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AGENDA WORK SESSION – GENERAL PLAN UPDATE
PLANNING & ZONING COMMISSION
COUNCIL CHAMBERS · 473 S. Main Street, Room #106
THURSDAY, OCTOBER 10, 2013 at 6:00 P.M.

Note: Work Sessions are being held over the next 12 months to update the General Plan. Public participation and input is encouraged during this process. Work Sessions will end no later than 8:00 p.m., and it is possible that some items will be carried over to a subsequent meeting. In addition, **a majority of Council members will be present and will be participants on items five (5) and six (6).** It is important to note that the voters will ultimately approve the General Plan in an election. If you have questions regarding these work sessions, elements of the General Plan, public participation, etc. please contact Community Development Director Mike Jenkins at 928-554-0051 or visit our website at www.campverde.az.gov.

1. **Call to Order**

2. **Roll Call**

3. **Pledge of Allegiance**

4. **Approval of Minutes:**
   September 26, 2013 – Work Session

5. **Discussion, consideration and possible direction to staff relative to the possible development of "Character Areas".** Staff Resource: Russ Martin/Steve Ayers/Michael Jenkins

Councilor Gordon requested the following item:

6. **Discussion, consideration and possible direction to staff relative as to where marijuana dispensary and marijuana growth facility locations will be allowed within the Town Limits.**

7. **Discussion, consideration, and possible direction to staff relative to the Land Use Element of the General Plan, to include review of prior suggested changes made during the August 15, 2013 work session, remaining Land Use element items or any new element items and to take any public input for consideration.**

8. **Adjournment**

Posted by: _____ Date/Time: 10-3-13 5:00 PM

Note: Pursuant to A.R.S. §38-431.03.A.2 and A.3, the Planning & Zoning Commission may vote to go into Executive Session for purposes of consultation for legal advice with the Town Attorney on any matter listed on the Agenda, or discussion of records exempt by law from public inspection associated with an agenda item.

The Town of Camp Verde Council Chambers is accessible to the handicapped. Those with special accessibility or accommodation needs, such as large typeface print, may request these at the Office of the Town Clerk.

DRAFT MINUTES
WORK SESSION – GENERAL PLAN UPDATE
PLANNING & ZONING COMMISSION
COUNCIL CHAMBERS · 473 S. Main Street, Room #106
WEDNESDAY, SEPTEMBER 26, 2013 at 6:00 P.M.

Note: Work Sessions are being held over the next 12 months to update the General Plan. Public participation and input is encouraged during this process. Work Sessions will end no later than 8:00 p.m., and it is possible that some items will be carried over to a subsequent meeting. In addition, a majority of Council members may be present at these meetings. It is important to note that the voters will ultimately approve the General Plan in an election. If you have questions regarding these work sessions, elements of the General Plan, public participation, etc. please contact Community Development Director Mike Jenkins at 928-554-0051 or visit our website at www.campverde.az.gov.

1. **Call to Order**
   Chair Norton called the meeting to order at 6:00 P.M.

2. **Roll Call**
   Chair Norton, Vice Chair Blue, Commissioner Parrish, Commissioner Freeman, Commissioner Hough, Commissioner Hisrich and Commissioner Davis were present.
   Also Present
   Mayor German, Town Manager Russ Martin, Community Development Director Michael Jenkins, Economic Development Director Steve Ayers, Building Official Robert Foreman, Assistant Planner Jenna Owens and Permit Technician Kendall Welch

3. **Pledge of Allegiance**
   The Pledge was led by Commissioner Freeman

4. **Approval of Minutes:**
   September 12, 2013 – Work Session
   On a motion by Commissioner Blue, seconded by Commissioner Freeman, the Commission voted unanimously to approve the minutes of September 12, 2013 as submitted.

5. **Discussion, consideration and possible direction to staff relative to the Land Use Element of the General Plan, to include review of prior suggested changes made during the August 15, 2013 work session, remaining Land use Element items or any new element items and to take any public input for consideration.**
   Community Development Director Michael Jenkins began this item by introducing Steve Ayers the Towns Economic Development Director. Ayers wanted some time to address the idea of "Character Areas" and how they could affect the General Plan. Ayers told the Commission that with "Character Areas" it would widen the types or styles of development. At this time the General Plan only has one set of language for the entire town, which is "Rural." Ayers said this can be very restrictive to some development especially big box stores. By breaking the town into different character type areas would help bring in more development without causing a major amendment to the General Plan. "Character Areas" designates a certain flavor in different areas while keeping other areas in the "Rural" form such as the downtown area. "Character Areas" bring a more specific type or flavor for a developer to identify. Ayers gave a few examples of areas that could benefit from "Character Areas."
   1. 260 Corridor (Cash Register)
   2. Finnie Flat and Main Street
   3. Verde lakes
   4. Salt Mine Road
   5. Montezuma Castle Area

   Ayers presented to the Commission the City of Globe's General Plan where they have adopted "Character Areas"; each "Character Area" includes a goal, policy and implantation strategy which gives more flexibility to growth and development. Ayers told the Commission that he does support "Character Areas or Districts" and by adding these they would help him achieve the goals of the Economic Development Department.

The current General Plan creates major land use amendments for a developer to proceed and major amendments are only allowed once a year. Ayers also told the Commission that he would like to have some developers attend a P&Z work session so they could also share the advantages of "Character Areas."

Commissioners Discussion
Commissioner Hough wanted to be insured that these "Character Areas" wouldn't change the hard zoning, Ayers responded; It does not change the zoning.

Commissioner Hisrich referred to the Walmart on Cave Creek Road and Carefree Highway, this Walmart was developed in a way to blend with the Town of Cave Creek and is a prime example to protect an area from commercial big box look. Ayers responded to this comparison, "Character Areas respect and area and the surrounding landscaping. "Character Areas" will help build a town to be proud of and to also be profitable. Currently the town is identified as one large "Character Area" which may not fit all areas of the town. Breaking it down into several "Character Areas" would become more welcoming for growth and development. In turn this helps the developers to know up front what the Town of Camp Verde wants in development.

6:34 Chair Norton opened the floor for public comment.
Kathy Davis, a retired Park Service employee told the Commission that the Parks Service has been doing these type areas for the last 40 years. In the Park Service they are called "Character Districts" and each district allows different types of activities and each has a variety of different rules. Ms Davis supports "Character Areas or Districts."
6:37 Chair Norton closed public comment.

At this time Chair Norton addressed the audience informing them that on October 10th there will be a joint work session that will involve the Town Council. The discussion will be the direction of the General Plan and the desires of the Council to see "Character Areas" included into the General Plan. He also told everyone that there were refreshments available and to feel free to speak up on any discussion item. He also reminded everyone of the public groups that they can get involved with to review the elements in the General Plan, which in turn will make recommendations to this body.

Jenkins began with some follow up from the previous meeting on September 12th on items that the Commission asked staff to bring back with more clarification.
1. The exact location of Wingfield Mesa, Jenkins pointed this area out on a color map supplied in the meetings packet. Wingfield Mesa is located just south of Verde Lakes and does overlap both sides of 260. Wingfield Mesa also contains some historical ruins.
2. Pg 3.2 there was a rewrite of first and second paragraph.

Commissioner Hough spoke up on the process and the focus of the General Plan. He stated that he believes there are just too many different types of scenarios happening with the General Plan. Jenkins told the Commission that after the last Council meeting he was the one to suggest the joint work session between Council and the P&Z Commission. He told the Town Manager Martin that P&Z has been side tracked by the new notion of "Character Areas" and he feels the Commission needs to be focused on their task to update the General Plan. The "Character Area" has created uncomfortableness with the Commission because they may have to revisit items in the General Plan. Having the "Character Area" discussion done up front could save some time. Jenkins had asked to have the "Character Area" put on the agenda as a specific item. The Commission is trying to update and edit at this time but with the interest on "Character Areas" it may cause double the work.
Commissioner Blue said that he has heard rumor that Council may hire a consultant to get involved with the General Plan, he is not in support of this because the Commission has plenty of talent to complete this task and if a consultant is hired it would make since for them to take on the complete task of updating and editing the General Plan. Commissioner Blue also added that the Commission is here because it has a feel for the

community and they want the best for the community.

Commissioner Parrish commented that he isn't interested in the developer's side for "Character Areas", he believes they will only be interested because of the benefits it would have on their wallets.

Commissioner Hisrich also commented that working on the plan's grammar is too small of a task to be done when there are bigger items that need the Commission's attention.
Chair Norton said he wasn't feeling any negatives about the process but wanted to know if the Commission would rather wait to continue work on the General Plan until after the October's 10th work session with Council.

Commissioner Davis, yes we need to hear what Council wants.

Commissioner Hough, yes I would rather move forward with clearer direction from Council.

Commissioner Freeman, yes it should be an Agenda Item, "Character Areas" and where the Council would consider the location of "Character Areas."

Commissioner Blue, yes, the Commission has been side tracked in the last two meetings over the "Character Areas" the Commission does need time with the Council.

Commissioner Hisrich, yes.

The Planning and Zoning Commission came to the consciences not to move forward on the General Plan until after the work session with Council on October 10th. The Commission would like to hear from Council better direction and if the Council desires are to have "Character Areas" written into the General Plan.

7:15 Chair Norton opened the floor for public comment.
Mayor German told the Commission that he has a friend in Texas that is a planner for retail and shopping mall areas, he called on him for some information and how a development chooses the location to build commercial and multi use developments. He was told that a variety of large developers look at the complete area and then the goals of the General Plan, if the goals of the General Plan doesn't fit the type of development they are striving to build then they move on to another community. The Mayor added he welcomes and looks forward to the work session on October 10th and if the Commission felt that the Council was lobbying them with the "Character Areas" he apologizes because that wasn't the intent. He added that the Council has so much information coming to them at this time that they just want to be sure the Town has the needed flexibility when the development begins with the 260 corridor.

Kathy Davis said she feels that "Character Areas" would be a good foundation for the town and a clearer vision for the plan; she also reminded the Commission that the corridor on 260 overlaps Forest Service and the State Land Trust.

Robert Foreman, the Town's Building Official told the Commission that the last General Plan had "Character Areas" in mind just not that terminology, which is why the zoning is as it is today. In the last General Plan update the town was looked at in a divided fashion to keep different types of development separate or similar developments together. Foreman also told the Commission that his comments were his opinion as a citizen of Camp Verde not the Town's Building Official because he was involved with the current General Plan's update as a citizen.

Jane Whitmire told the Commission that she appreciated the Commission's time and patience with the new idea of the "Character Areas," and she does support a tool such as the "Character Areas" to help keep a coordinative plan for the Town.

7:22 Chair Norton closed public comment.

Jenkins told the Commission in his many years in Community Development he has heard all kinds of terminology from planners and most of them when boiled down seem to be very similar. He's not sure if that's the same with "Character Areas" but he does know the Town's code and General Plan and there are flexibilities in both. The General Plan does address what Ayers was speaking of earlier, but it is a big deterrent to developers when a major plan amendment is needed because of the delay it may add to their projects. Some of these things can be addressed in the criteria that are needed to determine between a minor or major plan amendments. For example Yavapai County increased the number of acres needed before a major plan amendment is needed which in turn creates only minor amendments needed which can be done anytime throughout the year and not just annually like a major amendment requires. If there is an opportunity to insert something into the General Plan to make it more flexible I believe the Commission wouldn't want to miss out on it.
Jenkins continued on to tell the Commission that he still doesn't completely understand the "Character Areas" himself, he supports the Commission's decision to set the General Plan update aside until there is a work session with the council.

Chair Norton asked Jenkins if he feels the public comments they are receiving should first go to the subcommittee groups for their consideration as they work on the individual elements. He feels this may be a more efficient way to handle the comments. Jenkins said that would be appropriate. Jenkins was then asked by a citizen when these subcommittees are scheduled to meet, Jenkins replied the desired schedule would be the in between weeks that the P&Z Commission meets, but the day of the week hasn't yet been determined. Jenkins added that in light of this work session there wouldn't be a meeting next week.

6. **Adjournment**

On a motion by Commissioner Freeman, seconded by Commissioner Hisrich, the Commission voted unanimously to adjourn the work session at 7:36 P.M.

_____
Chip Norton, Chair

_____
Rita Severson, Recording Secretary

_____
Michael Jenkins – Community Development Director

SIMONTON
COMPANIES

September 30, 2013

Steve Ayers, Economic Development Director
Russ Martin, Town Manager
473 S. Main Street, Suite 102
Camp Verde, Arizona 86322

Steve and Russ:

I appreciated the opportunity to meet with the two of you this past week. You have some very good ideas.

It is no great surprise to anyone that there have been two schools of thought in Camp Verde: those who supported no growth or little growth and those who wanted growth. The goals of each are admirable and worthy goals. The challenge is to not sacrifice one at the expense of the other. The "area character concept" you discussed appears to meet the goals of both.

Based on my observation, those who wanted no growth did not opposed having more local services in Camp Verde or eliminating the need to drive to Cottonwood for services. Nor did they oppose creating jobs for Camp Verde residents who still needed to work or for kids who needed local employment opportunities to remain in Camp Verde. They just wanted to protect their lifestyle and the Town they love.

Those who wanted growth did not want to destroy the nature and feel of Camp Verde or the things they loved but wanted more local services, industry and jobs. They wanted their kids to grow up and remain in Camp Verde, to find local employment, and housing that they could afford. They wanted others who may not have the financial means, physical ability, or desire to maintain an acre lot to be able to find housing in Camp Verde. They wanted a stronger, more diversified tax base as an alternative to higher property taxes to pay for government services.

By identifying the character of differing areas, I feel each of their goals can be achieved. I am excited to see how you feel Simonton Ranch can be a part of your vision. As far as the Finnie Flat corridor is concerned, I wish this concept had been developed and its character and theme had been established prior to the Dollar Store building. Perhaps over time they can be convinced to blend in as the corridor develops.

You discussed a possible concept for the Finnie Flat commercial corridor of a "Main Street" walking corridor concept. Some communities have been successful developing that concept usually with retail boutiques and shopping. Most like Sedona, Carmel, La Jolla and others were mainly tourist driven. Lots of people were coming to those areas for other reasons and the walking shops developed as a result of

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tourists and visitors already coming to that area. The attraction came first and then the walking shops. Camp Verde does not have that attraction or visitor base. In my opinion, it does not work to "build shops and they will come". Even if they would eventually come, the businesses would have to be able to survive until that would happen and that is not likely. That would be a hard sell to business owners.

Queen Creek attempted a more walking, urban concept for their downtown. It stopped development for about 6 years until the concept was abandoned. Once they adopted a more traditional plan to attract local services to the area and became more business friendly, development went forward at a brisk pace and Queen Creek has some attractive commercial development.

An alternative to walking shops that are often tourist oriented is service businesses that cater to Camp Verde residents and eliminate their need to drive to Cottonwood for services for basic services and everyday goods. Camp Verde has the population base for many service type industries and the freeway location central to the Verde Valley that would be attractive to many businesses. Perhaps these are the type of business Camp Verde should go after.

I found it enlightening to hear about future development along the west side of Highway 260 with road expansion planned for 2016. That will be good once in but does not satisfy the needs of businesses that would like to locate in Camp Verde now. Also, land owner pricing is important. After speaking with several realtors in the area, it was reported to me that asking prices for commercial property west of the freeway along 260 are in the range of $14.00 to $16.00 a square foot and the road access is not there at this point. For many businesses, that prices them out of the market. That is compared with my asking price of $4.00 to $5.00 per square foot along Finnie Flat. The more reasonable pricing will allow Finnie Flat to develop first. Also, Finnie Flat lends itself to more local businesses and west of the freeway to more regional businesses as well as local businesses, but is not as attractive until the road expansion has taken place.

Since Finnie Flat is more likely to develop first, a question to be asked is whether there should be a coordinated theme or look to the corridor and business elevations or should it be eclectic in nature. That is for Camp Verde to decide. I will work with the Town on land I still own and on land that I maintain reserved design approval rights.

I certainly agree with your opinion that the Town should minimize red tape and obstacles for proposed businesses designed to fit into the "area character". Business owners considering locating in Camp Verde would very much benefit from standards being defined and red tape minimized. I cannot overstate that aspect of attracting business and development.

My opinions above are just my opinions, but do come with more than 40 years of projects. Thank you again for sharing your thoughts and opinions with me. They certainly do have merit. I look forward to working with you as you go forward.

Sincerely,

Scott Simonton

CITY OF GLOBE ARIZONA

The City of Hospitality

Great Landscapes • Family Values • Friendly Neighborhoods • Rich History

Goal GA-4: Monitor and Measure General Plan Success

Policies:

P-1: Establish a Development Monitoring Plan to evaluate General Plan progress.

Implementation Strategies:

I-1: Develop, adopt and maintain a Development Monitoring Plan that balances land use changes and anticipates infrastructure needs.

1-2: Require the Planning and Zoning Commission to prepare an annual General Plan Scorecard that summarizes implementation progress and reprioritizes implementation measures.

4.2 Land Use Element (Character Areas)

The purpose of the Land Use Element is to recommend land use policies that will guide future development. To implement this Element, the City of Globe has chosen to pursue a more inclusive and flexible process that more easily accommodates Globes diverse heritage. This process is referred to as Character Area Planning. A description of this process and its benefits, is provided further below.

An appropriate mix of land uses includes residential, mixed-use, commercial, services, employment and industry. The actual placement and designation of these land uses is based on current conditions, projected development, existing and planned transportation corridors and population centers. No matter their placement, the City of Globe needs to have a healthy mix of land uses to provide for its own citizen's needs, promote economic development, sustain tourism and maintain a strong industrial sector.

In order to further ensure the long-term sustainable use of land, it is critical that Globe take advantage of the proximity to the Phoenix Metropolitan area and the Tucson Metropolitan area. With the proper land use designations, the four to five million residents in these areas can help create a healthy, vital and competitive economic climate that takes advantage of Globe's strategic location in the Copper Corridor and Globe's unique community character. The economic development and tourism that results from these population center, combined with Globes current mining based economy, can ensure the long-term livability and sustainability of the City and its sister communities in the Copper Corridor. Based on the analysis of existing conditions summarized in the General Plan Working Papers, and the policy direction established in the Growth Areas Element, the Land Use Element provides a land development strategy to implement the community vision of Globe.

During the public involvement process the community and major stakeholders identified the need to implement a land use approach that:

1. Responds to changing market forces to ensure the long-term viability of Globe;
2. Provides a streamlined and consistent development review process;
3. Departs from traditional land use designations by focusing on planning area needs rather than specifying land uses on a map;
4. Directs development by establishing a strong policy framework;
5. Incorporates implementation tools such as Planned Area Development that include flexibility in design while requiring high quality development;

6. Promotes the synergies, partnerships and strategies necessary to attract and expand:
    a. Tourism and ecotourism employment opportunities;
    b. Retail, restaurant and service revenue generating businesses;
    c. Regional approach to education and infrastructure;
    d. Public education and higher education; and
    e. Comprehensive medical services to serve the Copper Corridor communities.
7. Ensures land use compatibility through the establishment of major planning areas and the provision of transitional elements, landscaped buffers and connectivity;
8. Encourages new development to create a mix of housing opportunities that is affordable to all income ranges;
9. Integrates open space, parks, recreation and trail systems to increase connectivity, walkability and promote health;
10. Directs mixed-use development to areas that will benefit from it;
11. Furthers the revitalization of the Globe downtown as a compact, historic, mixed-used central business core; and
12. Addresses the infrastructure, mobility and multimodal access requirements needed to promote circulation throughout the planning area.

This Land Use Element includes the general policy direction for revitalizing existing areas and directing new development within the City of Globe. The respective planning area goals and policies provide the specific land use policy direction for each of the major planning areas identified in the Growth Areas Element. The Land Use Element moves beyond the Growth Areas with a discussion of the identified Character Areas which will serve as the basis for the development of a Form-Based Code.

Character Areas (CA) Element

What is Character Area Planning?
Character Area Planning is the term given to an 'area-based' approach to land use planning. It is a technique that identifies and interprets the notable qualities and historic features that unite like neighborhoods and/or land areas. Recognizing these qualities and features gives the present day landscape a connection to the past while defining a way forward for future development.

Conventional land use planning looks first at the use, then defines where it should go and what it should look like. Character Area Planning first understands the character of an area then describes the context in which a proposed use can be compatible with an area in which it is proposed. In short, Character Area Planning reveals the underlying fabric within a place, that fabric which residents define as home and drives their instinct to preserve and protect.

- The benefits of this approach are summarized below:
- It enables a community to identify and value it's natural, built and social environments thereby more effectively managing change;
- It safeguards the natural and historic environment which contributes to an area's sense of place;
- It enhances the quality places that are important to a community;
- It is more flexible and business friendly than the conventional approach to planning by allowing design and context to moderate compatibility

Why Use Character Area Planning?

Character Area Planning better assists a community in recognizing, retaining and replicating the values it considers meaningful and worth preserving. It offers a broader and more inclusive approach than those used for designation-based control. Because it is area-based, it can take into account all aspects of a place and thus provides a basis for an integrated approach to its planning and management.

Additionally, because it can be undertaken at different scales and in ever-greater detail at successive planning and design stages, it can flexibly guide both rural and urban development, from individual types of development through large growth area projects. Finally, because it is essentially about place, the policies can provide the basis for local planning that empowers communities to protect its desirable features.

These policies will complement the general characteristics of the community, as well as ensure a sustainable and healthy use of the land. The Land Use Element serves as a guide for decisions made by city staff, the Planning and Zoning Commission and the City Council in determining the proper uses of public and private land within the city limits. This element also lays the foundation for zoning and subdivision regulations that put the land use plan into action.

CA	Neighborhoods	Character Area Physical Description	Major Corridors	Focal Points
1	**Pioneer Hills (or West Gateway)**			
	• Miami Gardens • Pioneer Hills • MH Copper Country • Pinal Creek	• A large portion of the character area is undeveloped • Residential areas – newer homes; mobile home community north of U.S. 60 • 2 large shopping areas • Surrounds Central Heights-Midland City • Generally hilly topography	• U.S. 60 – Broad Street • S.R. 188 – Apache Trail	• Cobre Valley Comm. Hospital • Wal-mart Supercenter • Fry's Food Store • Cobre Valley Country Club (adjacent golf course)
2	**Hilltop**			
	• Hilltop • G-Hill	• Northern portion is vacant with hilly terrain • Southern portion is older residential neighborhoods • Hilly terrain results in large lots with separated by washes and natural desert • Small businesses are located along the U.S. 60 (Broad Street/Ash Street)	• U.S. 60 – Broad Street/Ash Street	• Collins and Euclid Park • Old Central School and Ball Field
3	**Old Globe**			

	• Noftsger Hill • Old Globe • West part of East Globe • West part of Skyline	• Primarily older residential neighborhoods • Much of this area is the original Globe Townsite established in 1882 • Residential structures of a variety of ages and architectural styles • Area is eligible for historic designation • Terrain is generally hilly with steep streets in some areas • Neighborhoods are generally intact with some signs of deterioration • Proximity and easy access to Historic Downtown	• U.S. 60 – Broad Street	• Globe Active Adult Center • Noftsger Hill Baseball Complex • Globe High School • Noftsger Hill Inn
4	**Downtown Globe**			
	• Historic District	• Historic District designation along Broad Street • Includes government buildings, historic buildings and businesses. • Potential for infill development, arts, history, small businesses and healthy streets (it is a walkable and bikeable environment). • Heart and soul of the city and potential as major tourist area	• U.S. 60/Ash Street • Broad St.	• City Hall • Police Department HQ • Fire Department HQ • Cobre Valley Ctr. for the Arts • Globe Public Library
5	**East Globe**			
	• East part of East Globe • West part of Northeast Area • Crestline	A lot of the housing is this character area is new, especially in the Crestline neighborhood. The convergence of the U.S. 60, S.R. 77 and U.S. 70 make this a natural focal point for the city. A lot of the land in the Northeast Area and East Globe is undeveloped. This area appears to be primed for development along the corridors.	• U.S. 60 • S.R. 77 • U.S. 70 • Montecito Rd.	• Dream Manor Inn • Round Mountain Park • High Desert Middle School • Round Mountain Park
6	**Southeast Globe**			
	• East part of Skyline • Canyons	A large amount of this land is undeveloped. There are a lot of different land uses including, open space, industrial and residential (a mix of old housing and ranches). A large piece of land almost splits this character area, causing some discontinuity. Besh Ba Gowah and the Community Center make this a mainly open space area of the city.	• U.S. 60 • S.R. 77 • U.S. 70	• Besh Ba Gowah Arch. Park • Globe Community Center • Gila County Courthouse
7	**Rural Area Globe**			
	• Fairgrounds • East part of Northeast Area • Crestline • Pipelines, Brownfields and Cutter Well Fields	Almost the entirety of this character area is undeveloped desert land that borders the Tonto National Forest and the San Carlos Indian Reservation. Some industrial uses are present for the well fields, and both the U.S. 60 and S.R. 77 cross the area. This land could be ideal for ranching and ranch type residential uses.	• U.S. 60 • S.R. 77	• City Fairgrounds

Character Areas (CA) Element Goals and Policies

Goal CA-1: Compact Land Uses

Globe has a mix of compact land uses necessary to achieve the community visions of the desired quality of life and long-term sustainability

Policies:

P-1: Provide an appropriate mix of compact and compatible land uses within each planning area that supports the economic development goals, the quality of life and the efficient use of infrastructure and services necessary to achieve sustainability and long-range economic viability.

Implementation Strategies:

I-1: Adopt specific policy direction for all growth areas that includes the mix of land uses necessary to support economic development goals, quality of life and the efficient use of infrastructure and services.

I-2: Identify planning areas compatible with mixed-use development.

I-3: Require that all development integrates open space, parks and trails and fosters connectivity, walkability and bikeability to achieve the desired quality of life.

I-4: Partner with the San Carlos Indian Community Apache Gold Casino to attract a higher number of visitors by providing a mix of retail, hotel and hospitality, restaurants, arts and culture and entertainment opportunities to strengthen the City's economic base.

I-5: Support and expand the City's retail economic sectors through redevelopment efforts and infill development incentives.

I-6: Support and expand the distribution, warehousing and industry sectors of Globe by attracting and providing incentives for this type of development.

I-7: Strengthen existing and develop new public/private partnerships with all applicable federal, state, regional, county and local agencies, chambers of commerce, non-profit organizations, private developers, investors and other stakeholders to market attract and retain the diversity of uses needed to strengthen the economic base.

Goal CA-2: Protect and Enhance the Character of Existing Developed Areas

Policies:

P-1: Protect and enhance the character of existing developed areas through the provision of adequate buffers, density/intensity transitions, hillside protection and appropriate grading.

P-2: Consider adopting a Form-Based Code that recognizes and respects the unique characteristics of existing development and provides guidance for compatibility of new development.

Implementation Strategies:

I-1: Promote land use compatibility throughout the Globe Designated Growth Areas by implementing all applicable buffers, transition elements and setback requirements.

I-2: Require that development plans and Planned Area Developments include site-appropriate land use compatibility techniques.

Goal CA-3: Use Existing Transportation Corridors to Increase Land Uses that Support a Tourism-Based Economy

Policies:

P-1: Incentivize economic development, especially retail and hospitality, along current and future transportation corridors.

Implementation Strategies:

I-1: Inventory the location of underutilized buildings and land along current and future transportation corridors.

I-2: Research the feasibility of implementing an overlay zone for the transportation corridors that provides an easier permitting process, reduces zoning restrictions and encourages quality development.

Goal CA-4: Protect and Enhance Downtown Globe

Policies:

P-1: Enhance the historic and cultural identity of Downtown Globe, while also encouraging new infill development.

Implementation Strategies:

I-1: Research the feasibility of implementing a Form-Based or hybrid code in Downtown Globe.

I-2: Incentivize infill development through streamlining the permit process, providing tax breaks and allowing development rights to transfer.

I-3: Implement self-guided history or culture walks in Downtown Globe and provide increased and uniform signage, pamphlets and advertisements.

I-4: Improve sidewalks, increase shade and other pedestrian amenities, and maintain clean and safe streets and public spaces.

Goal CA-5: Protect the Natural, Cultural and Historic Environments

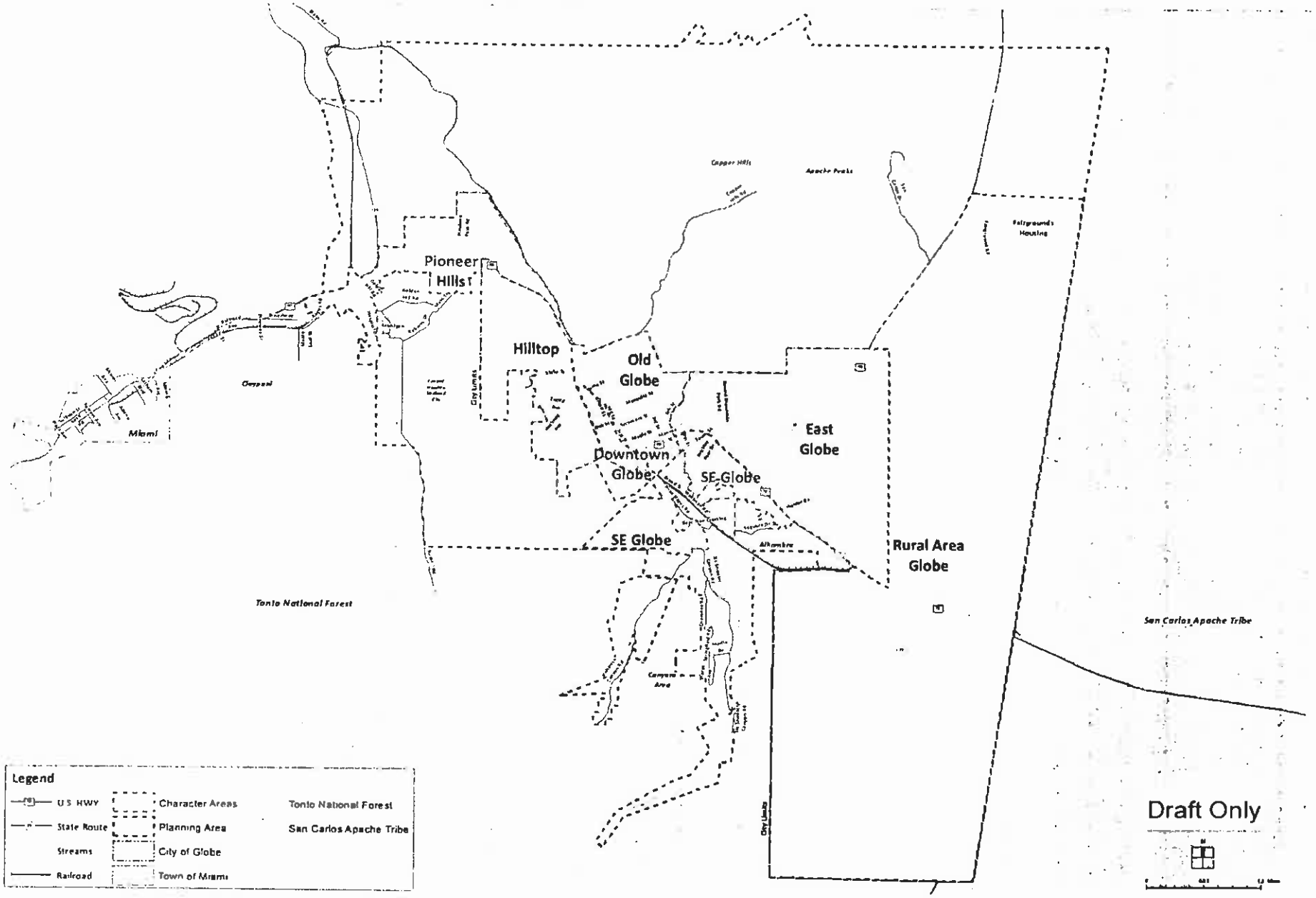
Policies:

P-1: Protect the natural, cultural and historic environments in and around Globe, while also increasing the accessibility to these areas.

Implementation Strategies:

I-1: Identify important natural, cultural and historic sites and improve accessibility of these sites by foot, bicycle and car.

I-2: Improve existing transportation networks by building and improving sidewalks, bike lanes and roads that lead to important sites and places within and around Globe.



Globe 2025

Character Areas Map

Techniques and Guidance for
Delineating and Implementing Character Areas

April 2005 Draft

Excerpted by DCA Staff

Prepared For:

Office of Planning and Quality Growth
Georgia Department of Community Affairs
Atlanta, Georgia

Prepared By:

Jerry Weitz & Associates, Inc.
Planning and Development Consultants
Alpharetta, Georgia

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TECHNIQUES AND GUIDANCE FOR DELINEATING AND IMPLEMENTING CHARACTER AREAS

OVERVIEW

The Georgia Department of Community Affairs has established new local planning standards that require communities (local governments, in their comprehensive plans) to delineate ***character areas*** and implement development strategies for each of them. This approach differs from ***conventional land use planning***, which is organized around the ***future land use map*** which shows mostly single-function land use districts.

DCA defines ***character area*** in the administrative rules as: "A specific geographic area within the community that:

- Has unique or special characteristics to be preserved or enhanced (such as a downtown, a historic district, a neighborhood, or a transportation corridor);
- Has potential to evolve into a unique area with more intentional guidance of future development through adequate planning and implementation (such as a strip commercial corridor that could be revitalized into more attractive village development pattern); or
- Requires special attention due to unique development issues (rapid change of development patterns, economic decline, etc.)

Each *character area* is a planning sub-area within the community where more detailed, small-area planning and implementation of certain policies, investments, incentives, or regulations may be applied in order to preserve, improve, or otherwise influence its future development patterns in a manner consistent with the community vision."

This report is prepared as an introduction to possible techniques for delineating and implementing *character areas* in your community. It is intended to complement the state's local planning requirements and State Planning Recommendations, picking up where they leave off in terms of specificity.

The *character area* approach involves the following tasks:

- Determination of physical boundaries;
- Establishment of a vision;
- Formulation of objectives for the area to achieve the vision.
- Creation of development recommendations, design guidelines and/or standards and regulations to implement the objectives of the area

THE PROCESS OF CONSIDERING AND APPROVING CHARACTER AREAS

The first part of a local comprehensive plan under the new (2005) local planning requirements is the development of a ***Community Assessment***. Rather than considering different aspects of community planning in isolation (e.g., economic development, historic preservation, community facilities, land use, etc.), the *Community Assessment* generates a list of potential issues and opportunities, which cut across the various functional planning elements like economic development and historic preservation.

Step 1. Delineate and describe preliminary *Character Areas*

DCA's rules require that a map of "*recommended character areas*" be developed based on an objective and professional assessment of data and information about the community, as an integral part of the *Community Assessment*. This means that the planners take the first "shot" at drawing and describing *Character Areas*.

Step 2. Consider the preliminary *Character Areas* in light of the supporting analysis of data and information.

DCA's local planning standards emphasize that the initial delineation of character areas must be considered in the context of the supporting analysis of data and information, which is also a part of the *Community Assessment*. Planners delineating character areas must look beyond just the design aspects of various neighborhoods, centers, and corridors. All the data and analysis within the *Community Assessment*, including maps of environmentally sensitive areas, must be looked at holistically to avoid conflicts among objectives of the comprehensive plan. For instance, it would not be appropriate to recommend a traditional neighborhood development *Character Area* in an area that included wetlands or other areas requiring protection from development. Initial boundaries of character areas should be systemically compared with maps and data in other parts of the *Community Assessment*, then adjust the boundaries of recommended *Character Areas* where appropriate.

Step 3. Present the *Character Areas* and their draft vision statements, then refine them during or based on public participation.

As a part of the public participation process (i.e., in public forums called for in the approved *Community Participation Program*), present the preliminary *Character Areas*, a *vision* for each, and the issues and opportunities associated which each *Character Area*. Interactively with the public during the public participation/visioning process, refine the character area mapped boundaries, lists of issues and opportunities, and other descriptive text provided, as appropriate, based on input from stakeholders and visioning participants.

During the community visioning process which takes place before the ***Community Agenda*** is prepared, the recommended *Character Areas* are considered by the public and confirmed, refined, and modified as appropriate. Development of the *Community Agenda* occurs as a later step in the community planning process, after the *Community Assessment* is complete. Specifically, the *community vision* for the future physical development of the community is expressed in the form of a map indicating unique *Character Areas*, each with its own vision and implementation strategy for guiding future development patterns.

DCA's rules specify that the *Community Agenda* must contain a ***Future Development Map*** which includes delineated boundaries of *Character Areas*. One of the key objectives of the *Public Participation Program* is to "adjust boundaries, modify, add, or subtract character areas based on stakeholder perspectives about future development patterns." The vision statements for each Character Area should be discussed and then confirmed or modified during the community participation process.

Step 4. Interactively with the public during the public participation/visioning process, determine the appropriate land uses, development (or preservation) objectives and strategies, and implementation techniques for each *Character Area*.

Upon determining acceptance of the boundaries, vision statements, and lists of issues and opportunities for each *Character Area*, or making adjustments based on the input received

through the *Community Participation Program* (Step 3), planners or visioning facilitators should focus discussion during the participation process on which land uses are appropriate and should be permitted in each *Character Area.*

Planners should help facilitate choices as to what programs and implementing regulations or guidelines are appropriate for each Character Area. Meaningful public participation will require planners to "regroup" in terms of comments received on the preliminary Character Areas. It may be possible to move toward consensus on Character Areas and also arrive at acceptable implementation strategies, particularly if planners develop their character area recommendations to some degree of detail with an eye toward specific implementation issues. For instance, if a historic district is one of the preliminary recommended *Character Areas*, then development of a historic preservation ordinance is a logical "next step" implementation technique. If planners do their homework and are prepared to suggest and facilitate consensus on implementation techniques, it is possible that the objectives of completing Step 3 and Step 4 could be attained with one interactive visioning session.

It may be unlikely, however, that facilitators of *Community Participation Programs* can achieve both Steps 3 and 4 in a single session. It is recommended, therefore, that the visioning process take place in two steps (Step 3, then Step 4 after refinements if needed). Providing for a two-step visioning process thus enables planners and participation facilitators to ensure that alternative implementation techniques receive adequate public attention.

It is important to note that complete implementation of the *Community Participation Program* is not the final opportunity to refine the *Future Development Map*, *Character Area* boundaries, *Character Area* visions, and their associated policies and implementation strategies. Local governments must be open to refinement of them at later points in the process of reviewing the comprehensive plan. Other local governments, the regional development center, and the Department of Community Affairs will all have any opportunity to review and comment.

Step 5. Develop policies and implementation strategies for each *Character Area* as part of the *Community Agenda.*

Even the best progress during a visioning workshop or design charrette will not result in full descriptions and coherent strategies that are internally consistent with all facets of the comprehensive plan. Therefore, even if consensus is reached on policies and implementation strategies for each *Character Area*, planners will need to go back and refine concepts, modify descriptions of implementation techniques, and otherwise refine the proposals for publication in the draft *Community Agenda*.

CONSIDERING AND RECOMMENDING PRELIMINARY CHARACTER AREAS FOR FURTHER REVIEW

Basic Considerations

There is a combination of factors that should enter into professional recommendations for establishing preliminary *Character Areas*. These include but are not limited to the following:

- Existing land uses and unique conditions and characteristics
- Role of the area in the jurisdiction– existing or proposed (e.g., gateway, rural, commercial corridor, major economic development engine…)
- Linkage to surrounding areas
- Function – what are best uses for land
- Shortfalls in the area which limit its potential to achieve vision
- Design, political, functional, and operational issues
- Availability (or lack thereof) of infrastructure
- Past growth and planning issues
- Development constraints

A Number of Analyses Should be Completed First

There are good arguments in favor of completing the required *Existing Land Use Map* and the required evaluation of land use patterns and trends first, before the preliminary delineation of Character Areas. Knowing the current land uses will help planners to conceptualize how areas of the community are currently developed, the issues and opportunities that they face, and how such areas are likely to change in the future. On the other hand, some planners may decide to move immediately into the process of considering character areas based on only cursory reviews of existing land use trends. Land use is but one consideration in the delineation of Character Areas, and planners may choose to emphasize the design aspects or "feel" of the built environment as opposed to letting individual land uses or land use patterns guide the mapping approach. While

existing land use should not be the only input to delineating Character Areas, it makes sense to complete the land use inventory and assessment first to inform the effort.

Another reason that the existing land use inventory should be completed prior to the delineation of preliminary character areas is that DCA's rules require an evaluation of ***Areas Requiring Special Attention*** (which is informed by the existing land use analysis) and such areas must be considered in the delineation of character areas per the administrative rules:

- Areas of significant natural or cultural resources, particularly where these are likely to be intruded upon or otherwise impacted by development.
- Areas where rapid development or change of land uses is likely to occur.
- Areas where the pace of development has and/or may outpace the availability of community facilities and services, including transportation.
- Areas in need of redevelopment and/or significant improvements to aesthetics or attractiveness (including strip commercial corridors).
- Large abandoned structures or sites, including those that may be environmentally contaminated.
- Areas with significant infill development opportunities (scattered vacant sites).
- Areas of significant disinvestment, levels of poverty, and/or unemployment substantially higher than average levels for the community.

The *Existing Land Use Map* will show what properties are developed and which ones are vacant. The vacant land classification forms the basis for determining opportunities for infill development. But in order to accomplish the intent of these rule provisions, planners will need to analyze more than just existing land uses.

To consider natural and cultural resources in the recommended character areas, planners must have already inventoried the environmentally sensitive areas and historic and cultural resources in the community. An understanding of the pace of prior development in relation to community facilities and services is also required, suggesting that planners need to know past development approvals (e.g., permits, rezonings, subdivision plat approvals, pending development approvals,

etc.). The *Areas Requiring Special Attention* also require planners to have some knowledge of not only land use but the building conditions and other aspects of the built environment in the community. Although a comprehensive building inventory and assessment is not necessarily implied in this part of DCA's rules, the occupancy and vacancy of buildings is clearly one of the required considerations. Analyzing aesthetics and attractiveness of areas implies that planners have some knowledge of building materials, typical streetscapes, and other design-related aspects of development. Determining whether particular properties are "brownfields" or are subject to some sort of environmental contamination necessitates further research or inquiry beyond conventional land use inventory methods.

The *Areas Requiring Special Attention* also imply that planners have completed some basic research into the income distribution of the community and economic conditions. Areas of disinvestment or poverty may be evident or visible to planners after a windshield survey of the community – a boarded up industry, an abandoned gas station, a concentration of houses in disrepair, etc. However, levels of poverty may only be adequately measured by using the U.S. Decennial Census statistics. For instance, planners in order to meet the intent of that rule requirement should analyze year 2000 poverty statistics by census tract, or if the planning area is small, census block groups. Similarly, unemployment measures for small parts of a given community can be attained by looking at census statistics for the labor force (and unemployment) also by census tract or census block group. Hence, some statistical analysis of the population, housing, and economic conditions of various small areas in the community is considered a necessary ingredient to determinations of what areas require special attention.

GETTING DOWN TO BUSINESS: THE PARTICULARS OF DELINEATING AND RECOMMENDING CHARACTER AREAS

The following task list is meant to reinforce and augment the tasks as outlined per the DCA Local Planning Requirements. These apply to the task of recommended character areas, which is completed during the preparation of the Community Assessment (see Step 1 in the prior discussion). For this reason, the tasks are numbered as subtasks of Task 1.

Task 1.1: Current Context - Review Existing Conditions

The delineation of preliminary boundaries of Character Areas, as they currently exist, is a function of past decisions and policies. As noted above, "character" can also be a function of the social, political, economic, and physical environments. The community's values and views of the existing planning area will strongly influence the tasks of identifying, delineating, and recommending Character Areas

Task 1.2. Existing Land Use

The existing uses of land within the jurisdiction's planning area must be analyzed to determine the influence they will have and the role they will play in the delineation of Character Areas. Existing agricultural, residential, commercial and industrial uses may substantially affect the type of uses planned for adjacent properties. The continuation of existing uses may substantially affect the uses suggested by land use planners or desired by community visioning participants. Land uses should also be analyzed in order to design connections, buffers, and transitions to ensure compatibility. Per DCA, preparation of an *Existing Land Use Map* is required. As noted before, there is substantial merit in conducting the land use analysis first.

Task 1.3. Environmental Conditions

An evaluation of the planning area's natural environment helps provide direction to the type and intensity of development which is planned to occur. This analysis should include an evaluation of the physical and topographical constraints and opportunities which will determine the intensity of development and feasibility of subsequent development concepts. Maps of key environmental conditions are required as a part of the Community Assessment. Such maps should inform the preliminary determinations of character areas, and they should be available during the visioning/participation processes to ensure they are not encroached upon by character areas.

Task 1.4. Analyze Development Constraints

The type and intensity of future development is limited by the capacity of existing infrastructure or the ability to provide new public facilities. The analysis should identify available opportunities for development, as well as potential constraints resulting from the effect new development may have on infrastructure and public facilities. Existing utilities, easements, and encumbrances of property may also restrict land use, and the physical constraints associated with tem should be acknowledged and considered prior to recommending Character Areas.

Task 1.5. Existing Commitments and Policy Constraints

Past approvals of development entitlements and other jurisdictional and legislative decisions may have produced limitations to the type of development that can be sustained in an area. Any such commitments and policy constraints should be listed to help guide the formulation of objectives, policies and the action plan for each Character Area. These may include such things as prior approvals of zoning or subdivisions and policies that prevent development in natural or scenic areas.

Task 1.6. Inventory Design-Based Attributes

If budget permits, conduct an inventory of current design-based attributes, including but not limited to: architectural character, landscape and streetscape conditions; lot size and general site and/or building orientation (where applicable); design and use incompatibilities; positive design attributes in place; physical condition of structures or properties; and other attributes which should be addressed in the formulation of design and policy guidelines.

Task 1.7. Consider Typical Character Areas

Past research into "Resource Teams" of the Georgia Quality Growth Partnership and local plans that have used character area approaches reveal patterns and some consistency in terms of the types of character areas that are frequently used. While the frequency with which some of these common character areas are employed should give some reassurance that they are appropriate, planners must not assume that they are readily applicable in the given community. Remember that each *Character Area* will have an identified existing or planned character that distinguishes it from other areas, and each must be defined by a set of established or desired qualities, which may include natural resources, land use patterns, historic context, function, densities/intensities, and many other characteristics. See State Planning Recommendations for types to consider.

Task 1.8. Map Preliminary Character Areas

Establish preliminary boundaries for the Character Areas based on the foregoing tasks and earlier discussions in this report. Where frequently used Character Areas do not fit well in the jurisdiction, new types of character areas may be suggested or derived. When even the consideration of specially tailored character areas results in no firm conclusions, perhaps the designation "special district" will suffice.

Definitive boundaries can be set based on such physical features as roadways, property boundaries, city or county limit lines; distinctive changes in land uses (either existing or proposed) incompatible land uses; natural or man-made water features; natural or man-made drainage features; topographical constraints or features (e.g., a deep ravine, a hillside with steep

slope, rock outcroppings); environmental conditions (e.g., watershed boundaries, flood plains, significant forests or tree/animal/insect/fish populations, etc,) and other factors deemed relevant following the analysis of existing conditions and preliminary issues.

As noted earlier in this report, the DCA Requirements suggest several considerations that must be integrated into the recommended preliminary Character Areas.

Task 1.9. Identify Preliminary Issues for Each Character Area

Development and/or conservation opportunities and constraints must be identified and utilized in the formulation of policies, design guidelines, and programs for implementing the Character Area. Per DCA Requirements, preliminary Character Area determinations must be accompanied by a preliminary assessment of each character area's potential issues. The issues may include those relevant to, but not be limited to, historic preservation, environmental quality, residential development, economic development, agricultural regulation, commercial/industrial park development, and infill. These issues will form the basis for the detailed policies and implementation measures of the community agenda.

To illustrate the issue identification and assessment process, consider the following example which is generalized from a Quality Growth Resource Team Report for Warner Robins:

Illustrative Attributes Analysis and Issues Identification (Residential Neighborhood)

Positive Attributes	Negative Attributes	Issues (Constraints and Opportunities)
The neighborhood has a defined boundary and distinct identity	It is difficult to determine where the neighborhood begins and ends	There is no distinctive subdivision design; or, there are distinctive characteristics that can be built upon
Quality development exists along the neighborhood's periphery		There may be opportunities to further enhance the neighborhood by connecting it to high quality development on the periphery
Street design - the interior streets are in a grid pattern and well connected with each other	Streets in the neighborhood are curved and are disconnected because they frequently end in cul-de-sacs.	Accessibility, connectivity; ability to integrate new pedestrian facilities to enhance mobility and walkability
Residential architecture - most of houses have consistent design themes or characteristics	Residential architecture – there is no discernable pattern of house types or architectural design characteristics	The need for architectural design guidelines for neighborhoods; how infill development will influence neighborhood character

Residents maintain their property (residents exhibit pride where they live) -- houses are painted, yards are landscaped, there are no abandoned vehicles in yards, there is little or no overgrowth	Houses have evidence of significant disrepair; yards are not maintained; clutter of vehicles and equipment are evident in places	Stability of the neighborhood; property values; the need for code enforcement

Another potentially useful approach is to employ a matrix of considerations that will help lead to an identification of opportunities and constraints. Where applicable, community focal nodes or activity areas should be identified and mapped to help further define the Character Area boundaries and future development strategy.

Character Area	Relevant Demographic Characteristics	Current Physical Characteristics	Architectural and Cultural Attributes	Focal Nodes	Constraints	Opportunities

Yet another approach is to develop a preliminary list of Strengths, Weaknesses and Potential Problem Areas. These can be done before the delineation of Character Areas and be further refined as the identification of Character Areas evolves.

Task 1.10. Prepare Generalized Design Concepts for Recommended Character Areas

While one should never ignore what a given community sub-area is now (i.e., its constraints), it is equally important to focus on the possibilities (i.e., "opportunities") of transforming areas into something better than they are now. This of course is done through a "visioning" process with public participation. But planners must be emboldened to share their initial visions, get the community stakeholders and planning participants excited about prospects and possibilities to transform places of the community. They may or may not "buy into" your ideas – but planners and design professionals must share their ideas and help the community get a sense of the possibilities their cities, neighborhoods, corridors, and districts can become in the future. This means, in essence, recommending character areas but then being fully open to molding ideas to fit the local perspectives and input gained. One way to do this is to accompany the map of preliminary character areas with a "design concept," or selected sketches, illustrations, and/or photographs so participants can visualize the possible results of the recommended character areas.

Task 1.11. Articulate a Development Strategy and Policy Guidelines for Each Character Area

The issues that have been identified during the assessment preliminary delineation of Character Areas must be systematically addressed through objectives, policies and programs. The first step in this process is the description of the primary objective(s) for the Character Area in the form of a development strategy. The development strategy will set the foundation for the establishment of more specific design and development parameters, development policies, action programs, and other implementing mechanisms. Although DCA has formulated generalized development strategies for the representative Character Areas in its State Planning Recommendations, each jurisdiction must tailor those ideas and the recommendations of this report to reflect the unique circumstances and conditions of the area.

Objectives provide direction to physical development of the Character Area. A comprehensive set of policies, largely land use and design based, should be developed which define and implement the objectives. Policies should be written with consideration of their potential for implementation. Implementation measures should be functional and realistic. Design criteria and development standards will need to be developed to specifically reflect the unique conditions of the Character Area. Following those implementation measures will shape the Character Area over time as individual development projects are designed consistently with the guidelines, standards, and policies.

The following illustrative example uses some of the guidelines and policies from the Franklin, Tennessee, Land Use Plan, integrated with the base recommendations prepared by the Georgia Department of Community Affairs. These illustrate only the rural side of the rural-urban continuum. Others for more urban character areas would be developed where applicable (these are illustrative and do not constitute an exhaustive list).

- **Character Area: Rural**

Strategy	Policy Guidelines
Maintain rural atmosphere while accommodating new residential development as "conservation subdivisions" that incorporate significant amounts of open space.	Agricultural uses are recognized as economically desirable, not vacant land. Agricultural preservation is an important goal, but this goal should be balanced with the rights of property owners and the potential economic need for owners to sell property for development purposes.
Encourage compatible architecture styles that maintain the regional rural character. These should not include "franchise" or "corporate" architecture.	The desired character for this area is a continuation of historic rural and agricultural patterns.
When nonagricultural development occurs, it should be limited to those establishments that cater to rural needs.	Rural commercial land uses and agricultural support businesses are encouraged. Examples of rural commercial uses are commercial nurseries, farm implement sales and supply stores, farmer's markets, and feed and seed stores.

- **Character Area: Hamlet**

Strategy	Policy Guidelines
Hamlets are a viable design pattern to accommodate development in rural areas. Hamlets are typically rural communities with a small residential population. The street layout tends to be in a grid pattern. Local public facilities such as churches, schools, small scale retail, fire stations and libraries are common within hamlets.	Hamlets should only be considered when mechanisms are included to preserve surrounding countryside in a Rural Area.
Hamlets are intended to cluster residential uses in order to preserve significant open space, but in a different form than Conservation Subdivision.	The development included within a hamlet and land within one-half mile should not exceed a density of one dwelling unit per acre. The average lot size or net density within a Hamlet shall be established during the site plan and review process.
	New development in Hamlets should be pedestrian oriented with sidewalks and trails.
	Hamlets should be developed according to a Sub-area or Master Plan.
	Growth should be limited so as not to overpower the scale of the Hamlet.

- **Character Area: Conservation Subdivision**

Strategy	Policy Guidelines
A Conservation subdivision development rearranges and clusters housing lots and roadways to set aside a substantial amount of otherwise buildable property as permanently protected open space.	Flexible design that maximizes open space preservation should be promoted by separating the issue of gross or net density from minimum lot size.
Open space should be designed to form an interconnected network, with linkages to existing or potential open space on adjoining properties.	Pathways within open space and/or sidewalks along roadways should be provided to connect to surrounding pedestrian/bicycle networks.
	Fragmentation of open space into isolated, unconnected pieces should be avoided, except to provide neighborhood parks or gathering places.
Maintaining rural character is paramount to the character of conservation subdivisions.	Roadways should be designed to standards appropriate to the rural context (with drainage swales, footpaths, narrower widths, shade trees, no curb and gutter).

Task 1.12: Recommend (List) Appropriate Land Uses

This task consists of the determination of broad categories of land uses which fit into the types of desired development. These broad categories of development are intended to identify an appropriate range of uses within a given Character Area. They can occur in various densities, mixes and patterns, depending on their location and the context of the Character Area. The list of uses can become more refined during master planning or sub-area planning tasks.
An example from the Franklin County, Tennessee Comprehensive Plan of a Land Use matrix at the broad land use level is provided below. More specific land uses within each of these categories can be established if necessary, to reflect the unique characteristics, proposed function and vision for the area.

List of Appropriate Land Uses by Design Concept, Franklin, Tennessee

Design Concept / Land Use	Conservation	Private Recreation	Public Parks	Detached Residential	Attached Residential	Transitional Office	Professional Office	Regional Office	Neighborhood Retail	Local Retail	Regional Retail	Institutional	Light Industry	Heavy Industry
RURAL AREAS														
Hamlets	A	A	A	A	A	A			A	A		1		
Conservation Subdivisions	A	A	A	A								A		
SUBURBAN NEIGHBORHOODS	A	A	A	A	2				2	2		2		
TRADITIONAL NEIGHBORHOOD DEVELOPMENT	A	A	A	A	A	A	A		A	A		A		
ACTIVITY CENTERS														
Business Parks	A	A	A				A	A		A		A	A	
Regional Commercial Centers							A	A		3	A	A		
Local Commercial Centers	A	A	A		4		A		A	A		A		
Industrial Centers	A	A	A											A
MIXED-USE CENTERS	A	A	A	A	4		A	A	A	A	A	A		
CONSERVATION	A	A	A	5										
TRANSIT ORIENTED DEVELOPMENT	A	A	6	A	A		A	A	A	A		A		

LEGEND

A Appropriate Land Use

1 Appropriate in some circumstances (see note)

NOTES

1. Institutional uses, such as churches, post-office branches and schools, should respect the small scale of the Hamlet.
2. See The Special Areas in each Character Area for guidelines and limitations for the land uses.
3. Local Retail uses are appropriate only as ancillary uses to the larger scale Regional Retail Uses in a Regional Commercial Center.
4. Attached residential on upper floors of Mixed Use buildings is particularly encouraged.
5. Special exception may be made for Detached Residential within Conservation Areas regarding transfer of development density on the development site.
6. Density and maximized use of land is the key to TODs. Parks should be encorporated but in a small scale.

Task 1.13. Develop Sub-area or Refinement Plans for Selected Character Areas

Sub-area or "refinement" plans can provide a mechanism through which the long term direction of the Comprehensive Plan is implemented. They are not required by DCA's requirements, but they are necessary when local governments seek to move beyond the basic delineation of character areas to implementation. A summary of the preliminary items that might be included in a sub-area plan are described below. The following components might be applicable to a particular Character Area and its context in the overall jurisdiction:

Land Concept

A statement of development policies (Opportunities, issues, and analysis of data relevant to planning decisions) pertaining to the type, intensity and location of land uses consisting of:

1. Objectives
2. Policies
3. Programs
4. Description and characteristics of each land use category
5. Detailed diagram of Subarea land uses
6. Description of circulation linkages (vehicular, pedestrian, trails and/or greenways, and other modes, as applicable), access and internal circulation

Land Use Regulations

1. Statement of purpose or intent
2. Applicability of the regulations to the planning area and designations on the Future Land Use Map (if included)
3. Statement of relationship between the Subarea Plan regulations and the zoning, subdivision, and other local ordinances
4. Permitted uses (Matrix and definitions)

5. Development standards (which may include but are not limited to, the following, as applicable, by land use or as overall standards applicable to all development)
    - Minimum parcel or building site area
    - Minimum or maximum lot coverage
    - Height
    - Setbacks
    - Building separation (if relevant)
    - Encroachments Permitted`
    - Densities permitted (if applicable)
    - Landscape easements, and public or private open space required
6. Design Standards
    - Building design, massing and height
    - Parking ratios/standards, location and orientation
    - Entrances, access and on-site circulation

Design Guidelines

1. Site Planning Guidelines
    - Orientation of structures (massing, elevation treatment)
    - Site coverage
    - Grading (as applicable)
2. General Landscaping Provisions
    - Streetscapes
    - Buffers and separations
    - Parking Areas
    - Landscape palette recommendations
3. Hardscape Elements
    - Paving
    - Walls and Fences
    - Street furniture

- Focal points, fountains, water features, sculptures, shade structures, courtyards

4. Architectural Features
   - Overall character (historical context or theme and relationship to area entries, transitions, destinations, edges)
   - Positive and negative architectural design features
   - Lighting
   - Signage
   - Architectural elements (roofs, elevations, colors, decorative elements, materials, windows, screening, building service areas)

Planners should consult the Quality Growth Toolkit to determine which implementation techniques will fit well with the implementation objectives of each Character Area. To aid in that task, consider the following guide:

Regulatory Techniques for Which Models Are Available and Their Match With Frequently Used Character Areas

Guidance Available for Regulatory Techniques	Rural Preserve	Rural Reserve	Exurban	Sub-urban	General Urban	Urban Center	Urban Core	Special District
Agricultural lands designation		X	X					
Agricultural/large lot zoning		X	X					
Agricultural use notice/waiver		X	X					
Bicycle facility specifications				X	X	X	X	X
Cluster development		X	X	X				
Conservation easements	X	X	X	X				
Conservation subdivision		X	X	X				
Corridor or official map	X	X	X	X	X	X	X	X
Design review board		X	X	X	X	X	X	X
Development agreement		X	X	X	X	X	X	X
Development performance standards		X	X	X	X	X	X	X
Environmental impact review		X	X	X	X	X	X	X
Hillside development		X	X	X	X			X
Historic preservation		X	X	X	X	X	X	X
Infill development standards				X	X	X	X	X
Interim development regs.		X	X	X				
Land development regs.		X	X	X	X	X	X	X
Land use guidance system		X	X	X	X			
Major permit requirement		X	X	X	X	X	X	X
Mixed-use zoning					X	X	X	X
Overlay districts	X	X	X	X	X	X	X	X
Planned unit development				X	X			X
Redevelopment				X	X	X	X	
Scenic corridors		X	X					
Sign regulations		X	X	X	X	X	X	X
Specific plans				X	X	X	X	X
Septic system regulations			X	X				
Street standards (alternative)		X	X	X	X	X	X	X
Subdivision regulations		X	X	X	X			
TND ordinance				X	X	X		
TOD ordinance					X	X	X	
Tree protection/landscaping				X	X	X	X	X
Zoning or land use districts	X	X	X	X	X	X	X	X

GEORGIA DEPARTMENT OF COMMUNITY AFFAIRS
TECHNICAL ASSISTANCE SERIES

DISCOVERING AND PLANNING YOUR COMMUNITY CHARACTER

A GUIDEBOOK FOR CITIZENS AND LOCAL PLANNERS

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STATE OF GEORGIA
DEPARTMENT OF COMMUNITY AFFAIRS
60 Executive Park South, NE
Atlanta, Georgia 30329-2231
(404) 679-5279
www.dca.ga.gov

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HOW TO USE THIS GUIDEBOOK

WHO SHOULD USE THIS GUIDEBOOK?

Anyone involved in preparing, implementing, or using comprehensive plans in Georgia can benefit from this guidebook. However, the guidebook is designed to be most useful to citizen planners, local government staff and officials with little specific training in comprehensive planning, and planners in small cities and towns or rural counties. Larger local governments will more likely have several professional planners to provide planning services that meet local needs for administering programs on a daily basis, conducting studies, and preparing comprehensive plans. It is the first situation where more help is needed. Many of Georgia's local governments are small and depend on a city or county clerk, city or county manager, building official, or citizen volunteers to prepare comprehensive plans.

WHAT KIND OF INFORMATION IS IN THE GUIDEBOOK?

This guidebook describes character areas, provides tools and techniques for identifying character areas, and discusses the processes for visioning in your community. It includes examples of character areas and the characteristics that distinguish one area from another. There are many ways to "see" character areas; no one way is the right or only approach. In addition, there are many useful tools for envisioning your community and the character areas that lie within it. These tools will help you discover your vision, discover the character areas, and begin to develop plans to implement your vision.

The appendix identifies some additional resources for background reading or details on what other communities have done.

THE CHARACTER OF YOUR COMMUNITY

The major component of most plans – at least until recently – has been land use. That means that a primary part of the community's comprehensive plan is the identification of what use may be made of any parcel of land. Traditionally, planning has focused on the issues of physical forms of development as described by the types and locations of individual land uses. Often, a community focuses on land use as a way of addressing other issues, such as compatibility and the adequacy of public infrastructure. However, this focus has often resulted in a lack of attention to the overall pattern of development. An emerging trend, reflected in some of the Smart Growth concepts and New Urbanism concepts, is the focus on pattern of development, rather than individual land uses. The patterns of development throughout a community create individual areas that have an identifiable character. In Georgia, such areas are called "character areas."

WHAT EXACTLY IS A CHARACTER AREA?

No matter what name we use to label a part of our community – district, zone, neighborhood, sector, or area – most people recognize that a community is made up of several distinct areas, each with a specific character. The character of an area can best be understood or described by identifying the characteristics that make a particular development unique. The following descriptions should help explain character areas as defined in the "local planning requirements" from the Georgia Department of Community Affairs. Character areas are defined as specific geographic areas that meet the following criteria:

- Have unique or special characteristics;
- Have potential to evolve into a unique area when provided specific and intentional guidance; or
- Require special attention due to unique development issues.

The character of developed areas can be explained by looking at several typical characteristics. Consider the following characteristics to identify areas within developed parts of the community:

- Site and configuration of lots;
- Site design features, such as degree and location of landscaping, parking, driveways, accessory structures, stormwater facilities, and other features;

- Street design;
- Intensity of development;
- Building location, dimensions, and orientation;
- Types and quantities of natural features;
- Location, extent, and type of civic buildings and public spaces; and
- Interactions among uses within the area.

Many of these characteristics exist regardless of the activity which occurs within the buildings in the area (offices, homes, shops, and so on). Thus, the characteristics are based on form and pattern, not individual use. Form and pattern describes how buildings, lots, site features, and streets are physically arranged. Most communities are familiar with defining areas based on character, even if the areas are not labeled as "character areas." Downtowns and historic districts are often identified because of the form, pattern, and character of the area, rather than the array of individual land uses.

In addition to examining existing characteristics, you can identify future development patterns desired and expressed by the vision for the area using these same ideas. Further, it is important to consider whether there are any redevelopment needs for the area. The vision may identify the need to create new character for the area. In these cases, an area should be identified based on both existing and future development characteristics.

Another way to identify character areas is based on environmental characteristics. Your community most likely has identified significant natural features for protection. These features form an important part of the overall character of the community and give shape to the community. The character of environmental areas is based primarily on the natural resources that are present and shape the area:

- Greenways or green corridors;
- Bodies of water, such as lakes, rivers, streams, and seas;
- Wetlands;
- Floodplains and floodways;
- Habitats;
- Aquifer recharge areas;
- Karst terrain; and
- Mountains or areas with steep slopes.

Open spaces are an important feature in your community. This leads to a third type of character areas, especially if you are planning for a county. There may be areas that are vacant or sparsely settled, but are not environmental areas or developed (partially or wholly) character areas. While not all vacant land should ultimately be developed, some will be needed to accommodate future growth. Such open space areas will most likely fall into three categories:

- Agricultural production;
- Open space; and
- Future development areas.

Future development areas should be identified based on development potential. When considering characteristics of these areas, future development characteristics as envisioned in the comprehensive plan will guide decisions. There are no existing characteristics to preserve or redevelop, so such areas are really a "blank slate" as character areas. This situation is the opposite situation to the developed areas planned for preservation or redevelopment.

IT ALL STARTS WITH A VISION

> We must stop talking about the American dream and start listening to the dreams of Americans.
> · Reubin Askew, former Governor of Florida

ENVISIONING THE WHOLE COMMUNITY

Creating a useful comprehensive plan begins with identifying the commonly held vision for the future of the community. Preparing a plan for the future of the city requires an understanding of what the city will be or become. Visioning – the identification of a vision – is a process to find out what the citizens in a community want for the future. A vision is the overall image – in both words and illustrations – of what the community wants to be and how it wants to look at some point in the future. It is the starting point for creating a plan and actions to implement the plan.

Visioning should take place early in the planning process, involve the people of the community, and guide the preparation of the community plan.

The visioning process should consider both the community as a whole and the character areas within the community. The overall vision is likely to be a statement describing the preferred future, possibly accompanied by a general map that depicts the vision in broad, conceptual terms. Visioning for the character areas should be more detailed, providing a written and graphic statement about the future of each

character area. These statements will guide the preparation of strategies that direct future development in each area.

A combination of visioning techniques will likely be needed in order to address effectively the overall vision for the community as a whole and the vision for character areas that make up the community.

A successful visioning process is built upon an understanding of the community derived through analysis of existing development patterns, identification of character areas, and identification of the issues and opportunities that are present in the community. The visioning process is a time for the people of the community to dream about and imagine their future. However, it is often hard to imagine the future without some idea about where the community is now.

Tools and techniques to help you with the visioning process are described in Part 3 of this guidebook. You should also consult the Planning for Community Involvement guidebook for discussion of organizing and carrying out citizen involvement programs, including visioning.

VISIONING FOR CHARACTER AREAS

To begin the process of identifying character areas the planning team will need to assemble data about the community, including maps that describe the community, statistical information that quantifies various aspects of the community, and narrative descriptions of features in the community. With the data that is collected, the team is best able to make a preliminary determination of the location and types of character areas in the community. The steps in the process are:

- Determining the location of physical boundaries for a potential character area;
- Identifying the vision for the future of the area;
- Formulating objectives for the area in order to achieve the vision; and
- Preparing development regulations or guidelines to implement the objectives.

Maps are helpful to show a lot of information in a concise and useful way. Information on maps will depict:

- Natural features throughout the community, such as bodies of water, environmental features, floodplains, areas with high aquifer recharge potential, areas with good or poor soils, and locations of natural resources.
- Existing development, showing the types and location of land uses, transportation systems, and similar information.

- Areas with special needs, such as historic areas, archaeological areas, cultural features, or declining areas in need of redevelopment.

Later, the preparation of a Character Area Map will include the boundaries of the character areas as adjusted and finalized during the visioning process. The final delineation of a character area should flow from the visioning process, not from a predetermined list of character areas.

However, before you can discover your vision for the character areas, the various character areas in your community must be identified.

IDENTIFYING CHARACTER AREAS IN YOUR COMMUNITY

The fundamental question is how to identify the character areas in your community. While the planning team makes the first determination, the discussion in this section will help you understand the process and help you make your own determination. There will be several ways to begin this process of identification. Remember that a character area meets several conditions:

- It is a specific geographic area.
- It is unique and can be distinguished from other areas due to its unique characteristics.
- It requires specific attention to ensure that development is consistent with the characteristics that distinguish the area from other areas.

ENVIRONMENTAL AND HERITAGE CHARACTER AREAS

In order to determine the types and locations of character areas in your community, consider a two-fold approach: first identify character areas centered on specific environmental, historical, cultural, or archaeological features; and then identify character areas based on the form and pattern of development.

Start with the environmental character areas:

1. Locate areas with significant natural resources and environmental features. It will be relatively easy to study maps of natural resources and environmental features and identify those areas which require protection. It may be more difficult to delineate the boundaries, especially where some development has occurred in and near areas with significant environmental features and resources. Start with delineation of wetlands and floodplains. The boundaries of these features are often already established. Likewise, areas with significant groundwater resources are likely to be mapped for your community. Rivers, streams, and protected corridors are also known. In

addition, consider whether you should identify as a character area those areas with poor soils for development, steep slopes, or other natural features.

You may wish to label all character areas with natural and environmental features as "environmental character areas" or "conservation character areas" or another name that is descriptive of the environmental characteristics that distinguish these areas.

2. Determine other important resources that you wish to protect in your community. Examples are historic resources and districts, important landmarks, cultural resources, or archaeological sites. Locate these resources and determine where a boundary should be placed to encompass the resource.

These character areas will probably have a common label, such as "heritage areas" based on the traditional and cultural characteristics that distinguish these areas.

These two types of character areas will be easy to identify because of the presence of specific features. The remainder of your community will require some additional analysis to determine what kinds of character areas you have based on development patterns, and where the boundaries should be placed.

CHARACTER AREAS IN THE BUILT ENVIRONMENT

You are already familiar with a character area that is found in most cities and towns – the downtown district. It is unique and easily distinguishable from other areas. What are the characteristics that most often set downtown apart as a character area? Compact development, with buildings close to or at the property line, parking on the street or in central lots, high degree of pedestrian access, taller buildings, a high degree of mixed uses, and a predominance of civic and cultural buildings and spaces are typical characteristics. Downtown is the ceremonial heart of the community.

Using some of the methods described below, you can identify other character areas in your community.

1. Examine maps that show street patterns. Character areas typically have one predominant street layout, such as a grid pattern, radial pattern, or curving and circle streets.

2. Examine aerial maps to identify patterns of lot configuration and building placement. Urban neighborhoods will have small, regularly shaped lots, with small or very small front yards, and often with alleys to provide access to garages at the rear of the house. Suburban neighborhoods more often have larger lots, deeper setbacks at the front of the house, garages that face or take access from the street, and more open space throughout the neighborhood. Shops in urban areas tend to be scattered throughout the neighborhood, often at corners, and in buildings that are similar in scale to

the residential development on the same street. In suburban areas, commercial development is mostly in shopping centers, malls, or large discount centers. All of these features are readily observable on aerial maps and photos.

3. Drive through the city, observing patterns of streets, lots, and building placement. You are looking at forms and shapes, not individual uses. An example may help you focus on form rather than use. In many cities, warehouse and industrial districts that once housed storage, distribution, or assembly centers, have been remodeled into buildings filled with art galleries, modern shops, restaurants, and loft apartments on upper levels. The form of the buildings and surrounding streets has remained fairly constant, while the uses have changed.

4. Ask people – in workshops or through surveys – to identify places in the community by name and characteristics. In workshops, people can draw simple maps of their own neighborhoods, identifying the features and boundaries that set it apart from other areas. Consider a photo essay project to help identify specific areas. These results of these projects can be used during visioning programs to confirm the locations of character areas and identify what should be preserved and what should be changed – which will in turn help in preparing the plan for the area.

SUGGESTIONS FOR TYPES OF CHARACTER AREAS

Every community is different. However, in examining character areas in several communities throughout Georgia and the United States, it appears that character areas typically fit into one of the following categories:

- Conservation, Preserves, Reserves, Environmental, or areas named for specific features, such as mountains, rivers, or lakes
- Greenways or Greenway Corridors
- Agriculture
- Rural, Rural/Agricultural, or Rural Residential
- Rural Village, Hamlet, Crossroads Community, or Rural Center
- Suburban, Suburban Residential, or Suburban Neighborhood
- Traditional Neighborhood
- Urban Village or Town Center
- Commerce Center, Marketplace, Marketplace Center, Regional Center, Regional Marketplace, or Interchange Center

- Employment Centers, Industrial Centers, or Marketplace Production
- Corridor or Highway Corridor (could be in town, scenic, or major highway corridors)
- Downtown
- Historic, Cultural, or Civic, or other special purpose areas
- Special Purpose Areas, such as Redevelopment Districts or Redevelopment Neighborhoods
- Single Purpose Areas, such as Industrial, Hospitals, Airports, "Big Box" Buildings, and similar situations

There are several predominant characteristics for the character areas in each group. The following table may be helpful as you begin to identify the character areas in your community.

Character Areas	Predominant Characteristics (existing or future characteristics)
Conservation, Preserves, Reserves, Environmental	Very high degree of open space Significant natural features Views of natural features Low accessibility by vehicle due to few roads Primarily undeveloped natural lands and environmentally sensitive areas not suitable for development
Greenway Corridors	Primarily protected open space in a linear pattern, typically following natural features such as stream corridors
Rural, Rural/Agricultural, or Rural Residential	Low degree of pedestrian access No transit Very large lots High degree of open space Very large amounts of separation between buildings Pastoral views Predominantly rural, undeveloped land likely to develop for rural/residential and agricultural or land that is primarily rural/residential or residential and agriculture

Rural Village, Hamlet, Crossroads Community, or Rural Center	Low pedestrian orientation and access, except within the center itself Little or no transit Distinct edge for the village or center Clustering of buildings within the village or center, but high open space surrounding the center Mixture of uses to serve rural and agricultural areas
Suburban, Suburban Residential, or Suburban Neighborhood	Low pedestrian orientation Little or no transit High degree of open space, often focused on golf courses or large recreation amenity High to moderate degree of building separation Predominantly residential with scattered civic buildings Varied street patterns, often curvilinear, cul-de-sacs, or loop roads
Traditional Neighborhood	High pedestrian orientation Moderate or high transit, including transit stops and shelters Sidewalks, street trees, and street furniture On-street parking Small, regular lots Limited open space Buildings close to or at the front property line Predominance of alleys Low degree of building separation Neighborhood-scale businesses scattered throughout the area
Urban Village or Town Center	Often contains a community focal point High degree of pedestrian orientation High degree of transit, including transit stops and shelters Typically has sidewalks, street trees, street furniture On-street parking or central lots Limited open space Buildings at front property line Predominance of alleys Buildings are close together Mixed uses within buildings, with residential on upper floors

Commerce Center, Marketplace, Marketplace Center, Regional Center, Regional Marketplace, or Interchange Center	Often focused on regionally marketed commercial and other nonresidential development High degree of access by vehicular traffic High degree of pedestrian use High degree of transit, including transit stops, shelters, and transfer points On-site parking Low amount of open space Tall or high-rise buildings Large tracts of land, campus or unified development
Employment Centers, Industrial Centers, or Marketplace Production	High degree of access by vehicular traffic High degree of transit, including transit stops, shelters, and transfer points On-site parking Low amount of open space Mid-rise buildings Large tracts of land, campus or unified development
Corridor or Highway Corridor (could be in town, scenic, or major highway corridors)	Orientation of buildings to highway High transit, including transit stops and shelters On-site parking Large set-backs for buildings Focus on streetscape features
Downtown	Recognizes as the traditional central business district High degree of accessibility High degree of pedestrian use High degree of transit use Tall or high-rise buildings Maximum building coverage of lots Parking predominantly in lots and on-street High degree of public space High degree of mixed uses

It is useful to recognize that there is more than one way to identify and characterize unique areas within your community. However, you will also see that there are similarities among the various approaches to identifying and labeling character areas. This means that your way, which may not follow exactly any of these lists, will not be wrong, just different.

Now that you have identified character areas in your community it is time to discover the vision you hold for the community and its character areas. Once you have discovered the vision, it will guide you in refining the character areas, creating detailed maps, and developing strategies for achieving the vision.

TOOLS AND TECHNIQUES FOR ENVISIONING THE FUTURE OF YOUR COMMUNITY

If you can dream it, you can do it.
...Walt Disney

DISCOVERING AND IMPLEMENTING YOUR VISION

We have always imagined the future and dreamed about the possibilities. In comprehensive planning, visioning is being used as a process to engage citizens in imagining the future of their communities. How does this happen? There is no single way to "do visioning." There are many tools and techniques that help shape the process and lead to formulating an answer to the question "What do you want?" There are many aspects to that question in the planning process.

- What do you want your community to become?
- What do you want your neighborhood to become?
- What future development do you want in your community?
- What strategies to do you want to implement your plan?

Whatever the specific question, the tools and techniques suggested here will help you formulate a visioning process that meets your budget, time, and human resources for planning.

TOOLS AND TECHNIQUES

There are many ways to identify and plan for character areas. Consider the tools and techniques described here. Also consider the toolkit described in the Planning for Community Involvement Guidebook, which describes tools for engaging citizens in planning. Some are similar to the ones listed below. All are excellent ways to work together to identify character areas and discover your vision for the future of each area.

SWOT ANALYSIS

SWOT is an acronym for Strengths, Weaknesses, Opportunities, and Threats to an area identified in the comprehensive plan. Typically conducted as a brainstorming activity, one large or several small groups identify the various conditions and situations in the community that fit into the categories of strengths, weaknesses, opportunities, and threats. All ideas are listed – some may actually fit more than one category. For example, strong leadership may be seen as a strength, but may also overpower citizens who want to participate.

The purpose of the analysis is to identify strengths followed by identifying ways to preserve and capitalize on the strengths. Weaknesses are identified following by brainstorming ways to overcome, reduce, and eliminate the weaknesses. There should be strategies to take advantage of opportunities and not to let them slip away. Finally, the group should brainstorm ways to eliminate, reduce, or overcome threats.

A SWOT analysis is a good companion to other activities in the overall visioning process; however, SWOT itself is not visioning. It is particularly helpful in identifying strategies and actions to implement the vision.

DESIGN CHARRETTES

Typically, a design charrette is used to solve design problems in a neighborhood or specific area. However, through a charrette process, citizens can come together and identify the characteristics of their neighborhood or several neighborhoods in the community. Using drawings, maps, and photographs, citizens can not only identify the characteristics that make an area one with a unique character, but can also identify what they want the area to become in the future.

The charrette should probably be conducted over several days. This allows the team to help guide the participants through several steps of

- identifying, mapping, and describing the character areas as they are today,
- brainstorming about the characteristics that are desirable to keep, enhance, and strengthen,
- brainstorming about ways to redesign aspects of the area that need redevelopment or improvement, and
- finally, producing maps and descriptions of their vision for the future of the character areas.

There is additional discussion about the use of design charettes along with preference surveys to engage citizens in planning and visioning the community in the guidebook on Planning for Community Involvement.

FOCUS GROUPS

Focus groups are called "focus" groups because the group consists of members with a specific interest. The focus may be geographic, economic, environmental, cultural, historic, or any specific aspect of the community. These focus groups can carry out any number of visioning or small group processes to identify character areas or plan for the future of character areas that have already been identified. A focus group, for example, might be engaged in a SWOT analysis or brainstorming activity to identify problems and ways to solve them. A focus group that is based on geographic areas could engage in design charettes to identify character areas and envision their future.

Refer to the guidebook on Planning for Community Involvement and the discussion of consensus building in small groups for further discussion of the use of focus groups.

COGNITIVE MAPPING

An excellent way to identify character areas is to engage citizens in a mapping exercise. Providing blank paper and drawing materials, ask citizens to draw their neighborhood and the features that make it a special place. They can work individually or in groups. The composite results of this exercise will identify specific and unique areas and the characteristics that make the area unique.

This mapping exercise can also be expanded as described in the Planning for Community Involvement to build a community map useful in envisioning the future of the community as well as the character areas.

Cognitive mapping can be used with focus groups or as a beginning activity in a design charrette. People know their own neighborhoods well and can quickly define the location, boundaries, and characteristics. This is a useful double-check for work by the planning team to identify character areas and to revise the character areas with citizen direction.

DESIGNING AND VISIONING WITH BOXES AND BLOCKS

One technique that helps people "see" their community is the use of small boxes representing houses and businesses to depict a neighborhood, special area, or the whole community. The boxes can be decorated to depict houses, stores, shopping centers, offices, or any part of the community. They can be arranged in

neighborhoods, shopping districts, campuses, or any configuration to depict what is and what they want.

If small boxes are too large to allow participants to build an entire area or community, consider using something like Legos™ or other building blocks to represent houses, stores, and other buildings. Base maps with streets and natural features are helpful in guiding this activity.

Building a "box city" is a good technique to use in a festival setting, both to identify character areas and envision how the areas should be in the future. A useful web site for "box city" is www.cubekc.org. This web site has excellent resources for festivals and for engaging students at any grade level in similar planning activities.

PHOTOGRAPHS TELL THE STORY

What better way to identify a specific area than through photographs? Through photographs people can see the characteristics and better understand how the parts of an area fit together to form a character area. Photographs can be used in several ways:

- The planning team can assemble photographs for use in a design charrette, focus group meeting, or planning festival. These photographs should depict likely character areas and the components that make it unique. Citizens can engage in a SWOT analysis or other brainstorming activity to verify the character area location and characteristics as well as to envision how the area should be in the future.

- Citizens can be asked to identify neighborhoods or special areas through photographs. They bring the photographs to a meeting, festival, or other event and work together to create a tapestry of photos that depict each character area. Once assembled, the planning team can engage the citizens in other activities to create a narrative of the characteristics and envision the future.

- The planning team and/or the citizens can identify design features and neighborhood characteristics that they prefer and want to see in the future. This is an excellent way to begin or continue the process of envisioning the future for the community as whole or individual character areas. Some of these photographs may be part of a preference survey during focus group meetings or other events that are part of the visioning process.

SCENARIO BUILDING

An excellent way to engage citizens in visioning is through creating different scenarios, evaluating each scenario, and choosing one (or combining several) scenario that represents the preferred future. What is a scenario?

A scenario is a description of the future condition or situation for the community or a character area. By condition or situation, we mean the economic, physical, social, demographic, and cultural characteristics that describe the area. It describes how the area is viewed not only by the people who live and work there, but also by others who travel through or visit.

In visioning, citizens are developing answers to several questions:

- What do you want the area to become?
- What kind of reputation do you want the area to have?
- What values and beliefs should be represented in the area?
- How should the area function within the community?

Each scenario should represent a different future. For example, it is useful to create one scenario based on continuing exactly as you are now – preserving the status quo. Other scenarios should focus on changing in specific ways – growing into a different kind of area, improving in a particular way, or other future condition.

For each scenario, the group answers some specific questions.

- What are the implications of achieving this scenario? What does it mean to residents? To business people? To visitors?
- What are the financial implications of achieving this scenario? What funds are needed and where will they come from?
- How does this scenario fit into the entire community, socially, culturally, economically, and other ways.

The answers to these questions will help participants determine which scenario is best for the area, or to merge parts of two or more scenarios.

IMPLEMENTING CHARACTER AREAS

Now that you have identified character areas and discovered your vision for the areas, how do you achieve the development that you want? How do you implement a plan for the character areas?

As described in earlier portions of this guidebook, the planning process begins with the preliminary identification of character areas and the establishment of a vision. The next steps are:

- Formulation of objectives for the area to achieve the vision, and

- Creation of development recommendations, design guidelines and/or standards and regulations to implement the objectives of the area.

Just as the discovery of the vision is highly interactive with citizen participation, these steps in formulating objectives and guidelines for development to implement the vision also requires citizen participation.

Answer the following questions to help craft the objectives for each area:

1. What is the primary outcome you want to achieve? Do you want to preserve the current characteristics that identify the area? As an alternative, do you want to achieve a specific new or different type of character?

2. What kinds of activities should be permissible in the character area? An answer to this question will most likely be in the form of a list of land uses.

3. What steps or programs will be needed to achieve the primary outcome? Do you need code enforcement for a declining area? Do you need architectural review procedures for a special purpose district? Do you need an airport overlay district to protect the airport from encroachment of incompatible uses? This about each area and the activities that you should describe to achieve the vision or outcome.

4. What kinds of design standards will be needed to achieve the primary outcome? Design standards may include zoning standards, such as setbacks, or may have performance-based standards to allow flexibility in design. Performance standards are often expressed as a ratio rather than a prescribed outcome. For example, the amount of coverage of a lot can be expressed as "impervious surface ratio" which mans how much of the lot can be covered with buildings and pavement. This provides more flexibility than requiring a specific front, side, and rear yard that dictates exactly where a building must be placed. Consider the standards in the following list:

    - Minimum parcel or building site area
    - Minimum or maximum lot coverage
    - Height
    - Setbacks
    - Building separation (if relevant)
    - Encroachments permitted
    - Densities permitted (if applicable)

- Landscape easements, and public or private open space required
- Building design, massing and height
- Parking ratios/standards, location and orientation
- Entrances, access and on-site circulation
- Orientation of structures (massing, elevation treatment)
- Site coverage
- Grading (as applicable)
- Streetscapes
- Buffers and separations
- Parking areas
- Landscape palette recommendations
- Hardscape elements:
- Paving
- Walls and Fences
- Street furniture
- Focal points, fountains, water features, sculptures, shade structures, courtyards
- Architectural Features
- Overall character (historical context or theme and relationship to area entries, transitions, destinations, edges)
- Positive and negative architectural design features
- Lighting
- Signage
- Architectural elements (roofs, elevations, colors, decorative elements, materials, windows, screening, building service areas)

CHARACTER AREAS

Use this list of recommended character areas to identify both existing and potential character areas in your community. Character area planning focuses on the way an area looks and how it functions. Applying development strategies to character areas in your community can preserve existing areas, such as the downtown, and help others function better and become more attractive. You can create additional character areas, or modify these, to fit your community vision. More details can be found by referring to DCA's Guidebooks: Discovering and Planning Your Community Character; Planning for Community Involvement; Character Areas: Techniques and Guidance; and Smart Code 6.5-Specific Function Chart.

Character Area	Description/Predominant Characteristics	Suggested Development Strategy
Conservation Area and Greenspace	Primarily undeveloped natural lands and environmentally sensitive areas not suitable for development, e.g., scenic views, coast, steep slopes, flood plains, wetlands, watersheds, wildlife management areas and other environmentally sensitive areas.	Maintain natural, rural character by: • Not allowing any new development. • Promoting use of conservation easements. • Widen roadways in these areas only when absolutely necessary. • Carefully design the roadway alterations to minimize visual impact. • Promote these areas as passive-use tourism and recreation destinations.
Linear Greenspace, Trail & Pedestrian / Bike Network	Area of protected open space that follows natural and manmade linear features for recreation, transportation and conservation purposes and links ecological, cultural and recreational amenities. Greenways can provide safe, efficient pedestrian linkages	Create these linkages by: • Linking greenspaces into a pleasant network of greenways • Set aside land for pedestrian and bicycle connections between schools, churches, recreation areas, city centers, residential neighborhoods and commercial areas.

Character Area	Description/Predominant Characteristics	Suggested Development Strategy
	and at the same time give users an opportunity to enjoy the natural environment. Properly designed greenways can serve as an alternative transportation network, accommodating commuting to work or shopping as well as recreational biking, skateboarding, walking and jogging.	
Agricultural Area	Lands in open or cultivated state or sparsely settled, including woodlands and farm lands.	Maintain rural character by: • Strictly limiting new development. • Protecting farmland and open space by maintaining large lot sizes (at least 10 acres). • Promoting use of conservation easements by land owners • Residential subdivisions should be severely limited, but if minor exceptions are made, they should be required to follow a rural cluster zoning or conservation subdivision design. Any new development should be required to use compatible architecture styles that maintain the regional rural character, and should not include "franchise" or "corporate" architecture. • Widen roadways only when absolutely necessary. • Carefully design the roadway alterations to minimize visual impact • Promote these areas as passive-use tourism and recreation destinations.

Character Area	Description/Predominant Characteristics	Suggested Development Strategy
Rural Residential Area	Rural, undeveloped land likely to face development pressures for lower density (one unit per two+ acres) residential development. Typically will have low pedestrian orientation and access, very large lots, open space, pastoral views and high degree of building separation.	Maintain rural atmosphere while accommodating new residential development by: • Permitting rural cluster or conservation subdivision design that incorporate significant amounts of open space. • Encourage compatible architecture styles that maintain the regional rural character, and should not include "franchise" or "corporate" architecture. • Wherever possible, connect to regional network of greenspace and trails, available to pedestrians, bicyclists, and equestrians for both tourism and recreational purposes. • Can be designed for greater pedestrian orientation and access, more character with attractive clustering of buildings within the center, leaving open space surrounding the center.
Rural Village	Commercial activity area located at a highway intersection. Typically automobile focused. There is a mixture of uses to serve highway passers-by, rural and agricultural areas.	
Suburban Area Developing	Area where pressures for the typical types of suburban residential subdivision development are greatest (due to availability of water and sewer service). Without intervention, this area is likely to evolve with low pedestrian orientation, little or no transit, high open space, high to moderate degree of building separation, predominantly residential with scattered civic buildings and varied street patterns, often curvilinear.	• Promote moderate density, traditional neighborhood development (TND) style residential subdivisions. • New development should be a master-planned with mixed-uses, blending residential development with schools, parks, recreation, retail businesses and services, linked in a compact pattern that encourages walking and minimizes the need for auto trips within the subdivision. • There should be strong connectivity and continuity between each master planned development. • There should be good vehicular and pedestrian/bike connections to retail/commercial services as well as internal street connectivity, connectivity to adjacent properties/subdivisions, and multiple site access points. • Encourage compatible architecture styles that maintain the regional

Character Area	Description/Predominant Characteristics	Suggested Development Strategy
		character, and do not include "franchise" or "corporate" architecture. • Wherever possible, connect to regional network of greenspace and trails, available to pedestrians, bicyclists, and equestrians for both tourism and recreational purposes. • Promote street design that fosters traffic calming such as narrower residential streets, on-street parking, and addition of bicycle and pedestrian facilities.
Suburban Area Built Out	Area where typical types of suburban residential subdivision development have occurred. Characterized by low pedestrian orientation, little or no transit, high open space, high to moderate degree of building separation, predominantly residential with scattered civic buildings and varied street patterns, often curvilinear.	• Foster retrofitting of these areas to better conform with traditional neighborhood development (TND) principles. • This includes creating neighborhood focal points by locating schools, community centers, or well-designed small commercial activity centers at suitable locations within walking distance of residences. • Add traffic calming improvements, sidewalks, and increased street interconnections to improve walk-ability within existing neighborhoods. • Permit accessory housing units, or new well-designed, small-scale infill multifamily residences to increase neighborhood density and income diversity.

Character Area	Description/Predominant Characteristics	Suggested Development Strategy
Traditional Neighborhoods: - Stable - Declining - Redevelopment	Residential area in older part of the community typically developed prior to WWII. Characteristics include high pedestrian orientation, , sidewalks, street trees, and street furniture; on-street parking; small, regular lots; limited open space; buildings close to or at the front property line; predominance of alleys; low degree of building separation; neighborhood-scale businesses scattered throughout the area.	Already exhibiting many of the characteristics of traditional neighborhood development (TND), these older neighborhoods should be encouraged to maintain their original character, with only compatible infill development permitted. There are three types of traditional neighborhoods that each call for their own redevelopment strategies: stable, declining, and redevelopment.
Traditional Neighborhood Stable	A neighborhood having relatively well-maintained housing, possess a distinct identity through architectural style, lot and street design, and has higher rates of home-ownership. Location near declining areas of town may also cause this neighborhood to decline over time.	• Focus on reinforcing stability by encouraging more homeownership and maintenance or upgrade of existing properties. • Vacant properties in the neighborhood offer an opportunity for infill development of new, architecturally compatible housing. • Include well-designed new neighborhood activity center at appropriate location, which would provide a focal point for the neighborhood, while also providing a suitable location for a grocery store, hardware store, and similar appropriately-scaled retail establishments serving neighborhood residents. • Strong pedestrian and bicycle connections should also be provided to encourage these residents to walk/bike to work, shopping, or other destinations in the area.
Traditional Neighborhood Declining	An area that has most of its original housing stock in place, but housing conditions are worsening due to low rates of	• Focus on strategic public investments to improve conditions, appropriate infill development on scattered vacant sites, and encouraging more homeownership and maintenance or upgrade of existing properties.

Character Area	Description/Predominant Characteristics	Suggested Development Strategy
	homeownership and neglect of property maintenance. There may be a lack of neighborhood identity and gradual invasion of different type and intensity of use that may not be compatible with the neighborhood residential use.	• Public assistance and investment should be focused where needed to ensure that the neighborhood becomes more stable, mixed-income community with a larger percentage of owner-occupied housing. • Vacant properties in the neighborhood offer an opportunity for infill development of new, architecturally compatible housing. • The neighborhood should, however, also include well-designed new neighborhood activity center at appropriate location, which would provide a focal point for the neighborhood, while also providing a suitable location for a grocery store, hardware store, and similar appropriately-scaled retail establishments serving neighborhood residents.
Traditional Neighborhood Redevelopment Area	A neighborhood that has declined sufficiently that housing conditions are bad, there may be large areas of vacant land or deteriorating, unoccupied structures.	• The redevelopment strategy for the area should focus on preserving and rehabilitating what remains of the original housing stock, while rebuilding, on the remaining land, a new, attractive neighborhood following the principles of traditional neighborhood development. • The neighborhood should include a well-designed new neighborhood activity center at appropriate location, which would provide a focal point for the neighborhood, while also providing a suitable location for a grocery store, hardware store, and similar appropriately-scaled retail establishments serving neighborhood residents. • Strong pedestrian and bicycle connections should also be provided to encourage residents to walk/bike to work, shopping, or other destinations in the area. • New streets should be connected (i.e. minimize or prohibit cul-de-sacs) to disperse traffic, shorten walking/biking trips. • Design features that encourage safe, accessible streets should be employed – such as, narrower streets, on-street parking, sidewalks, street trees, and landscaped raised medians for minor collectors and wider streets.

Character Area	Description/Predominant Characteristics	Suggested Development Strategy
Neighborhood Center	A neighborhood focal point with a concentration of activities such as general retail, service commercial, professional office, higher-density housing, and appropriate public and open space uses easily accessible by pedestrians.	• Each Neighborhood Center should include a mix of retail, services, and offices to serve neighborhood residents day-to-day needs. • Residential development should reinforce the center through locating higher density housing options adjacent to the center, targeted to a broad range of income levels, including multi-family town homes, apartments and condominiums. • Design for each Center should be very pedestrian-oriented, with strong, walkable connections between different uses. • Road edges should be clearly defined by locating buildings at roadside with parking in the rear. Include direct connections to the greenspace and trail networks. • Enhance the pedestrian-friendly environment, by adding sidewalks and creating other pedestrian-friendly trail/bike routes linking to other neighborhood amenities, such as libraries, neighborhood centers, health facilities, parks, schools, etc.
Town Center	A focal point for several neighborhoods that has a concentration of activities such as general retail, service commercial, professional office, higher-density housing, and appropriate public and open space uses easily accessible by pedestrians.	• Each Town Center should include a relatively high-density mix of retail, office, services, and employment to serve a regional market area. • Residential development should reinforce the town center through locating higher density housing options adjacent to the center, targeted to a broad range of income levels, including multi-family town homes, apartments and condominiums. • Design for each Town Center should be very pedestrian-oriented, with strong, walkable connections between different uses. • Road edges should be clearly defined by locating buildings at roadside with parking in the rear. • Include direct connections to the greenspace and trail networks. • Enhance the pedestrian-friendly environment, by adding sidewalks and creating other pedestrian-friendly trail/bike routes linking to neighboring communities and major destinations, such as libraries, neighborhood centers, health facilities, commercial clusters, parks,

Character Area	Description/Predominant Characteristics	Suggested Development Strategy
		schools, etc.
Downtown	The traditional central business district and immediately surrounding commercial, industrial, or mixed-use areas.	• Downtown should include relatively high-density mix of retail, office, services, and employment to serve a regional market area. • Residential development should reinforce the traditional town center through a combination of rehabilitation of historic buildings in the downtown area and compatible new infill development targeted to a broad range of income levels, including multi-family town homes, apartments, lofts, and condominiums. • Design should be very pedestrian-oriented, with strong, walkable connections between different uses. • Road edges should be clearly defined by locating buildings at roadside with parking in the rear. • Enhance the pedestrian-friendly environment, by adding sidewalks and creating other pedestrian-friendly trail/bike routes linking to neighboring communities and major destinations, such as libraries, neighborhood centers, health facilities, commercial clusters, parks, schools, etc. • New residential and commercial development should be concentrated in and around the downtown and adjacent neighborhoods on infill sites.
Regional Activity Center	Concentration of regionally-marketed commercial and retail centers, office and employment areas, higher-education facilities, sports and recreational complexes. These areas are characterized by high degree of access by vehicular traffic, and high transit use, including stops, shelters and	• Should include relatively high-density mix of retail, office, services, and employment to serve a regional market area. • Include a diverse mix of higher-density housing types, including multi-family town homes, apartments, lofts, and condominiums, including affordable and workforce housing. • Design should be very pedestrian oriented, with strong, walkable connections between different uses. • Include direct connections to nearby networks of greenspace or trails, available to pedestrians, bicyclists, and equestrians for both tourism and recreation purposes.

Character Area	Description/Predominant Characteristics	Suggested Development Strategy
	transfer points; on-site parking; low degree of internal open space; high floor-area-ratio; large tracts of land, campus or unified development.	• Road edges should be clearly defined by locating buildings at roadside with parking in the rear. • Provide bike lanes or wide curb lanes to encourage bicycling and provide additional safety, provide conveniently located, preferably sheltered, bicycle parking at retail and office destinations and in multi-family dwellings. • Encourage compatible architecture styles that maintain the regional character, and should not include "franchise" or "corporate" architecture.
Corridors: - In-Town - Gateway - Scenic - Major Highway	Developed or undeveloped land on both sides of designated high-volume transportation facility. Characteristics include orientation of buildings to highway; high transit, including stops and shelters; on-site parking; and large set-backs for buildings.	In order to encourage pedestrian activity that capitalizes on the existing neighborhood fabric in the older parts of the community a hierarchical or tiered approach to corridor design should be adopted. This approach should focus on pedestrian comfort, safety and convenience in areas near the community's center where smaller lots and greater proximity to a range of services exists. As corridors move farther from the center and parcel sizes and development patterns work against easy pedestrian circulation, the focus should shift to vehicular safety, corridor appearance and traffic speeds while still providing basic access and safety for pedestrians. Finally, on major thoroughfares that serve as gateways to the community, the focus should be limited to corridor appearance only – providing a high quality image of the community. Best practices for all types of corridors include: driveway consolidation and landscaped raised medians, bicycle accommodations, traffic calming, and a buffer for pedestrians.

Character Area	Description/Predominant Characteristics	Suggested Development Strategy
In-Town Corridor	Developed or undeveloped land paralleling the route of a street or highway in town that is already or likely to experience uncontrolled strip development if growth is not properly managed.	• Gradually convert corridor to attractive boulevard with signage guiding visitors to downtown and scenic areas around the community. • The appearance of the corridor can immediately be improved through streetscaping enhancements (street lights, landscaping, etc.). • In the longer term, enact design guidelines for new development, including minimal building setback requirements from the street, to ensure that the corridors become more attractive as properties develop or redevelop. • Corridors leading to town centers or downtown, in particular, should be attractive, where development is carefully controlled (or redevelopment tools are used) to maintain or improve appearances. • Reduce the role and impact of automobiles in the community by employing attractive traffic-calming measures along major roadways and exploring alternative solutions to parking congestion. • Provide basic access for pedestrians and bicycles, consider vehicular safety measures including driveway consolidation and raised medians (which also improve safety for bike/pedestrians). • Coordinate land uses and bike/pedestrian facilities with transit stops where applicable.
Gateway Corridor	Developed or undeveloped land paralleling the route of a major thoroughfare that serves as an important entrance or means of access to the community.	• Focus on appearance with appropriate signage, landscaping and other beautification measures. • Manage access to keep traffic flowing; using directory signage to clustered developments. • Retrofit or mask existing strip development or other unsightly features as necessary.

Character Area	Description/Predominant Characteristics	Suggested Development Strategy
Scenic Corridor	Developed or undeveloped land paralleling the route of a major thoroughfare that has significant natural, historic, or cultural features, and scenic or pastoral views.	• Establish guidelines on development to protect the characteristics deemed to have scenic value. • Enact guidelines for new development that enhances the scenic value of the corridor and addresses landscaping and architectural design. • Manage access to keep traffic flowing; using directory signage to clustered developments. • Provide pedestrian linkages to adjacent and nearby residential or commercial districts.
Major Highway Corridor	Developed or undeveloped land on both sides of designated high-volume transportation facility, such as arterial roads and highways.	• Maintain a natural vegetation buffer (at least 50 feet in width) along the corridor. • All new development should be set-back behind this buffer, with access roads, shared driveways or inter-parcel road connections providing alternate access to these developments and reducing curb cuts and traffic on the main highway. • Encourage landscaped, raised medians to provide vehicular safety, aesthetics, and also pedestrian crossing refuge. • Provide pedestrian facilities behind drainage ditches or curb. • Provide paved shoulders that can be used by bicycles or as emergency breakdown lanes. • Coordinate land uses and bike/pedestrian facilities with transit stops, if applicable. • Manage access to keep traffic flowing; using directory signage to developments. • Unacceptable uses: new billboards.

Character Area	Description/Predominant Characteristics	Suggested Development Strategy
Commercial Redevelopment Area	Declining, unattractive, vacant or under-utilized strip shopping center. Characterized by high degree of access by vehicular traffic and transit if applicable; on-site parking; low degree of open space; moderate floor-area-ration; large tracts of land, campus or unified development.	• Retro-fit to be more aesthetically appealing and, therefore, more marketable to prospective tenants by: • Building new commercial structures at the street front, taking up a portion of the oversize parking lot and creating a shopping "square" around a smaller internal parking lot. • Upgrading the appearance of existing older commercial buildings with façade improvement, new architectural elements, or awnings. • Reconfiguring the parking lot and circulation routes for automobiles. • Providing pedestrian and bicycling amenities, including covered walkways, benches, lighting and bike racks. • Adding landscaping and other appearance enhancements, trees in parking lots to provide shade and help reduce storm water runoff.
Employment Center, Office Park	Typically campus-style development characterized by high degree of access by vehicular traffic, and transit if applicable; on-site parking; low degree of open space; moderate floor-area-ratio.	• Focus upon encouraging pervious paving and screening of cars and other unattractive aspects of businesses. • Use buffers to separate from adjacent uses. • Encourage greater mix of uses (such as retail and services to serve office employees) to reduce automobile reliance/use on site.
Light Industrial Area	Area used in low intensity manufacturing, wholesale trade, and distribution activities that do not generate excessive noise, particulate matter, vibration, smoke, dust, gas, fumes, odors, radiation, or other nuisance characteristics.	• Develop or, where possible, retrofit as part of planned industrial park having adequate water, sewer, storm-water, and transportation infrastructure for all component uses at build-out. Incorporate landscaping and site design to soften or shield views of buildings and parking lots, loading docks, etc. • Incorporate signage and lighting guidelines to enhance quality of development.

Character Area	Description/Predominant Characteristics	Suggested Development Strategy
Industrial Area	Land used in higher intensity manufacturing, assembly, processing activities where noise, particulate matter, vibration, smoke, dust, gas, fumes, odors, radiation, or other nuisance characteristics are not contained on-site.	• Encourage greater mix of uses (such as retail and services to serve industry employees) to reduce automobile reliance/use on site.
Historic Area	Historic district or area containing features, landmarks, civic or cultural uses of historic interest. Characteristics may vary based on size, location and history of the community.	• Protect historic properties from demolition and encourage rehabilitation with appropriate incentives, including National Register of Historic places designation, which enables eligibility for tax incentive programs. • Historic properties should be maintained or rehabilitated/restored according to the Secretary of the Interior's Standards for Rehabilitation. • New development in the area should be of scale and architectural design to fit well into the historic fabric of that area. • Pedestrian access and open space should be provided to enhance citizen enjoyment of the area. • Linkages to regional greenspace/trail system should be encouraged as well.
Other/Special	A district or area that presently does not fit or is not envisioned fitting into the above categories. It may, for instance, have singular characteristics such as hospital, airport, big box, etc. not likely to be replicated elsewhere within the community.	To be determined locally.

CAMP VERDE MARSHAL'S OFFICE

646 S. First Street • Camp Verde, AZ 86322

October 2, 2013

Dear Councilmen Gordon,

In conducting a review of the marijuana dispensary issue and looking at what several other jurisdictions did during their process, Commander Girnt and I would recommend the following:

Require that a dispensary be placed in a commercial zoning out in the open and in plain view of not only the police department but the general public as well. Perhaps a location off the main roadway but in a commercial zoning area such as; off the 260 and Howards Road area; Finney Flat Road; Montezuma Castle Road etc.

- In looking at a map of the Phoenix area and locations of their dispensaries which appear to be located in commercial areas off the main roadways.

- There has been a noticed increase in the amount of robberies and burglary attempts directed at dispensaries looking to steal the marijuana. There has also been a growing trend in home invasion robberies of patients who use the dispensaries or grow their own. The criminals know that in most cases, the patients are ill and will not resist the theft of the marijuana.

It is our belief that Camp Verde needs to take the position of crime prevention by using or developing specific ordinances which control and address such things as location of the business, security measures such as exterior lighting at the business, security alarms, no drive-up facilities and single entrance.

Medical marijuana is here to stay and will only grow in size with recreational use coming to future ballots (2014 or 2016) as well as the mindset of the voting public to support the use of marijuana. We can't stop it but by the town taking an active role in the process, we may be able to prevent or at least make it less attractive to place dispensaries in the town.

Attached are several different procedures taken from other cities in the metropolitan area.

Respectfully,

Marshal Nancy Gardner

928-554-8301

Commander Bruce Girnt

928-554-8304

(G) *Parking and loading.* The provisions of Section 15-1-46 shall apply.

(H) *Plan review.* The provisions of Section 15-1-33 shall apply to all uses.

(Ord. 438, §1, 10-19-98; Ord. No. 498, 1, 10-01-01; Ord. No. 522, §§ 1 – 4, 1-7-03; Ord No. 2006-07, § 9, 3-07-06; Ord. No. 2009-08, §§ 1 – 2, 6-2-09)

Editor's note–Ord. No. 438, adopted Oct. 19,1998, repealed previous §§ 15-1-58 – 15-1-62 and adopted new §§ 15-1-58 – 15-1-62 in their entirety.

Editor's note–Sections 1 – 4 of Ord. No. 522, adopted Jan. 7, 2003, amended §§ 15-1-47, 15-1-50, 15-1-51.1, 15-1-52 – 15-1-54, and 15-1-56 – 15-1-62 in their entirety.

Secs. 15-1-63 – 15-1-66. Reserved.

Sec. 15-1-67. Medical marijuana-related facilities.

(A) *Purpose and intent.* It is the purpose and intent of this section to regulate medical marijuana-related facilities to promote the health, safety, morals, and general welfare of the citizens of the City of Show Low and to establish reasonable and uniform regulations to prevent any deleterious location and concentration of medical marijuana-related facilities within the city, thereby reducing or eliminating the adverse secondary effects from such medical marijuana-related facilities.

(B) *Definitions.* In this article, unless the context otherwise requires:

(1) *Employee* means a person who performs any service on the premises of a medical marijuana-related facility on a full-time, part-time, volunteer, or contract basis, whether or not the person is denominated as employee, independent contractor, agent, or otherwise and whether or not said person is paid a salary, wage, or other compensation by the operator of said business. Employee does not include a person exclusively on the premises for repair or maintenance of the premises or equipment on the premises, or for the delivery of non medical marijuana-related goods to the premises.

(2) *Licensee* means a person in whose name a license to operate a medical marijuana-related facility has been issued, as well as the individual listed as an applicant on the application for a license; and, in the case of an employee, a person in whose name a license has been issued authorizing employment in a medical marijuana-related facility.

(3) *Medical marijuana* means any or all parts of the genus *cannabis* whether growing or not, and the seed of such plants that may be administered to

treat or alleviate a qualifying patient's debilitating medical condition or symptoms associated with the patient's debilitating medical condition.

(4) *Medical marijuana cultivation* means the process by which a person grows a marijuana plant. A medical marijuana cultivation facility shall mean a building, structure, or premises used for the cultivation or storage of medical marijuana that is physically separate and off-site from a medical marijuana dispensary or a medical marijuana manufacturing facility.

(5) *Medical marijuana dispensary* means a non-profit entity as defined in Arizona Revised Statutes, that sells, distributes, transmits, gives, dispenses, or otherwise provide medical marijuana to qualifying patients. A dispensary may cultivate its own marijuana either on or off-site.

(6) *Medical marijuana facility* includes any building, structure, or premises used for the cultivation, storage, or dispersal of medical marijuana. A medical marijuana facility shall include a medical marijuana cultivation facility, a medical marijuana dispensary, and a medical marijuana manufacturing facility.

(7) *Medical marijuana manufacturing facility* means a facility that produces medical marijuana (*cannabis*) by the means of cooking, blending, or incorporation into consumable goods.

(8) *Medical marijuana qualifying patient* means a person who has been diagnosed by a qualifying medical practitioner as having a debilitating medical condition as defined in Arizona Revised Statutes Chapter 28.

(9) *Person* means an individual, proprietorship, corporation, association, or other legal entity.

(10) *Specified criminal activity* means any of the offenses listed in Arizona Revised Statutes Chapter 28.1 as an "Excluded Felony Offense."

(11) *Transfer of ownership or control* of a medical marijuana-related facility means and includes any of the following:

(a) the sale, lease, or sublease of the business;

(b) the transfer of securities which constitute a controlling interest in the business, whether by sale, exchange, or similar means; or

(c) the establishment of a trust, gift, or other similar legal device which transfers ownership or control of the business, except for transfer by bequest or other operation of law upon the death of the person possessing the ownership or control.

(12) *Definitions included.* All definitions listed in Chapter 15 of the Show Low City Code and Arizona Revised Statues relating to medical marijuana-related facilities are applicable to this article

(C) *Classification.* Medical marijuana-related facilities are classified as follows:

(1) Medical marijuana cultivation facilities;

(2) Medical marijuana dispensaries;

(3) Medical marijuana manufacturing facilities.

(D) *Location of medical marijuana-related facilities.*

(1) No person shall operate or cause to be operated a medical marijuana dispensary or infusion facility in any zoning district other than C-2 (General Commercial) as defined and described in this chapter, nor shall any person operate or cause to be operated a medical marijuana cultivation facility in any zoning district other than I-1 (Light Industrial) or I-2 (Heavy Industrial), as defined and described in this chapter, without a conditional use permit which meets all of the requirements set forth in Section 15-1-32 and this section.

(2) No person shall operate or cause to be operated a medical marijuana-related facility within five hundred (500) feet of:

(a) A church, synagogue, mosque, temple, or building which is used primarily for religious worship and related religious activities;

(b) A public or private educational facility including but not limited to child day care facilities, nursery schools, preschools, kindergartens, elementary schools, private schools, intermediate schools, junior high schools, middle schools, high schools, vocational schools, secondary schools, continuation schools, special education schools, junior colleges, and universities; school includes the school grounds, but does not include facilities used primarily for another purpose and only incidentally as a school;

(c) A public park or recreational area which has been designated for park or recreational activities including but not limited to a park, playground, nature trails, swimming pool, reservoir, athletic field, basketball or tennis courts, pedestrian/bicycle paths, wilderness areas, or other similar public land within the city which is under the control, operation, or management of the city's parks and recreation authorities;

(d) The property line of a lot devoted to a residential substance abuse diagnostic and treatment facilities or other residential drug or alcohol rehabilitation facility;

(e) An entertainment business which is oriented primarily toward children or family entertainment; or

(f) A licensed premise, licensed pursuant to the alcoholic beverage control regulations of the state.

(3) For purposes of the five hundred (500) foot restriction referenced in Section 15-1-67(D)(2) above, measurement shall be made in a straight line, without regard to the intervening structures or objects, from the nearest portion of the building or structure used as the part of the premises where a medical marijuana-related facility is located to the nearest property line of the premises of a use listed in Section 15-1-67(D)(2) above. Presence of a city, county, or other political subdivision boundary shall be irrelevant for purposes of calculating and applying the distance requirements of this section.

(E) *Regulations pertaining to medical marijuana cultivation facilities.*

(1) All cultivation of marijuana shall take place within a completely enclosed and secured building containing an off-site security alarm system registered with the Show Low Police Department.

(2) Sale of medical marijuana to anyone other than a properly registered and licensed medical marijuana dispensary or medical marijuana manufacturing facility is prohibited.

(3) A medical marijuana cultivation facility shall be associated with a medical marijuana dispensary or medical marijuana manufacturing facility.

(F) *Regulations pertaining to medical marijuana dispensaries and medical marijuana manufacturing facilities.*

(1) The applicant shall provide the name(s) and location(s) of the off-site medical marijuana cultivation facility(ies) associated with the dispensary.

(2) All medical marijuana dispensaries and medical marijuana manufacturing facilities shall be located within a permanent building containing an off-site security alarm system registered with the Show Low Police Department and may not locate in a trailer, cargo container, or motor vehicle.

(3) Sale of medical marijuana or medical marijuana-related materials to anyone other than a properly registered medical marijuana qualifying patient or caregiver is prohibited.

(4) Drive-through services are prohibited.

(5) On-site consumption is prohibited.

(6) All marijuana remnants or by-products shall be properly disposed of and shall not be stored or placed outside of the facility.

(7) There shall be no emission of dust, fumes, vapors, or odors into the environment from the facility.

(8) A maximum of seventy-five (75) percent up to one thousand (1,000) square feet of the building utilized as a dispensary may be used for cultivation of marijuana for use by the dispensary provided that the cultivation takes place completely within the building within which the dispensary is located.

(9) All sales shall take place on-site; no off-site delivery of product(s) shall be permitted.

(10) No products or materials, other than medical marijuana-related goods or products, shall be sold or produced on-site. All windows shall remain visually unobstructed.

(11) Security lighting and landscaping shall comply with nationally recognized crime-free standards.

(12) The maximum number of medical marijuana dispensaries within the City of Show Low shall be limited to a maximum of two (2). Additional medical marijuana dispensaries shall be permitted for each population increase of twenty thousand (20,000) over the population as determined by the 2010 census.

(G) *Additional regulations for medical marijuana-related facilities.*

(1) No person shall knowingly allow a person under the age of eighteen (18) years on the premises of a medical marijuana-related facility unless he/she is in possession of a registry identification card issued by the Arizona Department of Health Services and accompanied by a parent or guardian.

(2) No medical marijuana-related products shall be served or consumed on the premises of any medical marijuana-related facility.

(3) Medical marijuana-related facilities are permitted to operate between the hours of 9:00 a.m. and 9:00 p.m. only.

(4) All medical marijuana-related facilities shall clearly, conspicuously, and legibly post registration documents provided by the Arizona Department of Health Services and the City of Show Low so that they may be readily seen by all persons entering the facility.

(5) A notice shall be clearly, conspicuously, and legibly posted in all medical marijuana-related facilities indicating that ingesting or consuming marijuana within any public area within the city is prohibited and that ingesting or consuming marijuana on the premises is prohibited.

(6) A "No Loitering" sign shall be posted on the front exterior of the premises.

(7) No medical marijuana-related facility shall hold or maintain a license from the appropriate state agency that regulates the sale and/or consumption of alcoholic beverages for the sale of alcoholic beverages or operate a business on the premises which sells alcoholic beverages. No alcoholic beverages shall be allowed or consumed on the premises.

All Medical Marijuana related facility

(H) ~~Conditional use permit~~ *application requirements:* All applications for a medical marijuana-related facility conditional use permit shall meet the requirements listed in Section 15-1-32, Conditional use permits, as well as the requirements listed below:

(1) Provide a notarized authorization executed by the property owner, acknowledging and consenting to the proposed use of the property as a medical marijuana-related facility;

(2) Provide the legal name of the medical marijuana-related facility;

(3) If the application is for a medical marijuana cultivation facility, state the name and the location of the medical marijuana dispensary(ies) with which it is associated;

(4) Provide the name, address, and birth date of each officer and board member of the nonprofit medical marijuana dispensary;

(5) Provide a copy of the operating procedures adopted in compliance with Arizona Revised Statutes;

(6) If an individual, the individual shall state his/her legal name and any aliases and submit proof that he/she is twenty-one (21) years of age;

(7) If a partnership, the partnership shall state its complete name, and the names of all partners, whether the partnership is general or limited, and a copy of the partnership agreement, if any;

(8) If a corporation, the corporation shall state its complete name, the date of its incorporation, evidence that the corporation is in good standing under the laws of its state of incorporation, the names and capacity of all officers, directors, and principal stockholders, and the name of the registered corporate agent and the address of the registered office for service of process;

(9) If a limited liability company, the company shall state its complete name, and the names of all members who own a twenty (20) percent or greater interest in the capital or profits of the limited liability company. If the management of the limited liability company is vested in a manager or managers, the company shall also state the name of each person who is a manager of the limited liability company.

(10) If the applicant intends to operate the medical marijuana-related facility under a name other than that of the applicant, he/she must state the medical marijuana-related facility's fictitious name and submit the required registration documents.

(11) State whether the applicant, or a person residing with the applicant, has been convicted of a specified criminal activity as defined in this article, and, if so, the specified criminal activity involved, the date, place, and jurisdiction of each.

(12) State whether the applicant, or a person residing with the applicant, has had a previous license under this article or other similar medical marijuana-related facility's ordinances from another city or county denied, suspended, or revoked, including the name and location of the medical marijuana-related facility for which the permit was denied, suspended, or revoked, as well as the date of the denial, suspension, or revocation, and whether the applicant or a person residing with the applicant has been a partner in a partnership or an officer, director, or principal stockholder of a corporation that is licensed under this article whose license has previously been denied, suspended or revoked, including the name and location of the medical marijuana-related facility for which the permit was denied, suspended, or revoked as well as the date of denial, suspension, or revocation.

(13) State whether the applicant or a person residing with the applicant holds any other licenses under this article or other similar medical marijuana-related facility ordinance from another city or county and, if so, the names and locations of such other licensed businesses.

(14) Provide the classification of license for which the applicant is filing.

(15) Provide the location of the proposed medical marijuana-related facility, including a legal description of the property, street address, and telephone number(s), if any.

(16) Provide the applicant's mailing address and residential address.

(17) Provide a recent photograph of the applicant(s).

(18) Provide the applicant's driver's license number, Social Security number, and/or his/her state or federally issued tax identification number.

(19) Provide a sketch or diagram showing the configuration of the premises, including a statement of total floor space occupied by the business. The sketch or diagram shall be professionally prepared and must be drawn to a designated scale or drawn with marked dimensions of the interior of the premises to an accuracy of plus or minus six (6) inches.

(20) Provide a current certificate and straight-line drawing prepared within thirty (30) days prior to application by a registered land surveyor depicting the property lines and the structures containing any existing medical marijuana-related facility within two hundred (200) feet of the property to be certified and also depicting the property lines of any established use listed in Section 15-1-70 of the zoning ordinance within five hundred (500) feet of the property to be certified. For purposes of this paragraph, a use shall be considered existing or established if it is in existence at the time an application is submitted.

(21) Provide a copy of all documentation provided to the state as a requirement for state licensing.

(22) Provide evidence that all requirements of this section, as well as all applicable building, fire, and health codes have been or will be met and are in compliance with said adopted codes and regulations.

I. *Injunction.* A person who operates or causes to be operated a medical marijuana-related facility without a valid license or in violation of any part of this section is subject to suit for injunction and shall be guilty of a civil violation punishable as provided in Section 1-8-1(a) of this code.

(Ord. No. 2011-02, §§ 1 – 2, 1-18-11)

Notify Me

Meetings, Hearings & Workshops

General Plan

Village Planning

Long Range Planning

Development & Zoning Maps

Planning Design Guidelines

Design Guidelines

Medical Marijuana Location Zoning

Parks and Trails Master Plan

Medical Marijuana Dispensary Location Zoning

In November 2010, Arizona voters approved Proposition 203, which allows the cultivation, distribution, and use of marijuana for medicinal purposes. Cities and towns are permitted under state law to determine zoning for medical marijuana dispensaries and off-site cultivation facilities.

In February 2011, the Surprise City Council approved a text amendment to Ordinance 2011-05, which set the following parameters for where medical marijuana dispensaries and off-site cultivation facilities can operate within city limits.

Location requirements:

Medical marijuana dispensaries and off-site cultivation facilities are restricted to the following areas within Surprise City Limits:

- Industrial
- Intermediate/C-2 commercial
- Heavy/C-3 commercial

Where, by law, medical marijuana patients are permitted to cultivate marijuana for personal medicinal use, city ordinance maintains such cultivation locations be:

- Enclosed, locked facility (closet, room or greenhouse)
- Under 50 square feet of cultivation space

**State law prohibits such personal cultivation if a qualifying patient lives within 25 miles of a medical marijuana dispensary.

Space requirements:

Medical marijuana dispensaries and off-site cultivation facilities must:

- Be separated by at least 3,000 feet of each other.
- Be at least 1,500 feet away from schools, day cares and parks
- Be at least 500 feet away from residential zoned property and church/worship facilities

For more information please contact Development Services & Zoning at 623.222.3000.

NOTICE OF PUBLIC HEARINGS
PLANNING AND ZONING COMMISSION
CHANDLER CITY COUNCIL

NOTICE OF PUBLIC HEARINGS to be held by the City of Chandler Planning and Zoning Commission on **JANUARY 19, 2011** at 5:30 P.M. and the Chandler City Council on **FEBRUARY 10, 2011** at 7:00 P.M. in the **City Council Chambers, 88 East Chicago Street,** Chandler, Arizona.

ZONING CASE ZCA10-0007, CITY OF CHANDLER / MEDICAL MARIJUANA
City initiative to amend Chapter 35 (Zoning Code) of the Chandler City Code, by amending Sections 35-200, 35-305 and 35-2100 by establishing definitions and Use Permit requirements relating to Medical Marijuana Facilities and Cultivation Sites, to read as follows:

SECTION I. Section 35-200, Article II. "Definitions", Chapter 35, Chandler City Code, is hereby amended by adding the following definitions:

EDIBLE FOOD PRODUCT: A SUBSTANCE, BEVERAGE, OR INGREDIENT USED OR INTENDED FOR USE OR FOR SALE IN WHOLE OR IN PART FOR HUMAN CONSUMPTION.

INFUSION OR *INFUSE:* THE ACT OR PROCESS OF MIXING, BLENDING, COMBINING, OR OTHERWISE ADMIXING MEDICAL MARIJUANA OR THE ACTIVE INGREDIENTS OF MEDICAL MARIJUANA INTO AN EDIBLE FOOD PRODUCT.

INFUSION FOOD ESTABLISHMENT: A FOOD PROCESSING OR OTHER FOOD ESTABLISHMENT OF ANY TYPE OR SIZE, NOT OPERATED BY A MEDICAL MARIJUANA DISPENSARY AND NOT LOCATED AT A MEDICAL MARIJUANA FACILITY OR A MEDICAL MARIJUANA CULTIVATION SITE, BUT WHICH IS PERMITTED UNDER ARIZONA STATE LAW TO CONTRACT WITH AND DOES PROVIDE TO A MEDICAL MARIJUANA DISPENSARY EDIBLE FOOD PRODUCTS INFUSED WITH MEDICAL MARIJUANA.

MEDICAL MARIJUANA: ALL PARTS OF ANY PLANT OF THE GENUS CANNABIS WHETHER GROWING OR NOT, AND THE SEEDS OF SUCH PLANT, USED TO TREAT OR ALLEVIATE A DEBILITATING MEDICAL CONDITION OR THE SYMPTOMS ASSOCIATED WITH THE DEBILITATING MEDICAL CONDITION OF A PERSON WHO IS REGISTERED WITH AND IDENTIFIED BY THE ARIZONA STATE DEPARTMENT OF HEALTH SERVICES AS A REGISTERED QUALIFYING PATIENT.

MEDICAL MARIJUANA DISPENSARY: A NOT-FOR-PROFIT ENTITY REGISTERED WITH AND APPROVED TO OPERATE BY THE ARIZONA STATE DEPARTMENT OF HEALTH SERVICES THAT ACQUIRES, POSSESSES, CULTIVATES, MANUFACTURES, DELIVERS, TRANSFERS, TRANSPORTS, SUPPLIES, SELLS, OR DISPENSES MEDICAL MARIJUANA OR RELATED SUPPLIES AND EDUCATIONAL MATERIALS TO CARDHOLDERS, AS THAT TERM IS DEFINED IN A.R.S. SECTION 36-2801.

MEDICAL MARIJUANA FACILITY: THE PHYSICAL LOCATION FROM WHICH A MEDICAL MARIJUANA DISPENSARY OPERATES TO ACQUIRE, POSSESS, SUPPLY, SELL, OR DISPENSE IN ANY MANNER OR FORM MEDICAL MARIJUANA OR RELATED SUPPLIES AND EDUCATIONAL MATERIALS TO CARDHOLDERS, AS THAT TERM IS DEFINED IN A.R.S. SECTION 36-2801. A MEDICAL MARIJUANA FACILITY CANNOT SERVE AS A MEDICAL MARIJUANA CULTIVATION SITE.

MEDICAL MARIJUANA CULTIVATION SITE: THE PHYSICAL LOCATION FROM WHICH A MEDICAL MARIJUANA DISPENSARY OPERATES TO GROW, CULTIVATE, MANUFACTURE, INFUSE, OR STORE MEDICAL MARIJUANA, OR FROM WHICH IT DELIVERS, TRANSFERS, TRANSPORTS, OR SUPPLIES MEDICAL MARIJUANA TO ANOTHER MEDICAL MARIJUANA FACILITY OR CULTIVATION SITE. A MEDICAL MARIJUANA CULTIVATION SITE CANNOT SERVE AS A MEDICAL MARIJUANA FACILITY.

RELATED SUPPLIES: ANY EQUIPMENT, PRODUCT, OR MATERIAL OF ANY KIND THAT IS PRIMARILY INTENDED OR DESIGNED FOR THE PURPOSE OF ASSISTING A PERSON WHO IS REGISTERED WITH AND IDENTIFIED BY THE ARIZONA STATE DEPARTMENT OF HEALTH SERVICES AS A REGISTERED QUALIFYING PATIENT IN SMOKING OR OTHERWISE CONSUMING MEDICAL MARIJUANA.

SECTION II. Section 35-305, Article III, Chapter 35, Chandler City Code, is hereby amended by adding Subsection (6) to read as follows:

(6) *MEDICAL MARIJUANA FACILITY, MEDICAL MARIJUANA CULTIVATION SITE, AND INFUSION FOOD ESTABLISHMENT.* THE OPERATION OF A MEDICAL MARIJUANA FACILITY, A MEDICAL MARIJUANA CULTIVATION SITE, OR AN INFUSION FOOD ESTABLISHMENT SHALL ONLY BE ALLOWED IN ACCORDANCE WITH THE PROVISIONS, PROCEDURES AND STANDARDS SET FORTH IN THIS SUBSECTION.

(a) *BASIC USE PROVISIONS.*

1. THE OPERATION OF A MEDICAL MARIJUANA FACILITY, A MEDICAL MARIJUANA CULTIVATION SITE, OR AN INFUSION FOOD ESTABLISHMENT IS NOT ALLOWED BY RIGHT IN ANY ZONING DISTRICT.

2. THE OPERATION OF A MEDICAL MARIJUANA FACILITY IS ALLOWED ONLY IN A C-2 OR C-3 DISTRICT OR IN THAT PORTION OF A PAD DISTRICT WHERE C-2 OR C-3 USES ARE ALLOWED AND ONLY UPON OBTAINING A USE PERMIT FOR SUCH USE.

3. THE OPERATION OF A MEDICAL MARIJUANA CULTIVATION SITE OR AN INFUSION FOOD ESTABLISHMENT IS ALLOWED ONLY IN AN I-1 OR I-2 DISTRICT OR IN THAT PORTION OF A PAD DISTRICT WHERE I-1 OR I-2 USES ARE ALLOWED AND ONLY UPON OBTAINING A USE PERMIT FOR SUCH USE.

(b) *APPLICATION.* THE APPLICATION PROCEDURES FOR A USE PERMIT TO OPERATE A MEDICAL MARIJUANA FACILITY, A MEDICAL MARIJUANA CULTIVATION SITE, OR AN INFUSION FOOD ESTABLISHMENT AT A SPECIFIED PREMISES SHALL BE THE SAME AS THE APPLICATION PROCEDURES STATED IN SECTION 35-305(1)(a) FOR GENERAL USE PERMITS, EXCEPT THAT IN ADDITION TO ANY OTHER REQUIRED SUBMITTALS, AN APPLICANT SHALL PROVIDE:

1. THE LOCATION OF THE PREMISES AT WHICH THE MEDICAL MARIJUANA FACILITY, THE MEDICAL MARIJUANA CULTIVATION SITE, OR INFUSION FOOD ESTABLISHMENT WILL BE OPERATED.

2. THE IDENTITY OF THE MEDICAL MARIJUANA DISPENSARY THAT WILL OPERATE THE MEDICAL MARIJUANA FACILITY OR THE MEDICAL MARIJUANA CULTIVATION SITE, AND, FOR AN INFUSION FOOD ESTABLISHMENT, THE IDENTITY OF THE OPERATOR OF THE ESTABLISHMENT.

3. IF THE PREMISES IDENTIFIED IN THE APPLICATION IS NOT OWNED BY THE MEDICAL MARIJUANA DISPENSARY MAKING APPLICATION FOR THE USE PERMIT, A WRITTEN STATEMENT SIGNED BY THE PROPERTY OWNER AUTHORIZING THE APPLICANT TO APPLY FOR THE USE PERMIT FOR THE PREMISES AND CONSENTING TO THE USE BEING REQUESTED IN THE APPLICATION.

4. A SITE PLAN FOR THE PROPERTY ON WHICH THE PREMISES IS LOCATED SHOWING LOT DIMENSIONS WITH FRONT, SIDES AND REAR SETBACKS, AND, WHERE APPLICABLE, IT'S LOCATION WITHIN THE LARGER DEVELOPMENT IN WHICH THE PROPERTY MAY BE SITUATED.

5. AN ACCURATE, TO-SCALE, FLOOR PLAN CLEARLY SHOWING THE CONFIGURATION OF THE PREMISES AND STATING THE TOTAL FLOOR SPACE OF THE PREMISES OR PORTION THEREOF TO BE USED FOR THE PURPOSE FOR WHICH THE USE PERMIT IS REQUESTED. IN ADDITION TO ANY OTHER INFORMATION, THE FLOOR PLAN SHALL SPECIFICALLY IDENTIFY AND PROVIDE AS APPLICABLE: (i) THE LOCATION OF THE ENCLOSED, LOCKED FACILITY IN WHICH CULTIVATION OR STORAGE OF MEDICAL MARIJUANA WILL TAKE PLACE; (ii) THE TOTAL FLOOR SPACE FOR THE ENCLOSED, LOCKED FACILITY; (iii) THE LOCATION WITHIN THE PREMISES WHERE INFUSION WILL TAKE PLACE; (iv) ALL ENTRANCES AND EXITS TO AND FROM THE PREMISES, INDICATING WHICH SUCH ENTRANCES ARE SECURED AND WHICH, IF ANY, ARE NOT SECURED; (v) THE LOCATION OF ANY WINDOWS FROM WHICH A MEMBER OF THE PUBLIC CAN VIEW ACTIVITIES OCCURRING INSIDE THE PREMISES; (vi) ANY ADDITIONAL SECURITY MEASURES OR DEVICES TO BE INSTALLED IN OR UPON THE PREMISES, INCLUDING WITHOUT LIMITATION ANY ON-SITE ALARM SYSTEM OR SECURITY LIGHTING; AND (vii) ADDITIONAL PROTECTIONS, IF ANY, AGAINST MEDICAL MARIJUANA DIVERSION AND THEFT.

(c) *REVIEW.* THE REVIEW AND APPROVAL OF AN APPLICATION FOR A USE PERMIT TO OPERATE A MEDICAL MARIJUANA FACILITY, A MEDICAL MARIJUANA CULTIVATION SITE, OR AN INFUSION FOOD ESTABLISHMENT SHALL CONSIDER ALL RELEVANT LAND USE FACTORS, INCLUDING THOSE STATED IN SECTION 35-305(1)(b) FOR GENERAL USE PERMITS, AS WELL AS THE USE PERMIT CRITERIA AND LOCATION REQUIREMENTS STATED IN SECTIONS 35-305(6)(e) AND 35-305(6)(f) BELOW.

(d) *APPROVAL.* AN APPLICATION FOR A USE PERMIT UNDER THIS SUBSECTION (6) MAY BE APPROVED OR DENIED BY THE CITY COUNCIL, BASED UPON THE FINDINGS SET FORTH IN SUBSECTION 35-305(1)(c). APPROVAL OF SUCH A USE PERMIT APPLICATION SHALL NOT BE CONSTRUED AS ANY ENDORSEMENT BY THE CITY OF THE USE OR OPERATION FOR WHICH THE USE PERMIT HAS BEEN REQUESTED BY THE APPLICANT.

(e) *USE PERMIT CRITERIA.* THE PREMISES IN OR UPON WHICH SHALL BE OPERATED A MEDICAL MARIJUANA FACILITY, A MEDICAL MARIJUANA CULTIVATION SITE OR AN INFUSION FOOD ESTABLISHMENT SHALL:

1. BE LOCATED IN A PERMANENT BUILDING AND SHALL NOT BE LOCATED IN A TEMPORARY STRUCTURE,

TRAILER, CARGO CONTAINER, MOTOR VEHICLE, OR OTHER SIMILAR NON-PERMANENT ENCLOSURE.

2. NOT BE LARGER THAN 2,500 GROSS SQUARE FEET FOR A MEDICAL MARIJUANA FACILITY AND 3,000 GROSS SQUARE FEET FOR A MEDICAL MARIJUANA CULTIVATION SITE. THE SECURE STORAGE AREA SHALL NOT EXCEED 500 SQUARE FEET IN A MEDICAL MARIJUANA FACILITY AND 1,000 SQUARE FEET IN A MEDICAL MARIJUANA CULTIVATION SITE.

3. BE OPERATED ONLY BY A MEDICAL MARIJUANA DISPENSARY OR, IN THE CASE OF AN INFUSION FOOD ESTABLISHMENT, A PERSON OR ENTITY AUTHORIZED BY STATE LAW TO INFUSE EDIBLE FOOD PRODUCTS, WHO DOES:

a. COMPLY WITH ALL REGISTRATION AND RECORDKEEPING REQUIRED BY THE CITY OF CHANDLER, MARICOPA COUNTY AND ARIZONA LAW.

b. OBTAIN, MAINTAIN AND DISPLAY A VALID CITY OF CHANDLER BUSINESS REGISTRATION OR LICENSE AS MAY BE REQUIRED BY CITY CODE.

c. NOT PROVIDE OFF-SITE DELIVERIES OF MEDICAL MARIJUANA TO A CARDHOLDER.

d. NOT SELL MERCHANDISE OTHER THAN MEDICAL MARIJUANA AND RELATED SUPPLIES.

e. NOT HAVE OR OPERATE DRIVE-THROUGH FACILITIES OR TAKE-OUT WINDOWS.

f. NOT EMIT DUST, FUMES, VAPORS OR ODORS INTO THE ENVIRONMENT.

g. PROHIBIT CONSUMPTION OF MEDICAL MARIJUANA ON THE PREMISES.

h. NOT PERMIT OUTDOOR SEATING ANYWHERE ON THE PREMISES. WHERE THE PREMISES IS LOCATED WITHIN A LARGER COMMERCIAL OR INDUSTRIAL DEVELOPMENT HAVING WALKWAYS OR OTHER COMMON AREA CONTAINING ALREADY EXISTING OUTDOOR SEATING REQUIRED AS A CONDITION OF THE ZONING FOR THE DEVELOPMENT, THEN NO NEW

OUTDOOR SEATING SHALL BE LOCATED IMMEDIATELY ADJACENT TO THE PREMISES.

i. ALLOW ANNUAL FIRE INSPECTIONS PURSUANT TO THE CITY OF CHANDLER CODE.

j. HAVE OPERATING HOURS NOT EARLIER THAN 9:00 A.M. AND NOT LATER THAN 7:00 P.M.

(f) *SEPARATION REQUIREMENTS.* A MEDICAL MARIJUANA FACILITY OR A MEDICAL MARIJUANA CULTIVATION SITE SHALL BE LOCATED A MINIMUM DISTANCE FROM THE USES SET FORTH IN *TABLE 305.6.E. MEDICAL MARIJUANA FACILITIES LOCATION REQUIREMENTS*. MEASUREMENTS SHALL BE MADE IN A STRAIGHT LINE IN ANY DIRECTION FROM THE CLOSEST EXTERIOR WALL OF THE MEDICAL MARIJUANA FACILITY OR MEDICAL MARIJUANA CULTIVATION SITE TO THE NEAREST PROPERTY LINE OF ANY PARCEL CONTAINING USES IDENTIFIED IN THE TABLE. NO SEPARATION IS REQUIRED WHEN A MEDICAL MARIJUANA FACILITY OR A MEDICAL MARIJUANA CULTIVATION SITE IS SEPARATED FROM ANOTHER SUCH FACILITY OR SITE BY A FREEWAY.

TABLE 305.6.E MEDICAL MARIJUANA FACILITIES LOCATION REQUIREMENTS

USE OR USE CLASSIFICATION	SEPARATION REQUIREMENT (FEET)
ANOTHER MEDICAL MARIJUANA FACILITY OR CULTIVATION SITE	5,280
DAY CARE CENTER, PUBLIC OR PRIVATE	1,320
PUBLIC OR PRIVATE PARK	1,320
PLACE OF WORSHIP	1,320
CHARTER SCHOOLS, PUBLIC SCHOOLS OR PRIVATE SCHOOLS	1,320
RESIDENTIAL ZONING DISTRICT BOUNDARY	1,320
PUBLIC LIBRARY	1,320
HOSPITALS, PUBLIC OR PRIVATE	1,320

NOTE: AS PART OF THE USE PERMIT REVIEW PROCESS, THE CITY COUNCIL MAY ALLOW MINOR DEVIATIONS TO THE SEPARATION REQUIREMENTS IF COUNCIL FINDS THAT, UNDER THE PARTICULAR CIRCUMSTANCES, THE SUBJECT PREMISES IS SO LOCATED AS TO SATISFY THE INTENT OF THE SEPARATION REQUIREMENTS.

(g) *ISSUANCE OF USE PERMIT:*

1. A USE PERMIT ISSUED UNDER THIS SUBSECTION SHALL BE VALID FOR A PERIOD OF ONE (1) YEAR FROM THE DATE OF CITY COUNCIL APPROVAL OF THE USE PERMIT APPLICATION, EXCEPT AS PROVIDED IN PARAGRAPH (g)2 BELOW.

2. A USE PERMIT ISSUED UNDER THIS SUBSECTION (6) SHALL BE DEEMED VOID AND TO HAVE AUTOMATICALLY EXPIRED IF THE PERMITTED USE IS NOT COMMENCED BY THE PERMIT HOLDER OR SUBSTANTIAL CONSTRUCTION HAS NOT TAKEN PLACE WITHIN NINE (9) MONTHS AFTER THE DATE OF CITY COUNCIL APPROVAL.

3. THE VALIDITY OF A USE PERMIT UNDER THIS SUBSECTION (6) IS FURTHER CONDITIONED UPON THE PERMIT HOLDER AND THE PERMITTED PREMISES BEING AT ALL TIMES IN COMPLIANCE WITH APPLICABLE CITY BUILDING CODES, DEVELOPMENT STANDARDS AND OTHER LAND USE REGULATIONS STATED IN THE ZONING CODE OR ANY OTHER ORDINANCE OR CODE ADOPTED BY THE CITY OF CHANDLER.

(h) *NONTRANSFERABILITY OF USE PERMIT:* A USE PERMIT ISSUED UNDER THIS SUBSECTION IS NOT TRANSFERABLE TO ANY OTHER LOCATION OR PREMISES, NOR IS IT VALID FOR ANY OTHER USE OR BUSINESS ASSOCIATED WITH A MEDICAL MARIJUANA DISPENSARY THAT IS NOT SPECIFICALLY IDENTIFIED IN THE USE PERMIT.

(i) *PERMIT RENEWAL:*

1. A USE PERMIT UNDER THIS SUBSECTION (6) MAY BE RENEWED BY FILING AN APPLICATION FOR RENEWAL ON A FORM PROVIDED BY THE ZONING ADMINISTRATOR. THE APPLICATION FOR RENEWAL SHALL BE RECEIVED BY THE ZONING ADMINISTRATOR NOT LESS THAN SEVENTY (70) DAYS BEFORE THE EXPIRATION OF THE PERMIT. WHEN THE APPLICATION FOR RENEWAL IS RECEIVED LESS THAN SEVENTY (70) DAYS BEFORE THE EXPIRATION DATE, THE EXPIRATION OF THE USE PERMIT SHALL NOT BE DELAYED, POSTPONED OR OTHERWISE AFFECTED.

2. AN APPLICATION FOR RENEWAL SHALL BE CONSIDERED FOLLOWING THE SAME PROCEDURES AS AN ORIGINAL APPLICATION. THE APPLICATION FOR RENEWAL MAY BE DENIED FOR ANY REASON THAT AN ORIGINAL APPLICATION MAY BE DENIED OR REVOKED.

3. A MEDICAL MARIJUANA FACILITY OR MEDICAL MARIJUANA CULTIVATION SITE LAWFULLY OPERATING IS NOT

RENDERED IN VIOLATION OF THE DISTANCE REQUIREMENTS SET FORTH IN 305(6)(f) IF, SUBSEQUENT TO THE INITIAL GRANTING OF THE USE PERMIT UNDER THIS SUBSECTION (6), ANY OF THE USES IDENTIFIED IN TABLE 305(6)(f) ARE CONSTRUCTED OR LOCATED WITHIN THE REQUIRED SEPARATION AREA. THIS PROVISION APPLIES ONLY TO THE RENEWAL OF A VALID USE PERMIT AND DOES NOT APPLY WHEN AN APPLICATION FOR A USE PERMIT IS SUBMITTED AFTER A USE PERMIT HAS EXPIRED OR HAS BEEN REVOKED.

(j) *REVOCATION OR SUSPENSION:* A USE PERMIT ISSUED PURSUANT TO THIS SUBSECTION (6) IS SUBJECT TO REVOCATION OR SUSPENSION IN ACCORDANCE WITH PROVISIONS OF SUBSECTION 35-305(1) THAT ADDRESS THE ISSUE OF REVOCATION OR SUSPENSION.

SECTION III. Section 35-2100, Article XXI. "TABLE OF PERMITTED USES FOR NONRESIDENTIAL DISTRICTS", Chapter 35, Chandler City Code, is hereby amended by adding the following uses to read as follows:

USES	DISTRICTS				
	C-1	C-2	C-3	I-1	I-2
MEDICAL MARIJUANA DISPENSARY:					
MEDICAL MARIJUANA FACILITY		UP	UP		
MEDICAL MARIJUANA CULTIVATION SITE				UP	UP
INFUSION FOOD ESTABLISHMENT				UP	UP

For additional information, please contact Kevin Mayo with the City of Chandler at 480-782-3068.

Dated the 29th day of December 2010.
Publish in the Arizona Republic on January 4, 2011.

6. The location for the temporary Place of Worship structure does not conflict with the location for the permanent facility; and

7. Construction documents have been submitted for the permanent structure, whether it is the main structure, an expansion of the main structure or a related accessory structure.

4.5014 Medical Marijuana Dispensaries, Offsite Cultivation Sites and Designated Caregiver Cultivation Locations

Medical Marijuana Facilities shall be located, developed, and operated in compliance with the following standards:

A. ***Applicability.*** The minimum requirements of this section shall apply to all Medical Marijuana Dispensary and Medical Marijuana Offsite Cultivation Site uses located in any zoning district.

B. ***General.*** A Medical Marijuana Dispensary, Medical Marijuana Offsite Cultivation Site or Medical Marijuana Designated Caregiver Cultivation Location shall:

1. Be located in a permanent building and shall not be located in a temporary structure, trailer, cargo container, motor vehicle, or other similar non-permanent enclosure.

2. Medical Marijuana Dispensaries and Offsite Cultivation Sites shall be limited to 3,000 square feet gross floor area for all permitted uses with a single secure entrance.

3. Be limited to a single secure on-site storage area of no greater than one thousand (1,000) square feet for medical marijuana stored at an offsite cultivation site.

4. Supply proof that the Dispensary is State-approved, certified and registered with the Arizona Department of Health Services pursuant to Arizona Revised Statutes, Title 36, Chapter 28.1.

5. Comply with all registration and recordkeeping required by the Town, Maricopa County and Arizona law.

6. Obtain, maintain and display a valid Town of Gilbert Business Registration or license as may be required by the Town code.

7. Supply the name of all the dispensaries with which it is affiliated, if offsite cultivation is proposed.

8. If medical marijuana is supplied to the dispensary by a qualified patient or caregiver, provide the name and contact information of the qualified patient or caregiver.

9. Not provide off-site deliveries of medical marijuana, except that a Designated Caregiver Cultivation Facility may deliver medical marijuana to the Qualifying Patient(s) for whom the caregiver is the Designated Caregiver, in compliance with the rules and regulations promulgated by the State of Arizona Department of Health Services.

10. Not sell merchandise other than medical marijuana.

11. Not have drive-through facilities or take-out windows.

12. Not emit dust, fumes, vapors or odors into the environment.

13. Prohibit consumption of medical marijuana on the premises.

14. Not permit or provide indoor or outdoor seating areas or facilities for the consumption of medical marijuana anywhere on the site.

15. Permit annual fire inspections pursuant to the Town of Gilbert Fire Code.

16. If designated caregiver cultivation is proposed, supply the residence locations and proof of registry identification cards of the qualifying patients for whom the medical marijuana will be cultivated and the location of the closest medical marijuana dispensary to the residence of each qualifying patient. Any changes in qualifying patients or residence locations shall be reported to the Planning Manager within 30 days of the change.

17. A single designated caregiver is permitted and the total cultivation area shall not exceed 120 square feet. The total cultivation area is the footprint required for growing the actual plant material.

C. ***Location.*** Medical Marijuana Facilities shall be a minimum distance from the uses set forth in Table 4.5014: Medical Marijuana Facilities Location Requirements. Measurements shall be made in a straight line in any direction from the closest perimeter business walls. No separation is required when medical marijuana facilities are separated by a freeway.

Table 4.5014: Medical Marijuana Facilities Location Requirements

Use or Use Classification	*Separation Requirement (Feet)*
Another Medical Marijuana Dispensary or Offsite Cultivation Site	1,320
Hospital	1,320
Day Care Center, Public or Private	1,000
Public or Private Park	1,000
Place of Worship	1,000
Schools, Public or Private	1,000
Residential District Boundary	500

D. ***Hours of Operation.*** A Medical Marijuana Facility shall have operating hours not earlier than 8:00 a.m. and not later than 6:00 p.m.

E. ***Security Plan Requirements.*** A Medical Marijuana Facility shall submit a Security Plan containing the following information:

1. Proof that the "Nonprofit Medical Marijuana Dispensary Agent" is at least twenty-one (21) years of age and has not been convicted of an excluded felony offense.

2. Proof that any cultivation and storage of Medical Marijuana will take place in an "enclosed, locked facility" equipped with locks or other security devices that permit access only by persons authorized to enter pursuant to State and local law.

3. A floor plan that details the security measures required by Arizona law including an on-site alarm system and a single secure entrance.

4. Additional protections, if any, against medical marijuana diversion and theft.

5. A sworn affidavit detailing the criminal history, if any, of the Board of Directors of the nonprofit operating the dispensary and/or detailing history of management employees.

6. Provide and update as needed a current list of all persons who are authorized to access the dispensary or offsite cultivation site.

4.5015 Miscellaneous Provisions

Caretaker. A recreational vehicle is permitted as a temporary dwelling for a caretaker or security guard on a lot or parcel only during construction undertaken pursuant to a valid building permit.

Recreational Vehicle Occupancy. Except as permitted under Section 4.5014A: Caretaker, no person shall occupy a recreational vehicle parked in a required front or street side setback for more than 24 consecutive hours. No recreational vehicle shall be occupied as a permanent dwelling unit in any district. Parking of a recreational vehicle in a front or street side setback shall not impede street access for public safety vehicles.

Inoperable Vehicles. Inoperable vehicles shall be stored in a fenced area, a fully enclosed building, or at a business engaged in Vehicle Services or Motor Vehicle Sales and Leasing.

Abandoned Vehicles. The parking of an abandoned vehicle is prohibited in all zoning districts.

CITY OF MESA PROPOSED ZONING AMENDMENTS
MEDICAL MARIJUANA RELATED FACILITIES
Summary of City Council Adopted Requirements – Ord #5025

	DISPENSARIES	DISPENSARY OFF-SITE CULTIVATION	PATIENT/CAREGIVER CULTIVATION	INFUSION FACILITIES
Location Requirements (Note: Use would be "by-right" after meeting minimum zoning district and separation requirements, subject to specific use standards, & registration of site with Planning Division Office)				
Allowable Locations	M-1, Limited Industrial M-2, General Industrial	M-1, Limited Industrial M-2, General Industrial	If 25 miles from dispensary, only as accessory use to a permitted residence	M-1, Limited Industrial M-2, General Industrial
Prohibited Locations	All R1 and R districts, O-S, C-1, C-2, C-3 PEP,	All R1 and R districts, O-S, C-1, C-2, C-3 PEP	Any residence located within 25 miles of a registered dispensary	All R1 and R districts, O-S, C-1, C-2, C-3 PEP
Separation Requirements				
5,280-feet	• Other dispensaries	None	None	None
2,400 feet	• Residential Substance Abuse Treatment Facilities • Alcohol Rehabilitation Facilities • Correctional Transitional Housing Facilities	• Other dispensaries		
1,200 feet	• Churches/Places of Worship • Parks in M-1 and M-2 • Libraries • Schools (K thru 12)	• Churches/Places of Worship • Parks in M-1 and M-2 • Libraries • Schools (K thru 12)		• Churches/Places of Worship • Parks in M-1 and M-2 • Libraries • Schools (K thru 12)
500 feet	• Day Care / Pre-schools • Parks and HOA maintained open spaces not in M-1 and M-2	• Parks and HOA maintained open spaces not in M-1 or M-2		• Parks and HOA maintained open spaces not in M-1 and M-2
Facility Space Requirements				
Max space (GFA)	2,500 sq.ft.	25,000 sq.ft.	250 sq. ft. Including storage	*10,000 sq.ft
Storage	500 sq.ft.	All of Cultivation Fac.		*2,500 sq.ft.
Customer Floor Area	Min 25% of GFA	NA	NA	None

Facility Infrastructure/Service Limitations

1. No drive-through window
2. No outdoor seating area,
3. No outdoor vending machines
4. No delivery service
5. Hours of operation limited to the time between 8am and 9pm of the same calendar day.
6. Planning Div registration expires after 1-year unless DHS registration/certification also renewed.

Ordinance No. 5025

Text written in **BOLD ALL CAPS** indicates new language. ~~Strikethrough~~ fonts indicate proposed language to be deleted.

AN ORDINANCE OF THE COUNCIL OF THE CITY OF MESA, MARICOPA COUNTY, ARIZONA AMENDING SECTIONS 11-1-6, 11-4-2, 11-4-4, 11-5-2, 11-5-5, 11-6-5, 11-7-2, AND 11-13-2 OF THE MESA CITY CODE PERTAINING TO THE PERMITTED LOCATIONS OF MEDICAL MARIJUANA DISPENSARIES, ON AND OFF-SITE FACILITIES FOR THE CULTIVATION OF MEDICAL MARIJUANA, AND INFUSION FACILITIES FOR THE PRODUCTION OF MEDICAL MARIJUANA PRODUCTS DISTRIBUTED THROUGH MEDICAL MARIJUANA DISPENSARIES, AND PROVIDING PENALTIES FOR THE VIOLATION THEREOF.

WHEREAS, on November 2, 2010, the voters of the state of Arizona approved Proposition 203 (I-04-2010), the "Arizona Medical Marijuana Act" (AMMA), codified in the in Arizona Revised Statutes, Title 36, A.R.S. § 36-2801 et seq.; and

WHEREAS, AMMA provides for the medical use, possession and cultivation of marijuana; and

WHEREAS, pursuant to federal law, it is illegal to possess, use and manufacture or distribute marijuana in any form as well as other controlled substance; and

WHEREAS, the City of Mesa zoning ordinance currently does not permit the use of marijuana for any purpose; and

WHEREAS, AMMA allows municipalities to enact reasonable zoning restrictions that limit the use of land for registered dispensaries to specific areas and

WHEREAS, City held a hearing of the Planning and Zoning Board on November 17, 2010 to discuss issues and receive comments, issues and concerns related to the operation of medical marijuana dispensaries and medical marijuana cultivation facilities in the City, and made several recommendations contained herein for consideration by the City Council; and

WHEREAS, the Planning and Zoning Board found there could be secondary adverse impacts from medical marijuana dispensaries, cultivation and infusion facilities including but not limited to the increase in crimes such as loitering, burglary and robbery in the areas immediately surrounding the dispensaries, cultivation sites and infusion facilities; and

WHEREAS, the Planning and Zoning Board determined that further regulations are needed to protect the public, health, safety and welfare of the residents and children from the secondary adverse impacts; and

WHEREAS, the City Council has determined that, for the reasons set forth above and for the purpose of protecting the public health, safety and welfare of the residents and visitors of Mesa, it is in the best interests of the City to amend the City Zoning Ordinance as provided herein.

NOW THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MESA as follows:

Section 1: That Section 11-1-6 of the Mesa City Code is hereby amended to include the following terms and definitions, as written below, inserted in alphabetical order of the term as appropriate; with the language for the existing terms and definitions of this Section remaining intact and as presently stated.

MEDICAL MARIJUANA: MEANS OF ALL PARTS OF THE GENUS CANNABIS WHETHER GROWING OR NOT, AND THE SEED OF SUCH PLANTS THAT MAY BE ADMINISTERED TO TREAT OR ALLEVIATE A QUALIFYING PATIENT'S DEBILITATING MEDICAL CONDITION,AS APPROVED BY DHS, OR SYMPTOMS ASSOCIATED WITH THE PATIENT'S DEBILITATING MEDICAL CONDITION.

MEDICAL MARIJUANA CULTIVATION ("CULTIVATION"): MEANS THE PROCESS BY WHICH A MARIJUANA (*CANNABIS SPP.*) PLANT IS GROWN.

MEDICAL MARIJUANA CULTIVATION FACILITY ("CULTIVATION FACILITY") SHALL MEAN A BUILDING, STRUCTURE OR PREMISES USED FOR THE GROWING OR STORAGE OF MEDICAL MARIJUANA AND REGISTERED WITH DHS AS RELATED TO A DISPENSARY.

MEDICAL MARIJUANA DESIGNATED CAREGIVER ("DESIGNATED CAREGIVER"): SHALL MEAN A PERSON WHO MEETS THE DEFINITION OF A.R.S 36-2801(5) AND HOLDS AND POSSESSES A VALID DESIGNATED CAREGIVER REGISTRY IDENTIFICATION CARD, ISSUED BY DHS, IDENTIFYING THAT PERSON AS AN INDIVIDUAL PROVIDING CARE AND ASSISTANCE TO A MEDICAL MARIJUANA QUALIFYING PATIENT OR PATIENTS, AND HAS AGREED TO ASSIST A MEDICAL MARIJUANA QUALIFING PATIENT OR PATIENTS WITH THAT PATIENT'S OR PATIENTS'MEDICAL USE OF MARIJUANA.

MEDICAL MARIJUANA DISPENSARY ("DISPENSARY"): AN ENTITY REGISTERED, CERTIFIED AND AUTHORIZED BY DHS AS A "NONPROFIT MEDICAL MARIJUANA DISPENSARY" THAT ACQUIRES, POSSESSES, SELLS, DISTRIBUTES, DISPENSES, OR OTHERWISE PROVIDES MEDICAL MARIJUANA TO QUALIFYING PATIENTS AND DESIGNATED CAREGIVERS. SUCH DISPENSARIES MAY INCLUDE ON-SITE CULTIVATION AND INFUSION FACILITIES.

MEDICAL MARIJUANA INFUSION FACILITY ("INFUSION FACILITY"): A FACILITY THAT INCORPORATES MEDICAL MARIJUANA (*CANNABIS SPP.*) BY THE MEANS OF COOKING, BLENDING, OR INCORPORATION INTO CONSUMABLE/EDIBLE OR TRANSDERMAL GOODS.

MEDICAL MARIJUANA QUALIFYING PATIENT ("QUALIFYING PATIENT"): MEANS A PERSON WHO HAS BEEN ISSUED, HOLDS AND POSSESES A VALID REGISTRY IDENTIFICATION CARD ISSUED BY DHS AUTHORIZING THEM TO USE MEDICAL MARIJUNA TO TREAT OR ALLEVIATE A DEBILITATING MEDICAL CONDITION OR SYMPTOM APPROVED BY DHS...

Section 2: That Sub-section 11-4-2(A) of the Mesa City Code is hereby amended as follows:

11-4-2: PERMITTED USES:

(A) Permitted Uses in all Single Residence Districts: R1-90, R1-43, R1-35, R1-15, R1-9, R1-7, R1-6:

1. One (1) single dwelling unit on any lot or parcel.

2. Foster homes and residential facilities for the developmentally disabled.

3. Schools and churches. Refer to Section 11-13-2(L) of this Ordinance.

4. Group homes for the handicapped and adult care homes. Refer to Section 11-13-2(Q) of this Ordinance.

5. Day care group homes with up to five (5) children. Refer to Section 11-13-2(O) of this Ordinance.

6. Public utility buildings and facilities when necessary for serving the surrounding territory, provided that no public business offices and no repair or storage facilities are maintained therein.

7. Publicly owned recreational uses and community buildings.

8. Accessory uses and accessory buildings when associated with a dwelling unit or other primary permitted use.

9. Temporary sales offices and/or model homes pertaining to the sale of homes being constructed in the immediate subdivision are permitted in all residential zoning districts, subject to a Use Permit.

   (a) Approval of such sales offices and/or model homes may be granted for a three- (3) year period or until all homes in the subdivision are completed, whichever occurs first. Extensions to the three- (3) year time limit may be granted if the property owner can demonstrate that the need for the temporary sales offices and/or model homes continues to exist.

   (b) The carport or garage of a model home may be used as a temporary sales office provided temporary off-street parking is available. Such carport or garage must be returned to a condition suitable for the parking of automobiles in accordance with Section 11-16-2 of this Ordinance prior to the sale or residential occupancy of such model home.

10. **MEDICAL MARIJUANA CULTIVATION AS AN ACCESSORY USE, AND ONLY IN THE EVENT ONE OF THE RESIDENTS OF THAT SITE IS A QUALIFYING PATIENT, AND/OR DESIGNATED CAREGIVER, AND HOLDS AND POSSESSES A VALID DHS IDENTIFICATION CARD AUTHORIZING THE RESIDENT(S) TO CULTIVATE MEDICAL MARIJUANA AND THE ACCESSORY USE CULTIVATION FACILITY IS A MINIMUM OF 25 MILES FROM THE NEAREST MEDICAL MARIJUANA DISPENSARY. REFER TO SECTION 11-13-2(W) FOR ADDITIONAL REQUIREMENTS.**

Section 3: That Section 11-4-4 of the Mesa City Code is hereby amended as follows:

11-4-4: PROHIBITED USES IN ALL SINGLE RESIDENCE DISTRICTS: R1-90, R1-43, R1-35, R1-15, R1-9, R1-7, R1-6:

(A) All commercial and business uses, except those specifically permitted in Sections 11-4-2 and 11-4-3 of this Ordinance.

(B) All manufacturing, warehousing, and wholesaling.

(C) Multiple residence.

(D) Manufactured homes, except as permitted in the R1-6 district and as specified in the Manufactured Home/Recreational Vehicle chapter of this Ordinance.

(E) Recreational vehicle parks and manufactured home parks.

(F) The keeping or storage of any commercial vehicle having a gross vehicle weight rating (GVWR) exceeding thirteen thousand (13,000) pounds or having dual rear wheels exceeding seventeen inches (17") in diameter.

(G) **MEDICAL MARIJUANA DISPENSARY**

(H) MEDICAL MARIJUANA CULTIVATION FACILITY AS A PRIMARY USE.

~~(G)~~ **(I)** Uses similar to those listed above in this Section as determined by the Zoning Administrator.

Section 4: Sub-Section 11-5-2(A) of the Mesa City Code is hereby amended as follows:

11-5-2: PERMITTED USES:

(A) Permitted Uses in all Multiple Residence Districts: R-2, R-3, and R-4:

1. Single and multiple residences.

2. Boarding houses and group homes for the handicapped with up to five (5) guest rooms or housing up to ten (10) people.

3. Foster homes, group foster homes, and residential facilities for the developmentally disabled.

4. Bed and breakfast establishments.

5. Schools and churches. Refer to Section 11-13-2(L) of this Ordinance.

6. Public utility buildings and facilities when necessary for serving the surrounding territory, provided that no public business offices and no repair or storage facilities are maintained therein.

7. Publicly owned and operated parks, playgrounds, and community buildings and other recreational uses.

8. Accessory uses and buildings when associated with a dwelling unit or other primary permitted use.

9. Day care centers and day care group homes.

10. Temporary sales offices and/or model homes pertaining to the sale of homes being constructed in the immediate subdivision are permitted in all residential zoning districts, subject to a Use Permit.

    (a) Approval of such sales offices and/or model homes may be granted for a three- (3) year period or until all homes in the subdivision are completed, whichever occurs first. Extensions to the

three- (3) year time limit may be granted if the property owner can demonstrate that the need for the temporary sales offices and/or model homes continues to exist.

(b) The carport or garage of a model home may be used as a temporary sales office provided temporary off-street parking is available. Such carport or garage must be returned to a condition suitable for the parking of automobiles in accordance with Section 11-16-2 of this Ordinance prior to the sale or residential occupancy of such model home.

11. **MEDICAL MARIJUANA CULTIVATION AS AN ACCESSORY USE, AND ONLY IN THE EVENT ONE OF THE RESIDENTS OF THAT SITE IS A QUALIFYING PATIENT, AND/OR DESIGNATED CAREGIVER, AND HOLDS AND POSSESSES A VALID DHS IDENTIFICATION CARD AUTHORIZING THE RESIDENT(S) TO CULTIVATE MEDICAL MARIJUANA AND THE ACCESSORY USE CULTIVATION FACILITY IS A MINIMUM OF 25 MILES FROM THE NEAREST MEDICAL MARIJUANA DISPENSARY. REFER TO SECTION 11-13-2(W) FOR ADDITIONAL REQUIREMENTS.**

Section 5: Section 11-5-5 of the Mesa City Code is hereby amended as follows:

11-5-5: PROHIBITED USES IN ALL MULTIPLE RESIDENCE DISTRICTS:

(A) All commercial and business uses, except those specifically permitted in Sections 11-5-2 and 11-5-3 of this Ordinance.

(B) All manufacturing, warehousing, and wholesaling.

(C) The keeping or storage of any commercial vehicle having a gross vehicle weight rating (GVWR) exceeding thirteen thousand (13,000) pounds or having dual rear wheels exceeding seventeen inches (17") in diameter.

(D) **MEDICAL MARIJUANA DISPENSARIES**

(E) **MEDICAL MARIJUANA CULTIVATION FACILITIES AS A PRIMARY USE.**

(~~D~~F) Uses similar to those listed above in this Section.

Section 6: That Sub-section 11-6-5 of the Mesa City Code is hereby amended as follows:

11-6-5: PROHIBITED USES IN ALL COMMERCIAL DISTRICTS:

(A) All industrial and manufacturing uses.

(B) All storage, warehousing, and wholesaling, except as specified in the C-2 and C-3 districts.

(C) All residential uses, except as specified in Section 11-6-4 of this Ordinance.

(D) **MEDICAL MARIJUANA DISPENSARY**

(E) **MEDICAL MARIJUANA CULTIVATION FACILITY AS A PRIMARY USE.**

(~~D~~F) Uses similar to those listed above in this Section as determined by the Zoning Administrator.

Section 5: That Sub-section 11-7-2(B) of the Mesa City Code is hereby amended as follows:

11-7-2: PERMITTED USES:

(B) Additional Permitted Uses in Manufacturing and Industrial Districts M-1 and M-2:

1. Outdoor storage, display, and activities accessory to any permitted use.
2. All uses permitted in the O-S, C-1, C-2, and C-3 districts, under the least restrictive condition as they apply to such districts provided:
   (a) No individual retail store shall exceed an area of ten thousand (10,000) square feet.
   (b) No group commercial development shall exceed an aggregate area of fifty thousand (50,000) square feet.
3. A dwelling unit in conjunction with a primary use intended for occupancy by the proprietor, caretaker, or night-watchman of the primary use. Refer to Uniform Building Code for occupancy separation regulations.
4. Industrial trade schools, such as welding or metal fabrication, and similar industrial arts.
5. Animal hospitals, clinics, and boarding kennels.
6. Crematories.
7. Heavy equipment repair, sales, and rentals.
8. Any warehousing, manufacturing, packaging, distributing, bottling, or processing use, provided that such use shall conform to all of the following requirements:
   (a) All outside storage of material or equipment as ancillary to the primary use shall be confined to the rear one-half (1/2) of the lot.
   (b) All activities pertaining to the actual manufacture or processing of the product involved shall be conducted entirely within the enclosed building.
9. Construction yards.
10. Automobile, truck, recreational vehicle, motorcycle, boat, mobile home, and trailer sales and rental facilities and appurtenant buildings, without the area limitations specified in Section 11-7-2(B)2 of this Ordinance (above).
11. Commercial recreational entertainment uses such as pool and dance halls, nightclubs, bars, cocktail lounges, and similar uses.
12. **MEDICAL MARIJUANA DISPENSARY, SUBJECT TO COMPLIANCE WITH ALL REQUIREMENTS OF SECTION 11-13-2(W).**
13. **MEDICAL MARIJUANA CULTIVATION FACILITY, SUBJECT TO COMPLIANCE WITH ALL REQUIREMENTS OF SECTION 11-13-2(W).**
14. **MEDICAL MARIJUANA INFUSION FACILITY, SUBJECT TO COMPLIANCE WITH ALL REQUIREMENTS OF SECTION 11-13-2(W).**

Section 6: That Section 11-13-2 of the Mesa City Code is hereby amended by the addition of Sub-section (W):

11-13-2: ADDITIONAL PROVISIONS AND EXCEPTIONS:

(W) MEDICAL MARIJUANA DISPENSARY, CULTIVATION FACILITIES AND INFUSION FACILITIES:

1. **MEDICAL MARIJUANA DISPENSARIES (DISPENSARIES) ARE PERMITTED ONLY IN THE M-1 AND M-2 DISTRICTS, PROVIDED EVIDENCE HAS BEEN DEMONSTRATED OF COMPLIANCE WITH ALL OF THE FOLLOWING:**

   A. **REGISTRATION OF THE LOCATION OF THE DISPENSARY AND THE ASSOCIATED CULTIVATION FACILITY WITH THE PLANNING DIVISION, IN ACCORDANCE WITH THE REQUIREMENTS OF ITEM 5, BELOW.**

   B. **THE DISPENSARY SHALL BE LOCATED A MINIMUM DISTANCE OF 5280-FEET (1-MILE) FROM THE NEXT NEAREST MEDICAL MARIJUANA DISPENSARY, INCLUDING DISPENSARIES LOCATED IN NEIGHBORING JURISDICTIONS AND COUNTY PROPERTIES.**

   C. **THE DISPENSARY SHALL BE LOCATED A MINIMUM DISTANCE OF 2400-FEET FROM THE FOLLOWING LAND USES, INCLUDING THE LISTED LAND USES WHEN LOCATED IN NEIGHBORING JURISDICTIONS AND COUNTY PROPERTIES:**

      I. **RESIDENTIAL SUBSTANCE ABUSE FACILITIES;**

      II. **ALCOHOL REHABILITATION FACILITIES;**

      III. **CORRECTIONAL TRANSITIONAL HOUSING FACILITIES; AND**

      IV. **OFF-SITE MEDICAL MARIJUANA CULTIVATION FACILITIES (EXCEPT THE DISPENSARY SPECIFICALLY ASSOCIATED WITH THE OFF-SITE CULTIVATION FACILITY).**

   D. **THE DISPENSARY SHALL BE LOCATED A MINIMUM DISTANCE OF 1200-FEET FROM THE FOLLOWING LAND USES, INCLUDING THE LISTED LAND USES WHEN LOCATED IN NEIGHBORING JURISDICTIONS AND COUNTY PROPERTIES:**

      I. **CHURCHES;**

      II. **LIBRARIES;**

      III. **SCHOOLS (LIMITED TO KINDERGARTEN THROUGH 12TH GRADE); AND**

      III. **PUBLIC PARKSLOCATED IN M-1 AND M-2 ZONING DISTRICTS;**

   E. **THE DISPENSARY SHALL BE LOCATED A MINIMUM DISTANCE OF 500-FEET FROM THE FOLLOWING LAND USES, INCLUDING THE LISTED LAND USES WHEN LOCATED IN NEIGHBORING JURISDICTIONS AND COUNTY PROPERTIES:**

      I. **PUBLIC PARKS LOCATED IN ALL RESIDENTIAL, ALL COMMERCIAL, PF AND PEP ZONING DISTRICTS;**

      II. **PRIVATELY-OWNED DESIGNATED AND MAINTAINED OPEN SPACE RECREATIONAL AREAS; AND**

      II. **DAY CARE CENTERS AND PRE-SCHOOLS**

   F. **THE DISPENSARY SHALL BE NO LARGER THAN 2500 SQUARE FEET, OF WHICH NO MORE THAN 500 SQUARE FEET SHALL BE USED FOR STORAGE**

OF PRODUCT.

G. THE DISPENSARY SHALL BE HOUSED IN A PERMANENT BUILDING.

H. A MINIMUM OF 25% OF THE GROSS FLOOR AREA (GFA) OF THE DISPENSARY SHALL BE SET ASIDE FOR USE AS AN INTERIOR CUSTOMER WAITING AREA.

I. THE DISPENSARY SHALL NOT INCLUDE:

I. A DRIVE THROUGH WINDOW;

II. OUTDOOR SEATING;

III. OUTDOOR VENDING MACHINES; AND

IV. TEMPORARY, PORTABLE, OR SELF-POWERED MOBILE FACILITIES.

J. THE DISPENSARY SHALL NOT OFFER DIRECT OR HOME DELIVERY SERVICE.

K. THE TIME THE DISPENSARY MAY BE OPEN TO THE PUBLIC SHALL BE LIMITED TO THE HOURS BETWEEN 8:00 AM AND 9:00 PM OF THE SAME CALENDAR DAY.

2. MEDICAL MARIJUANA CULTIVATION FACILITIES ("CULTIVATION FACILITY(IES)") AND MEDICAL MARIJUANA INFUSION FACILITIES ("INFUSION FACILITIES") AS DEFINED BY THIS ORDINANCE, ARE PERMITTED ONLY IN THE M-1 AND M-2 DISTRICTS, SUBJECT TO COMPLIANCE WITH ALL OF THE FOLLOWING:

A. REGISTRATION OF THE LOCATION OF THE CULTIVATION AND/OR INFUSION FACILITY WITH THE PLANNING DIVISION, IN CONFORMANCE WITH THE REQUIREMENTS OF ITEM 5, BELOW

B. THE LOCATION OF THE CULTIVATION FACILITY SHALL BE A MINIMUM DISTANCE OF 2400 FEET FROM THE NEXT NEAREST MEDICAL MARIJUANA DISPENSARY OR CULTIVATION FACILITY, INCLUDING DISPENSARIES LOCATED IN NEIGHBORING JURISDICTIONS AND COUNTY PROPERTIES. THIS SEPARATION DISTANCE DOES NOT APPLY TO THE DISTANCE BETWEEN THE CULTIVATION FACILITY AND THE SPECIFIC DISPENSARY SERVED BY THE CULTIVATION FACILITY.

C. THE LOCATION OF THE CULTIVATION FACILITY SHALL BE A MINIMUM DISTANCE OF 1200 FEET FROM THE FOLLOWING LAND USES, INCLUDING THE LISTED LAND USES LOCATED IN NEIGHBORING JURISDICTIONS AND COUNTY PROPERTIES:

I. CHURCHES;

II. LIBRARIES;

III. PUBLIC PARKS OR PRIVATELY-OWNED AND MAINTAINED OPEN SPACE AREAS; AND

IV. SCHOOLS (LIMITED TO KINDERGARTEN THROUGH 12TH GRADE).

D. THE MAXIMUM FLOOR AREA OF A CULTIVATION FACILITY SHALL BE LIMITED TO 25,000 SQUARE FEET.

E. THE MAXIMUM FLOOR AREA OF AN INFUSION FACILITY SHALL BE LIMITED TO 10,000 SQUARE FEET.

E. CULTIVATION FACILITIES SHALL BE HOUSED IN PERMANENT BUILDINGS.

3. DESIGNATED CAREGIVER CULTIVATION IS PERMITTED AS AN ACCESSORY USE IN ALL RESIDENCE DISTRICTS, SUBJECT TO COMPLIANCE WITH ALL OF THE FOLLOWING:

   A. THE CULTIVATION FACILITY SHALL BE LOCATED A MINIMUM DISTANCE OF 25-MILES FROM THE NEXT CLOSEST MEDICAL MARIJUANA DISPENSARY. THIS 25-MILE SEPARATION DISTANCE INCLUDES THOSE DISPENSARIES THAT ARE LOCATED IN NEIGHBORING JURISDICTIONS INCLUDING COUNTY PROPERTIES.

   B. THE CULTIVATION ACTIVITY SHALL BE HOUSED IN A PERMANENT BUILDING.

   C. THE CULTIVATION ACTIVITY SHALL BE LIMITED TO A MAXIMUM FLOOR AREA OF 250 SQUARE FEET, INCLUDING STORAGE AREAS.

   D. THE LOCATION (INCLUDING THE CORRECT ADDRESS) OF THE CULTIVATION SHALL BE REGISTERED WITH THE PLANNING DIVISION, IN ACCORDANCE WITH ITEM 5, BELOW.

   E. THE DESIGNATED CAREGIVER CULTIVATING MEDICAL MARIJUANA SHALL BE IN POSSESSION OF A VALID DHS DESIGNATED CAREGIVER CARD WITH THE AUTHORIZATION TO CULTIVATE MEDICAL MARIJUANA.

4. QUALIFIED PATIENT CULTIVATION IS PERMITTED AS AN ACCESSORY USE IN ALL RESIDENCE DISTRICTS, SUBJECT TO COMPLIANCE WITH ALL OF THE FOLLOWING:

   A. THE CULTIVATION FACILITY SHALL BE LOCATED A MINIMUM DISTANCE OF 25-MILES FROM THE NEXT CLOSEST MEDICAL MARIJUANA DISPENSARY. THIS 25-MILE SEPARATION DISTANCE INCLUDES THOSE DISPENSARIES THAT ARE LOCATED IN NEIGHBORING JURISDICTIONS INCLUDING COUNTY PROPERTIES.

   B. THE CULTIVATION ACTIVITY SHALL BE HOUSED IN A PERMANENT BUILDING.

   C. THE CULTIVATION ACTIVITY SHALL BE LIMITED TO A MAXIMUM FLOOR AREA OF 250 SQUARE FEET, INCLUDING STORAGE AREAS.

   D. THE LOCATION (ADDRESS) OF THE CULTIVATION ACTIVITY SHALL BE REGISTERED WITH THE PLANNING DIVISION, IN ACCORDANCE WITH ITEM 5, BELOW.

   E. AT LEAST ONE RESIDENT OF THE PROPERTY ASSOCIATED WITH THE CULTIVATION ACTIVITY SHALL HOLD AND POSSESS A VALID DHS ISSUED REGISTRY IDENTIFICATION CARD WHICH AUTHORIZES THE QUALIFIYING PATIENT TO CULTIVATE MEDICAL MARIJUANA.

5. ALL MEDICAL MARIJUANA DISPENSARIES, CULTIVATION FACILITIES AND INFUSION FACILITIES, INCLUDING ALL ACCESSORY CULTIVATION FACILITIES, SHALL REGISTER THE LOCATION OF THE FACILITY (AND ASSOCIATED OFF-SITE FACILITY, IF APPLICABLE) WITH THE PLANNING DIVISION. SUCH REGISTRATION SHALL BE VALID FOR A PERIOD OF ONE (1) YEAR FROM THE DATE OF REGISTRATION, AND MAY BE RENEWED ONLY IN THE EVENT DHS ALSO RENEWS THE DISPENSARY REGISTRATION AND CERTIFICATION. IF DHS DENIES, FAILS TO RENEW, OR REVOKES THE ISSUANCE OF A DISPENSARY REGISTRATION AND

CERTIFICATION, THE PLANNING DIVISION REGISTRATION OF THE LOCATION OF THE DISPENSARY AND ASSOCIATED CULTIVATION AND/OR INFUSION FACILITIES SHALL EXPIRE IMMEDIATELY. SUCH REGISTRATION WITH THE PLANNING DIVISION SHALL PROVIDE THE FOLLOWING INFORMATION:

A. NAME, MAILING ADDRESS, TELEPHONE NUMBER AND E-MAIL ADDRESS OF THE INDIVIDUAL OR NON-PROFIT ORGANIZATION OPERATING THE FACILITY. IF A NON-PROFIT ORGANIZATION REGISTERS THE FACILITY LOCATION, INFORMATION PERTAINING TO CONTACTING THE INDIVIDUAL RESPONSIBLE FOR MANAGING THE FACILITY SHALL ALSO BE PROVIDED.

B. A WRITTEN NARRATIVE DESCRIBING HOW THE LOCATION AND IMPROVEMENTS ASSOCIATED WITH THE REGISTERED FACILITY COMPLY WITH THE REQUIREMENTS OF THIS ORDINANCE.

C. IF APPLICABLE, THE SUBMITTAL OF THE NAME(S) AND LOCATION(S) OF THE OFFSITE MEDICAL MARIJUANA CULTIVATION FACILITY ASSOCIATED WITH THE DISPENSARY OPERATION.

D. APPLICABLE ONLY TO DISPENSARIES, A COPY OF THE OPERATING PROCEDURES ADOPTED IN COMPLIANCE WITH A.R.S. §36-2804(B)(1)(C), INCLUDING RECORD KEEPING AND SECURITY MEASURES.

6. ANY COMBINATION OF MEDICAL MARIJUANA DISPENSARY, CULTIVATION FACILITY AND/OR INFUSION FACILITY MAY OCCUR AT A SINGLE LOCATION, PROVIDED:

A. THE COMBINED FACILITY COMPLIES WITH ALL REQUIREMENTS OF THIS SUBSECTION.

B. THE MAXIMUM FLOOR AREA ASSOCIATED WITH THE COMBINED ACTIVITY SHALL NOT EXCEED IN AGGREGATE THE MAXIMUMS SPECIFIED BY ITEMS 1F, 2D AND 2E FOR THE SPECIFIC INDIVIDUAL USES BEING COMBINED,

C. THE FLOOR AREA SPECIFICALLY ASSIGNED TO INDIVIDUAL DISPENSARY, CULTIVATION AND/OR INFUSION ACTIVITIES WITHIN THE COMBINED FACILITY DOES NOT EXCEED THE MAXIMUMS SPECIFIED BY ITEMS 1F, 2D AND 2E OF THIS SUBSECTION FOR EACH INDIVIDUAL LAND USE.

Section 7: SEVERABILITY

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

Section 8: PENALTY.

CIVIL PENALTIES:

Upon finding that a person is responsible for a civil violation of this Title, the Civil Hearing Officer shall impose a civil sanction of not less than fifty dollars ($50.00) nor more than five hundred dollars ($500.00) for each violation. In determining the appropriate sanction the Civil Hearing Officer may assess against

the responsible party the City's personnel, mailing, and other costs incurred in investigating and hearing the case, not to exceed a maximum of five hundred dollars ($500.00).

EACH DAY SEPARATE VIOLATION:

Each day in which a violation of this Title continues, or the failure to perform any act or duty required by this Title or by the Civil Hearing Officer continues, shall constitute a separate civil offense.

HABITUAL OFFENDER:

A. A person who commits a violation of this Title after previously having been found responsible for committing three (3) or more civil violations of this Title within a twenty-four (24) month period – whether by admission, by payment of the fine, by default, or by judgment after hearing - shall be guilty of a criminal misdemeanor. The Mesa City Prosecutor is authorized to file a criminal misdemeanor complaint in the Mesa City Court against habitual offenders. For purposes of calculating the twenty-four (24) month period under this Subsection, the dates of the commission of the offenses are the determining factor.

B. Upon conviction of a violation of this Subsection, the Court may impose a sentence of incarceration not to exceed six (6) months in jail; or a fine not to exceed two thousand five hundred dollars ($2,500.00), exclusive of penalty assessments prescribed by law; or both such fine and imprisonment. The Court shall order a person who has been convicted of a violation of this Section to pay a fine of not less than five hundred dollars ($500.00) for each count upon which a conviction has been obtained. A judge shall not grant probation to or suspend any part or all of the imposition or execution of a sentence required by this Subsection except on the condition that the person pay the mandatory minimum fines as provided in this paragraph.

C. Every action or proceeding under this Section shall be commenced and prosecuted in accordance with the laws of the State of Arizona relating to criminal misdemeanors and the Arizona Rules of Criminal Procedure.

PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF MESA, MARICOPA COUNTY, ARIZONA, this 7th day of February, 2011.

SECTION 103 - DEFINITION OF TERMS

-**INTERIOR:** A lot other than a corner lot.

-**THROUGH:** A lot with the front and rear lines abutting parallel streets; also see *"DOUBLE FRONTAGE LOT"*.

MAINTENANCE: The repair, replacing or renovating of a part (or parts) of a structure, which do not require a building permit as specified by the Building Code as set forth in the Town Code.

MANUFACTURED HOME: A dwelling unit fabricated on a permanent chassis at an offsite manufacturing facility for installation at the building site, and bearing a label certifying it as built, or upgraded, to compliance with the Federal Manufactured Housing Construction and Safety Standards Act. It bears a mobile ID number and is larger than 400 square feet.

MANUFACTURING USE: See *"USE"*.

MEDICAL MARIJUANA:
All parts of genus cannabis whether growing or not, and the seed of such plants that may be administered to treat or alleviate a qualifying patient's debilitating medical condition or symptoms associated with the patient's debilitating medical condition.

MEDICAL MARIJUANA DESIGNATED CAREGIVER CULTIVATION LOCATION:

- A Medical Marijuana designated Caregiver cultivation location or cultivation by a designated Caregiver refers to cultivation of Medical Marijuana by a Caregiver who's registration card indicates that the Caregiver has been authorized to cultivate marijuana plants for a qualifying patient(s) medical use, pursuant to the Arizona Medical Marijuana Act A.R.S.§ 36-2804.A.7.
- A Medical Marijuana designated Caregiver may cultivate Medical Marijuana for qualifying patient(s) within their own residence as a "Home Occupation" (see Part 3 Section 303) as long as all the conditions for a "Home Occupation" are met per the Planning & Zoning Ordinance and the Arizona Medical Marijuana Act A.R.S.§ 36-2804.

MEDICAL MARIJUANA DISPENSARY:
A non-profit Medical Marijuana Dispensary registered and certified pursuant to the Arizona Medical Marijuana Act A.R.S.§ 36-2804 that may also include a Medical Marijuana Infusion Facility.

MEDICAL MARIJUANA DISPENSARY OFF-SITE CULTIVATION LOCATION:
The one additional location, if any, where marijuana may be cultivated for the use of a specific Medical Marijuana Dispensary as disclosed pursuant to A.R.S.§ 36-2804. A Medical Marijuana Dispensary Off-Site Cultivation Location may cultivate Medical Marijuana for more than one Dispensary as allowed by Arizona Medical Marijuana Act A.R.S.§ 36-2804.

MEDICAL MARIJUANA INFUSION FACILITY:
A Facility that incorporates Medical Marijuana by means of cooking, blending, or incorporation into consumable/edible goods pursuant to Arizona Medical Marijuana Act A.R.S.§ 36-2804.

MEDICAL MARIJUANA QUALIFYING PATIENT:
A qualifying patient means a person who has been diagnosed by a physician as having a debilitating medical condition and also has a registry identification card issued by the Arizona Department of Health Services that identifies the person a registered qualifying patient pursuant to Arizona Medical Marijuana Act A.R.S.§ 36-2804.

MEDICAL MARIJUANA QUALIFYING PATIENT CULTIVATION LOCATION:
A Medical Marijuana Patient Location shall mean cultivation of medical marijuana by a qualifying patient pursuant to Arizona Medical Marijuana Act A.R.S.§ 36-2801 but shall only include a qualifying patient who is also a card holder, authorized to cultivate marijuana plants pursuant to the revisions of Act A.R.S.§ 36-2804.2.

MEMORIAL PARK CEMETERY: See "CEMETERY".

MINE: 1) A cavity in the earth from which minerals and ores are extracted. 2) The act of removing minerals, ores, or other natural resources.

MINING: The extraction of minerals, ores, rock materials, or other natural resources. The term also includes quarrying; well operation; milling, such as crushing, screening, washing and floatation; and other preparation customarily done at the mine site or as part of the mining activity.

MOBILE/MANUFACTURED HOME PARK: A parcel of land used (or designed) for the location of more than one Mobile/Manufactured Home.

MOBILE HOME: A portable dwelling unit larger than 400 square feet and manufactured prior to June 15, 1976, designed and constructed to permit permanent occupancy as a residence and also to facilitate transfer from one site to another by means of a chassis with wheels and hitch or flatbed truck.

MODULAR HOUSING: Factory-built housing that is certified as meeting the state or local building code. It does not have a mobile ID. Modular housing is considered site-built housing.

MORTUARY: A building where the dead are prepared for burial or cremation. (All funeral automobile processions are to be confined to the mortuary premises).

MOTEL: See "HOTEL".

NET ACREAGE: The remaining ground area of a parcel after deleting all portions for proposed and existing public rights-of-way.

NEWSPAPER OF GENERAL CIRCULATION: A daily newspaper widely available and distributed in the local area (if one is published), or if no daily newspaper is published, a local weekly newspaper may be used.

NONCONFORMING USE: See "USE".

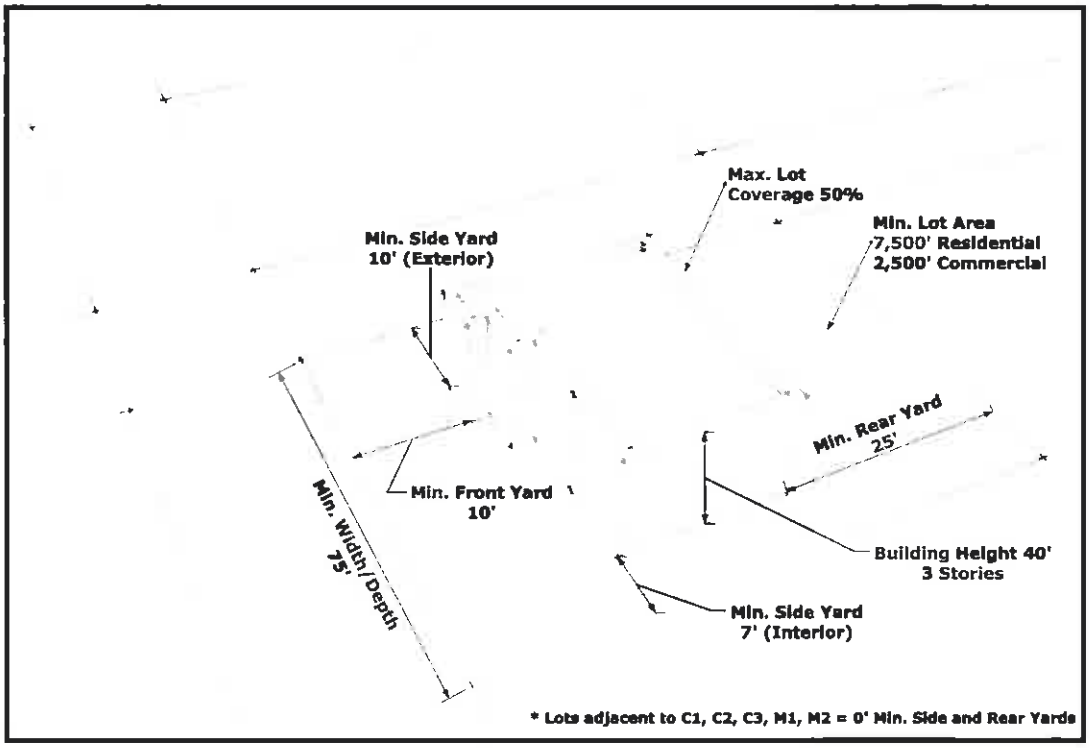
NONCONFORMING STRUCTURE: A building or structure that was in place prior to, and use provisions other applicable ordinances with which it now conflicts.

NONCONFORMING LOT OF RECORD: A parcel created and recorded prior to and use provisions and other applicable ordinances with which it now conflicts.

Table 2-6: C1 Dimensional Standards

Zoning District	"C1"
Minimum Lot Area (sq.ft.)	7,500' Res., 2,500' Com.
Minimum Area/Dwelling (sq.ft.)	2,000'; Hotels/Motels 300'/d.u.
Minimum Width OR Depth (feet)	75'
Maximum Bldg Ht (stories)	3
Maximum Bldg Ht (feet)	40'
Maximum Lot Coverage (%)	50%
Minimum Between Buildings (feet)	10'
Minimum Front Yard (feet)	10'
Minimum Rear Yard (feet)	0' (25' adjacent to residential zone)
Minimum Side Yard Interior (feet)	0' (7' adjacent to residential zone)
Minimum Side Yard Exterior (feet)	10'

Figure 2-6: C1 Dimensional Standards



G. C2 DISTRICT (Commercial: General sales and services)

1. Purpose:

   The C2 District is intended to permit a broader range of business uses compatible with permitted residential uses in the District and surrounding vicinity.

   Permitted Uses and Structures:

a. Agriculture and cultivation.

b. Antique Sales.

c. Automobile & machinery sales. (See Section 309 for outside display requirements.)Automobile repair (light).Automotive service stations.

d. Baking and confection cooking for on-site sale only.

e. Bars, tap rooms and nightclubs.

f. Bed and Breakfast, with on-site parking as required in Section 403E.

g. Bowling alleys and poolrooms.

h. Business offices, banks and similar; including drive-through.

i. Commercial art galleries.

j. Commercial bath and massage.

k. Commercial parking facilities.

l. Community parks, playgrounds or centers.

m. Custom service and craft shops.

n. Dancing, art, music, business and trade schools (including permission for public recitals, concerts and dances).

o. Dwelling unit for one family on any one lot. (Manufactured, Modular or Site Built.) Mobile Homes Prohibited See Part 3 Section 306 B.2.c

p. Educational institutions (including private schools, provided they offer curriculum of general instruction comparable to similar public schools).

q. Flood control facilities.

r. Frozen food lockers.

s. Golf courses with accessory uses such as pro shops, shelters, and rest rooms.

t. Group or cluster of dwelling units (attached or detached) each having separate individual ownership and providing common services and recreation facilities under unified management.

    1) The number of units allowed on a lot shall not exceed the District's minimum lot area density.
    2) Such allowance shall in no case exempt the requirement of maintaining yards adjacent to the exterior site boundaries.

u. Historical Landmarks.

v. Home occupations (See Section 303).

w. Hospitals, clinics, sanitariums, nursing homes and assisted living care facilities (intermediate, extended and long-term) for the care of humans.

x. Hotels and motels with five or more guest rooms.

y. Keeping of farm animals, limited (See Section 305).

z. Launderettes (limited to machines not exceeding 25 pounds capacity according to manufacturer's rating).

aa. Medical Marijuana Dispensaries (see Part 3 Section 304)

bb. Miniature golf establishment.

cc. Mortuary

dd. Multiple dwelling units and apartment hotels in conformity with the minimum lot area requirements per dwelling unit for the District.

1) No on-site incineration shall be permitted.

ee. Nursery schools; day care centers (child or adult).

ff. Offices wherein only professional, clerical or sales services (such as real estate or insurance) are conducted.

gg. Open land carnival and recreation facilities (religious & educational institutions).

q. Other accessory uses commonly associated with primary permitted use. (See Section 301 C.)

hh. Personal services.

ii. Pet shops within enclosed buildings for the display and sale of household pets and other small animals provided that:

jj. Private clubs and lodges operated solely for the benefit of bona fide members.

kk. Religious institutions (in permanent buildings).

ll. Restaurants and cafes, including drive-through.

mm. Retail sales.

nn. Sales (retail and wholesale) and rentals.

oo. Single site built quarters (1) for servants and/or non-paying guests may be located on the same lot with the principal structure; separate facilities for preparation of food are prohibited.

1) Such allowance shall in no case exempt the requirement of maintaining yards adjacent to the exterior site boundaries.
2) The number of units allowed on a lot shall not exceed the District's minimum lot area density.

pp. Theaters, auditoriums, banquet and dance halls.

qq. Veterinary services.

rr. Water distillation and bottling for retail sales only.

ss. Microbreweries or Wineries for the manufacture and processing of beer or wine respectively for onsite consumption or wholesale distribution with the following limitations:

1. All such manufacturing and processing activity shall be conducted within a completely enclosed building along with all materials used for manufacture – processing. Products ready for shipping must be stored within a closed building.

2. A microbrewery in the C2 District may process and produce up to 150,000 U.S. Gallons of beer per year.

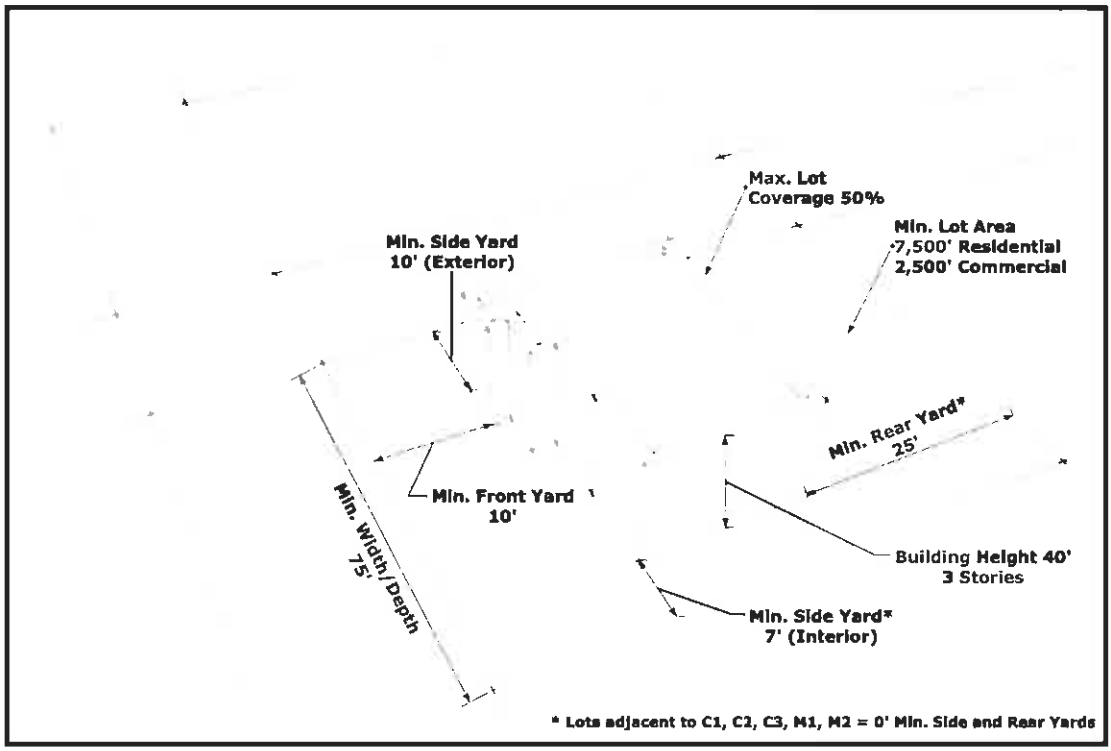
3. A winery in the C2 District may process and produce up to 18,000 U.S. Gallons of wine per year.

2. Uses and Structures Subject to Use Permit:
   a. Government facilities and facilities required for the provision of utilities and public services.
   b. Outdoor recreation or assembly facilities.
   c. Mobile/manufactured home and recreational vehicle parks subject to the requirements of Section 305.
   d. Transmitter stations and towers for automatic transmitting.
   e. Revival tents and similar temporary operations. (See Section 601.D)
   f. Temporary Use Permits, subject to administrative approval (See Section 601.C):
      1) Occupancy of temporary housing, including travel trailers, during the construction of a permanent dwelling is allowed during the 12-month period after issuance of a building permit.
      2) Model homes, temporary offices (construction and pre-construction sales offices/showrooms), construction sheds and yards incidental to a recorded residential development or other construction project (subject to District setbacks) for a period not to exceed 12 months.

Table 2-7: C2 Dimensional Standards

Zoning District	"C2"
Minimum Lot Area (sq.ft.)	7,500' Res., 2,500' Com.
Minimum Area/Dwelling (sq.ft.)	1,000'; Hotels/Motels 300'/d.u.
Minimum Width OR Depth (feet)	75'
Maximum Bldg Ht (stories)	3
Maximum Bldg Ht (feet)	40'
Maximum Lot Coverage (%)	50%
Minimum Between Buildings (feet)	10'
Minimum Front Yard (feet)	10'
Minimum Rear Yard (feet)	0' (25' adjacent to residential zones)
Minimum Side Yard Interior (feet)	0' (7' adjacent to residential zones)
Minimum Side Yard Exterior (feet)	10'

Figure 2-7: C2 Dimensional Standards



H. C3 DISTRICT (Commercial: heavy commercial)

1. Purpose:

   The C3 District is intended to accommodate a broad range of commercial sales and service uses, excluding certain activities and operations for which Industrial District zoning (PM, M1, M2) is required.

2. Permitted Uses and Structures:

a. Agriculture and cultivation.

b. Antique Sales.

c. Assembly, construction and processing plants.

d. Automobile & machinery sales. (See Section 309 for outside display requirements.)

e. Automobile repair (light).

f. Automotive service stations.

g. Baking and confection cooking for on-site sale only.

h. Bars, tap rooms and nightclubs.

i. Body and fender shops including a paint booth within closed building.

j. Bottling plants confined to closed building.

k. Bowling alleys and poolrooms.

l. Business offices, banks and similar; including drive-through.

m. Caretaker Living Quarters (Manufactured, Modular or Site Built.) Mobile Homes Prohibited See Part 3 Section 306 B.2.c

n. Cleaning and dyeing plants within closed building.

o. Commercial art galleries.

p. Commercial ballrooms, arenas, gymnasiums, rinks, pools and indoor shooting galleries.

q. Commercial bath and massage.

r. Commercial parking facilities.

s. Community parks, playgrounds or centers.

t. Custom service and craft shops.

u. Custom tire recapping.

v. Custom warehouses within closed building and not including animals.

w. Dancing, art, music, business and trade schools (including permission for public recitals, concerts and dances).

x. Educational institutions (including private schools, provided they offer curriculum of general instruction comparable to similar public schools).

y. Flood control facilities.

z. Frozen food lockers.

aa. Golf courses with accessory uses such as pro shops, shelters, rest rooms.

bb. Historical Landmarks.

cc. Hospitals, clinics, sanitariums, nursing homes and assisted living care facilities (intermediate, extended and long-term) for the care of humans.

dd. Hotels and motels with five or more guest rooms.

ee. Keeping of farm animals, limited (See Section 305).

ff. Launderettes (limited to machines not exceeding 25 pounds capacity according to manufacturer's rating).

gg. Lumber yards (prohibiting sawmill operations).

hh. Med Medical Marijuana Dispensary Off-Site Cultivation Location/Facility.(see Part 3 Section 304) (Definition: See Part 1 Section 103)

ii. Miniature golf establishment.

jj. Mortuary

kk. Nursery schools; day care centers (child or adult).

ll. Offices wherein only professional, clerical or sales services (such as real estate or insurance) are conducted.

mm. Open land carnival and recreation facilities (religious & educational institutions).

nn. Other accessory uses commonly associated with primary permitted use. (See Section 301 C.)

oo. Personal services.

pp. Pet shops within closed building.

qq. Private clubs and lodges operated solely for the benefit of bona fide members.

rr. Public auction within closed building.

ss. Religious institutions (in permanent buildings).

tt. Restaurants and cafes, including drive-through.

uu. Retail sales.

vv. Sales (retail and wholesale) and rentals.

ww. Theaters, auditoriums, banquet and dance halls.

xx. Transportation terminal and transfer facilities within closed building.

yy. Veterinary services. Water distillation and bottling for retail sales only.

zz. Microbreweries or Wineries for the manufacture and processing of beer or wine respectively for onsite consumption or wholesale distribution with the following limitations:

1. All such manufacturing and processing actively shall be conducted within a completely enclosed building along with all materials used for the manufacture – processing. Products ready for shipping must be stored within a closed building.
2. A microbrewery in the C3 District may process and produce up to 300,000 U.S. Gallons of beer per year.
3. A winery in the C3 District may process and produce up to 36,000 U.S. gallons of wine per year.

3. Uses and Structures Subject to Use Permit

a. Government facilities and facilities required for the provision of utilities and public services.

b. Outdoor recreation or assembly facilities.

c. Mobile/manufactured home and recreational vehicle parks subject to the requirements of Section 305.

d. Transmitter stations and towers for automatic transmitting.

e. Revival tents and similar temporary operations. (See Section 601.D)

f. Temporary Use Permits, subject to administrative approval (See Section 601.C):

   1) Occupancy of temporary housing, including travel trailers, during the construction of a permanent dwelling is allowed during the 12-month period after issuance of a building permit.
   2) Model homes, temporary offices (construction and pre-construction sales offices/showrooms), construction sheds and yards incidental to a recorded residential development or other construction project (subject to District setbacks) for a period not to exceed 12 months.

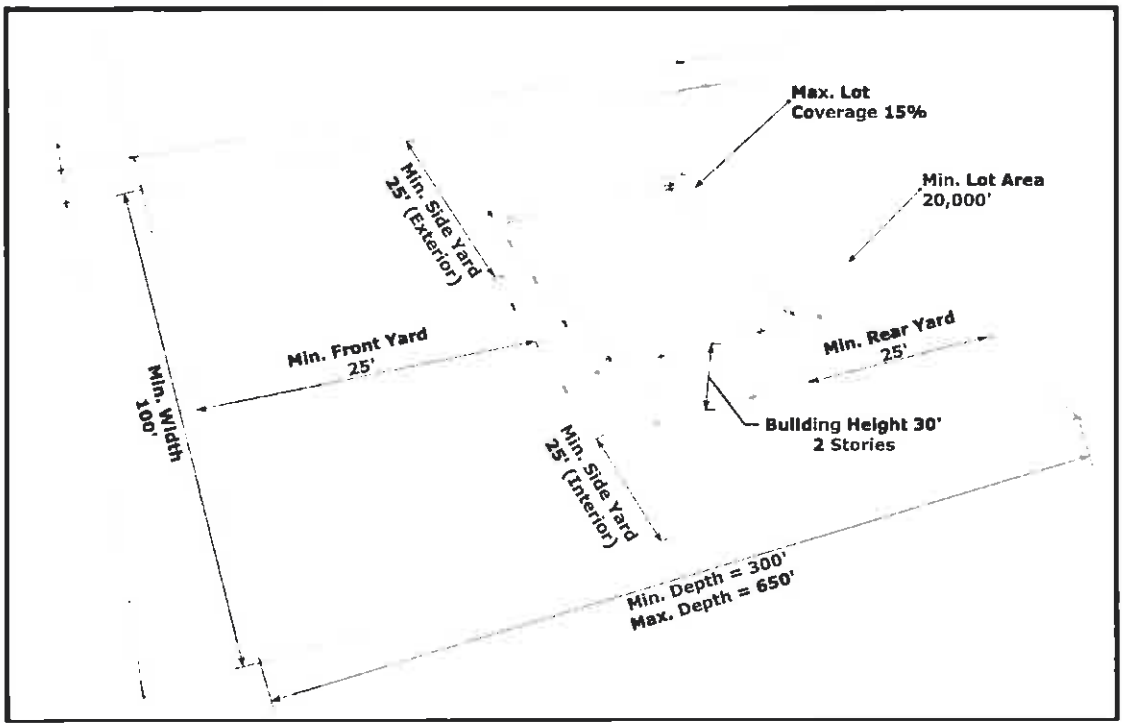
g. Cemeteries for human or animal interment (See Section 308).

h. Public stables, livestock breeding, boarding and sales.

Table 2-9: PM Dimensional Standards

Zoning District	"PM"
Minimum Lot Area (sq.ft.)	20,000
Minimum Area/Dwelling (sq.ft.)	1 Caretaker d.u. only
Minimum Width OR Depth (feet)	100' Wide, 300' Deep, Max 650' Deep
Maximum Bldg Ht (stories)	2
Maximum Bldg Ht (feet)	30'
Maximum Lot Coverage (%)	15%
Minimum Between Buildings (feet)	10'
Minimum Front Yard (feet)	25'
Minimum Rear Yard (feet)	25'
Minimum Side Yard Interior (feet)	25'
Minimum Side Yard Exterior (feet)	25'

Figure 2-9: PM Dimensional Standards



J. M1 DISTRICT (Industrial: General)

1. Purpose:

   The M1 District is intended to provide the type of industrial facilities that, while not necessarily attractive in operational appearances, are installed and operated in a manner so as not to cause inconvenience or substantial detriment to other uses in the District (or to adjacent Districts).

Permitted Uses and Structures:

a. Adult oriented businesses as defined in A.R.S. § 11-821H as may be amended, provided that no such adult oriented business shall operate in violation of A.R.S. § 13-1422 as may be amended or other applicable law nor be within 500 feet of schools, a church or an existing adult oriented business.

b. Agriculture and cultivation.

c. Assembly, construction and processing plants.

d. Automobile repair (light).

e. Body and fender shops including a paint booth within closed building.

f. Bottling plants confined to closed building.

g. Caretaker Living Quarters. (Manufactured, Modular or Site Built.) Mobile Homes Prohibited See Part 3 Section 306 B.2.c

h. Cemeteries for human or animal interment (See Section 308).

i. Cleaning and dyeing plants within closed building.

j. Commercial parking facilities.

k. Community parks, playgrounds or centers.

l. Custom service and craft shops.

m. Custom tire recapping.

n. Dispensing of gasoline and similar petroleum products from exposed storage tanks (subject to requirements of Underwriters Laboratories Inc. or similar), provided no such tank shall be located closer than 25 feet to the lot boundaries.

o. Flood control facilities.

p. Frozen food lockers.

q. Historical Landmarks.

r. In-plant restaurants as an accessory use, and including roof or landscaped patio dining facilities.

s. Keeping of farm animals, limited (See Section 305).

t. Lumber yards (prohibiting sawmill operations).

u. Medical Marijuana Dispensary Off-Site Cultivation Location/Facility.(see Part 3 Section 304) (Definition: See Part 1 Section 103)

v. Mortuary

w. Motion picture productions, radio and television studios.

x. Other accessory uses commonly associated with primary permitted use. (See Section 301 C.)

y. Religious institutions (in permanent buildings).

z. Retail sales.

aa. Warehouses

bb. Water distillation and bottling for retail sales only.

cc. Microbreweries or Wineries for the manufacture and processing of beer or wine respectfully for wholesale distribution.

2. Uses and Structures Subject to Use Permit

a. Government facilities and facilities required for the provision of utilities and public services.

b. Transmitter stations and towers for automatic transmitting.

c. Temporary Use Permits, subject to administrative approval (See Section 601.C):

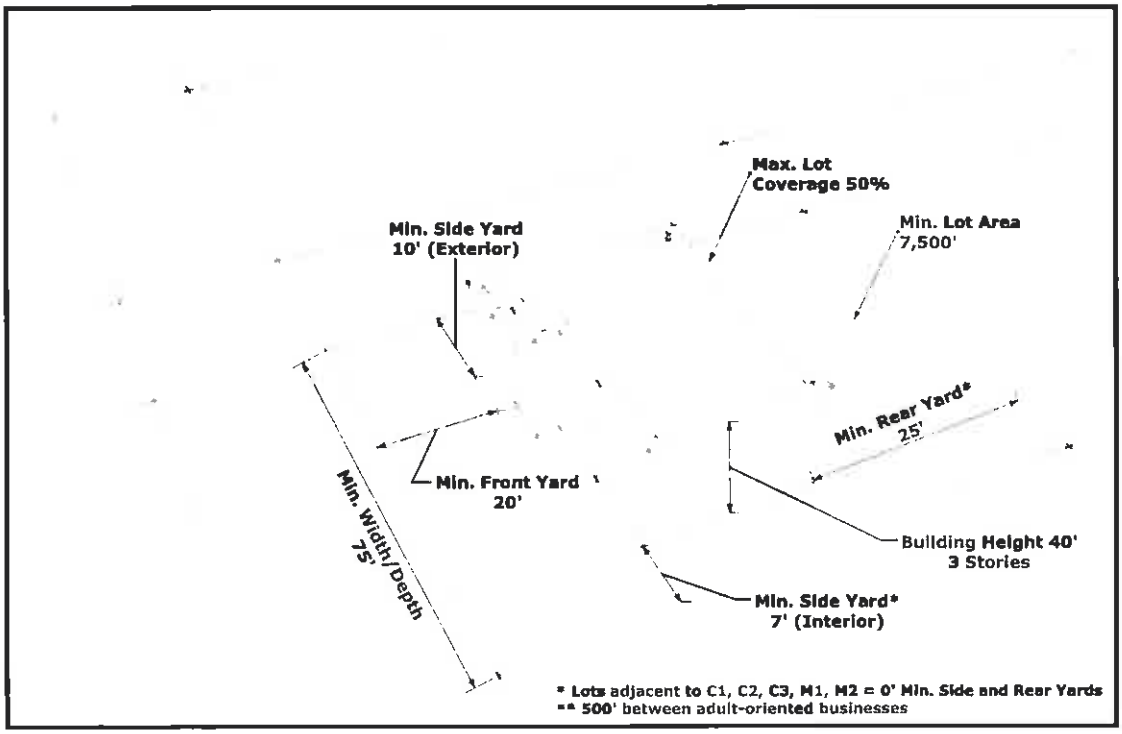
1) Occupancy of temporary housing, including travel trailers, during the construction of a permanent dwelling is allowed during the 12-month period after issuance of a building permit.

2) Model homes, temporary offices (construction and pre-construction sales offices/showrooms), construction sheds and yards incidental to a recorded residential development or other construction project (subject to District setbacks) for a period not to exceed 12 months.

Table 2-10: M1 Dimensional Standards

Zoning District	"M1"
Minimum Lot Area (sq.ft.)	7,500'
Minimum Area/Dwelling (sq.ft.)	1 Caretaker d.u. only
Minimum Width OR Depth (feet)	75'
Maximum Bldg Ht (stories)	3
Maximum Bldg Ht (feet)	40'
Maximum Lot Coverage (%)	50%
Minimum Between Buildings (feet)	10'
Minimum Front Yard (feet)	20'
Minimum Rear Yard (feet)	0' (25' adjacent to residential zones)
Minimum Side Yard Interior (feet)	0' (7 adjacent to residential zones)
Minimum Side Yard Exterior (feet)	10'

Figure 2-10: M1 Dimensional Standards



K. M2 DISTRICT (Industrial: Heavy)

1. Purpose:

   The M2 Districts accommodate areas of concentrated fabrication, manufacturing, and industrial uses that are suitable based upon adjacent land uses, access to transportation, and the availability of public services and facilities. It is the intent of these districts to provide an environment for industries that is unencumbered by nearby residential or commercial development.

2. Permitted Uses and Structures:

   a. Adult oriented businesses as defined in A.R.S. § 11-821H as may be amended, provided that no such adult oriented business shall operate in violation of A.R.S. § 13-1422 as may be amended or other applicable law nor be within 500 feet of schools, a church or an existing adult oriented business.

   b. Agriculture and cultivation.

   c. Assembly, construction and processing plants.

   d. Automobile repair (light).

   e. Body and fender shops including a paint booth within closed building.

   f. Bottling plants confined to closed building.

   g. Caretaker Living Quarters. (Manufactured, Modular or Site Built.) Mobile Homes Prohibited See Part 3 Section 306 B.2.c

   h. Cemeteries for human or animal interment (See Section 308).

   i. Cleaning and dyeing plants within closed building.

   j. Commercial parking facilities.

   k. Community parks, playgrounds or centers.

   l. Custom service and craft shops.

   m. Custom tire recapping.

   n. Dispensing of gasoline and similar petroleum products from exposed storage tanks (subject to requirements of Underwriters Laboratories Inc. or similar), provided no such tank shall be located closer than 25 feet to the lot boundaries.

   o. Flood control facilities.

   p. Frozen food lockers.

   q. Historical Landmarks.

   r. In-plant restaurants as an accessory use, and including roof or landscaped patio dining facilities.

   s. Keeping of farm animals, limited (See Section 305).

   t. Lumber yards (prohibiting sawmill operations).

   u. Medical Marijuana Dispensary Off-Site Cultivation Location/Facility.(see Part 3 Section 304) (Definition: See Part 1 Section 103)

   v. Mortuary

   w. Motion picture productions, radio and television studios.

   x. Other accessory uses commonly associated with primary permitted use. (See Section 301 C.)

   y. Religious institutions (in permanent buildings).

   z. Warehouses.

   aa. Water distillation and bottling for retail sales only.

bb. Microbreweries or Wineries for the manufacture and processing of beer or wine respectively for wholesale distribution.

3. Uses and Structures Subject to Use Permit

   a. Government facilities and facilities required for the provision of utilities and public services.

   b. Transmitter stations and towers for automatic transmitting.

   c. Temporary Use Permits, subject to administrative approval (See Section 601.C):

      1) Occupancy of temporary housing, including travel trailers, during the construction of a permanent dwelling is allowed during the 12-month period after issuance of a building permit.
      2) Model homes, temporary offices (construction and pre-construction sales offices/showrooms), construction sheds and yards incidental to a recorded residential development or other construction project (subject to District setbacks) for a period not to exceed 12 months.

SECTION 303 - HOME OCCUPATIONS

Limited business use in residential premises is permitted as accessory use to the principal living quarters, subject to the following:

A. Allowed Business Activity:

Activity incidental to the primary residential use which does not change the character of the neighborhood by detectable lighting, noise, or appearance associated with the activity.

1. Home office activities associated with employment conducted elsewhere.
2. Practicing an occupation, profession or business that can be conducted without negative impact on the residential neighborhood.
3. Personal services, such as beautician or barber; business consultation, such as financial advice, tax preparation, accounting, insurance or real estate; by appointment only.

B. Requirements for Home Occupations:

Limitations on home businesses include the following:

1. Not more than one outside employee (not residing on the premises). An additional employee may be permitted, subject to Use Permit approval.
2. Sales (retail or wholesale) or storage of inventory not required for on-site business practice is prohibited.
3. Floor area devoted to business use is limited to 25% of the total floor area of structure(s) on the premises in which the home occupation is conducted.
4. Appropriate access and parking spaces shall be provided for business invitees and any outside employees in addition to those required for the residence (See Section 403, Parking).
5. Signage for a home occupation is limited to identification as specified in Section 404F "Nameplate".

SECTION 304 – MEDICAL MARIJUANA FACILITIES

The requirements as listed below will apply to both Medical Marijuana Dispensaries and Medical Marijuana Dispensary Off-site Cultivation Location/Facility.

A. Requirements

1. In addition to the rules of the Arizona Department of Health Services, all Medical Marijuana Dispensaries and Medical Marijuana Dispensary Off-Site Cultivation Location/Facilities shall be no less than 500' from any Day Care facility for children.
2. Medical Marijuana Infusion facilities shall only be permitted within a Medical Marijuana Dispensary or at a Medical Marijuana Dispensary Off-Site Cultivation Location.

B. SEE PART 1 SECTION 103 FOR THE FOLLOWING DEFINITION OF TERMS:

1. Medical Marijuana (see Part 1 Section 103)
2. Medical Marijuana Designated Caregiver Cultivation Location. (see Part 1 Section 103)
3. Medical Marijuana Dispensary. (see Part 1 Section 103)
4. Medical Marijuana Dispensary Off-Site Cultivation Location. (see Part 1 Section 103)
5. Medical Marijuana Infusion Facility. (see Part 1 Section 103)
6. Medical Marijuana Qualifying Patient. (see Part 1 Section 103)
7. Medical Marijuana Qualifying Patient Cultivation Location. (see Part 1 Section 103)

SECTION 305 - ANIMALS

Keeping of farm animals in appropriate locations and circumstances is regarded as being consistent with the Town's rural character. However, the number, size, type or manner in which animals are maintained on any parcel shall not impair the enjoyment or use of nearby properties or violate other legal restrictions to which the properties are subject. Any lot where farm animals are kept must be not less than one-half acre (21,780 sq ft.) in area.

A. Allowed Livestock:

Any of the species listed below which are cared for by the property owner or occupant according to the following Animal Points. All livestock activity within the Town limits will be considered an accessory use to the principal use on any parcel except in the Agriculture District.

1. Lots of one-half acre to one acre in area may maintain animals totaling up to 24 points as set forth below.
2. Lots of one acre or more may increase the allowable number of points by an increment of six points for each additional, contiguous quarter acre.

B. Animal Points Allowed per Acreage

The allowable type and number of animals permitted on a particular property is computed by the following allotment table:

SPECIES *(or associated types)*	**POINTS**	**SPECIES** *(or associated types)*	**POINTS**
Alpacas:	3 POINTS	Miniature horses, Ponies and Sicilian donkeys:	6 POINTS
Emus:	3 POINTS	Ostriches:	6 POINTS
Pygmy goats:	3 POINTS	Cattle:	12 POINTS
Sheep, Goats:	4 POINTS	Domestic deer:	12 POINTS
Llamas:	6 POINTS	Horses, Mules, and Donkeys	12 POINTS

CHAPTER 3
LAND USE

VISION STATEMENT
Camp Verde will remain a community with a rural character. Land use within the Town and study area will be patterned in such a manner as to create a sustainable community while respecting the rural setting.

INTRODUCTION
The physical characteristics in the geographic study area of the General Plan largely determine land use. To remain sustainable, Camp Verde must be responsible with the use of its land, air and water resources.

The Land Use Element honors current uses with the vision expressed by the community. Within the incorporated town boundary of Camp Verde there are approximately ~~27,669~~ 27,040 acres of which the National Forest Service administers approximately ~~41%~~ 40%. Retaining some lands as open space and public recreational use, serves the community vision of preserving the panoramic views of the mountains.

Town of Camp Verde Land Ownership

LAND OWNERSHIP	APPROX. TOTAL ACRES*	PERCENTAGE OF TOTAL
Forest Service	~~11,249~~ 10,918	~~40.6%~~ 40.38%
Private	~~13,529~~ 13,161	~~49%~~ 50.36%
Public Facilities	~~121~~ 289	~~.4%~~ 1.07%
State Trust Land	994	~~3.6%~~ 3.68%
Yavapai-Apache Nation Reservation	~~1,776~~ 1,678	~~6.4%~~ 6.21%
Approx. Total Acres	~~27,669**~~ 27,040**	100%

*All figures are approximate.
** Figure provided by the ~~1990 Town of Camp Verde Comprehensive Land Use & Transportation Study Final Report prepared by BRW.~~ Yavapai County GIS Department.

The scenic beauty of the Verde Valley is unparalleled. Camp Verde also boasts more than 18 miles of the Verde River within its town limits. Its lush riparian areas **are visually appealing and are home to** ~~serve not only the eye but also~~ the various migrating fowl and indigenous wildlife who have established their habitats there. Tourists come year round to Camp Verde not only because of this great beauty and nostalgia, but also because of the Fort Verde Historic State Park and nearby Montezuma Castle National Monument; which ~~in itself~~ brings over a million visitors every year.

The topography of the Town consists of river valleys, hills and mesas that create steep sloped areas, (ten percent plus slope), of approximately 4,400 acres within the incorporated Town boundaries. These areas, including the Black Hills, White Hills and Wingfield Mesa, are therefore recommended to remain as public lands to avoid negative environmental impacts.

The panoramic view of Wingfield Mesa and beyond from the valley floor holds beauty enough to justify it as a preserved area. With the added concerns of soils, transportation, water and numerous archeological sites, Wingfield Mesa is not suitable for development.

~~Another magnificent view is the entry into the Verde Valley descending from the top of the pass on Interstate 17 and the southern entrance into town General Crook Trail. Coming down the slope looking upon the lush green of the Verde Valley and grazing livestock gives one an impression of the area.~~

Another magnificent view is from Interstate 17 going north toward Flagstaff from the top of the pass. Upon descending into the valley along Copper Canyon, one can view the magnificent panorama to the east. The expanse covers the Town of Camp Verde and of the lush green of the Verde Valley. With the grazing livestock and agricultural areas in view, it gives one an impression of the area. Much of this land is National Forest and State Trust Land.

~~Much of this land is National Forest Land and State Trust Land. A new four lane road will allow motorists to travel from Interstate 17, through the State Trust Land, to commercially zoned property at Highway 260. The increase in traffic flow would make this property suitable for higher intensity uses.~~

East of Interstate 17 on State Route 260 to Finnie Flat Rd., the land use is "Commercial." With State Route 260 being four lanes, there is higher traffic flows and this location is suitable for high intensity uses.

The most significant issues expressed by residents during general plan public participation meetings are the lack of jobs**,** ~~and~~ shopping opportunities and a lack of reasonably priced housing. Historically, the largest land use for the Town has been low density residential with residential agricultural in the form of family gardens and orchards, lending to the Town's rural atmosphere. Most residents now accept higher density residential use in the Interstate 17 and ~~Highway~~ **State Route** 260 area. Commercial is accepted by most residents along Interstate 17 and along ~~Highway~~ **State Route** 260 west of Interstate 17.

Proposed Land Use – Town of Camp Verde

LAND USE	APPROX. TOTAL ACRES*	PERCENTAGE OF TOTAL
Open Space	~~1,721~~ **1,698**	~~6%~~ **6.3%**
Public Lands	~~9,046~~ **9,058**	~~33%~~ **33.5%**
Agriculture	~~1,472~~ **1,441**	~~5%~~ **5.3%**
Rural Residential	~~5,557~~ **5,581**	~~20%~~ **20.6%**
Low Density Residential	~~1,659~~ **1,721**	~~6%~~ **6.4%**
Medium Density Residential	~~891~~ **882**	~~3%~~ **3.3%**
High Density Residential	~~498~~ **502**	~~2%~~ 1.9%
Public Facilities	~~288~~ **289**	~~1%~~ 1.1%
Commercial Use	~~2,179~~ **2,236**	~~8 %~~ **8.3%**
Mixed Use	~~203~~ **201**	.7%

Mixed Use – Commercial/Industrial	~~495~~ **316**	~~2%~~ **1.2%**
Industrial Use	~~246~~ **281**	~~.8%~~ **1.0%**
Natural Resources	~~389~~ **307**	~~1.5%~~ **1.1%**
Yavapai-Apache Nation	~~1,660~~ **1,678**	~~6%~~ **6.2%**
Roadways	~~1,365~~ **849**	~~5%~~ **3.1%**
Approx. Total Acres	**27669** 27,040**	**100%**

*All figures are approximate.

** Figure provided by the ~~1990 Town of Camp Verde Comprehensive Land Use & Transportation Study Final Report prepared by BRW~~ **Yavapai County GIS Department**.

While residents have expressed the need and desire for additional commercial activity and some higher density residential land designations, quality of life issues are also important. Residents expressed the desire to preserve and enhance Verde River access, assure neighborhoods are visually attractive, ~~and~~ neat in appearance, and maintain the rural character of the Town as important for the community's future. The success of the Land Use Element will depend on the ability of the Town to maintain a balance between meeting the material needs of the community while preserving the natural qualities that make Camp Verde unique.

STATE REQUIREMENTS **Per ARS§ 9-461.05**

The Land Use Element of the General Plan is mandated by Arizona Revised Statutes, which stipulates that each municipality include a land use element in its General Plan. State law further states that the land use element will:

a. Designate the proposed general distribution and location and extent of such uses of land for housing, business, industry, agriculture, recreation, education, public buildings and grounds, open space and other categories of public and private uses of land as may be appropriate to the municipality.
b. Include a statement of the standards of population density and building intensity recommended for the various land use categories covered by the plan.
c. Identify specific programs and policies that the municipality may use to promote infill or compact form development activity and locations where those development patterns should be encouraged.
d. Include consideration of air quality and access to incident solar energy for all general categories of land uses.
e. Include policies that address maintaining a broad variety of land uses including the range of uses existing in the municipality when the plan is adopted, readopted or amended.

f. **Includes sources of currently identified aggregates from maps that are available from state agencies, policies to preserve currently identified aggregates sufficient for future development and policies to avoid incompatible land uses, except that this subdivision shall not be construed to affect any permitted underground storage facility or limit any person's right to obtain a permit for an underground storage facility pursuant to title 45, chapter 3.1.**

   1. **The vast majority of Camp Verde stands as a viable source of aggregate adequate to provide for future infrastructure and development needs.**

Proposed Land Use Designations

To assist in guiding growth and development consistent with the community's vision, it is important to maintain a variety of land uses. Following is a description, including target densities and the intent of the different land use districts designated on the Camp Verde Land Use Map.

The following land use categories should be used when interpreting the Land Use Map.

Open Space – This designation incorporates the types of uses defined for the Open Space Designation in the AZ Growing Smarter and Growing Smarter Plus Legislation to include: undeveloped nature preserves, natural buffer zones, sensitive riparian areas, trail corridors, agriculture use of five acres or more, limited use outdoor recreation sites, multiple use recreation sites such as community parks, playgrounds and fairgrounds. Per Arizona Revised Statutes, a land use of one dwelling per acre will be allowed on properties the land owner has not granted written permission allowing the Open Space designation.

National Forest – This designation is for National Forest Land accessible to the public for active or passive recreational uses. The Town Council will actively work with the USFS to remain informed of which public lands will be subject to exchange in the future.

Agricultural Use – This designation is for lands that are used or can be used principally for raising crops, fruits, grains, livestock, and similar farm products. This land use designation will build on Camp Verde's past and present as a farming and ranching community. It includes property five acres or more in size. Per Arizona Statutes, property designated as agricultural use will be allowed a minimum use of one dwelling per acre unless the property owner has given written permission for the agricultural use land designation.

Rural Residential – This designation requires a minimum of two acres and allows for one single-family residence and a mix of livestock and agriculture.

Low **Density Residential** - This designation requires a minimum of one acre, allows for one single-family residence. Livestock allowed on lots of 1/2- acre or more in size.

Medium Density Residential –This designation requires a minimum of 1/4-acre lots, allows for single-family residence.

High Density Residential – This designation requires both sewer and water system service, **due to regulatory requirements,** is for single or multi-family use with a maximum of 11 dwellings per acre. Requires a Planned Unit Development (PUD) or as part of a Town approved project

Public Facilities – This designation may include public, semi-public, or quasi-public uses including government offices, police/fire stations and substations, schools, libraries, community centers, fairgrounds, wastewater treatment plants, etc. and can be located in any zoning district.

Commercial – This designation will encompass neighborhood commercial areas and areas that provide retail and services to meet the needs of the entire community.

Mixed Use – This designation recognizes areas for future growth and allows a mixture of uses similar to regional commercial and services, indoor manufacturing, business parks, warehousing and distribution centers, outdoor equestrian and recreation facilities, public uses and open space. Residential development is limited to a minimum of two-acres per dwelling. Density and intensity of development in this designation will depend on available infrastructure including utilities and roadways.

Mixed Use Commercial/Industrial – This designation recognizes areas for future growth and allows a mixture of uses similar to regional commercial and services, indoor manufacturing, business parks, warehousing and distribution centers, outdoor equestrian and recreation facilities, public uses and open space. Residential development is prohibited.

Industrial – This designation allows for manufacturing and processing, wholesaling, warehousing, distribution activities, indoor/outdoor storage operations. Residential use is not permitted.

Natural Resources – This designation allows for the removing and processing of natural materials, conducted in a manner that reflects the vision of the community.

Yavapai-Apache Nation – This land use designates property held in trust status for the Yavapai-Apache Nation. The Town has no jurisdiction over this property. The Yavapai-Apache Nation's Council and Economic Development Authority will determine the future land use of this property.
In addition to the above listed land use designations, the community recognizes three Special Planning Districts: ~~Historic~~ **Historical** Town Site**, Entertainment District**, ~~Hwy~~. **State Route** 260 Annexation, and Spur Land & Cattle Co. (Hauser Farm).

~~**Historic**~~ **Historical Town Site** - This recognizes the economic as well as **the** social importance of the area surrounding Main Street, including **the** Historic Fort Verde State Park. Additional Land Use information for this designation is found in the portion of this element that addresses revitalization and in the History & Culture Element.

~~**Hwy.**~~ **State Route 260 Annexation - The annexation was completed on March 02, 2005 which incorporated 237 acres along State Route 260 at the northwest boundary of the of the town. Approximately 189.3 acres are Prescott National Forest, 45.14 acres are privately owned and 2.56 acres belongs to the Camp Verde Water System.**

~~This is a commercial and manufacturing area at the Town's northwest boundary. In addition to existing commercial and manufacturing uses, the Camp Verde Water Company has a well and water storage tanks in the annexation area. The Town filed a petition with Yavapai County stating the Town's intent to annex this property. The proposed annexation area includes approximately 400 acres. Approximately 222 acres belongs to private individuals and the remaining 178 acres is National Forest. It is proposed to keep the National Forest property in the annexation area as Open Space.~~

Spur Land & Cattle Co. – This recognizes the area on Montezuma Castle Highway occupied by Hauser and Hauser Farms. The Spur Land & Cattle Company has expressed a desire to work with the Town and other entities to conserve areas of this property that are environmentally sensitive and historically important to the character of the Town.

A. GOAL: PRESERVE AND RETAIN THE RURAL ATMOSPHERE AND CHARACTER OF THE TOWN BY PROMOTING COMPATIBLE LAND USES.

Implementation Strategy:

A. 1. Work in cooperation with all government entities to implement the General Plan as adopted by the Town of Camp Verde.
A. 2. Encourage compatible land use in areas adjacent to public lands and existing uses.
A. 3. Update and consistently apply the Town's development regulations.
A. 4. Identify and develop walkways and trails, which link neighborhoods and preserve a "sense of community" and the ability to interact with neighbors.
A. 5. Encourage neighborhood grass roots cooperative agricultural land use such as community gardens.
A. 6. Review animal privilege ordinances to ensure compatibility with the Camp Verde lifestyle.

B. GOAL: PRESERVE, DEVELOP AND ENHANCE THE RURAL/**WESTERN???** CHARACTER OF COMMERCIAL, AND NON-RESIDENTIAL, BUILDINGS AND SITES.

Implementation Strategy:

B. 1. Future commercial expansion will be encouraged in designated growth areas.
B. 2. Update and consistently apply the Town's development regulations (**Town Code 10-2** Nuisance and Hazards, ~~Section 109~~ **Part Two, Section 203** Zoning Districts).
B. 3. Develop guidelines for Town staff for review of new commercial development proposals.
B. 4. Use criteria for commercial development plans to incorporate techniques, whereby the rural nature of Camp Verde shall not be compromised.

C. GOAL: CONSERVE NATURAL RESOURCES THROUGH COMMITMENT TO RESPONSIBLE
DEVELOPMENT THAT IS SENSITIVE TO ALL NATURAL RESOURCES AND COMMUNITY NEEDS.

Implementation Strategy:

C. 1. Encourage the use of solar, wind and other renewable resources.
C. 2. Encourage the use of alternative building materials and energy efficient designs.
C. 3. Enforce the use of non-polluting EPA approved heating systems in new construction.
C. 4. Follow County Flood Control guidelines for development within the floodplain to ensure the safety of townspeople, and to avoid the economic loss caused by floods.
C. 5. Review commercial projects for adequate open space, waste disposal methods and possible impact on surface or ground water, or soil.

REVITALIZATION

Revitalization of Camp Verde's historic downtown is a major concern not only to maintain the viability of this area, but also to give residents and visitors a sense of place. It is therefore important to implement effective long-range planning that ensures the economic success of this area and to avoid incompatible land uses by ensuring adjacent development is compatible and sensitive to the needs of the Main Street area, including the adjacent Fort Verde State Historic Park.

In the case of the Historic Town site, it is important to develop a sound economic market that supports quality residential and employment opportunities while maintaining the historic integrity of the area and providing a town center residents and visitors can identify with.

IMPLEMENTATION GUIDELINES

It is important to note that the target densities are only targets or goals. Similarly, the maximum General Plan density ranges should not be viewed as entitlements or guarantees. When the General Plan designates an area as High Density Residential, it does not mean that every zoning case or proposed development should assume the upper end of that range. The appropriate density will be determined by a multitude of factors; existing and planned adjacent developments, infrastructure (including utilities, streets, parks and schools), physical topography, provision for public transit services and facilities, neighborhood interaction, and external factors (e.g. existing character of area, environment conditions, and land ownership patterns, among others). On the other hand, a target density does not mean that individual projects cannot or will not be approved at a higher density if the project complies with documented community goals and objectives.

The Land Use Element does not reflect the intended zoning of individual parcels, but rather generalized desired future land use. The boundaries between use and density designations noted on the map are not precisely fixed.

AMENDMENTS TO THE LAND USE MAP

Arizona Statutes governing municipalities state that a community's general plan must be updated every 10 years and readopted by the Town Council and ratified by voters. State law does allow amendments to the general plan prior to the 10-year re-adoption date. Arizona Revised Statute gives requirements for how amendments can be made to the general plan.

State Law Requirements for Amending the Land Use Map

State Law Requirement	Major Amendment	Minor Amendment
Public Notice in Newspaper	Yes	Yes
Letter to Property Owners w/in 300'	Yes	Yes
Property is Posted	Yes	Yes
P&Z Commission Public Hearing	Yes	Yes
Council Public Hearing	Yes	Yes
2/3 Council Vote Required	Yes	No
Simple Majority Council Vote	No	Yes
Town Council Resolution Needed	Yes	Yes

Scheduled Once A Year for All	Yes	No
Scheduled Throughout the Year	No	Yes
Subject to Referendum	Yes	Yes

The Community Development Director shall make the determination as to whether a proposed amendment constitutes a major or minor amendment. Appeals of such determinations shall be made to the Council. Major amendments cannot be enacted through emergency measures and could be subject to further public referendum.

Because Major amendments are considered once a year during the month of September, applications for major amendments should be submitted no later than May 31st. Fees for general plan amendments shall be set by council resolution.

Major Amendments

ARS defines major amendment as "a substantial alteration of the municipality's land use mixture or balance as established in the municipality's existing general plan land use element."

- Changes to implementation strategies that alter the timing, cost and type of programs or activities shall not be considered a major amendment.
- Request for Land Use Map changes for parcels located within designated growth areas shall not be considered a major amendment.
- Density transfers within a designated growth area shall not be considered a major amendment.

The Community Development Director will use this checklist to determine if a Land Use Map change is a major or minor amendment. A Major Amendment is any proposal that meets any one of these criteria:

CRITERIA	MAJOR AMENDMENT
Significant change to the Circulation Element such as but not limited to: • A change in the functional classification of existing or planned public roadways. • The relocation or displacement of existing or planned public roadways.	X
Proposed development uses more than 15 acre-feet* of potable** water per year***	X
Any land use amendment contiguous to property previously amended through the minor amendment process.	X
Contiguous to a growth area and 100 acres or greater in size	X

Not contiguous to a growth area and 25 acres or greater in size	X
Text change in conflict with approved General Plan	X

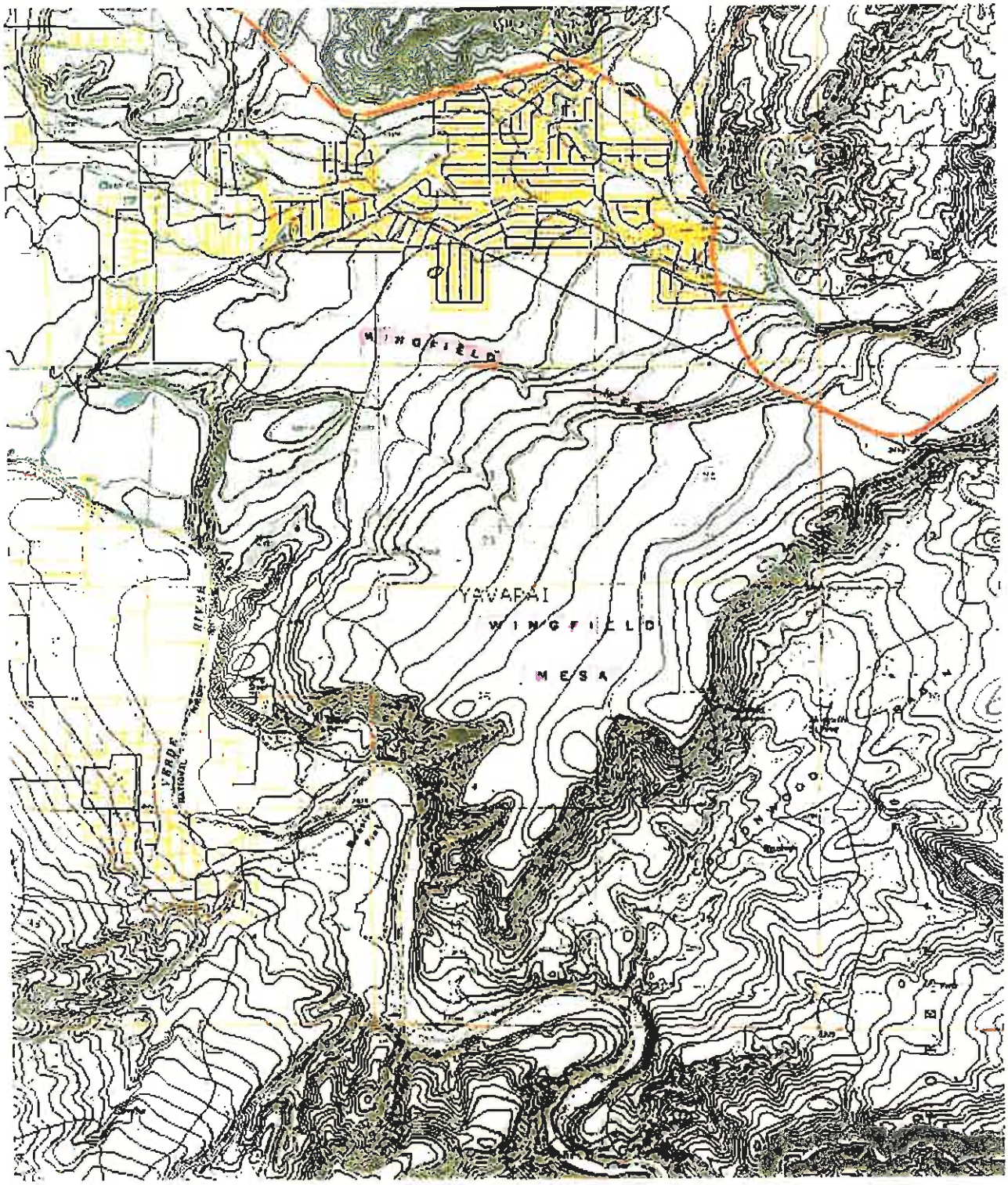
*Acre-foot – 325,851 gallons, enough water to cover an acre to a depth of one foot.

** Potable water – water that is safe for human consumption and many other uses such as washing and cooking.

*** 15 acre-feet of potable water are enough for approximately 48 single-family residential units and approximately 44 multi-family residential units. The amount of commercial development that 15 acre-feet of potable water can sustain depends on the type of commercial use.

The benchmark of 15 acre-feet of potable water per year represents approximately 1.2% of the 2001-projected potable water use for Camp Verde – from Water Use Projections, Verde Valley, Arizona prepared in cooperation with the Yavapai County Water Advisory Committee and the U.S. Bureau of Reclamation. Actual build-out for 15 acre-feet of water, based on single-family residential unit population of 2.47 people and multi-family residential unit population of 2.74 people is approximately 48 single-family residential units or approximately 44 multi-family residential units. The amount of commercial development that 15 acre-feet of potable water can sustain depends on the type of commercial use and can be figured using an assured water supply demand calculator such as provided by the Arizona Department of Water Resources.

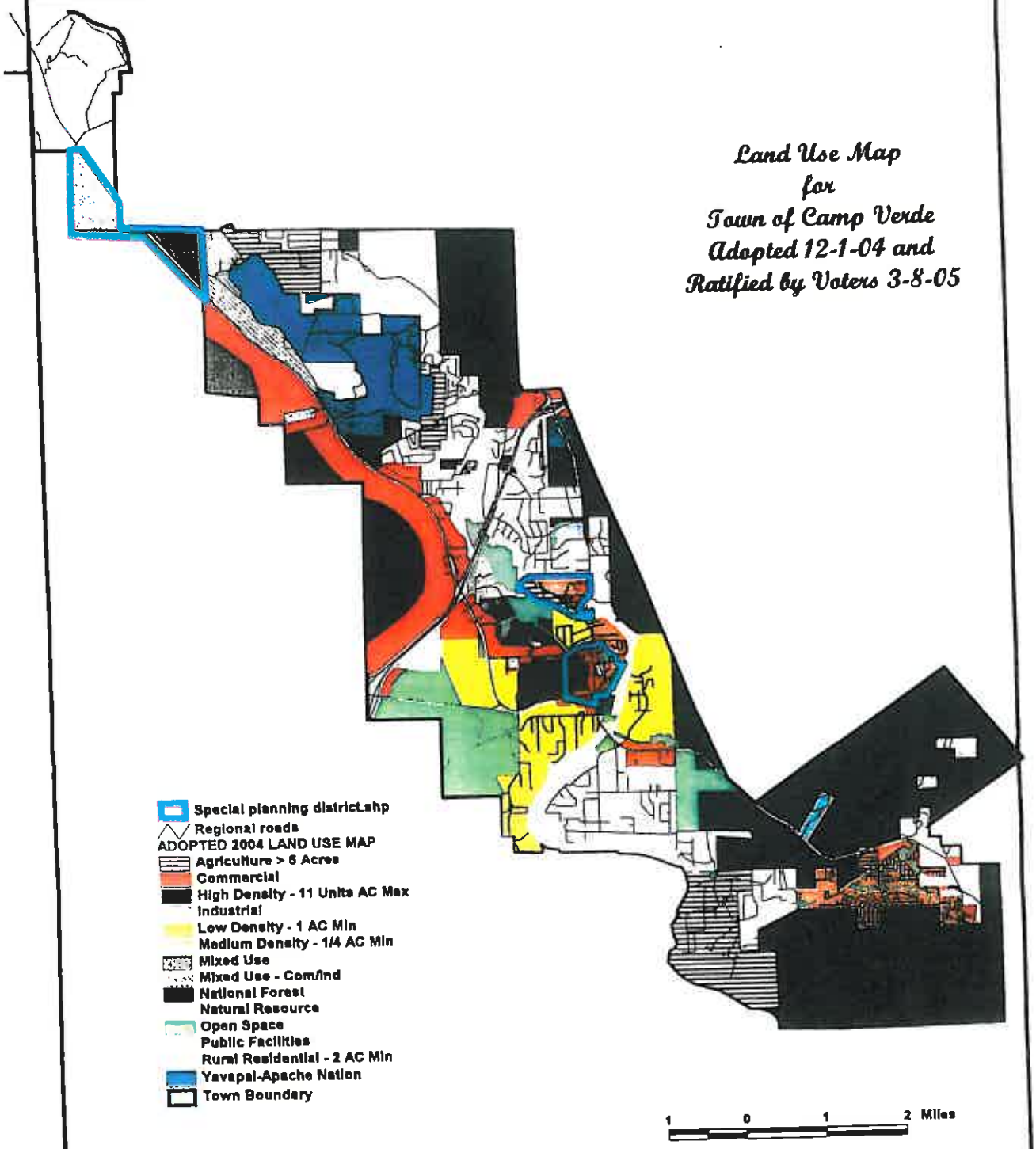
Wingfield Mesa



Disclaimer: Map and parcel information is believed to be accurate but accuracy is not guaranteed. No portion of the information should be considered to be, or used as, a legal document. The information is provided subject to the express condition that the user knowingly waives any and all claims for damages against Yavapai County that may arise from the use of this data.

Map printed on: 8.19.2013

Land Use Map for Town of Camp Verde Adopted 12-1-04 and Ratified by Voters 3-8-05



473 S. Main Street
PO Box 710
Camp Verde, AZ 86322
Tel (928) 567-6631
Fax (928) 567-9061

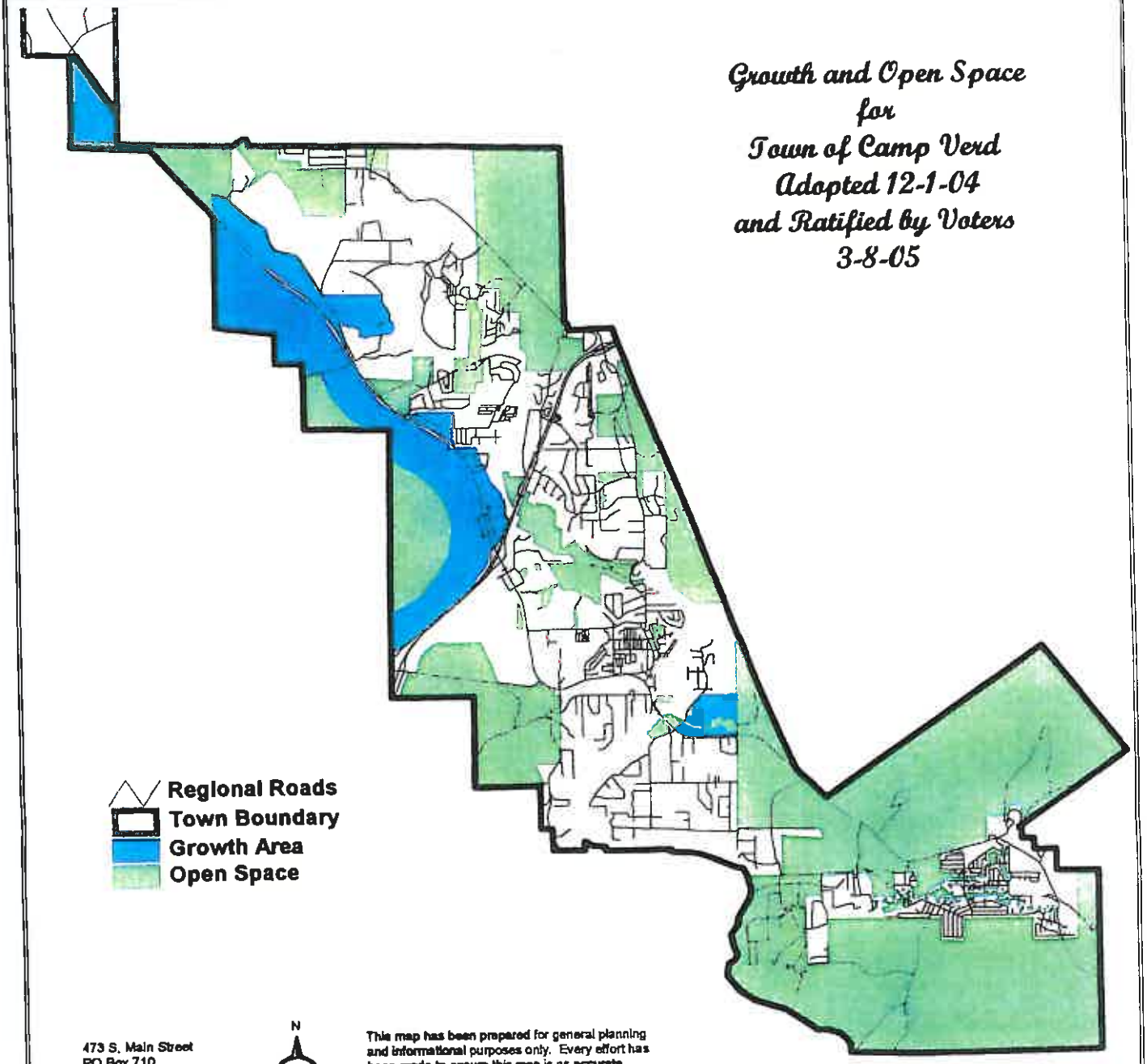
N W E S

This map has been prepared for general planning and informational purposes only. Every effort has been made to ensure this map is as accurate as possible. The Town of Camp Verde shall assume no liability for the information contained on this map.

Funding for amending Camp Verde's General Plan was provided in part by the Dept. of Commerce Growing Smarter Planning Grant

Community Dev Dept
Nancy Buckel
1-20-05

Growth and Open Space for Town of Camp Verde Adopted 12-1-04 and Ratified by Voters 3-8-05



473 S. Main Street
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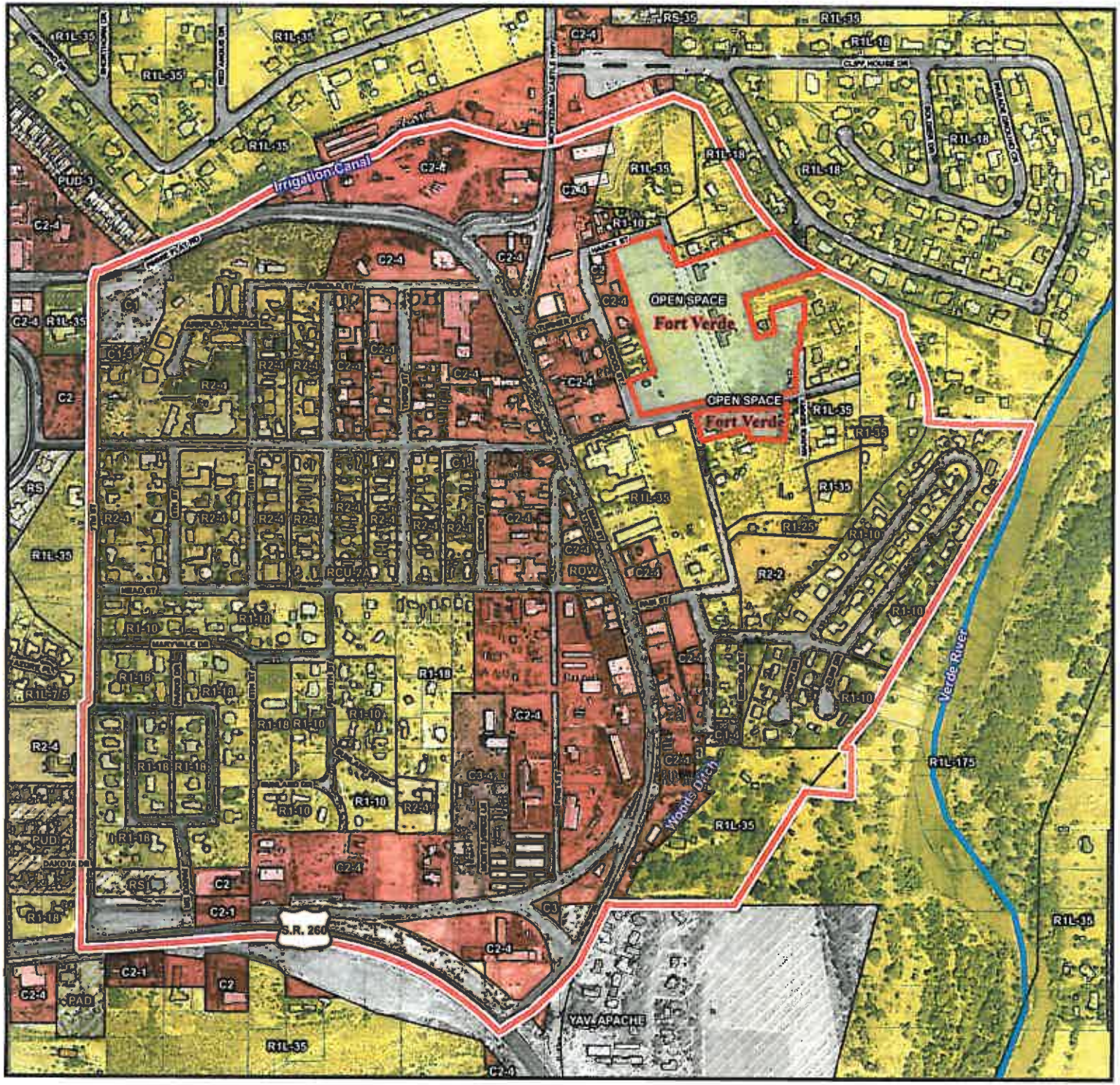
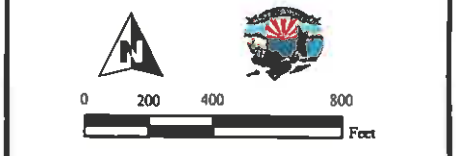
1 0 1 2 Miles

Community Dev Dept
Nancy Buckel
3-17-05





1 inch = 600 feet

Source: Yavapai County, Town of Camp Verde, USGS, U.S. Forest Service, and Arizona State Land.
Map Author: Matt Morris
Revision Date: July 1, 2010

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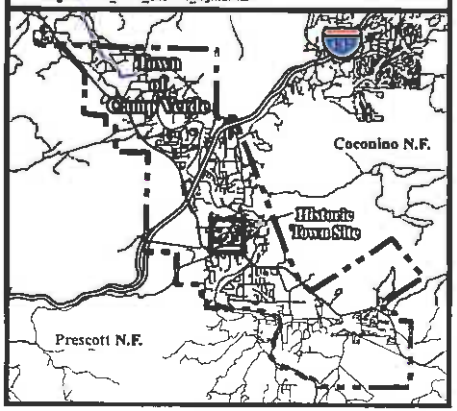

RESOLUTION 2012-874

A RESOLUTION OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF CAMP VERDE, YAVAPAI COUNTY, ARIZONA, DECLARING ITS INTENTION TO DESIGNATE A DEFINED AREA AROUND THE DOWNTOWN AS AN ENTERTAINMENT DISTRICT PURSUANT TO A.R.S. §4-207 THEREBY ALLOWING THE TOWN OF CAMP VERDE TO APPROVE ON A CASE-BY-CASE BASIS EXEMPTIONS FROM THE DISTANCE RESTRICTIONS PRESCRIBED THEREIN FOR THE ISSUANCE OF CERTAIN LIQUOR LICENSES FOR ESTABLISHMENTS IN RELATION TO PUBLIC, PRIVATE, OR CHARTER SCHOOLS OR PLACES OF WORSHIP.

WHEREAS, on April 2010, the State Legislature passed House Bill 2596, amending sections 4-207 and 41-1493, Arizona Revised Statues; amending Title 41, Chapter 9, Article 9, Arizona Revised Statutes; and

WHEREAS, A.R.S. §4-207 restricts the granting of certain types of liquor license to establishments within 300 feet of existing schools and places of worship; and

WHEREAS, A.R.S. §4-207 allows the governing body of a city or town to grant an exemption from these distance restrictions, on a case-by-case basis for an establishment located in an area that is designated as an Entertainment District; and

WHEREAS, A.R.S. §4-207 declares that for the purposes of that section, "Entertainment District" means a specific contiguous area that is designated an entertainment district by a resolution adopted by the governing body of a city or town, that consists of no more than one square mile, that is no less than one-eighth of a mile in width and that contains a significant number of entertainment, artistic and cultural venues, including music halls, concert facilities, theaters, arenas, stadiums, museums, studios, galleries, restaurants, bars and other related facilities; and

WHEREAS, the area proposed as the Entertainment District/Arts and Entertainment District/Heritage District or other description, meets the above description of an Entertainment District for the purposes of A.R.S. §4-207; and

WHEREAS, the authority for the Town Council to grant such exemptions from distance requirements for establishments requiring certain liquor licenses in the Entertainment District would support the location of desirable and activating uses in this area.

WHEREAS, the Town has identified criteria to aid in the consideration and deliberation of exemptions hereto and to promote the general health, safety and welfare.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Common Council of the Town of Camp Verde, Arizona as follows:

SECTION 1: Entertainment District

1. The Town Council of the Town of Camp Verde does herby accept and adopt the Entertainment District as shown in Exhibit A.

SECTION 2: Separability

In the event any part, portion or paragraph of this Resolution is found to be invalid by any court of competent jurisdiction, the invalidity of such part, portion, or paragraph shall not affect any other valid part, portion, or paragraph of this Resolution and effectiveness thereof;

SECTION 3: This Resolution shall become effective in the manner provided by law.

PASSED AND ADOPTED by the Mayor and Common Council of the Town of Camp Verde, Yavapai County, Arizona on the 7th day of November, 2012.

Bob Burnside, Mayor

Date: 11-8-12

Attest:

Deborah Barber, Town Clerk

Approved as to form:

Town Attorney
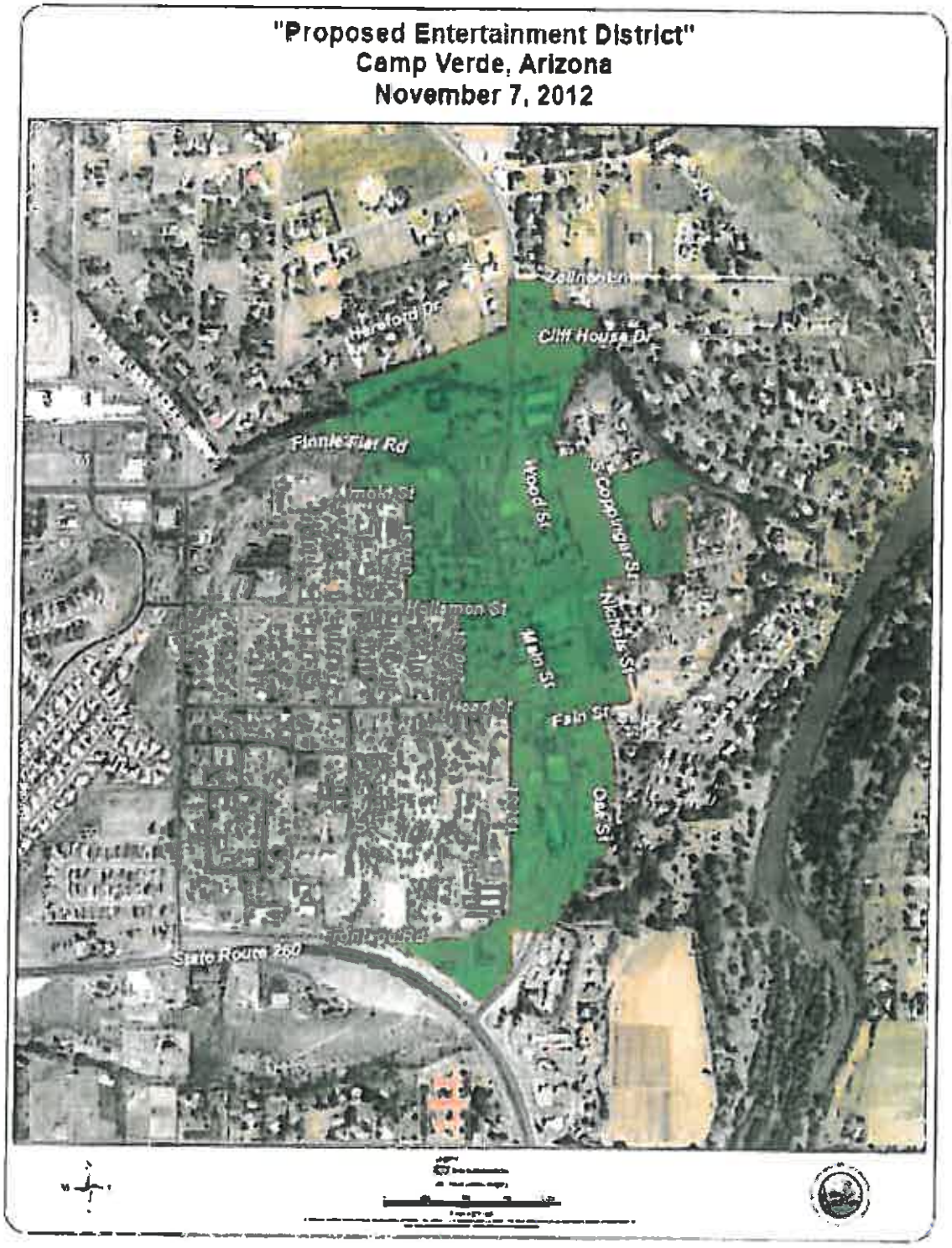
Exhibit A – per council direction on October 17, 2012