures for doing so; Subsection 35.13 Liability, setting forth liabilities; Subsection 35.14 Removal of Non-Political Signs Placed in the Public Right of Way, setting forth authorization and procedures for such; Subsection 35.15 Removal of Political Signs Planned in the Public Right-of-Way, setting forth provisions and procedures for such; Subsection 35.16 Emergency Removal or Repair, setting forth authorization and procedures for such; Subsection 35.18 Violation; Penalty, setting forth penalties for violation.

Also, amending Section 2 Definitions, Subsection 2.04 Definitions to delete definitions for Sign; Sign, Abandoned; Sign, Area; Sign, Billboard; Sign, Construction; Sign, Directional; Sign, Nonconforming; and Sign, Temporary.

A copy of the proposed amendment is available at the City of Litchfield Park City Hall, 214 West Wigwam Blvd, Litchfield Park, Arizona 85340 and available for review during normal office hours: Monday through Friday, 8 a.m. to 5 p.m.

Dated this 21<sup>st</sup> day of July 2014.

Pamela J. Maslowski  
City of Litchfield Park  
Planning Services Director

PUBLISHED in the:  
Southwest Valley Arizona Republic on July 26, 2104



**Meeting Date:** August 12, 2014

**To:** Planning and Zoning Advisory Commission

**From:** Pamela Maslowski, Planning Services Director

**Subject:** Section 31.03 Accessory Uses and Structures  
Zoning Code Amendment

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The City's Zoning Code Section 31, General Requirements, Subsection 31.03, related to accessory uses and structures, currently provides that all activity (except required on-site parking, loading or unloading) including incidental or accessory storage and display area shall be within a completely enclosed building, unless specifically noted herein. This provision restricts vendors from selling product outside their permanent place of business, such as in parking lots or vacant properties.

In light of the issues that have arisen related to mobile food vendors, Staff recommends that this section be amended to provide clarity that outdoor vendors are prohibited unless authorized by a Special Event Permit issued pursuant to City Code Chapter 19.

The request to amend the Zoning Code with this proposed amendment was reviewed by City Council at their May 21, 2014 meeting and Council forwarded the amendment to the Planning and Zoning Commission for review and processing.

The amendment is on tonight's agenda for the required Citizen Review in order to receive public comments and hold discussion.

If the Commission agrees, Staff will place the amendment on the Commission's September 9, 2014 agenda for the required Public Hearing and recommendation to Council.

Staff recommends approval of the ordinance.

**CITY OF LITCHFIELD PARK  
ORDINANCE NO. 14-\_\_\_**

**AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF LITCHFIELD PARK, ARIZONA, AMENDING THE ZONING CODE OF LITCHFIELD PARK, SECTION 31 GENERAL PROVISIONS, BY AMENDING SUBSECTION 31.03 ACCESSORY USES AND STRUCTURES PARAGRAPH a GENERAL, SUBPARAGRAPH 3 RELATED TO THE REQUIREMENT THAT ACCESSORY USES BE IN AN ENCLOSED BUILDING; PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR PENALTIES.**

**BE IT ORDAINED** by the Common Council of the City of Litchfield Park, Arizona, as follows:

Section I. In General.

The Zoning Code of the City of Litchfield Park, Arizona is hereby amended by amending Section 31 General Provisions, Subsection 31.03 Accessory Uses and Buildings Paragraph a General, Subparagraph 3, to read as follows (deleted text appears in ~~strikeout~~; new text in ALL CAPS):

3. All activity (except required on-site parking, loading or unloading) including BUT NOT LIMITED TO incidental or accessory storage, ~~and~~ display areaS AND VENDORS, shall be within a completely enclosed building, unless specifically noted herein OR AS PERMITTED BY A SPECIAL EVENT PERMIT ISSUED PURSUANT TO CHAPTER 19.

Section II. Providing for Repeal of Conflicting Ordinances.

All ordinances and parts of ordinances in conflict with the provisions of this Ordinance or any part of the Code adopted herein by reference, are hereby repealed.

Section III. Providing for Severability.

If any section, subsection, sentence, clause, phrase or portion of this Ordinance or any part of the Code adopted herein by reference, is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions thereof.

Section IV. Providing for Penalties.

Any person found guilty of violating any provision of this Ordinance shall be subject to the penalties set forth in Section 8 of the Litchfield Park Zoning Code. Each day that a violation continues shall be a separate offense punishable as herein described.

**PASSED AND ADOPTED** by the Common Council of the City of Litchfield Park, Arizona, this \_\_\_\_ day of \_\_\_\_\_, 2014.

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Thomas L. Schoaf, Mayor

**ATTEST:**

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Mary Rose Evans, MMC, City Clerk

**APPROVED AS TO FORM:**

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Curtis, Goodwin, Sullivan, Udall & Schwab, P.L.C.  
City Attorneys  
By Susan D. Goodwin

## **CITY OF LITCHFIELD PARK NOTICE OF CITIZEN REVIEW MEETING**

Pursuant to A.R.S. § 9-462.02 and Section 4.05 of the Litchfield Park Zoning Code, notice is hereby given that the Litchfield Park Planning and Zoning Advisory Commission will hold a work session open to the public to discuss a proposed text amendment to the Litchfield Park Zoning Code at the date and time set forth below. The purpose of the meeting will be to gather information regarding a proposed text amendment related to the requirement that accessory uses be in an enclosed building, and to provide an opportunity to interested persons to express any issues or concerns they may have with respect to the proposed text amendments. Members of the public are encouraged to attend.

**DATE: AUGUST 12, 2014 AT 6:00 P.M.**

**PLACE: CHURCH AT LITCHFIELD PARK  
SOUERS HALL  
300 N. OLD LITCHFIELD ROAD  
LITCHFIELD PARK, ARIZONA**

A copy of the proposed amendment is available for viewing online at [www.litchfield-park.org](http://www.litchfield-park.org) and at the Litchfield Park City Hall, 214 West Wigwam Blvd, Litchfield Park, Arizona 85340 during normal office hours: Monday through Friday, 8 a.m. to 5 p.m.

The substance of the proposed amendment is generally described as follows:

Amending Section 31 General Provisions, , Subsection 31.03 Accessory Uses and Buildings Paragraph a General, Subparagraph 3, to read as follows (deleted text appears in ~~strikeout~~; new text in ALL CAPS):

3. All activity (except required on-site parking, loading or unloading) including BUT NOT LIMITED TO incidental or accessory storage, ~~and~~ display areaS AND VENDORS, shall be within a completely enclosed building, unless specifically noted herein OR AS PERMITTED BY A SPECIAL EVENT PERMIT ISSUED PURSUANT TO CHAPTER 19.

Pamela J. Maslowski  
Planning Services Director

## DESIGN REVIEW BOARD/BOARD OF ADJUSTMENT UPDATE

The following items were acted on at the June 5, June 26, and July 10, 2014 Design Review Board meeting:

- ❖ **423 Redondo Drive:** This applicant was seeking design approval for exterior remodeling and additions. The proposed plans included the conversion of some front and rear covered patio space to living space, an addition for living space on the north side, an addition to the front carport with the conversion of the enlarged space to an enclosed garage, new roof shingles and paint color for the entire house. The applicant noted that it was his intention to carry the wainscoting on the new garage around the side of the house. The application was approved with the condition that the stone wainscoting be turned around the sides of the house as noted.
- ❖ **357 N. Cloverfield Circle:** The design plans for a new custom home proposed for the gated section in the Village at Litchfield Park were first reviewed at the June 5 meeting. Discussion included concerns that the plans did not quite match what was being proposed and concerns regarding design issues. The application was continued to provide the applicant time to revise the plans. Revised plans were submitted for inclusion in the agenda for the June 26 meeting; however, the applicant proposed a substantial revision on the day of that meeting. At the meeting, the Board noted their comments/concerns regarding both plans, although it was noted that the revised plans submitted that day were received too late for them to properly review. The application was continued once again to provide the applicant time to incorporate changes discussed and submit revised drawings. The applicant revised their plans once again and submitted them for review at the July 10 meeting. It was noted that the new design appeared to be more cohesive, balanced and graceful. The Board thanked the applicants for working with the Board, and the revised plans were approved.
- ❖ **1021 E. Acacia Circle:** The plans for the roof solar panels proposed for the flat roof at this location noted the panels would have to be tilted up 18". It was noted that the parapet surrounding the roof appeared to be less than a foot, which would make the panels and the supporting structure visible and not be in compliance with the City's Zoning Code. The applicant noted that they had taken another look at the installation plans and were willing to lower the height of the panels to 6 inches, which would be below the height of the parapet. The application was approved with the condition that the maximum height of the panels is to be 6 inches off the roof, the height of the parapet is to be confirmed to be 6 inches, and all conduit and wiring is to be concealed.
- ❖ **500 E. Fairway:** This request was for design approval of plans to add a front porch to the front of an existing home. It was noted that the design and roof pitch would be consistent with the home and add value to it. One concern expressed was that the columns would come down on the existing drive. The

applicant noted that the driveway would be redesigned and an entry path would be added. The application was approved.

- ❖ **360 N. Cloverfield Circle:** The plans for this proposed roof solar panel installation indicated the panels would be located on the pitched roofs of the home in a flat configuration. The panels were arranged in a general quadrangular shape that followed the general shape and contours of each respective roof plane and aligned with the existing roof edges. The application was approved.
- ❖ **290 Estero Lane:** This application was for design approval of a small addition to the side of an existing home. It was noted that the addition would comply with setback and lot coverage requirements. The application was approved with the condition that the colors and materials match the existing.
- ❖ **14838 W. Aldea Drive:** The applicant was not present at the June 26 meeting to provide further information on this application. It was noted that the design plans as submitted did not comply with the Zoning Code's requirements for solar panels. Staff was asked to relay the Board's comments to the applicant and the application was continued. The applicant was not able to complete the revisions to the design in time for the July 10 meeting and asked that the application be continued once again. The Board agreed to continue the item.
- ❖ **447 S. Old Litchfield Road:** The new owners of the church at this location had previously received design approval of their renovation plans. Part of that approval included the color and plans for different stucco designs for the new enclosure and for the existing portion of the church. The applicant was now seeking to amend that approval to use the same stucco design and exterior color for the entire church building. The color and stucco design would be similar to what exists on the Litchfield Elementary School building. The application was approved.
- ❖ **Village at Litchfield Park Phase 2, AV Homes:** AV Homes, who purchased approximately 90 lots in the Village at Litchfield Park, Phase 2, subdivision, had previously received approval of their new home and landscape plans for those lots. They were now seeking approval of two additional home and landscape plans that would be offered for the smaller 80' to 90' lots. Four different elevations would be offered for each plan. The plans were reviewed at the June 5 meeting and the Board noted that the plans did not seem finished. Additional comments were provided to the applicant regarding the lack of four-sided elevation detailing, roofline variation, and entries. Revised plans were submitted for the June 26 meeting. The applicant noted that the new plans illustrated the depth much better. It was also noted that Staff was working with the applicant on exterior color choices. The plans were approved.

**The following item was acted on at the June 26, 2014 Board of Adjustment meeting:**

- ❖ **4814 N. Litchfield Knoll:** The applicant was seeking a variance from the rear yard setback requirement in order to allow an attached shade cover to encroach approximately 13 feet into the required rear yard setback. The Board did not approve the variance noting that they did not feel that they could provide affirmative answers to all of the four questions that are required for a variance to be approved.

**MINUTES OF THE SPECIAL JOINT MEETING  
OF THE LITCHFIELD PARK CITY COUNCIL AND  
THE PLANNING & ZONING COMMISSION  
APRIL 23, 2014**

**I. Call to Order**

The meeting was held in the Litchfield Elementary School cafeteria and called to order by Vice Mayor Faith at 7:00 p.m.

Council Members Present: Mayor Schoaf (arrived 7:40 p.m.); Vice Mayor Faith; Councilmembers Blake, Landis, Mahoney, Romack, and Stucky.

Council Members Absent: None.

Commissioners Present: Chairman Raible; Vice Chairman Ross; Commissioners Dickson, Ledyard, Meese, White, and Williams.

Commissioners Absent: None.

Staff Present: Darryl H. Crossman, City Manager; Sonny Culbreth, Assistant City Manager and Recreation & Community Services Director; Mary Rose Evans, City Clerk; Ben Ronquillo, Finance Director; Pam Maslowski, Planning Services Coordinator; Jim Rulpeltes, Economic Development Director; Jason Sanks, Planning Consultant; Susan Goodwin, City Attorney; and Woody Scoutten, City Engineer.

**II. Pledge of Allegiance**

Vice Mayor Faith led the Pledge of Allegiance.

**III. Retail Market Research Study Presentation by Richard Hill**

Vice Mayor Faith explained that six applications were submitted for major General Plan Amendments (GPA). The applications will first come before the P&Z Commission, and they will come before the City Council sometime toward the end of the year. Tonight's meeting is not a GPA meeting. This meeting is being held for a presentation of a market analysis for the best use of all the vacant land in Litchfield Park, answering questions about whether the land should be used for residential, commercial or retail. The full report will be on the City's website next week.

The three previous meetings about the GPAs were held by the applicants, not the City. The first City-sponsored meetings about the GPAs will be held April 28, 29 and 30. They will all be held in the school cafeteria.

The study was conducted by Richard "Rick" Hill and was completely paid for by the City. Mr. Hill was recommended by Carl Worthington, who developed a downtown plan for the City. Mr.

Hill has excellent national and international credentials. Following the presentation, the City Council and P&Z Commissioners will have an opportunity to ask questions of Mr. Hill. That will be followed by questions from the audience.

Mr. Hill said he researched about 24 socio-economic groups for the study. In 2012, there were \$42 million in retail sales in the 166,000 square feet of commercial area in the City, generating about \$1.2 million in tax revenues. Growth projections for population in the surrounding areas are 1.4 million people in the next 20 years. Where are those people going to shop?

There are 155 acres of vacant land. Should they be developed as residential, requiring more city services, or as retail, generating more tax revenue. If there is no growth in retail sales, you could cut services in half, take the same services and spread them over the same number of people, or look for more tax revenue. The City (collectively, government and residents) needs to determine whether it wants to pay for the services or whether they want people from surrounding communities to shop here and pay for the services. Mr. Hill said many developers are building “fake town centers,” but Litchfield Park already has a real town center/village center. It is a place of community, socialization and public gathering.

Mr. Hill broke the map of the area into 14 sectors, showing average income by neighborhood. The West Valley is home to about 1.5 million people, 31 million square feet of shopping centers, and 68 million square feet of shopping centers and free-standing retail. The national average of retail space is 46-47 square feet per capita; the West Valley’s average is 45.76. Within a five-mile radius of Litchfield Park, the average is 49 square feet per capita, and within a ten-mile radius, the average is 39 square feet (below national standards). Retail has a tendency to concentrate in one area; i.e., the I-10 corridor along McDowell Road. Per capital retail sales for Litchfield Park are \$7,800; the state average is \$13,500 to \$13,600; and the surrounding communities are \$12,000 - \$13,000. That means that Litchfield Park residents are spending much of their money outside the city limits.

Mr. Hill showed the five sites of vacant land, comprising 155,000 square feet of retail acreage. Sites #1, #2 and #3 are the Village Core or the Village Center, and are owned by different entities. They need to be integrated/connected; they need to work together and have the same sense of architectural styles. He has done work with a number of resorts, and their guests enjoy going off-resort for dining and shopping. Both sides of Old Litchfield Road could be lined with amenities offering treats/retreats. Retail should line the major streets of Litchfield Road and West Wigwam Boulevard, with parking behind, and residential could potentially be to the west. It should contain specialty retail, restaurants and entertainment, lots of greenery, outdoor dining and cafes, an outdoor garden environment.

Site #4 is at Litchfield and Camelback Roads. The northeast corner is 73 acres and could support about 200,000 square feet of retail. It should focus on everything related to the home: Culinary, cooking, home furnishings, furniture, home design, builder showcases, etc.

Site #5 is the southeast corner of Dysart and Camelback Roads. That site should focus on completing the community services as they evolve.

Mr. Hill questioned how you can double the population without doubling the cost for services required. Building residential on all the retail sites will shift the dollars to the neighboring communities. He suggested the City take the dollars back by having unique places.

#### **IV. Question Period by City Council and the Planning & Zoning Commission**

Mayor Schoaf thanked Mr. Hill for his presentation and opened the meeting to questions from Council and P&Z Commissioners.

Councilmember Blake asked about the importance to the Village Center of the recently-constructed underpass at Litchfield Road and Wigwam Boulevard. Mr. Hill said it is a positive.

Councilmember Landis asked about:

(1) What types of businesses/services were envisioned for Site #4. Mr. Hill said there could be services related to homes, restaurants, cafes, a haircutter, financial institution, furniture, home entertainment, rugs, wall fabrics, wrought iron, cooking, etc.

(2) Whether he had looked at the Wigwam's accommodations capacity and whether the resort needed additional rooms. Mr. Hill said his work with hotels and resorts pertains to what retail could be supported by the hotel or resort.

Councilmember Mahoney asked about:

(1) The impact of the future mall in Goodyear. Mr. Hill said about 1.2 million square feet of retail could be built at Estrella Falls. There is a limit to the size of the market. It could create a shift of some of the power center retailers located to the east. Also, a large number of people do not like to shop in malls.

(2) The respect for new DUI laws and the impact that could have on regional centers. Mr. Hill said he has not seen studies on that, but he has seen hotels prefer their guests stay closer to their site if they go out to drink.

(3) The concept of closing Old Litchfield Road at Wigwam Boulevard to create an outdoor retail area. Mr. Hill said he tends against closing the road, and more for protecting the natural boulevard. He said the community should work with planners and carefully think that through.

Chairman Raible asked about:

(1) The possibility of creating a health-care-center retail mall on Site #4, since it is so close to the La Loma Continuum of Care Center. Mr. Hill said he did not consider it for that site, but he has been working on such a site at Kaiser Permanente in California. Investors include a number of doctors who work at Kaiser Permanente and they have a vision of what healthy retirement living should be, with a strong focus on farm-to-table dining, farmers market, supportive retail, medical services, and entertainment.

(2) Whether Mr. Hill had worked with other cities, and the outcome of his recommendations. Mr. Hill said he has worked with Charlotte, NC; Benjing, China; Miami, FL; and Atlanta, GA. All were infill locations. He said that through working with the community in Chattanooga, TN, the landowner changed his mind about what he thought would be good for the site.

Commissioner Williams asked about:

(1) A possible commercial development for the La Loma site and whether Mr. Hill has looked at such a proposal. Mr. Hill said he had not, and he wanted to conduct his study by thinking independently, without outside influences.

(2) Prioritizing the five sites. Mr. Hill said Site #1 is the most important, but Sites #1, #2 and #3 are together – the Village Center. Site #4 and Site #5 would come in that order.

## **V. Question and Answer Period for the Public**

Al Johnson asked:

(1) What body will make the decision on the GPA applications? Mayor Schoaf said all GPA decisions will be made in November or December of this year by the current City Council.

(2) What criteria and data were studied, and the need for a property tax? Mr. Hill mentioned some of the data he considered. Retail for retail sales tax revenue is a primary generator to run the City. It also relates to quality of life. Mayor Schoaf said studies show that each residence added costs the City about \$2,000 per year. If only residential is added, some different revenue stream is necessary in order to stay with the current financial structure. The long-term sustainable of the City will require adding retail space to generate sales tax.

(3) The timetable for development. Mr. Hill said this would happen in a three-to-five year horizon, and the economy would continue to steadily improve.

Ann Flatten asked about Site #4, whether 30 acres would be in retail and 44 acres in residential. Mr. Hill said it could be, but not necessarily. He mentioned several other possibilities, and said his charge was to determine the retail use.

Shelli Nelson-Roberts asked about:

(1) The current amount of retail on Sites #1, #2 and #3. Mr. Hill said the Hann Family Foundation owns the small retail center.

(2) The possibility of a City-sponsored investment by the residents; personal investments like a property tax, a commodity. It would be attached to the residence. That would give the residents a say in what is developed.

Marcie Ellis:

(1) Talked about a Village Center Plan that called for re-routing Old Litchfield Road. Mr. Hill said what was being described would be detail planning.

(2) Suggested a senior living center, health store, and exercise places on Site #4.

(3) Asked about the affect a casino near Westgate would have on our retail. Mr. Hill said it would have a positive affect due to inflow sales.

Karen Frank asked about:

(1) Ownership of Sites #1, #2 and #3. Mr. Hill said Sites #2 and #3 and owned by JDM. The Mayor said a portion of Site #1 is owned by the City, the corner is owned by a group headed by Paul Johnson, and the remainder is owned by Dragon & Crane.

(2) Whether a survey was conducted about what shops/retail the residents would like. No such survey was conducted, and Mr. Hill said he uses data collected by Nielson. They assemble approximately 4,000 lists of data.

Dave Ellis asked whether the recommendations would be different if the City had a second revenue source in the form of a property tax. Mr. Hill said they would not. He prefers to err on the side of what is right for the community.

Randy Blazic asked:

(1) Whether the retail square footage per-capita figures were used to compare Litchfield Park to another resort community. Mr. Hill said the resort visitor will spend at a prolific level if you can give them retail they cannot find at home.

(2) What are the steps to move forward? Mr. Hill said there is a process of fine-tuning the vision to communicate to developers and recruiting developers and retailers. He said caution should be exercised.

Rich Crabb asked whether Mr. Hill had conducted an analysis of Maricopa County and of a two-mile radius; the JDM application shows retail at 37 square feet per capita. Mr. Hill said he did not study a two-mile radius, and he obtained information from the Tax Assessor's office. He said the 37 square feet per capita sounds inconsistent. Retail deals with hundreds of thousands of people, not tens of thousands. The ten-mile radius figure is 32.9 square feet. He is talking about the potential, and it depends on how the plan is executed.

Frank Cuoco said he has lived in many small towns that had a town center. They work. There is a demand here, but not enough choices. One company accounts for so much of the City's revenue. He asked Mr. Hill if he had seen the "bad part" and the City loses its commercial property. Mr. Hill said that is why he expresses caution in going from one point to the other point.

Elliott Freireich asked what happens if the landowners are not interested in a plan proposed by the City. Mr. Hill said if the landowner has full development rights for what he wants, he should be able to develop in that way. It is different if the landowner is asking the City for a change to those rights. You must think it through carefully.

Ruth Cox asked about:

(1) The possibility of developing underground development in the underpass. Mr. Hill said there is an underground Apple store in New York City, with a glass cube above ground. It has become an attraction.

(2) Whether the report addresses a decrease in property values would occur with an increased supply of residential area. Mr. Hill said it did not. If the Village Center is done properly, it would increase the value of homes.

Mike Cartsonis asked about preserving a connection between La Loma and Litchfield Park. Mr. Hill said Site #4 should have a relationship to the west property (La Loma). If that site can support some retail, but not on the entire site, it should be "destination retail" instead of neighborhood-type. He is proposing about 200,000 square feet on 30 acres.

## **VI. Adjournment**

The meeting was adjourned by Mayor Schoaf without objection at 9:19 p.m.

APPROVED:

**PLANNING & ZONING COMMISSION**

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Jeff Raible, Chairman

/mre

**CERTIFICATION**

I hereby certify that the foregoing minutes are a true and correct copy of the minutes of the special joint meeting of the City Council and the Planning & Zoning Commission of the City of Litchfield Park held on the 23<sup>rd</sup> day of April, 2014.

I further certify that the meeting was duly called and held and that a quorum was present.

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Mary Rose Evans, MMC, City Clerk

**MINUTES OF THE SPECIAL MEETING  
OF THE LITCHFIELD PARK PLANNING & ZONING COMMISSION  
MAY 6, 2014**

**I. Call to Order**

The meeting was held in Souers Hall at The Church at Litchfield Park and called to order by Chairman Raible at 7:02 p.m.

Members Present: Chairman Raible; Vice Chairman Ross; Boardmembers Dickson, Ledyard, Meese, White and Williams

Members Absent: None

Staff Present: Darryl H. Crossman, City Manager; Susan Goodwin, City Attorney; Jason Sanks, Planning Consultant; Woody Scoutten, City Engineer; and Pam Maslowski, Planning Services Coordinator.

**II. Pledge of Allegiance**

Chairman Raible led the pledge.

**III. Business**

**A. Agenda overview by Chairman Raible**

Chairman Raible provided an overview of the meeting agenda.

**B. Introduction of Commissioners**

Each Commissioner provided a brief summary of their background and experience.

**C. 2014 General Plan Major Amendment Applications – GP #14-01 and GPA 14-02**

Chairman Raible read the Introduction Section from the City's General Plan and explained the purpose for having a General Plan. He stated that Arizona State Statutes require cities to have a General Plan and a process for amending that Plan. Property owners have a right to request that the land use designation assigned to their property in the General Plan be changed. He then referred to a Power Point presentation prepared by City Staff, and pointed out the location and current land use designations of the properties that are the subject of this agenda item. He stated that the Commission's role in the amendment process is to facilitate community discussion and to fairly consider the merits of the amendment requests from the information provided by both the applicant and the community.

Paul Gilbert, of Beus Gilbert PLLC, stated he represents JDM, the applicant. JDM has two major areas of focus - the Wigwam Resort & the golf courses. There are approximately 331 rooms in the Wigwam Resort. The owners are not in a position where they can do what needs to be done to provide a first class resort and compete with other resorts in the valley without an increase in the number of rooms. They have put over \$21 Million into renovations, yet it is not a real profitable resort at this time. They cannot attract the number of people needed to make the Wigwam profitable without more rooms. The second area of focus involves the golf courses. The three golf courses they have are profitable, but JDM is not in a position to be able to continue to maintain the courses in their present conditions. The

courses are not well configured and need to be revised. They are a significant asset and one of the main attractions that bring people to the Wigwam. It is in their best interest to make sure the courses remain viable; however, it is their professional judgment that they cannot be viable without some significant changes. In their GPA #14-01 application, they are requesting to change the Resort land use designation for the parcel they have denoted as Parcel A. The project that had been previously approved for this parcel was a resort project with 195 condominium units, in buildings that could be five stories high. The parcels are not in a good location for an expansion of the resort because they are too far away. So, they are proposing the land use designation be changed to High Density Residential. As currently filed, they are asking for 350 units. There is a portion (about ½ acre) of Parcel A that is owned by Kabuto, not JDM. They are desirous of purchasing that portion, but so far been unable to do so. Beside that property previously planned for the Resort condominium project, Parcel A also includes small portions of the Red Golf Course. They feel the changes will have no deleterious effect on it. They have hired a golf course expert to prepare a reconfiguration of the golf course, but it will not be substantial. They are also proposing a category of Mixed Use for the property that they have designated as Parcel B (GAP #14-02). That parcel is now designated as Commercial with a residential component. They like the make-up of both residential and commercial. However, it is highly impractical for them because it requires the commercial to be on the first floor with the residential on the top. They know of very few instances in the Valley where that has proved to be successful. They recognize that they need to have some retail, so they are proposing a minimum of 50,000 square feet of retail on Parcel B, with the residential permitted to be on a horizontal plane, rather than a vertical mixed use requiring the residential on top. 150 residential units are proposed for Parcel B. They have attended four to five meetings and have listened to what people have said. They have been asked by City to process the rezoning simultaneously with the General Plan application, but that zoning case has not yet been filed. When they file, there will be a substantial reduction of the amount of residential on both Parcels A & B. They hope to file in the near future, but are unable to provide an exact date. One reason they have not been able to file the zoning case for Parcel A is that they are in negotiations with a joint venture partner to develop it. As soon as that comes to fruition, they will file the zoning application for Parcel A that will provide a lot of the details that are lacking in the General Plan Amendment application. They will be reducing the number of units they are requesting for Parcel A below the 350 for which they have applied. If they are able to accomplish what they are attempting do now, none of the units will be rentals. The units will be owner/occupied units. They will also be filing a zoning amendment for Parcel B. They are attempting to find a user, so they can provide a more detailed picture of what they would like to take place on Parcel B. The simultaneous filing will provide zoning cases parallel and in tangent with the General Plan amendments.

Mr. Sanks stated that the purpose of his Staff Report was to establish discussion points for the Commissioners as they go through the process of evaluating the multiple components of a General Plan amendment request. The first series of meetings held by either the applicant or the City were a forum to present the cases and gather public comment. Tonight, the Commission should look at planning issues, as well as the financial, engineering, traffic, environmental, and economic development impacts. A number of efforts have been taken thus far to analyze the General Plan applications. The City commissioned Rick Hill to provide a detailed market retail study that will be taken under consideration, and the City's Financial Director has just finished his financial impact analysis for development within the City. Citizen Review meetings have been held and City Staff has set up multiple channels for public comments on the applications. Currently, there are four land uses designated on the 31 acres located on the northwest corner of Village Parkway and Litchfield Road. What is being looked at is whether it is in the best interest of the City, and in support of the General Plan, to change those land uses to High Density Residential. The applicants are currently requesting 350 units. The City is still waiting for the rezoning applications, which should provide more details. At this time, it has been discussed that the high density on first part will be 12 units per acre, which is more of a two-story concept. It has been said tonight that they are looking at owner occupied units, which will be

condominium or townhome type units. The second parcel the applicants are requesting changes for is south of the first parcel and has been intended for commercial development for some time. The request is to take approximately 2/3 of that parcel for High Density Residential and leave 1/3 for commercial development. The applicant has noted that there is not a market for commercial development for the whole parcel. The impacts of additional residents on open space, public facilities, and the costs of providing services need to be looked at, as well as the difference in revenue to the City should the entire parcel be built out as commercial versus just the 1/3 as proposed.

In response to questions, Mr. Gilbert replied:

- There will be a reduction in the number of residential units for both requests; however, they will still propose a minimum of 50,000 square feet of commercial for Parcel B. There is no commercial proposed for Parcel A.
- The decision of whether JDM will be actively involved in building out both the residential and commercial portions of Parcel B has not yet been made. The retail is integral to the success of the Wigwam. His understanding is that JDM will want to be involved in some way in all of the building of both Parcels A and B, commercial and residential. They currently do not envision using any of the units on either Parcel A or B in conjunction with the Resort. The expansion of the Resort will be on Parcel C, which is the subject of another General Plan amendment.
- The previously approved Awenasa project proposed for Parcel A did not extend all the way to Litchfield Road. It was approved for 195 units and five stories, and is shown as Resort zoning. He has not seen the traffic counts that would be generated by that project. For Parcel A, along Litchfield Road across from the homes to the east. JDM is proposing a minimum 20' building setback with a maximum height of 18'. It is possible to achieve two stories with 18', but most likely it will be one story.
- If they do not find a partner/participant for Parcel B, they will still go forward with the zoning case. Also, they intend to have a layout for that parcel that shows buildings, height and density, even if they do not have a joint venture partner. They are asking for flexibility to not designate exactly where the 50,000 + square feet of commercial will go. They want the flexibility to interchange those two uses on Parcel B. That will probably entail a Zoning Code amendment. Mr. Sanks noted that the proposed density of the units on the property to the west of Parcel B is approximately the same as what is being proposed for Parcel B.
- They do not have any present plan to make any changes to the tunnel. It is his understanding that the tunnel is owned by the City. It was noted that the tunnel itself is on City right-of-way.
- He is going to defer responding to the different opinions regarding retail space between the report generated by Rick Hill and the Elliott Pollack report that was prepared for this application, because Mr. Pollack is in the process of preparing a response. They will have more to say once Mr. Pollack's report is completed, which he anticipates will be in the next three weeks. Chairman Raible noted that the applicant's analysis mentioned a two mile radius, and the center of that radius did not reflect the corner of Wigwam Boulevard and Old Litchfield Road. It seems that was a selective choice. He suggests the analysis use the actual property as the center for the radius. Mr. Sanks noted that the applicant is proposing 50,000 square feet of commercial on Parcel B and the Rick Hill study identified that there was a capacity for 84,000 square feet. For Parcel A, where the applicant is not proposing any commercial, the Rick Hill report identified the possibility of 46,000 square feet of commercial.
- The drawing shows the Kabuto-owned parcel, but the legal description excludes that portion. Mr. Sanks noted that Kabuto has not been sent a formal letter, but has been sent notification of the General Plan Amendment request. Unless they authorize the applicant to continue, that portion of the property will have to be removed from the request.
- The current plan for Parcel A is for JDM to continue to have an ownership role, which could mean participating in some type of joint venture partnership. To the extent that they have that interest,

they will have an interest in the common areas. However, the common areas will be run by the HOA and, eventually, deeded to the HOA. The actual ownership of the real estate of the property will depend on how the units are structured.

- They are contemplating putting in another access point onto Litchfield Road, but not a road through the east side of Litchfield Road at this time.
- They hope to file a rezoning case within the next four weeks and be able to have a plan to present to the City. They will have it submitted before the sundown in June.
- The taller buildings previously approved for Parcel A allowed for more open space, but they are proposing a two story development spread out over a larger area. He believes that will afford a significant amount of open space.
- He agrees that vibrant retail will be a help for the Resort, but the Parcel B has been vacant for 19 years. They have not received one single offer for the property in four years.
- Regarding a five year sunset clause on the zoning approval, he is not at liberty to comment for JDM as to whether they would be open to that. Ms. Goodwin stated that there can be a reversionary clause, but there is not an automatic sunset. There are procedures that have to be followed in order to revert. Mr. Gilbert noted that, if the zoning reverts, it has to revert to what the General Plan calls for.

In response to a question regarding the Development Agreements that cover the parcels, Ms. Goodwin responded that there is a Development Agreement in place for Parcel A. She does not anticipate that the City will address Development Agreement until the zoning application is received. If the project were to be approved, the Development Agreement would have to be amended.

Chairman Raible commented that the applicant prepared an analysis regarding a comparison between High Density Residential and Low Density Residential. The request is to change from a predominantly Commercial land use to High Density Residential. It would make more sense to have the comparison be between those two land uses. Mr. Gilbert stated he could do that.

#### **D. Public Comments on the 2014 General Plan Major Amendment Applications – GPA #14-01 and GPA #14-02**

Jeff Gibbs stated that he was on the Planning and Zoning Commission when the General Plan was adopted. He generally supports the direction of these requests, knowing we do not yet have all the details. He is convinced that more retail options should be made available in the community. This will improve the tax base, given that there is no property tax, and generally improve property values. He would like to see the community's walkability improved. There is a great pathway structure, but no place to go at this point. Walkability would be improved if there were some destinations to go to. There are three types of shoppers in Litchfield Park – current and future residents, Wigwam guests, and the inflow community (those that come into the community from the outside). There will be a need to provide parking for the last group, and he would like to see structured parking – below grade or tiered. A true town center concept needs to be looked at, and a key component of that is mixed use. He believes vertical mixed use is better than horizontal. The Rick Hill report is good, but he disagrees with his conclusion that Litchfield Park can support another one-half million dollars of retail. He does not understand how he came up with that number, because he also mentions that the area is overbuilt with retail in a five mile radius. He encourages the Commission to work with the applicants. They have some good ideas. He also encourages the City to work with the developers that will come in after the fact.

Ruth Cox stated that she has a conviction that a person should get what they paid for, including the applicants. They bought vacant land which had its designation in the General Plan. Now, they want more than what they paid for. She wonders how this will affect others who bought property. She

supports the General Plan; she was on the Commission when the Plan was developed. The Land use Guiding Principal states that, as the City approaches build out, land use decisions should embrace and enhance the original vision of the community. These decisions should focus on the preservation and revitalization of older neighborhoods, ensuring that newer development, predominantly non-residential, complements the existing developed areas. The Litchfield Greens subdivision is about 25 – 30 years old, and this might affect people who bought property there. Will they have to look down at less open land? Also, the condominiums to the west of Parcel B have been here for about five or six years. Will those properties be devalued with adding more units of the same kind? Housing can be put just about anywhere, and there does not seem to be scarcity of housing in the West Valley. This is prime land, especially Parcel B. It is simply vacant land that needs to be developed properly. The current General Plan was approved by most of the present City Council members. She considers it something of a covenant with the stakeholders of Litchfield Park.

Bert Van Wagner stated Maricopa County has a web site with maps where one can see maps and ownership of these properties. This is an important time for the City because it is the first time the City is being asked to do a General Plan amendment, and there are six applications. He urges the Commission to first pay attention not to the requests for Applications 14-01 & 02, but to #'s 14-03 & 04, because the lynch pin of all of these requests is that they will get the requests for Applications 14-03 & 04. The West Valley View reported that there were 14 speakers at the City meeting, and everyone spoke against the requests for #'s 14-03 and 04. If the City is going to deny the requests for #'s 14-03 & 04, what do you want to do with the requests for #'s 14-01 & 02? He thinks the decision should be made on #'s 14-03 & 04 before starting on #'s 14-01 and 02. What happens is that a developer comes and submits a big request but, they usually want something else. It is suggested that part of Parcel A is zoned for five stories. Only some of the buildings were planned to be five stories, not all. The County map shows the building placements and there is plenty of open space.

Jack Sigler stated that he has suggested that a nine hole, three par golf course could be put on Parcel A, rather than putting it on the Blue course. That would accomplish part of what others were talking about at some of the other meetings without carving up golf course. The nine-hole course would attract younger golfers. There is access from the Wigwam, and there could be a restaurant there as a satellite for food. A Trader Joes might fit on Parcel B or Parcel A.

Ann Flatten stated she realizes the Commission is between a rock and a hard place with all the decisions that need to be made. In most people's minds, the Wigwam Resort and the City are synonymous. She hopes the City will work with JDM to mutually meet the requirements. The City needs to keep the Wigwam; whatever it takes to keep them viable without losing the beauty of Litchfield Park should be considered.

Judd Souers stated that he has lived here a long time, and he sees this as problematic. There will be hundreds of more cars. This will be an extreme opportunity for accidents. He remembers when Parcel A was rezoned in 2006. There were people that were unhappy with that. The City Planner thought it was beautiful, but those that lived there would be looking at five stories. Even though people spoke against it, it was approved. Rural Metro did not even have a fire truck that could go above two stories. People really care about this and he hopes the Commissioners will give this a lot of thought.

Dave Ellis stated he supports JDM's proposals in general. It is important to grow the community in a managed way. Mr. Gilbert covered a lot of his concerns. The City needs a designation plaza in the community, and the opportunity on Parcel B could provide that. He is not sure that 50,000 square feet is enough area, but he is sure there will be discussions about that. There is a need for a place with restaurants, shops, apparel, retail, bistros, etc., that will support, not only the community, but the Wigwam guests as well. As far as 10<sup>th</sup> hole, anything would be an improvement; it is a dump area.

Parcel A has a requirement for a golf course maintenance yard. That should remain a requirement for any development on Parcel A. Five hundred units seem to be too many, so he was happy to hear Mr. Gilbert say that they will bring forth something with a significantly lower density. He is also concerned with the ratio of apartments to condos. The number of apartments seemed too high. Also, where will money come from? The City turned down a property tax proposal, so it must rely on sales taxes. This means that the City must ensure that there is an environment where the Wigwam is very successful.

Karen Frank stated her comments applied to each of the applications. She asked why the City should permanently pay for JDM to make money. The City will have to pay to support the new residents. She asked if anyone knew what that cost would be. Mr. Sanks answered that the report was just completed today. The cost is about \$1,000 per acre or \$350 per home per year. Ms. Frank stated that the City is already concerned about revenue and is dependent upon its major source of revenue, which is the Wigwam. It seems counter intuitive to change these properties from commercial to residential and the City will become more dependent on money from the Wigwam. She thinks it is time for the City to grow up and get money from other sources, such as retail. She likes the Wigwam but thinks the City needs to avoid a monopoly and avoid being dependent on one entity.

Marcie Ellis stated that with the Loop 303 going through shortly and the Verrado development, there will be an increase in traffic with growth. She is glad there will be an opportunity to look at traffic and put in signals where needed. When she first moved here, there was going to be development all over and there was going to be a town center. She is seeing the standards in the City drop, and her property values have gone down over the years. She is in favor of development because she wants to see the standards raised. She cannot imagine that, if quality house are built, that there will not be better standards. She lives next to Scout Park, and the City cannot afford to put grass in the entire park. She urged the Commission to think about what would help raise the standards and quality in the City. There is a need to be sure they build quality. The City cannot demand commercial if nothing is coming. She would love to see a destination center with a movie theater, art gallery, and a gift shop. This would serve JDM as well as the City.

Kerry Giangobbe stated she knows the Commission has a difficult decision to make. She learned that sometimes you need to just not think about it for 24 hours and then come back to it. A lot of ideas have been brought up, and she does not want the Commissioners to feel pressured to do something they do not feel is the right thing to do. Once the resort designation is lost, with the golf course being right there, any future owner of Wigwam is going to lose out. To go to residential zoning, regardless of the density, is a bad decision by Wigwam. Sometimes, the best decision is no decision. Parcel A and Parcel B should be left as is. There is not a strong enough case for residential right now.

## **XII. Adjournment**

Vice Chairman Ross **moved** to adjourn; Commissioner Meese **seconded; unanimous approval**. The meeting was adjourned at 9:00 p.m.

APPROVED:

**PLANNING & ZONING COMMISSION**

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Jeff Raible, Chairman

/pm

**MINUTES OF THE SPECIAL MEETING  
OF THE LITCHFIELD PARK PLANNING & ZONING COMMISSION  
MAY 20, 2014**

**I. Call to Order**

The meeting was held in Souers Hall of The Church at Litchfield Park and called to order by Chairman Raible at 7:00 p.m.

Members Present: Chairman Raible; Vice Chairman Ross; Boardmembers Dickson, Ledyard, Meese, White and Williams

Members Absent: None

Staff Present: Darryl H. Crossman, City Manager; Phyllis Smiley, City Attorney; Jason Sanks, Planning Consultant; Jules Diogenes, City Engineer; Pam Maslowski, Planning Services Coordinator; and Mary Rose Evans, City Clerk.

**II. Pledge of Allegiance**

Chairman Raible led the Pledge.

**III. Business**

**A. Agenda Overview**

Chairman Raible provided an overview of the meeting agenda and explained what a General Plan amendment entails.

**B. Introduction of Commission Members**

Each Commissioner provided a brief summation of their experience and background.

**C. 2014 General Plan Major Amendment Applications – GPA #14-05 and GPA #14-06**

Mike Curley, of Earle, Curley & Lagarde, introduced Gary King, also of Earle, Curley & Lagarde, and Joe LaRue, of Sun Health. He stated that he represents the applicants for both of these applications. They are requesting a change in the General Plan land use designation from Commercial to Single Family residential for the parcel located at the northeast corner (NEC) of Litchfield and Camelback Roads, which consists of approximately 74 acres. They have been engaged in serious discussions with a homebuilder and are about to enter escrow. He is not a liberty tonight to identify the homebuilder, but when the rezoning application is filed, they will be able to identify not only the builder, but also the product, design and quality. He has reviewed some of the other product that this homebuilder has built in the Valley, and believes the City will be pleased. They have owned this site for about 14 years and have marketed it to mostly every retail developer and user in the marketplace. They have had some interest but, in general, it is in their self-interest to try to develop this with single family residential, which they have found to be successful. They believe there is a lack of a commercial market here and are seeking a General Plan amendment to allow a residential use. They will continue their efforts to try to market the property to commercial users to the extent that, if there is any interest, they will have the ability to reduce the request for

residential from the total 74 acres. On the property located at the northwest corner (NWC) of Litchfield and Camelback Roads, where the Sun Health La Loma Health Campus is located, the applicant is requesting a change in the land use designation for about 65 of the total 350 acres that constitutes the entire campus. They are looking to add some specialty commercial/retail boutique type uses that can be utilized by the residents of the health care campus and by the general public, such as pharmacies, restaurants, small boutique-type uses. The details will be included when they file the rezoning case in about three weeks.

Joe LaRue stated he is with Sun Health, who has owned the La Loma Campus for about 14 years. The City and Sun Health have been on a journey together. He provided a brief history of the property and its development. He explained that some people do not realize that there is a part of the campus that is already zoned commercial for the medical office buildings. He is hoping to impart that Sun Health is seriously taking the charge from the Denny family that donated the property to use the campus to better this community. He knows the family wants the homestead to be used as a cultural, social, and historical gem of the West Valley. They have been thinking about how to do that for about five years. About four to five months ago, they started thinking that Sun Health is about healthy living, and healthy eating is about healthy living. That then led to thinking about creating a community garden. Then, an idea came up to add to the community concept by adding a café, coffee shop, and integrating things happening downtown of the City. Some people have said that they have not supplied a lot of specifics, and that is because every day they are out talking to people and the ideas are changing. At the end of the day, what they are requesting with the commercial zoning is not to plan a regular type commercial project, but to create an ambiance that will draw people to the hilltop and help them with a healthy lifestyle that integrates healthy living. Because the hilltop belongs to the City, they feel a duty to do it in a way that benefits everyone. It was suggested that they request Commercial zoning to launch some of these enterprises. It will not be a straight agricultural or commercial piece. That is why they decided to ask for the commercial zoning around the hilltop. They are still designing the project and there are a number of people that want to be a part of it. They will come back in June with more details.

Mr. Sanks stated that, as part of the review of General Plan applications, Staff prepared an analysis of the applications amongst the Planning team, City Engineer, and other City Departments. He has prepared a brief Staff report on both applications and wanted to note that it is not a position statement since it is early in process. The purpose of the Staff report is to facilitate discussion and to gather input from Commission and the public to help evaluate the proposals. What should be taken into account are the financial, engineering (sewer, water, traffic, environmental), and economic development impacts, as well as good land use planning principles. There has been quite a bit of preparation in review of these applications. A retail market feasibility study has been conducted by an independent team. Several citizen meetings have been held by the applicant and by the City. The City's Financial Director prepared a financial impact analysis to determine the cost to the City to provide services to households. Also, multiple channels for public input have been created to receive comments. Mr. Sanks referred to his PowerPoint presentation and indicated the location of the subject parcels, their current General Plan land use classifications, and the changes being proposed. GPA#14-05 is requesting more flexibility with allowable uses to have more retail and boutique type uses. There are a number of things to consider: what will the changes mean for the City; will it generate the need for more police protection; will it generate more traffic; what will happen to the requirement for the off grade pedestrian crossing between the two parcels; what will the financial impact be to the City; and what commercial development on that corner should look like. It has been stated that strip retail is not wanted on that corner. GPA #14-06 is a fairly straight forward request. The application states that they are seeking approval for up to 500 residential units. After the first set of meetings, the applicants have said that they really anticipate developing far fewer units than that, maybe 3 or 4 units to the acre, resulting in 70-80 10,000 square foot lots for

detached single family homes. They want to develop the entire property with single family residential. There has been some discussion regarding whether there is support to develop the entire property with single family residential or, perhaps, only having residential on half the property. The Commission should think about what the costs of services for additional residents would be and what the impact will be on the existing neighborhood. He anticipates more detail coming in the next three weeks as they partner with a builder to develop a site plan.

In response to questions from the Commission, the applicants offered the following:

- Mr. LaRue stated that the rationale behind their request for the commercial land use was because, when they asked what was needed for the type of uses they were proposing, they were pointed in this direction. Mr. Curley stated that the current Plan designation is Public Facility and Residential. It is very unclear as to whether retail type uses would be allowed under the Public Facility designation.
- Mr. LaRue stated that what is being planned now are areas around the hilltop and to the south of the hilltop. It will not freshen up the entire campus with an entire new master plan. The approved conceptual plan for the campus does show the medical office corridor going in to the west.
- The designated 20 acres of property zoned commercial encompasses the area from the house known as Aunt Mary's house to the Denny Roadway.
- The gross footage measurements for the commercial proposal will be part of the site plan that they are currently developing. Part of that will be a community garden, although he is not sure if that will be considered commercial. Mr. Sanks noted that since the City does not have the details, it may not be prudent to elaborate too much. Some of what is being proposed may require a text amendment to the Zoning Code.
- They do not believe that what they are requesting conflicts with the deed restrictions/covenants on the property.
- Mr. LaRue provided an explanation of how they have tried to develop the property on the NEC for some time, and noted that there had been some conflicting comments from the City through the years.
- The reason there is the opportunity for commercial on the NWC as opposed to the NEC is that the La Loma Campus is focused on healthcare that brings in medical offices, medical providers, and their commercial providers. They are going to locate a wellness center on the property, which will bring opportunities to bring in additional health care people and ancillary services. It is the focused healthcare and a hub of providers that creates that synergy. To create that on the other side of the street, would mean starting from scratch and it would compete with the west side. There has been very little demand for the type of traditional commercial development that could go on the NEC.
- The Homestead also makes the west side more attractive than the east side for commercial development. There are a lot of people all around the country doing this type of health care focused development, and the historical backdrop of the Litchfield home created a lot of excitement. They are not envisioning a traditional type of commercial development on the hilltop. It is really an agritourism-type opportunity.
- They believe that the homebuilders they are talking to will create they type of development that they would like to see and will promote both sides of the street.
- They will bring in a plan that will show the type of sales tax revenues that this development could bring in that could help benefit the hilltop.
- His understanding is that there is no traction on any City plans for the hilltop. They are trying to come up with a concept. Their concept for a community garden was actually planned for a different spot; however, as people started talking about it and the idea of the Homestead came

up, that is when the energy picked up to create an agritourism type concept around the Homestead. They are not talking about just commercializing the corner. They are talking about how to integrate a farm to table approach while including some commercial to create a sustainable operation that can also benefit the City.

- They will bring in a zoning case that will provide a more specific plan and more details by June 10 that. He believes the Commission will be surprised by the type of revenues this type of development can bring.
- In response to a comment that the two applications need to be considered separately and on their own merit, Mr. Curley responded that he understands. He will go back and review the narrative, explanations and rationales and make sure that is the case.
- The development agreement does require a linkage between the two properties. It was drafted when the 74 acre parcel was contemplated to be commercial. With the change in use, it will have to be reviewed and will be part of the process.
- The 60 acres requested for commercial on the NWC parcel is much larger than what will be needed for the agritourism. Some of the commercial that they anticipate on that corner will be related to the medical campus, not just the hilltop. This would allow some of those uses, as well as the agritourism. Mr. Sanks stated that the intention is that it would be for additional offices, restaurants, or other uses integrated with agritourism.
- Mr. Curley stated that the residential category they applied for on the NEC parcel was in the four units per acre range. The homebuilder they are working with is in the process of platting, and they believe it will be below that.
- The applicant will not have any ownership in the development. The applicant will sell the property to the homebuilder. The property has not closed; it is in escrow and will not close unless the zoning is obtained. This is a typical process.

Commission discussion included:

- There should be a Staff summary noting what type of entitlements currently exist on the property.
- Each application should be analyzed on its own merits.
- The property to the west of La Loma is in Goodyear, and they are building residential in that area.
- If approved, the commercial on the NWC might offer an opportunity for commercial development on the NEC.
- The density of any type or residential development on the NEC should not be denser than the units surrounding it.
- In response to a question regarding pathways, Mr. Sanks replied that Staff will be scrutinizing the rezoning and plat applications carefully for pedestrian connections, open space, etc.
- It was noted that there is support for the connection between the two properties.
- There is a question as to whether the request for the NWC will actually generate a lot of revenue; however, given what exists there now, it does not seem like there will be much impact.
- There might be some logic for some residential on the NEC given that there is residential to the east and north; however, giving up commercial development for residential on the NEC, as proposed, will have a significant financial impact on the City.
- The Rick Hill analysis supports retail on the NEC, although perhaps not for the entire property, but maybe half.
- The cost to the City of supporting 500 housing units would be approximately \$175 thousand; and if reduced to 300 units as the applicant noted, it would be about \$100 thousand. How can this be justified for the City? Mr. Curley noted that they are preparing their own economic impact analysis that will take into account the economic benefits to the City from construction sales tax, spending by the new residents, state revenues, etc. It was noted that it is hoped that the

applicant's financial assumptions coincide with those that the Maricopa County Association of Government have prepared. It was noted that construction sales tax is a one-time revenue, not long term, and the Commission would like to see an analysis for the long term.

At Chairman Raible's request, The Commissioners discussed how they might want to proceed in evaluating the criteria received for each of these General Plan Applications. After discussion, it was noted that the Commission may not yet be ready for this step in the process. Mr. Sanks commented that, when Staff makes a recommendation to the Commission, it will be structured with both qualitative and quantitative information.

#### **D. Public Comments on the 2014 General Plan Major Amendment Applications – GPA #14-05 and GPA #14-06**

Bill Alecer stated that he lives near the NWC parcel. He feels that the proposal is good and bad. He figures something will have to go there. His wife works in a business and he told her the new residents will bring more business. The applicants will make a lot of money no matter what they put there, so why can't they put in large homes and lots like Veranda and Litchfield Greens. It bothers him that the home developer already has a set plan. He has a number of concerns. The construction will cause dirt, dust, and disturbed critters to go into the existing nearby homes. The new residents will increase traffic on Litchfield Road and increase the potential for accidents. They will need their own parks so they don't use the existing parks. Fees should be assessed to pay for the increase in sewer usage and schools.

Jeff Gibbs stated that, in absence of specifics, it is futile to debate the merits of the applications. They need to be approached at a higher level until specifics are provided. He referred to the MAG study included in the City's financial analysis, noting it talks about optimizing the mix of commercial and residential. It appears that the area is over-weighted in terms of commercial. The Rick Hill report indicates that the area within a five mile radius is overbuilt with commercial. He suggests that is correct. To have 155 acres of commercially designated property for 15 – 20 years with no interest suggest that we are a bit overbuilt. The financial impact analysis indicates that residential property is a loser and commercial development is a winner because, with no property tax, the City relies on sales tax. However, there will be no sales tax revenue if nothing is built. He would recommend the City look at ways to increase the residential base in the City. There need to be more shoppers in the City before increasing the commercial. We need more residents first.

Ruth Cox stated she is opposed to changing the land use proposed in GPA 14-06. There are many reasons, but she will give only two this evening. The first is that the commercial designation was assigned many years ago because it was deemed the highest and best use of the land, and she does not believe that anything has changed. It is at the corner of two major thoroughfares. They owners could sell the property if it was priced right. Her second reason for opposing is protection of Luke Air Force Base. Many here attended meeting supporting the Base recently, and that issue will probably come up again. The government is always looking for bases to close.

Terry Swicegood stated he believes that all of the GPAs should be considered in aggregate, not separately, because the net effect will be to reduce the commercial space in the City. The City Manager has said that we only have one chance to get right. He read portions from the Rick Hill report. Some owners of undeveloped sites have indicated that there is little or no market for new retail on their sites. While developing the properties as residential may be the more profitable option with the least risk in the short term, it will cost the City. Without additional retail, the City will be forced to find a new source of revenue or spread the current level of services over a larger population, potentially resulting in a lower quality of life. The City should be very wary before giving away any commercial designation.

Tim Frank stated he supports the changes proposed in GPA 14-05. He works near the Agritopia Farm, which is similar to what is being proposed. He enjoys it, but it will not generate much sales revenue. Also, medical office buildings do not generate revenues. So this proposal will not generate any commercial benefit for the city as far as revenue. He supports it. It will not hurt, but it will not help the bottom line. He is concerned about GPA 14-06. It is a huge plot of commercially designated land. There is no reason to be in the City if it is not commercial. It was annexed to be commercial. Putting houses there will generate short term construction tax, but nothing long term. There is no benefit to City converting this property to commercial.

Karen Frank stated she is thinking about the residents that live in La Loma. She is a physician who takes care of a lot of geriatric patients, and was pondering what could be put on the commercial properties. Many of her patients like to shop at Trader Joes and Draper and Damon's. An AJ's could be located there. If those businesses were considered, there would already be shoppers. She would like to buy in the City, but has to spend money outside the City. It would be nice to keep revenue in the City.

Shari Bukowski asked if something like Joe's Farm was being considered for the NWC. Mr. LaRue stated it would be something like that. Ms. Bukowski stated goes out of the City to shop at Trader Joes, AJs and Whole Foods. She does not believe that there is no need for commercial here. Sprouts is always packed with people, and there is a brand new Dutch Brothers Coffee that opened up in Goodyear that is doing very well. There is room for more commercial.

#### **IV. Adjournment**

Commissioner Meese **moved** to adjourn; Commissioner Ledyard **seconded; unanimous approval.** The meeting adjourned at 8:40 p.m.

APPROVED:

**PLANNING & ZONING COMMISSION**

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Jeff Raible, Chairman

/pm