



**AGENDA AND NOTICE OF
PLANNING & ZONING HEARING
MONDAY, SEPTEMBER 09, 2024 AT 6:00 P.M.
DOORS OPEN AT 5:30 P.M.**

**Winslow Visitor's Center
523 West Second Street
Winslow, Arizona 86047**

Notice is hereby given to the general public that the City of Winslow will hold a Planning and Zoning hearing on Monday, September 09, 2024 at 6:00 p.m. in the main hall of the Winslow Visitor's Center, 523 West Second Street, Winslow, Arizona 86047. **MEMBERS OF THE PUBLIC MAY JOIN THE MEETING IN PERSON OR VIA ZOOM USING THE FOLLOWING LOG-IN INFORMATION:**

<https://us06web.zoom.us/j/88534590394?pwd=bXE4MjJjSDFhVTZ1bWdONnFNZVVpQT09>

Meeting ID: 885 3459 0394 / Passcode: 977071

Dial by your location: +1 346-248-7799 (US)

1. Call to Order – (Please Remember to Silence All Cell Phones)

2. Consideration and Action

- A.** Public Hearing, Consideration and Possible Action regarding amendment to Winslow Municipal Code Title 17 – Zoning, related to the keeping and maintaining of fowl within the city. The effect of the amendment would be to comply with State law changes regarding backyard fowl which prohibits the City from adopting any law that prohibits a resident of a single-family detached residence on a lot that is one-half acres or less in size from keeping up to six fowl in the backyard of the property. The amendment includes regulations regarding keeping of male fowl (roosters), enclosure requirements and general safe-keeping and nuisance requirements.
- B.** Public Hearing, Consideration and Possible Action regarding amendment to Winslow Municipal Code Section 17.50.050 - Planned Area Development Approval Procedures, Subsection B – Preliminary PAD Plan Review and Approval, related to the process for adoption of Preliminary and Final Planned Area Developments
- C.** Public Hearing, Consideration and Possible Action on a request from a Property Owner (Atlas Global) to rezone approximately 1618 acres of real property for a project called the “Winslow Commerce and Industrial Park”, generally located south of the BNSF rail line, west of AZ-87, north of the Arizona State Prison Complex Winslow, and east of the Winslow Airport, from Industrial zoning district to PAD Planned Area Development District in accordance with Chapter 17.50 of the Winslow City Code, and to approve a Preliminary PAD Plan of Development for the property. The developer would be required to submit a final PAD Plan prior to construction, although staff recommends approval of the rezoning ordinance and zoning map amendment with the Preliminary PAD Plan. The effect of the rezoning will be to establish permitted uses and development standards for a mixed-use commerce and industrial park.

3. Adjournment

The Planning and Zoning Officer reserves the right to move into executive session for legal advice under authority of A.R.S. 38-431.03(A)(3) on any of the above agenda items. A copy of the agenda background materials is available at City Hall, 102 East Third Street, Winslow, Arizona between the hours of 7:30 a.m. and 4:30 p.m., Monday through Friday.

Pursuant to the Americans with Disabilities Act (ADA) the City of Winslow endeavors to ensure the accessibility of its meetings to all persons with disabilities. Assistive listening devices are available for the public's use for meetings. Reasonable accommodations will be made upon request for persons with disabilities or for those who speak English other than very well. If you need an accommodation for a meeting, please call the City Clerk's Office at 928-289-1416 at least 48 hours prior to the meeting so that an accommodation can be arranged.

Notice is hereby given that pursuant to A.R.S. 1-602. A.9, subject to certain specified statutory exceptions, parents have a right to consent before the State or any of its political subdivisions make a video or audio recording of a minor child. Meetings of the Winslow Planning and Zoning Hearing Officer are audio and/or video recorded, and as a result, proceedings in which children are present may be subject to such recording. Parents in order to exercise their rights may either file written consent with the City Clerk to such recording, or take personal action to ensure that their child or children are not present when a recording may be made. If a child is present at the time a recording is made, the City will assume that the rights afforded parents pursuant to A.R.S. 1-602.A.9 have been waived.

Mayor
Roberta W. Cano

(928) 289-2422



Council Members
Peter Cake
Samantha Crisp
Jim MacLean
Darcey McKee
Melissa Nelson
Daniel T. Tafoya

Discover Winslow-A City in Motion

AGENDA DATE: September 9, 2024

TO: David Coolidge

FROM: Jason Sanks, Zoning Hearing Officer

SUBJECT: Public Hearing, Consideration and Possible Action regarding amendment to Winslow Municipal Code Section 17.60.190 Chickens, striking the Conditional Use Permit requirements and criteria for the keeping of fowl (chickens) on single-family home properties

OVERVIEW

The State of Arizona legislature passed House Bill 2325 in June 2024 which prohibits cities and towns from restricting residents from having up to six chickens on their single-family home properties. This new law conflicted with the City's Zoning Ordinance, Section 17.60.190 which required a CUP, subject to various criteria. The City's legal counsel prepared the draft ordinance to ensure both the city code and zoning ordinance complied with the new statute. The new law does not apply to duplex units in the City which are still subject to the CUP requirements.

SUMMARY

The proposed text amendment will have the effect of allowing single-family homes in the city to have up to six chickens on their property by right.

RECOMMENDED MOTION

The Zoning Hearing Officer recommends approval to the City Council of the proposed text amendment to Winslow Municipal Code Section 17.60.190 Chickens.

Respectfully submitted,

Jason Sanks,
Zoning Hearing Officer

Mayor
Roberta W. Cano

(928) 289-2422



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Discover Winslow-A City in Motion

AGENDA DATE: September 9, 2024

TO: David Coolidge

FROM: Jason Sanks, Zoning Hearing Officer

SUBJECT: Public Hearing, Consideration and Possible Action regarding amendment to Winslow Municipal Code Section 17.50.05 Planned Area Development Procedures

OVERVIEW

The City's zoning ordinance currently has a two-phase system for the review and approval process related to Planned Area Developments (PADs). The two-phases are "preliminary" and "final", and both are public hearing processes. This has caused some confusion for developers and the public as it creates the perception that a project is basically being approved twice. However, the original intent for the process was to accommodate unique projects by providing a customizable zoning package for the City to consider for approval. The Preliminary PAD step presented a somewhat more conceptual zoning package that could be approved to "greenlight" a project, but preliminary approval would not vest the zoning. Following preliminary approval, the developer would then need to come back and provide additional project details with a Development Review package and get Final PAD approval that vested the PAD zoning.

DISCUSSION

Since the original drafting of these procedures, the City has found that the intent to hold vesting until Final PAD could also be accomplished through Development Agreement (DA) negotiations. The instruments available in a DA provide the necessary tools to accomplish the same assurances the City needs to support vesting the zoning. In turn, the developer also benefits from a more streamlined process and having the security of vested zoning rights.

The Development Review and Final PAD phase would still be required even after vesting of the zoning as described above. The City still needs technical plan sets and civil reports needed to get a project to permitting stage and ensure all other codes and ordinances are followed. Overall, the process for actual development would remain the same and this code amendment only impacts the timing for which the zoning is vested and when Final PADs must be filed by.

SUMMARY

The proposed text amendment will have the effect of vesting zoning with the Preliminary PAD accompanied by acceptable Development Agreement.

RECOMMENDED MOTION

The Zoning Hearing Officer recommends approval to the City Council of the proposed text amendment to Winslow Municipal Code Section 17.50.05 Planned Area Development Procedures.

Respectfully submitted,

A handwritten signature in dark ink, appearing to read "Jason Sanks", written in a cursive style.

Jason Sanks,
Zoning Hearing Officer

Mayor
Roberta W. Cano

(928) 289-2422



Council Members
Peter Cake
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AGENDA DATE: September 9, 2024

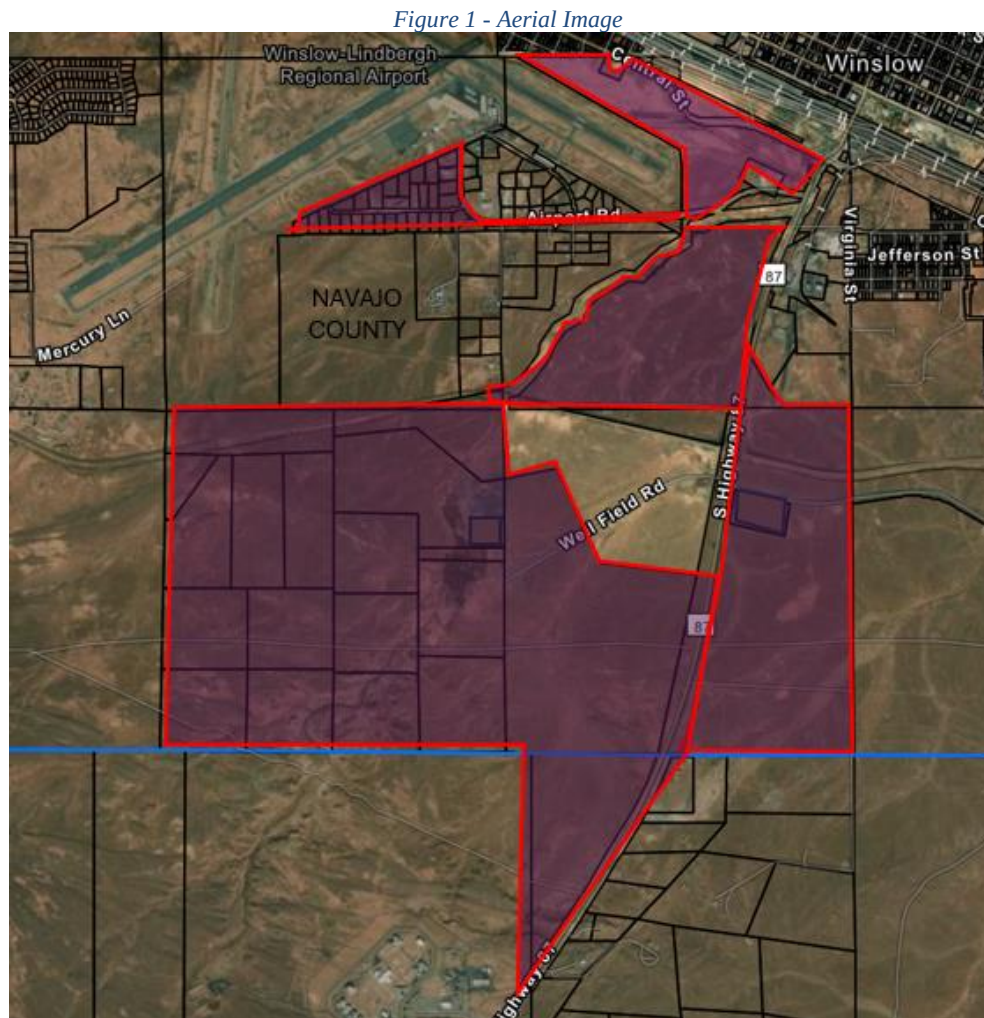
TO: David Coolidge, City Manager

FROM: Jason Sanks, Zoning Hearing Officer

SUBJECT: Preliminary Planned Area Development (PAD) Rezoning Request to allow an approximately 1,479-acre commerce and industrial park for Atlas Global, generally located south of the BNSF Railroad on both sides of State Route 87.

OVERVIEW

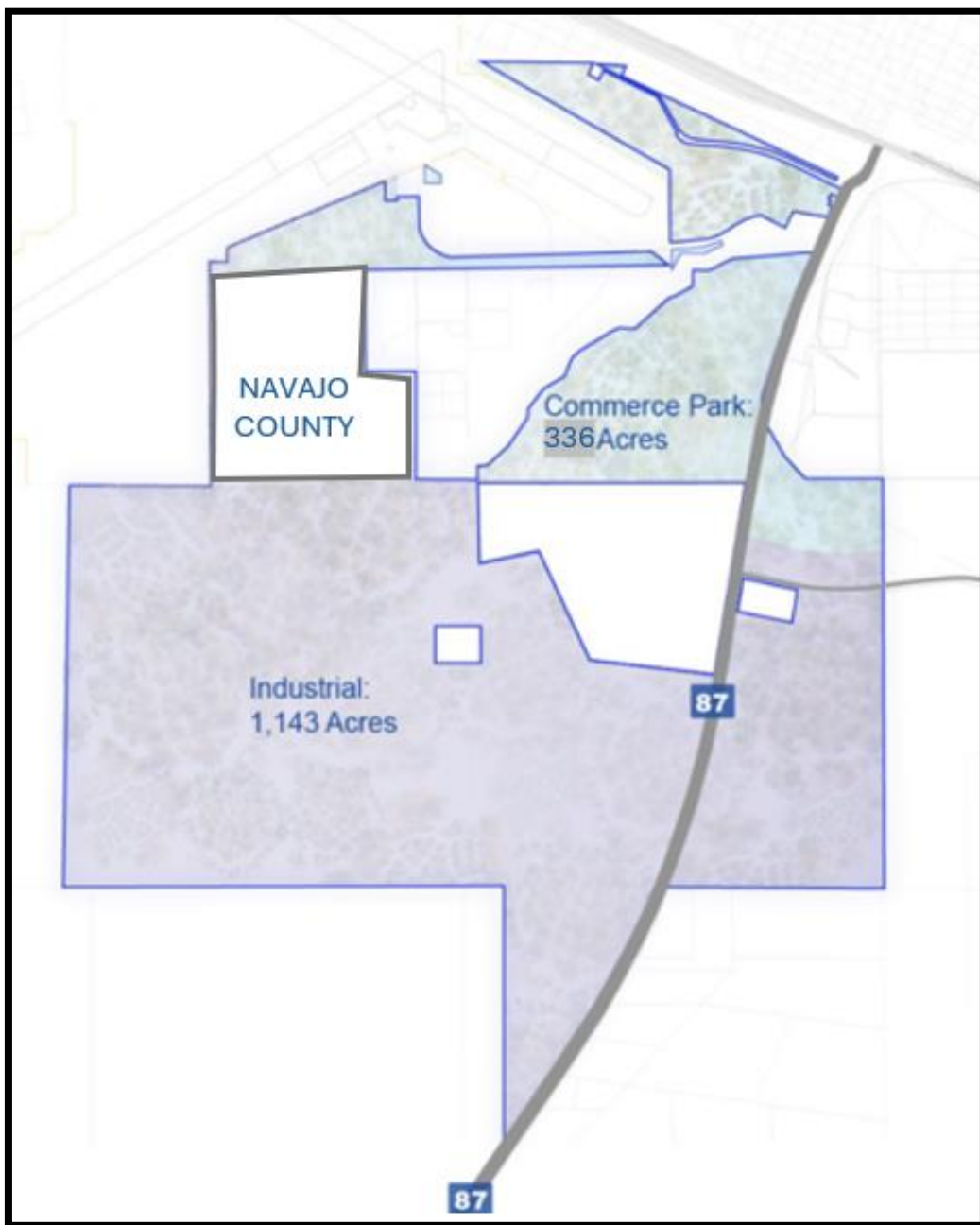
The proposed development is located on approximately 1,479 acres over numerous parcels, see Figure 1 – Aerial Image, below:



Per the Winslow Zoning Map, the property is currently zoned Industrial (I) and includes the following surrounding zoning districts and land uses:

Direction	Zoning	Land Use
North	Industrial, MH-MF, Commercial	Airport, homes, railroad
East	County Industrial, Rural	Undeveloped/County
South	Industrial, Rural	Undeveloped/County/State Land
West	County Industrial, Rural	Undeveloped/County

The PAD Development Plan zoning exhibit provided by the applicant is shown below, with 139 acres removed and noted as “Navajo County” since that property has not yet been annexed into the City’s jurisdiction. The PAD zoning indicates multiple subsections of land use types, two of which are represented on the zoning exhibit below: 1) Commerce Park, and 2) Industrial. Future annexations and PAD amendments may incorporate other land use types as noted in the project’s Development Plan

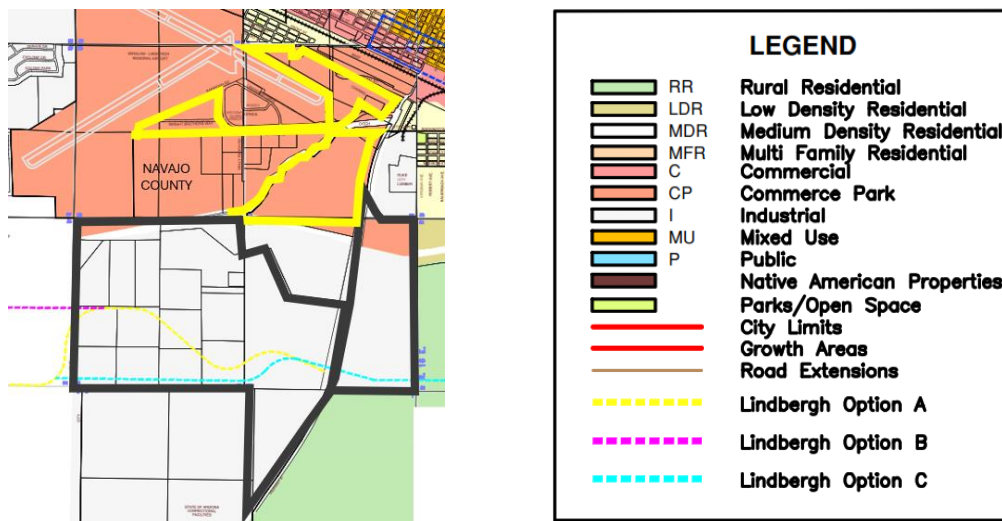


GENERAL PLAN CONFORMITY

The property is designated as Commerce Park and Industrial in the 2024 General Plan, which allows the proposed land uses depicted in the exhibits provided by the applicant. The Growth and Economic Development Element of the General Plan states the following about the growth area identified as the “Winslow Industrial Park”:

“Winslow is positioned to capture commerce park and industrial businesses that create high quality jobs for our residents. The city has large, undeveloped land assets near Lindbergh Airport while also being at the intersection of the I-40 and BNSF railway. Dark fiber infrastructure is available in the area to connect businesses to the rest of the world. South Winslow can serve as an industrial clustering of similar businesses with a preferred location south of downtown and situated directly adjacent to the BNSF railway and airport.”

The developers of the project, Atlas Global, reviewed the City’s Land Use Map in advance of the Plan’s adoption in July of 2024 and prepared their PAD request to be in conformance with the land use designations on the property. The PAD indicates that more intense industrial uses will be located in the Industrial designated property south of the levee (dark gray outline) while less intense employment uses will be located in the Commerce Park designated property to the north of the levee (yellow outline), as shown below:



The PAD tool enables Atlas Global to better implement a master-planning approach to the project, providing both greater protections for sensitive land uses as well as flexibility in development standards such as setbacks, height, and distribution of land uses. The PAD also provides Design Guidelines that are superior to the standard zoning ordinance requirements for industrial development. This master-planning effort directly conforms with the 2024 General Plan, Section 3.502, which states:

“A master-planning approach combines the advantages of mixing uses with flexibility in parcel size, siting arrangements, building configuration and design. Industrial and manufacturing uses that conform with performance standards can blend with offices, aircraft maintenance, training facilities, and supportive commercial users such as hotels and eating establishments. More intense industrial users should be located further from existing residential neighborhoods and south of the levee. The Southside and Coopertown neighborhoods should both be shielded to the extent reasonable from the impacts of industrial and heavy-transport oriented development by placing Commerce Park land uses around them, pushing Industrial users farther south.”

DISCUSSION

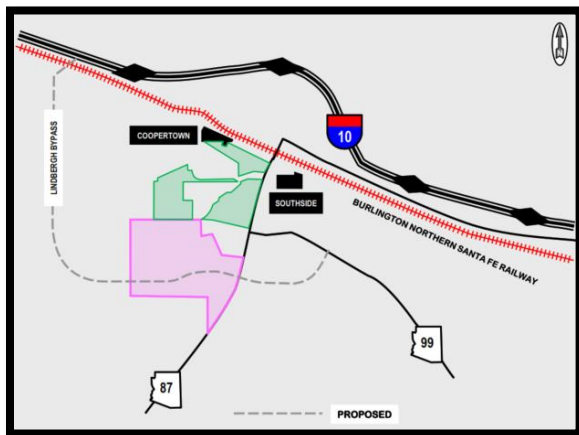
All of the property included in the zoning request is zoned Industrial which allows a wide variety of employment generating uses. Since 1,200 acres of this 1,470-acre property is currently owned by the City and is proposed to be purchased by the developer, the City seeks as part of the terms of sale that the property be master-planned as part of a PAD rezoning case. The City is currently negotiating the final terms of a Development Agreement with Atlas Global that provides a myriad of criteria for which both sides hope to settle upon as part of an overall development, entitlements, and purchase package.

Streets:

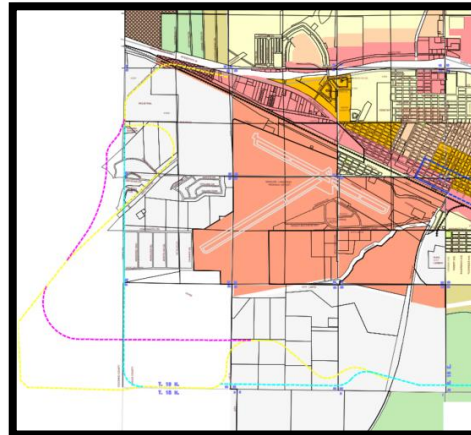
The Winslow Industrial and Commerce Park is located south of the city along State Route 87. The great majority of all traffic associated with this industrial development will need to access the I-40, approximately 2 miles north. The current ADOT truck route requires northbound traffic to come up the SR 87 which transitions into N. Williamson Avenue as it enters the central city area, then immediately turns right onto E. 2nd Street (old Hwy 66) where it extends east a couple miles to the Transcon Lane and I-40 interchange. The City and Atlas widely recognize that this route will not support a large increase heavy truck traffic and the Lindbergh Bypass, as shown below, will need to be constructed to route heavy trucks to the west around the city to the Hipkoe Drive and I-40 interchange. Currently, the City is seeking grant and other funding mechanisms to complete the design for the roadway and construct it. Per the associated Development Agreement for this project, Atlas recognizes they may ultimately need to construct the bypass if the City is unable to secure funding to do so.

The TIS for the project illustrates the current truck route below in solid black line and the general bypass route below. An eastern loop connection has not yet been fully studied as crossing the Little Colorado River is considered cost prohibitive at this time. Additionally, the City's General Plan Land Use Map shows prospective western alignments of Lindberg Parkway. Both exhibits are as follows:

TIS Exhibit:



2024 GP Route Options:



Utilities:

The City's current water and wastewater facilities have some excess capacity to serve this project, subject to the developer extending utility lines to the property. As the project grows, additional capacity and infrastructure may be necessary to expand capacity such as larger/additional water storage tanks, new wells and pumps, and an expansion of the wastewater treatment facility. The Development Agreement for the project outlines the developer's responsibility for funding capacity expansion so that the City is not liable for large, unfunded capital improvement projects.

Atlas Global has identified that APS does not currently have sufficient power transmission capacity to Winslow to serve the anticipated demands of the industrial park. Atlas is now working through short and long-term solutions to provide power to their project and meet their demand needs. Ultimately, they will be responsible for ensuring power supply for the industrial park.

PRELIMINARY PAD DEVELOPMENT STANDARDS

The PAD zoning district requires that the project establish a unique set of development standards. The following development standards have been identified as what is needed for the project:

Table 4.1 – General Development Standards for Land Use Categories							
Standard/ Land Use	Multifamily	Lodging	Commercial	Commerce Park	Industrial	Aviation Support	Utilities
Max. Height	50'	50'	50'	60'	60'	60'	50'; No Standard for poles, transmission lines, and substations.
Min. Parcel Size	2 Acres	N/A	N/A	N/A	N/A	N/A	N/A
Min. Density	10	10 Keys Per Acre	N/A	N/A	N/A	N/A	N/A
Min. Lot/ Parcel Width/ Depth	50'	50'	50'	75'	100'	50'	No Standard
Building Setbacks, min. – Front Yard	20'	20'	20'	25'	25'	5'	10'
Building Setbacks, min. – Any Yard Adjacent to a Residential Zone	20'	20'	20'	100'	100'	50'	100'
Building Setbacks, min. - Rear	15'	10'	10'	10'	10'	5'	10'
Building Setbacks, min. – Side	5'	10'	10'	10'	10'	5'	10'
Interior Side Yard, min.	0'	0'	0'	0'	0'	0'	0'
Ground Floor Area Ratio (Min.-Max.)	N/A	N/A	N/A	.2-.45	.2-.45	.2-.45	N/A
Parking Min.	Per Ordinance Code Section 17.84.010	Per Ordinance Code Section 17.84.010	Per Ordinance Code Section 17.84.010	Per Ordinance Code Section 17.84.010	Per Ordinance Code Section 17.84.010	Per Ordinance Code Section 17.84.010	No Standard

PRELIMINARY PAD DEVELOPMENT STANDARDS (cont'd)

Loading	No Standard	No Standar d	If Use is Adjacent to Residentia l Use or Zone, Loading Must Be Oriented Away From Shared Property Line	If Use is Adjacent to Residentia l Use or Zone, Loading Must Be Oriented Away From Shared Property Line	If Use is Adjacent to Residentia l Use or Zone, Loading Must Be Oriented Away From Shared Property Line	No Standard	No Standard
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Additional development standards are listed in the Development Plan related to height provisions and scalable setbacks based on height. Parking, lighting, and signage standards defer to standard Winslow Zoning Ordinance allowances.

PRELIMINARY PAD PERMITTED USES

The project's Development Plan shows an extensive and detailed list of permitted uses. Rather than reciting all of them within this staff report, they are listed in the applicant's Development Plan. Staff worked carefully with the developer to ensure that the permitted uses were categorized in the PAD's Commerce Park and Industrial sub areas based on their intensity. Commerce Park uses are broadly conducted indoors with a minimal amount of outdoor activity and materials storage. Special care has been taken through both use restrictions and design guidelines to ensure that the industrial park does not place intense and unsightly industrial development immediately adjacent to the homes in the Southside and Coopertown neighborhoods. Coopertown specifically is more protected with the proposed use limitations within this PAD than it currently is surrounded by existing Industrial zoning.

Staff also sought to provide reasonable thresholds for development related to cargo container yards, warehousing, and truck terminals. These uses are generally land intensive, high impact, and relatively low job generating compared to manufacturing. They can be unsightly and cause significant heavy truck traffic. In response to the City's concerns, the developer has agreed to restrict warehousing uses to a maximum of 500,000 SF of total building area for any single development. Freight yards as a standalone use are restricted to less than 200 acres.

Data centers present a unique use for consideration. Although the current Industrial zoning allows them, the City has taken care to consider the impacts of large "hyperscale" data centers as a prospective use in the PAD. Arizona is quickly becoming a national data center hub because of the relatively stable climate and freedom from natural disasters like earthquakes, tornados, and hurricanes. The benefit of having a data center invest in the city means they also typically bring other types of industrial users along with them. Additionally, the data center would be the primary means by which Atlas can solve their power supply problem and ultimately get the entire industrial park powered.

After several discussions with Atlas Global, they have agreed not to put a data center on the 1,200 acres they seek to purchase from the City for the project. If the PAD is approved, they could put the data center on other property within the park. Furthermore, they have agreed to provide utility demand studies at the time of Development Review for review and approval prior to construction.

City staff finds that in reviewing all of the prospective users for the large industrial park, consideration for water usage is a priority. Due to the sheer scale of the Winslow Commerce and Industrial Park as it relates to existing City water infrastructure, the impact of the park's needs could be significant. While the City's current water infrastructure has some excess capacity, Staff believes that the City Council should have the final decision for large water demand proposals. Therefore, as a condition of PAD approval, Staff proposes that the City Council review and consider approval of any Water Demand Study that demonstrates a user's need exceeds 20% of the City's peak daily consumption. Currently, the City's peak daily consumption is 1.3 million gallons of water (in Summer), so 20% of that demand would be about 260,000 gallons per day.

PAD OBJECTIVES

The Zoning Ordinance states that PADs shall meet the following objectives:

- A. To allow and promote, or to require, variation in building design, lot arrangements and land uses for a maximum choice in the types of environments for residential, commercial, and industrial uses and facilities;

The proposed commerce and industrial park specifically addresses these criteria in the PAD's development standards and design guidelines. Accommodations have been made for pockets of supportive residential and commercial facilities within the PAD through future prospective amendments.

- B. To provide for a coordinated, visually and functionally linked, and compatibly arranged variety of land uses through innovative site planning;

The Preliminary PAD is relatively light on site design specifics, but provides design guidelines to ensure future site planning efforts will provide functionally linked and compatibly arranged land uses. Less intense land uses will be placed near existing residential homes and designed in a manner to protect them from undesirable conditions like unsightly container storage and loading docks.

- C. To include circulation that incorporates complete streets within the final PAD plan, interconnection of uses by non-motorized vehicles or transit, and safe interconnection of the PAD with surrounding land uses and transportation systems;

The PAD includes street sections for major collectors and both State Routes that bisect the project. The future Lindbergh bypass will provide much needed heavy truck traffic access to the I-40. Trails and other non-motorized connections like sidewalks will be provided throughout the project and connect it to the nearby downtown Winslow area to its north.

- D. To establish and maintain useable open space that is accessible by all residents and users in the PAD;

Forthcoming Development Review applications will detail how each phase of development will ensure the PAD's landscaping requirement and design guidelines are implemented to ensure quality, accessible open spaces for the employees to enjoy throughout the park.

- E. To minimize adverse environmental impacts on surrounding areas; and

The PAD had taken specific care to place intense industrial land uses south of the levee to protect sensitive land uses like the residences in Southside and Coopertown. Setbacks, landscaping, and thoughtful design will ensure that Commerce Park development adjacent to them is carefully prepared to further protect those homes.

- F. To fulfill the goals, objectives, and policies of the City of Winslow General Plan and amendments thereto.

The PAD's Development Plan has been specifically prepared to conform with the City's recently adopted 2024 General Plan. The PAD addresses land use and growth area element goals and objectives.

RECOMMENDED MOTION

Staff recommends approval of the Preliminary PAD zoning request for the Winslow Commerce and Industrial Park to the Zoning Hearing Officer, subject to the following conditions:

1. The Planned Area Development shall maintain general conformance with the exhibits provided by the applicant, as presented to the Zoning Hearing Officer at the September 9, 2024 public hearing, except for the following exception:
 - a. The 139 acres of unincorporated Navajo County property will be removed from the Development Plan prior to presentation and action by the City Council.
2. The applicant shall submit a Final PAD application in conjunction with each phase of Development Review of the project. Per the project's associated Development Agreement, the property zoning shall vest with the Preliminary PAD approval and subsequent amendments.
3. The developer shall construct all necessary utility and street infrastructure to service the project, subject to the terms outlined in the project's associated Development Plan and Development Agreement.
4. Utility demand studies will be required with future Development Review applications within the park. All Water Demand Studies that indicate a daily demand exceeding 20% of the City's peak daily water demand for a single use or development shall require approval by the City Council. This will ensure sufficient facilities, infrastructure, and water resources are available to maintain acceptable water service Citywide.