

# DRAFT

## NOTICE AND AGENDA

### ATTENTION

IN-PERSON AUDIENCES AT PLANNING & ZONING COMMISSION MEETINGS HAVE BEEN SUSPENDED UNTIL FURTHER NOTICE

The meetings will continue to be live streamed on the city's website (<https://www.flagstaff.az.gov/1461/Streaming-City-Council-Meetings>)

To participate in the meeting click the following link:

[Join Microsoft Teams Meeting](#)

The public can submit comments that will be read at the dais by a staff member to [CDPandZCommission@flagstaffaz.gov](mailto:CDPandZCommission@flagstaffaz.gov).

**PLANNING & ZONING COMMISSION**  
**WEDNESDAY**  
**June 22, 2022**

**COUNCIL CHAMBERS**  
**211 WEST ASPEN AVENUE**  
**4:00 P.M.**

**1. Call to Order**  
**NOTICE OF OPTION TO RECESS INTO EXECUTIVE SESSION**

*Pursuant to A.R.S. §38-431.02, notice is hereby given to the members of the Commission and to the general public that, at this regular meeting, the Commission may vote to go into executive session, which will not be open to the public, for legal advice and discussion with the City's attorneys for legal advice on any item listed on the following agenda, pursuant to A.R.S. §38-431.03(A)(3).*

**2. Roll Call**

*NOTE: One or more Commission Members may be in attendance telephonically or by other technological means.*

MARIE JONES, CHAIR  
CAROLE MANDINO, VICE CHAIR  
DR. RICARDO GUTHRIE  
MARY NORTON

DR. ALEX MARTINEZ  
BOB HARRIS III  
LLOYD PAUL

**3. Public Comment**

*At this time, any member of the public may address the Commission on any subject within their jurisdiction that is not scheduled before the Commission on that day. Due to Open Meeting Laws, the Commission cannot discuss or act on items presented during this portion of the agenda. To address the Commission on an item that is on the agenda, please wait for the Chair to call for Public Comment at the time the item is heard.*

**4. APPROVAL OF MINUTES**

Approval of the minutes from the meetings on Wednesday, May 25 and June 8, 2022.

**5. PUBLIC HEARING**

- A. **PZ-22-00074:** Noble Herb's request for a Zoning Code Text Amendment to modify the existing Marijuana Dispensary hours.

**STAFF RECOMMENDED ACTION:**

Staff recommends the Planning and Zoning Commission, in accordance with this report, find that the required findings of the Zoning Code have been met, and that the Planning and Zoning Commission make a recommendation to the City Council for approval of the Zoning Code Text Amendment.

- B. **PZ-22-00089:** City's request for a Zoning Code Text Amendment to modify the existing Marijuana Dispensary land use and Specific to Use provisions for Marijuana Establishments to address Proposition 207 – Smart and Safe Arizona Act (recreational use of marijuana) that was approved by the Arizona voters in November 2020 and the recent issuance of social equity licenses.

**STAFF RECOMMENDED ACTION:**

Staff recommends the Planning and Zoning Commission, in accordance with this report, find that the required findings of the Zoning Code have been met, and that the Planning and Zoning Commission make a recommendation to the City Council for approval of the Zoning Code Text Amendment.

6. **GENERAL BUSINESS**

- A. **Preliminary Plat PZ-19-00019-07 for Rio Homes Unit 4 Multifamily**

A request by RP4V, LLC and RP40, LLC for Preliminary Plat approval for Rio Homes Unit 4 Multifamily, a 6-unit multi-family residential townhome subdivision. The 5.1-acre site is located at 1221 East Emma Drive in the MR, Medium Density Residential Zone, and has a Resource Protection Overlay (RPO) zone.

**STAFF RECOMMENDED ACTION:**

In accordance with the findings, staff recommends the Planning and Zoning Commission forward the Preliminary Plat to the City Council with a recommendation for approval.

- B. **Preliminary Plat: PZ-19-00019-06 Rio Homes Unit 4 Multifamily Condominiums**

RP40, LLC and RP4V, LLC request approval of the Preliminary Condominium Plat for Rio Homes Unit 4 Multifamily, a 40-unit multi-family residential condominium subdivision. The 4.11-acre site is located at 1221 E. Emma Drive in the Medium Density Residential (MR) Zone and has a Resource Protection Overlay (RPO) zone.

**STAFF RECOMMENDED ACTION:**

Staff recommends the Planning and Zoning Commission, in accordance with the findings presented in this report, forward the Preliminary Plat to the City Council with a recommendation for approval.

7. **MISCELLANEOUS ITEMS TO/FROM COMMISSION MEMBERS**

8. **ADJOURNMENT**

CERTIFICATE OF POSTING OF NOTICE

The undersigned hereby certifies that a copy of the foregoing notice was duly posted at Flagstaff City Hall on 6/17/22, at 4:00 p.m. This notice has been posted on the City's website and can be downloaded at [www.flagstaff.az.gov](http://www.flagstaff.az.gov).

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 2022.

\_\_\_\_\_  
Tammy Bishop, Administrative Specialist



## Planning & Zoning Commission

5. A.

**Meeting Date:** 06/22/2022

**From:** Tiffany Antol, Senior Planner

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### Information

**TITLE:**

**PZ-22-00074:** Noble Herb's request for a Zoning Code Text Amendment to modify the existing Marijuana Dispensary hours.

**STAFF RECOMMENDED ACTION:**

Staff recommends the Planning and Zoning Commission, in accordance with this report, find that the required findings of the Zoning Code have been met, and that the Planning and Zoning Commission make a recommendation to the City Council for approval of the Zoning Code Text Amendment.

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### Attachments

Staff Report  
Application  
Narrative  
AZ Dispensary Hours  
Draft Code

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## PLANNING AND DEVELOPMENT SERVICES REPORT

### Zoning Code Text Amendment

#### PUBLIC HEARING

PZ-22-00074

DATE: June 8, 2022

MEETING DATE: June 22, 2022

REPORT BY: Tiffany Antol, AICP

#### REQUEST:

Noble Herb's request for a Zoning Code Text Amendment to modify the existing Marijuana Dispensary hours.

#### STAFF RECOMMENDATION:

Staff recommends the Planning and Zoning Commission, in accordance with this report, find that the required findings of the Zoning Code have been met, and that the Planning and Zoning Commission make a recommendation to the City Council for approval of the Zoning Code Text Amendment.

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#### I. Proposed Amendment:

Noble Herb, which currently runs a permitted Marijuana Dispensary in Flagstaff, is requesting to modify Section 10-40.60.220.C, which sets the operation hours for Marijuana Dispensaries, as follows:

##### Current Text

A Marijuana Dispensary shall have operating hours not earlier than 8:00 a.m. and not later than **7:00** p.m.

##### Proposed Text

A Marijuana Dispensary shall have operating hours not earlier than 8:00 a.m. and not later than **10:00** p.m.

The applicant's narrative describing this request and a list of zoning code requirements across the state are attached for the Commission's review.

#### II. Zoning Code Text Amendment

The Planning Director shall provide a recommendation to the Planning and Zoning Commission for its review. The Director's recommendation shall be transmitted to the Planning and Zoning Commission in the form of a staff report prior to a scheduled public hearing. The recommendation shall include the following: an evaluation of the consistency and conformance of the proposed amendment with the goals and policies of the General Plan and any applicable specific plans; the grounds for the recommendation based on the standards and purposes of the zones set forth in Section 10-40.20 (Establishment of Zones) of the Zoning Code; and a recommendation on whether the amendment should be granted or denied.

A Zoning Code Text Amendment shall be evaluated based on the following findings:

##### A. Finding #1:

**The proposed amendment is consistent with and conforms to the objectives and policies of the General Plan and any applicable specific plan;**

The amendment's primary purpose is to extend the hours of operation for Marijuana sales to align with other similar uses in the community such as pharmacies. This amendment is supported by goals and policies within the Regional Plan including the following:

Goal ED.1. Create a healthy environment for business by ensuring transparent, expeditious, and predictable government processes.

Goal ED.3. Regional economic development partners support the start-up, retention, and expansion of existing business enterprises.

Policy ED.4.2. Promote variety and flexibility in land use and development options within the urban growth boundary.

**B. Finding #2**

**The proposed amendment will not be detrimental to the public interest, health, safety, convenience, or welfare of the City;**

The provisions of the amendment are not anticipated to be detrimental to the public interest, health, safety, convenience, or welfare of the city. To assist in ensuring that the Marijuana Establishment land uses are not detrimental, minimum separation requirements are established from facilities and locations that contain any of the following uses: daycares, educational, family recreation and entertainment, public libraries and parks, drug or alcohol rehabilitation, and other Marijuana Establishments. In addition, provisions have been incorporated pertaining to the security, disposal of marijuana remnants and by-products, and prohibition of onsite consumption of marijuana products and emissions of dust, fumes, vapors, smoke, or odors into the environment from a Marijuana Establishment.

**C. Finding #3**

**The proposed amendment is internally consistent with other applicable provisions of this Zoning Code.**

The amendment is internally consistent, utilizes the existing format, and does not conflict with other Zoning Code provisions. It maintains the Zoning Code's purpose as a comprehensive contemporary set of land uses and requirements that are straightforward, usable, and easily understood.

**III. CITIZEN PARTICIPATION**

Persons of interest on file with the Planning and Development Services section of the Community Development Division were notified of the Planning and Zoning Commission and City Council work sessions and public hearing via first-class mail. Moreover, notification of the work sessions and public hearings were published on the City's web pages and in the Arizona Daily Sun. As of the date of this report, staff has not had any public comments on the proposed Zoning Code Text Amendment.

**IV. PLANNING AND ZONING COMMISSION WORK SESSION**

At the Planning and Zoning Commission Work Session of May 25, 2022, staff reviewed the text amendment application with the Commission. The Commission had a general question about the rationale for extending hours in addition to questions about Marijuana Operations. The Commission did not have a consensus on the proposed hours of operation. As such, staff is providing a recommendation in accordance with the applicant's request.

**V. CITY COUNCIL WORK SESSION**

At the City Council Work Session on May 31, 2022, the City Council provided direction to staff to modify the existing marijuana Zoning Code provisions to accommodate for extending hours.

**Attachments:**

1. Application
2. Narrative
3. Supplemental documentation provided by applicant
4. Draft of Case No. PZ-22-00074, Marijuana Dispensary Hours



## City of Flagstaff

## Community Development Division

211 W. Aspen Ave  
Flagstaff, AZ 86001  
www.flagstaff.az.gov

P: (928) 213-2618  
F: (928) 213-2609

Date Received	<b>Application for Zoning Code Text Amendment</b>			File Number PZ-21-00277
Applicant(s)/Property Owner(s) Noble Herb LLC	Title	Phone 602-703-5320	Email doug@nobleherbaz.com	
Mailing Address 460 N. Switzer Canyon Drive, Suite 100	City, State, Zip Flagstaff, AZ 86001			
Representative (If applicable) Pele Fischer, Attorney	Title Peacock Legal, PLLC	Phone 602-803-3668	Email pele@peacock.legal	
Mailing Address 4602 E. Thomas Rd., W2	City, State, Zip Phoenix, AZ 85018			

Property Address 522 E Route 66	City, State, Zip Flagstaff, AZ 86001
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Application Name: Marijuana Dispensary Operating Hours
Zoning Code Text Amendment
Chapter Name and Number: Chapter 10.40 Specific to Zones
Division Name and Number: 10-40.60 Specific to Uses
Section Name and Number: 10-40.60.220 Marijuana Establishments
Chapter Name and Number:
Division Name and Number:
Section Name and Number:
Chapter Name and Number:
Division Name and Number:
Section Name and Number:

Additional Information:
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Owner's Signature (required) 	Date: 4/12/22	Representative Signature (If applicable) 	Date: 4/12/22
<b>For City Use</b>			
Date Filed:	File Number(s):	Fee Receipt Number:	
P & Z Hearing Date:	Publication and Posting Date:	Amount:	
Council Hearing Date:	Publication and Posting Date:	Date:	
Received by:	Comments:		

## **ZONING CODE AMENDMENT APPLICATION**

Title: XXXXXXXXXXXXXXXX - *Hours of Operation for Marijuana Dispensaries.*

Date: April 12, 2022

### **NARRATIVE**

#### **PROPOSED AMENDMENT:**

The proposed amendment (Exhibit A to the Resolution No. XXXX) modifies the existing marijuana establishment hours of operation provision of the Flagstaff Zoning Code, 10-40.60.220 Marijuana Establishments.

#### ***Reason for the Request:***

The purpose of the amendment is to extend the allowed hours a marijuana establishment may operate. The reason for the proposed amendment is to increase the accessibility of marijuana to patients and consumers, decrease the burden in obtaining marijuana for patients and consumers, and create more jobs in a thriving and high desired for employment industry.

**CRITERIA #1:** The proposed amendment is consistent with and conforms to the objectives and policies of the General Plan and any applicable specific plan. A change in operational hours still maintains and upholds council and staff's original stipulations for marijuana establishment operations except for an extension of operational hours. The extension of operational hours is consistent with other similarly situated businesses and the community character of the Plan.

Furthermore, the proposed amendment expanding the operating hours of marijuana establishments is consistent and conforms with many of the City's Economic Development policies and goals. Expanding the operating hours for marijuana establishments will align Flagstaff's hours with those permitted in other major cities in Arizona. Expanding the permitted hours of operation for marijuana dispensaries will allow for dispensaries to increase the hours for current employees and create demand to hire new employees. The demand for marijuana products will continue to grow with the population, and the expanded hours of operation will attract marijuana brands to sell their products at Flagstaff marijuana establishments.

#### **CRITERIA #2**

The proposed amendment will not be detrimental to the public interest, health, safety, convenience or welfare of the City as a result of extending the hours a marijuana dispensary may operate. The Arizona Department of Health Services regulated the Medical and Adult Use Marijuana programs in Arizona. State statute and rules regulate the security of marijuana dispensaries. All security requirements must be strictly adhered to. Please see R9-17-318 and R9-18-312 attached.

Furthermore, allowing for additional operating hours is important in mitigating and preventing the spread of COVID-19 or other comparable communicable / contagious diseases. Currently, there is a large rush of customers around closing. Extending the operational hours will allow for additional hours which should spread out customer visits allowing for less rushes, more social distancing, and a better flow of customers visits, etc.

#### **CRITERIA #3**

The proposed amendment is internally consistent with other applicable provisions of this Zoning Code and does not conflict with any other Zoning Code provision. The amendment maintains the contemporary set of land uses and requirements of the purpose of the Zoning Code and is usable, straightforward, and easily understood.

***Benefit to the Community:***

The proposed amendment will benefit the community and the overall quality of life in the City of Flagstaff. The amendment will have a positive impact on the well-being of the community by expanding patient and consumer access and promoting patients' right to choose alternative treatment and therapeutics. The current hours limit the ability of those individual with schedule constraints or those that work outside typical business hours to obtain marijuana.

Although delivery currently does help serve some patients in these groups, delivery is only available to medical patients by law at this time. A large portion of consumers under the adult-use program use marijuana for medicinal reasons but decline to obtain a medical card due to resource barriers or privacy concerns. Expanding the hours of operation will expand patient and consumers' access to powerful pain and inflammation treatment.

The proposed amendment will benefit the City of Flagstaff from an economic standpoint. Jobs in the cannabis industry are in high demand and expanding the permitted hours of operation will create more jobs at marijuana establishments. Flagstaff's population has been quickly growing and the expanded hours of operation will help businesses better serve patients in a timely manner.

Furthermore, the increasing demand for marijuana products and expanded hours of operation will attract marijuana brands and businesses to work with the marijuana establishment licensees in Flagstaff. This will create jobs at cultivation, processing, and retails sites, and increase the variety of marijuana products available to patients in Flagstaff. The proposed amendment to expand the permitted operating hours of dispensaries will further benefit the community and promote the tourism and events industry in Flagstaff by making marijuana accessible to those who want to visit and contribute to the tourism industry.

## Prescott

<https://www.codepublishing.com/AZ/Prescott/#!/Prescott04/Prescott0420.html#4-20>

- Prescott City Code 4-20-4
- 6. Shall have operating hours not earlier than 9:00 a.m. and not later than 8:00 p.m.
- 15. Shall submit a written security plan to the Prescott Police Department that describes the actions taken to deter and prevent unauthorized entrance into limited access areas including use of security equipment, exterior lighting to facilitate surveillance, and electronic monitoring such as video cameras. (Ord. 2020-1735, 11-17-2020)

## Phoenix

<https://phoenix.municipal.codes/ZO/623>

- Phoenix City Code 623(D)(124)(a): Shall have operating hours not earlier than 8:00 a.m. and not later than 10:00 p.m.
- A use permit shall be obtained in accordance with standards and procedures of Section 307 and the following:
  - (3) Include a copy of the operating procedures adopted in compliance with Section 36-2804(B)(1)(c), Arizona Revised Statutes. ((c) Operating procedures consistent with department rules for oversight of the nonprofit medical marijuana dispensary, including procedures to ensure accurate record-keeping and adequate security measures.)

## Peoria

<https://www.peoriaaz.gov/home/showpublisheddocument/11282/637643567102930000>

- Zoning Code 21-505(M)(2)(g) (See Ordinance 2021-06): The Dispensary shall have operating hours not earlier than 7:00 a.m. and not later than 10:00 p.m.
- Zoning Code 21-505(M)(1)(f): An active Security Management Plan shall be approved by the Police Department. The Plan shall include, but is not limited to, the following:
  - o 1) Security cameras shall be installed and maintained in good condition, and used in an on-going manner. Recordings shall be retained for a minimum of 60 days and comply with any additional standards defined by the Security Management Plan.
  - o 2) The business space shall be alarmed with an alarm system that is operated and maintained by a recognized security company.
  - o 3) A security guard shall be provided at the main entrance during all hours of operation. For the purposes of this Section, "security guard" shall mean licensed and duly bonded security personnel registered pursuant to A.R.S. §32-601.

## Scottsdale

[https://library.municode.com/az/scottsdale/codes/code\\_of\\_ordinances?nodeId=VOLII APXBBA ZOOR ARTIADPR S1.403ADCOSPCOUS](https://library.municode.com/az/scottsdale/codes/code_of_ordinances?nodeId=VOLII APXBBA ZOOR ARTIADPR S1.403ADCOSPCOUS)

- Scottsdale Code of Ordinances, Appendix B, Article 1, Sec. 1.403(M)(2):
  - (h) The hours of operation for a marijuana use that provides, shares, exchanges, sells, or dispenses marijuana are no earlier than 6:00 a.m. and no later than 10:00 p.m.
  - (f) The property owner has provided a written public safety plan, subject to City approval
  - (i) There is no drive-through service, take-out window, or drive-in service.

## **Tucson**

[https://codelibrary.amlegal.com/codes/tucson/latest/tucson\\_az\\_udc/0-0-0-2774](https://codelibrary.amlegal.com/codes/tucson/latest/tucson_az_udc/0-0-0-2774)

- Tucson City Code 4.9.9(E)(1)(ii)(c): The permitted hours of operation of a marijuana dispensary are from 7:00 a.m. to 10:00 p.m..

## **Gilbert**

<https://www.gilbertaz.gov/home/showpublisheddocument/42419/637716250998330000>

- Gilbert Land Development Code 5.1.15:
  - B. Hours of Operation: A Marijuana Facility shall have operating hours not earlier than 8:00 am and not later than 8:00 pm.
  - C. Security Plan Requirements: A Medical Marijuana Facility shall implement appropriate security measures to deter and prevent the theft of marijuana and medical marijuana, reasonably regulate customer access to the premises, and be in compliance with A.R.S. Title 36 Chapter 28.1 and 28.2. A sworn statement certifying a current approved security plan is on file with the State Department of Health Services shall be submitted to the Town upon request.

## **Tempe**

[https://library.municode.com/az/tempe/codes/zoning\\_and\\_development\\_code?nodeId=ZONING\\_DEVELOPMENT\\_CODE\\_PT3\\_LAUS\\_CH4\\_SPUST\\_S3-426MA](https://library.municode.com/az/tempe/codes/zoning_and_development_code?nodeId=ZONING_DEVELOPMENT_CODE_PT3_LAUS_CH4_SPUST_S3-426MA)

- Tempe Zoning Code 3-426(C):
  - 5. The medical marijuana dispensary or marijuana establishment is limited to the hours of operation not earlier than 8:00 a.m. and not later than 10:00 p.m.
  - 8. A security plan is required, which shall include, but is not limited to, the following:
    - a. All exterior doorways for the facility shall provide a security vision panel pursuant to Section 4-406, Employee Service Entrances and Exits, or a one hundred eighty (180) degree rotatable viewer. If doorway is transparent, the door shall be designed with a material that is either impact resistant or restricts entry by means of a wrought iron gate;
    - b. Closed circuit television cameras, operating twenty-four (24) hours a day, shall be provided at the building's exterior entrances and inside the building at a designated service area;
    - c. All lighting for the site shall be brought into conformance with the current lighting standards identified in Part 4, Chapter 8, Lighting. The building entrance of the business shall be illuminated from dusk till dawn activated by photocell relay to the lighting controller;
    - d. No one under the age of eighteen (18) shall enter the medical marijuana dispensary; and
    - e. Any person, prior to entering the establishment, shall remove all hats, sunglasses or other similar objects, to avoid obstruction of physical identification.

## **Bullhead City**

- Zoning Code: Removed permitted hours of operation for marijuana dispensaries in 2018.

## **Sedona**

<https://sedona.municipal.codes/SLDC/3.3.C>

- Sedona Zoning Code C(19)c.:
  4. A medical marijuana dispensary or dual licensee shall have operating hours not earlier than 8:00 a.m. and not later than 8:00 p.m.
  1. Medical marijuana dispensary and cultivation locations shall comply with all building safety requirements and be secured in compliance with A.R.S. § 36-2806(C) and (E).

## **Casa Grande**

[https://codelibrary.amlegal.com/codes/casagrande/latest/casagrande\\_az/0-0-0-13784](https://codelibrary.amlegal.com/codes/casagrande/latest/casagrande_az/0-0-0-13784)

- Casa Grande City Code 17.52.580: A marijuana dispensary shall only be allowed to operate between the hours of 7:00 a.m. and 10:00 p.m.

## **Mesa**

[https://library.municode.com/az/mesa/codes/code\\_of\\_ordinances?nodeId=COOR\\_TIT11ZOOART4DERE\\_CH31STSPUSAC\\_11-31-34MAFA](https://library.municode.com/az/mesa/codes/code_of_ordinances?nodeId=COOR_TIT11ZOOART4DERE_CH31STSPUSAC_11-31-34MAFA)

- Mesa Zoning Ordinance 11-31-34: A medical marijuana dispensary and a dual licensee facility shall only be open to the public between 8:00 a.m. and 9:00 p.m. of the same calendar day.

## **Chandler**

[https://library.municode.com/az/chandler/codes/code\\_of\\_ordinances?nodeId=PTVIPL\\_CH35LAUSZO\\_ARTXXIADHEARRE\\_35-2213MEMAFAMEMACUSIINFOES](https://library.municode.com/az/chandler/codes/code_of_ordinances?nodeId=PTVIPL_CH35LAUSZO_ARTXXIADHEARRE_35-2213MEMAFAMEMACUSIINFOES)

- Chandler City Code 35-2213(3)(E)(5)(vi): Have operating hours not earlier than 9:00 a.m. and not later than 10:00 p.m.

## **Glendale**

[https://library.municode.com/az/glendale/codes/code\\_of\\_ordinances?nodeId=PTIICOOR\\_ART7GEDEST\\_S7.800MEMA](https://library.municode.com/az/glendale/codes/code_of_ordinances?nodeId=PTIICOOR_ART7GEDEST_S7.800MEMA)

- Glendale Code of Ordinances Section 7.800
  - I. Shall have operating hours not earlier than 8:00 a.m. and not later than 10:00 p.m.
  - N. The dispensary must comply with the security requirements of A.R.S. Title 36, Chapter 28.1.
  - O. A prominent and permitted sign stating "NO LOITERING IS ALLOWED ON OR IN FRONT OF THESE PREMISES" shall be located in a place that is clearly visible to patrons of the dispensary. As depicted by the signage, no loitering is allowed on or in front of the premises of the Medical Marijuana Dispensary.
  - o P. Additionally, a security plan shall be submitted by the applicant in conjunction with design review approval. The security plan shall include provisions for the following:
    - 1. An alarm system with a redundant power supply and circuitry to prevent deactivation.
    - 2. A video surveillance system that at all times records all interior areas and the exterior perimeter.
    - 3. A lighting system that at all times illuminates the interior areas and the exterior perimeter.
    - 4. A plan for the reprogramming of all security codes and keys in the event an employee resigns or is terminated.

## **Buckeye**

[https://library.municode.com/az/buckeye/codes/code\\_of\\_ordinances?nodeId=CD\\_ORD\\_CH7DECO\\_ART3USRE\\_3.2UECST](https://library.municode.com/az/buckeye/codes/code_of_ordinances?nodeId=CD_ORD_CH7DECO_ART3USRE_3.2UECST)

- *Buckeye Development Code Chapter 7, Article 3, Section 3.2*
  - 2. A medical marijuana dispensary shall have operating hours not earlier than 9:00 a.m. and not later than 5:00 p.m., Monday through Friday.
  - b. Install lighting to illuminate the exterior and interior of the building and all entrances and exits to the facility. Exterior lighting shall be five foot candles, measured at ground level, and shall remain on during all hours between sunset and sunrise each day and the medical marijuana dispensary or cultivation location shall illuminate all areas of the premises, including adjacent public sidewalks so that the areas are readily visible by law enforcement personnel. Twenty-four (24) hours each day, the medical marijuana dispensary or cultivation location shall illuminate the entire interior of the building, with particular emphasis on the locations of any counter, safe, storage area and any location where people are prone to congregate. The lighting must be of sufficient brightness to ensure that the interior is readily visible from the exterior of the building from a distance of 100 feet.
  - i. Provide law enforcement and all interested neighbors with the name and phone number of an on-site community relations staff person to notify if there are operational problems with the establishment.
- 8. In addition to the requirements set forth in Paragraph 7 above, and to ensure that the operations of medical marijuana dispensaries are in compliance with Arizona law and to mitigate the adverse secondary effects from operations of dispensaries, medical marijuana dispensaries shall operate in compliance with the following additional standards:
  - a. Security guards shall be provided at the main entrances and exits during all hours of operation. Detailed internal security measures will be identified and maintained after consultation with the Buckeye Police Department. For the purposes of this Section, "security guard" shall mean licensed and duly bonded security personnel registered pursuant to A.R.S. § 32-2601 et seq. Prior to opening for business, the medical marijuana dispensary shall provide all property owners with a 500-foot radius of the medical marijuana dispensary location with written notification via first class U.S. mail of the security company responsible for providing its security services.
  - b. If determined necessary by the City Manager at any time, medical marijuana dispensaries shall provide a neighborhood security guard patrol for a two-block radius surrounding the medical marijuana dispensary during all or specified hours of operation.

## **Surprise**

[https://library.municode.com/az/surprise/codes/municipal\\_code?nodeId=PTILADEOR\\_CH106ZOUSST\\_ARTXUSSPST\\_S106-10.27MAFAUS](https://library.municode.com/az/surprise/codes/municipal_code?nodeId=PTILADEOR_CH106ZOUSST_ARTXUSSPST_S106-10.27MAFAUS)

- Surprise Land Development Ordinance, Chapter 106, Article X, Sec. 106-10.27
  - 10. The permitted hours of operation of a marijuana facility operated by a dual licensee shall be limited to 8:00 a.m. to 9:00 p.m.
  - 11. The operator of a marijuana facility shall provide unrestricted access to city code enforcement officers or police officers who request admission for the purpose of determining compliance with these standards.
  - 12. Within a marijuana facility there shall be a secure storage area sufficient to deter and prevent theft.
  - 13. All marijuana and marijuana products shall be securely locked within the secure storage area at any time the medical marijuana dispensary or marijuana facility operated by a dual licensee is not open for business.
  - 14. A medical marijuana dispensary or marijuana facility operated by a dual licensee shall have only one (1) secure entrance to the building and any other doors required for exiting shall be locked to the outside and have an alarm that sounds when opened from the inside.
  - 15. A marijuana facility shall have an alarm system with a redundant power supply and circuitry to prevent deactivation.
  - 16. A marijuana facility shall have a video surveillance system that at all times records all interior areas and the exterior perimeter.
  - 17. A marijuana facility shall have adequate exterior security light, which also complies with Chapter 107, Article 3 of this ordinance.
  - 18. The operator of a marijuana facility shall develop and maintain a security plan which demonstrates compliance with all of the minimum standards specified herein.

## **Payson**

[https://codelibrary.amlegal.com/codes/payson/latest/payson\\_az/0-0-0-35124](https://codelibrary.amlegal.com/codes/payson/latest/payson_az/0-0-0-35124)

- Payson Administration Code § 154-15-003: A medical marijuana dispensary or marijuana establishment shall have operating hours not earlier than 8:00 a.m. and not later than 9:00 p.m.
- § 154-15-004: (L) Provide adequate security measures to ensure that the requirements of A.R.S. §§ 36-2801, et seq., and A.R.S. §§ 36-2850 et seq., all Arizona Department of Health Services Regulations, and this subchapter are met and that theft is discouraged. Such security measures shall include at least the following:
  - (1) A fully functioning security alarm system;
  - (2) Adequate exterior lighting; and
  - (3) Security video monitoring system that retains all video feed for a minimum of 30 days.

## **Globe**

[https://library.municode.com/az/globe/codes/code\\_of\\_ordinances?nodeId=CD\\_ORD\\_CH14ZOC\\_O\\_ART14-5ZODI\\_S14-5-18MEMAREFACOUSPERE](https://library.municode.com/az/globe/codes/code_of_ordinances?nodeId=CD_ORD_CH14ZOC_O_ART14-5ZODI_S14-5-18MEMAREFACOUSPERE)

- Globe Zoning Code, Article 14-5, Sec. 14-5-18:
  - (14) Shall have operating hours as determined appropriate and approved as part of the conditional use permit.
  - (d) In addition to the standard conditions of approval as set forth in subsection (b) above, the City may add any other condition of approval appropriate to the

application considering the location, building, surroundings, adjacent land uses, topography, security and safety considerations, best practices as determined from experience, or any other rational and stated basis, as may be necessary to achieve a compatible land use with the surrounding community as authorized by law.

- Sec. 14-5-19: (8) Submit a written security plan to the City that describes the actions taken to deter and prevent unauthorized entrance into limited access areas including use of security equipment, exterior lighting to facilitate surveillance, and electronic monitoring such as video cameras.

### **Lake Havasu City**

[https://codelibrary.amlegal.com/codes/lakehavasucity/latest/lakehavasus\\_az/0-0-0-32782](https://codelibrary.amlegal.com/codes/lakehavasucity/latest/lakehavasus_az/0-0-0-32782)

- Lake Havasu City Code of Ordinances, Title 14, Article 3, § 14.03.03  
(C) Operating hours shall be limited to between 7:00 a.m. and 10:00 p.m.

### **Adult Use/ Dual License Arizona Administration Code Rules - R9-18-312. Security**

<https://azdhs.gov/documents/licensing/adult-use-marijuana/9AAC18-Art1-4.pdf?v=20211119>

- A. A marijuana establishment shall ensure that, if the marijuana establishment cultivates marijuana:
1. If cultivation takes place indoors, the marijuana is cultivated in a closed, locked room; and
  2. If cultivation takes place outdoors, the location:
    - a. Is surrounded by solid, 10-foot walls that are constructed of metal, concrete, or stone that prevent viewing of the marijuana plants; and
    - b. Has a one-inch thick metal gate.
- B. A marijuana establishment shall ensure that access to the marijuana establishment's cultivation site or manufacturing site or to the portion of the marijuana establishment's retail site where marijuana is cultivated, processed, manufactured, or stored is limited to the marijuana establishment's principal officers, board members, and authorized marijuana facility agents, unless the individual is supervised by a marijuana facility agent associated with the marijuana establishment.
- C. A marijuana facility agent may transport marijuana, marijuana plants, marijuana products, and marijuana paraphernalia between the marijuana establishment and:
1. The marijuana establishment's cultivation site or manufacturing site,
  2. Another marijuana establishment,
  3. A dispensary, and
  4. A marijuana testing facility that has a marijuana testing facility license issued by the Department.
- D. Before transportation, a marijuana facility agent of a marijuana establishment shall:
1. Complete a trip plan that includes:
    - a. The name of the marijuana facility agent in charge of transporting the marijuana;
    - b. The date and start time of the trip;

- c. A description of the marijuana, marijuana plants, marijuana products, or marijuana paraphernalia being transported;
  - d. Any anticipated stops during the trip, including the locations of the stop; and
  - e. The anticipated route of transportation; and
- 2. Provide a copy of the trip plan in subsection (D)(1) to the marijuana establishment.
- E. During transportation, a marijuana facility agent shall:
  - 1. Carry a copy of the trip plan in subsection (D)(1) with the marijuana facility agent for the duration of the trip;
  - 2. Use a vehicle:
    - a. Without any marijuana identification,
    - b. Equipped with a global positioning system or other means of tracking the location of the vehicle,
    - c. With operational video surveillance and recording equipment that is turned on for the duration of a trip, and
    - d. With a locked compartment in which any marijuana or marijuana products being transported may be stored during a trip;
  - 3. Have a means of communication with the marijuana establishment;
  - 4. Note the arrival and departure time for each stop; and
  - 5. Ensure that the marijuana, marijuana plants, marijuana products, or marijuana paraphernalia are not visible.
- F. After transportation, a marijuana facility agent shall enter the end time of the trip and any changes to the trip plan on the trip plan required in subsection (D)(1).
- G. A marijuana establishment shall:
  - 1. Maintain the documents required in subsection (D)(2) and (F) for at least two years after the date of the documentation;
  - 2. If transporting a sample to a marijuana testing facility for testing, provide a copy of the trip plan in subsection (D)(1) to the marijuana testing facility; and
  - 3. Provide a copy of the documents required in subsection (D)(2) and (F) to the Department for review upon request.
- H. A marijuana establishment shall not transport marijuana, marijuana plants, marijuana products, or marijuana paraphernalia to a consumer.
- I. To prevent unauthorized access to marijuana or a marijuana product at the marijuana establishment's retail site and, if applicable, the marijuana establishment's cultivation site or manufacturing site, the marijuana establishment shall have the following:
  - 1. Security equipment to deter and prevent unauthorized entrance into limited access areas that include:
    - a. Devices or a series of devices to detect unauthorized intrusion, which may include a signal system interconnected with a radio frequency method, such as cellular, private radio signals, or other mechanical or electronic device;
    - b. Exterior lighting to facilitate surveillance;
    - c. Electronic monitoring including:
      - i. At least one 19-inch or greater call-up monitor;
      - ii. A printer capable of immediately producing a clear still photo from any video camera image;
      - iii. Video cameras:
        - (1) Providing coverage of all entrances to and exits from limited access areas and all entrances to and exits from the building,

- capable of identifying any activity occurring in or adjacent to the building; and
- (2) Having a recording resolution of at least 704 x 480 or the equivalent;
- iv. A video camera at each point of sale location allowing for the identification of any consumer purchasing marijuana or a marijuana product;
- v. A video camera in each grow room capable of identifying any activity occurring within the grow room in low light conditions;
- vi. Storage of video recordings from the video cameras for at least 30 calendar days;
- vii. A failure notification system that provides an audible and visual notification of any failure in the electronic monitoring system; and
- viii. Sufficient battery backup for video cameras and recording equipment to support at least five minutes of recording in the event of a power outage; and
- d. Panic buttons in the interior of each building; and
- 2. Policies and procedures:
  - a. That deter unauthorized removal of marijuana or marijuana products from the premises, including:
    - i. Restricting access to the areas of the marijuana establishment's retail site where marijuana is cultivated, processed or stored and, if applicable, the marijuana establishment's cultivation site or manufacturing site; and
    - ii. Ensuring that an individual other than a principal officer, board member, or marijuana facility agent associated with the marijuana facility is supervised by a marijuana facility agent associated with the marijuana establishment when in an area specified in subsection (l)(2)(a)(i);
  - b. That provide for the identification of authorized individuals;
  - c. That prevent loitering;
  - d. For conducting electronic monitoring; and
  - e. For the use of a panic button.

**Medical Dispensary Arizona Administration Code Rules- R9-17-318. Security**

<https://azdhs.gov/documents/licensing/medical-marijuana/az-medical-marijuana-rules.pdf?v090821>

- A. Except as provided in R9-17-310(A)(7) or R9-17-324(C), a dispensary shall ensure that access into areas of the dispensary or the dispensary's cultivation site where marijuana is cultivated, processed, manufactured, or stored is limited to the dispensary's principal officers, board members, and authorized dispensary agents.
- B. A dispensary agent may transport marijuana, marijuana plants, marijuana products, and marijuana paraphernalia between the dispensary and:
  - 1. The dispensary's cultivation site,
  - 2. A qualifying patient,
  - 3. Another dispensary, and
  - 4. A laboratory that has a laboratory registration certificate issued by the Department.
- C. Before transportation, a dispensary agent shall:
  - 1. Complete a trip plan that includes:

- a. The name of the dispensary agent in charge of transporting the marijuana;
    - b. The date and start time of the trip;
    - c. A description of the marijuana, marijuana plants, marijuana products, or marijuana paraphernalia being transported;
    - d. Any anticipated stops during the trip, including the locations of the stop and arrival and departure time from the location; and
    - e. The anticipated route of transportation; and
  2. Provide a copy of the trip plan in subsection (C)(1) to the dispensary.
- D. During transportation, a dispensary agent shall:
1. Carry a copy of the trip plan in subsection (C)(1) with the dispensary agent for the duration of the trip;
  2. Use a vehicle without any medical marijuana identification;
  3. Have a means of communication with the dispensary; and
  4. Ensure that the marijuana, marijuana plants, marijuana products, or marijuana paraphernalia are not visible.
- E. After transportation, a dispensary agent shall enter the end time of the trip and any changes to the trip plan on the trip plan required in subsection (C)(1).
- F. A dispensary shall:
1. Maintain the documents required in subsection (C)(2) and (E) for at least two years after the date of the documentation;
  2. If transporting a sample to a laboratory for testing, provide a copy of the trip plan to the laboratory; and
  3. Provide a copy of the documents required in subsection (C)(2) and (E) to the Department for review upon request.
- G. To prevent unauthorized access to medical marijuana at the dispensary and, if applicable, the dispensary's site, the dispensary shall have the following:
1. Security equipment to deter and prevent unauthorized entrance into limited access areas that include:
    - a. Devices or a series of devices to detect unauthorized intrusion, which may include a signal system interconnected with a radio frequency method, such as cellular, private radio signals, or other mechanical or electronic device;
    - b. Exterior lighting to facilitate surveillance;
    - c. Electronic monitoring including:
      - i. At least one 19-inch or greater call-up monitor;
      - ii. A printer capable of immediately producing a clear still photo from any video camera image;
      - iii. Video cameras:
        - (1) Providing coverage of all entrances to and exits from limited access areas and all entrances to and exits from the building, capable of identifying any activity occurring in or adjacent to the building; and
        - (2) Having a recording resolution of at least 704 x 480 or the equivalent;
      - iv. A video camera at each point of sale location allowing for the identification of any qualifying patient or designated caregiver purchasing medical marijuana;

- v. A video camera in each grow room capable of identifying any activity occurring within the grow room in low light conditions;
- vi. Storage of video recordings from the video cameras for at least 30 calendar days;
- vii. A failure notification system that provides an audible and visual notification of any failure in the electronic monitoring system; and
- viii. Sufficient battery backup for video cameras and recording equipment to support at least five minutes of recording in the event of a power outage; and

d. Panic buttons in the interior of each building; and

2. Policies and procedures:

- a. That restrict access to the areas of the dispensary that contain marijuana and, if applicable, the dispensary's cultivation site to authorized individuals only;
- b. That provide for the identification of authorized individuals;
- c. That prevent loitering;
- d. For conducting electronic monitoring; and
- e. For the use of a panic button.

## Case No. PZ-22-00074: Hours of Operation for Marijuana Dispensaries

### HOW TO READ THIS DOCUMENT

Unless otherwise stated, existing provisions that are being deleted are shown in bold red through text, like this: ~~**Provisions that are being deleted are shown with a bold red through text.**~~

Provisions that are being added are shown in bold blue text, like this: **Provisions that are being added are shown in bold blue text.**

Section 1. Amend Title 10 Flagstaff Zoning Code, Division 10-40.60: Specific to Uses, Section 10-40.60.220: Marijuana Establishments, as follows:

#### **10-40.60.220 Marijuana Establishments**

- C. A Marijuana Dispensary shall have operating hours not earlier than 8:00 a.m. and not later than ~~**7:00 p.m.**~~ **10:00 p.m.**



## Planning & Zoning Commission

5. B.

Meeting Date: 06/22/2022

From: Tiffany Antol, Senior Planner

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### Information

#### TITLE:

**PZ-22-00089:** City's request for a Zoning Code Text Amendment to modify the existing Marijuana Dispensary land use and Specific to Use provisions for Marijuana Establishments to address Proposition 207 – Smart and Safe Arizona Act (recreational use of marijuana) that was approved by the Arizona voters in November 2020 and the recent issuance of social equity licenses.

#### STAFF RECOMMENDED ACTION:

Staff recommends the Planning and Zoning Commission, in accordance with this report, find that the required findings of the Zoning Code have been met, and that the Planning and Zoning Commission make a recommendation to the City Council for approval of the Zoning Code Text Amendment.

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### Attachments

Staff Report

Application

Draft Code

2000 foot separation map

2500 foot separation map

One mile separation map

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## **PLANNING AND DEVELOPMENT SERVICES REPORT**

### **Zoning Code Text Amendment**

#### **PUBLIC HEARING**

**PZ-22-00089**

**DATE:** June 8, 2022

**MEETING DATE:** June 22, 2022

**REPORT BY:** Tiffany Antol, AICP

#### **REQUEST:**

City's request for a Zoning Code Text Amendment to modify the existing Marijuana Dispensary land use and Specific to Use for Marijuana Establishments provisions to address Proposition 207 – Smart and Safe Arizona Act (recreational use of marijuana) that was approved by the Arizona voters in November 2020 and the recent issuance of social equity licenses.

#### **STAFF RECOMMENDATION:**

Staff recommends the Planning and Zoning Commission, in accordance with this report, find that the required findings of the Zoning Code have been met, and that the Planning and Zoning Commission make a recommendation to the City Council for approval of the Zoning Code Text Amendment.

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#### **I. Proposed Amendment:**

The “Smart and Safe Arizona Act” (the “Act”), certified as Proposition 207, was passed by Arizona voters at the November 3, 2020, general election and became effective on December 1, 2020. The Act declared that “the responsible adult use of marijuana should be legal for persons twenty-one years of age or older subject to state regulation, taxation, and local ordinance.”

The Act allows for Marijuana Establishments, which are entities licensed by the Arizona Department of Health Services to operate a retail location for the sale of recreational marijuana, an off-site marijuana cultivation facility, and an off-site manufacturing facility. Pursuant to the licensing rules in the Act, the vast majority of the marijuana establishment licenses were given to entities that were already operating medical marijuana dispensaries. However, the Act also directed the Arizona Department of Health Services to issue twenty-six additional marijuana establishment licenses across the State of Arizona for the purpose of encouraging social equity in marijuana establishment ownership. Social equity licenses were issued to applicants who qualified under the Social Equity Ownership Program at a random drawing on April 8, 2022.

On March 16, 2021, the Flagstaff City Council adopted Ordinance 2021-03, which enacted certain regulations regarding the use and sale of recreational marijuana in Flagstaff. One of the regulations adopted by Council prohibits the operation of recreational marijuana establishments in Flagstaff, except where authorized by a dual licensee that is permitted by the State of Arizona to operate both a nonprofit medical marijuana dispensary and a marijuana establishment at a shared location. Under the current rules, social equity licenses are not dual licenses—they are recreation only. To allow recreational-only retail establishments, the Marijuana Dispensary definition would need to be amended as follows:

##### **A. Definitions**

##### **Current Text**

**Marijuana Dispensary:** A medical or dual licensee (as defined in A.R.S. 36-2850, as amended) Marijuana Dispensary certified by the State of Arizona to sell Marijuana and Marijuana products to consumers, which may include the cultivation, manufacturing, processing, packaging, or storage of Marijuana products as an accessory use to the dispensary.

##### **Proposed Text**

**Marijuana Retail Establishment:** A Non-Profit Medical Marijuana Dispensary, a Dual-Licensed establishment (as defined in A.R.S. 36-2850, as amended), or a single recreational retail establishment certified by the State of Arizona to sell Marijuana and Marijuana products to consumers, which may include the cultivation, manufacturing, processing, packaging, or storage of Marijuana products as an accessory use to the dispensary.

Staff is recommending the revision to a few other terms in the code to align the Zoning Code with Arizona Revised Statutes. This includes changing the following:

Marijuana Off-Site Cultivation Location → Marijuana Off-Site Cultivation **Establishment**

Marijuana Off-Site Manufacturing Location → Marijuana Off-Site Manufacturing **Establishment**

Marijuana Establishment → Marijuana **Operation**

#### B. Separation Requirements

Marijuana Establishments (to be renamed Marijuana Operations), which include retail establishments, cultivation establishments, manufacturing establishments, and testing facilities, are regulated by Section 10-40.60.220 of the Zoning Code to protect the public health, safety, and welfare. Marijuana Dispensaries (as currently defined – proposed to be called Marijuana Retail Establishments) are only permitted in the Highway Commercial (HC) zone. Section 10-40.60.220.F includes minimum separation requirements for a Marijuana Establishment, measured in a straight line from the boundary of the lot or parcel containing any of the existing uses listed below:

1. Two thousand feet from another Marijuana Establishment;
2. Five hundred feet from a residential substance abuse treatment facility or other residential drug or alcohol rehabilitation facility licensed by the State of Arizona;
3. Five hundred feet from a community college, university, or from any public, private, parochial, charter, dramatic, dancing, music learning center, or other similar school or education facility that caters to children;
4. Five hundred feet from a daycare home or daycare center;
5. Five hundred feet from a public library or public park; and
6. Five hundred feet from a facility devoted to family recreation or entertainment.

Staff is recommending that the two thousand feet separation required between establishments be increased to two thousand five hundred feet. Attached to this report are maps of the existing sales locations with the existing 2,000 feet separation delineated, 2,500 feet separation delineated, and one-mile separation delineated to provide reference for this decision.

## II. Zoning Code Text Amendment

The Planning Director shall provide a recommendation to the Planning and Zoning Commission for its review. The Director's recommendation shall be transmitted to the Planning and Zoning Commission in the form of a staff report prior to a scheduled public hearing. The recommendation shall include the following: an evaluation of the consistency and conformance of the proposed amendment with the goals and policies of the General Plan and any applicable specific plans; the grounds for the recommendation based on the standards and purposes of the zones set forth in Section 10-40.20 (Establishment of Zones) of the Zoning Code; and a recommendation on whether the amendment should be granted or denied.

A Zoning Code Text Amendment shall be evaluated based on the following findings:

#### A. Finding #1:

**The proposed amendment is consistent with and conforms to the objectives and policies of the General Plan and any applicable specific plan;**

The amendment's primary purpose is to implement the City Council's direction to update the Zoning Code to conform with the issuance of social equity licenses and to maintain consistency and conformance with the Regional Plan's (General Plan) goals and policies. Therefore, the modifications would allow for single recreational retail establishments in addition

to Medical Marijuana Dispensaries and Dual-Licensed establishments (both medical and recreational). The proposed provisions address multiple goals and policies of the Regional Plan including:

- Providing submittal and locational requirements that are transparent and minimize duplication with the State of Arizona's requirements to be a certified Marijuana Establishment that is allowed to cultivate, manufacture, sell, and store marijuana products (Regional Plan Goal ED.1.);
- Allowing the Marijuana Establishment land uses (Marijuana Dispensary, Marijuana Off-Site Cultivation Location, Marijuana Off-site Manufacturing Location, and Marijuana Testing Facility) in several commercial and industrial zones that will permit new and existing marijuana-based businesses to be retained, expanded, and located in Flagstaff, as well as providing for scientific testing of marijuana products (Regional Plan Goal ED.3., and Policies CC.5.1., CC.5.5., ED.3.1., ED.3.5., and ED.4.2.); and,

#### **B. Finding #2**

**The proposed amendment will not be detrimental to the public interest, health, safety, convenience, or welfare of the City;**

The provisions of the amendment are not anticipated to be detrimental to the public interest, health, safety, convenience, or welfare of the city. To assist in ensuring that the proposed Marijuana Establishment land uses are not detrimental, minimum separation requirements are established from facilities and locations that contain any of the following uses: daycares, educational, family recreation and entertainment, public libraries and parks, drug or alcohol rehabilitation, and other Marijuana Establishments. In addition, provisions are already incorporated pertaining to the security, disposal of marijuana remnants and by-products, and prohibition of onsite consumption of marijuana products and emissions of dust, fumes, vapors, smoke, or odors into the environment from a Marijuana Establishment.

#### **C. Finding #3**

**The proposed amendment is internally consistent with other applicable provisions of this Zoning Code.**

The amendment is internally consistent, utilizes the existing format, and does not conflict with other Zoning Code provisions. It maintains the Zoning Code's purpose as a comprehensive contemporary set of land uses and requirements that are straightforward, usable, and easily understood.

### **III. CITIZEN PARTICIPATION**

Persons of interest on file with the Planning and Development Services section of the Community Development Division were notified of the Planning and Zoning Commission and City Council work sessions and public hearing via first-class mail. Moreover, notification of the work sessions and public hearings were published on the City's web pages and in the Arizona Daily Sun. As of the date of this report, staff has not had any public comments on the proposed Zoning Code Text Amendment.

### **IV. PLANNING AND ZONING COMMISSION WORK SESSION**

At the Planning and Zoning Commission Work Session of May 25, 2022, staff reviewed the text amendment application with the Commission. The Commission had general questions and comments about the separation between Marijuana Establishments (to be renamed Marijuana Operations). Modifications to the separation requirements have been added to this amendment.

### **V. CITY COUNCIL WORK SESSION**

At the City Council Work Session on May 31, 2022, the City Council provided direction to staff to modify the existing marijuana Zoning Code provisions to accommodate the Act's associated uses.

#### **Attachments:**

1. Application
2. Draft of Case No. PZ-22-00089 Marijuana Operations

3. Maps showing varied separation distances



# City of Flagstaff

## Community Development Division

211 W. Aspen Ave  
Flagstaff, AZ 86001  
www.flagstaff.az.gov


P: (928) 213-2618  
F: (928) 213-2609

Date Received 5/3/22	<b>Application for Zoning Code Text Amendment</b>		File Number PZ-22-00089
Applicant(s)/Property Owner(s) Michelle McNulty/City of Flagstaff Planning Director		Phone 928-213-2607	Email Michelle.McNulty@flagstaffaz.gov
Mailing Address 211 W Aspen		City, State, Zip Flagstaff, AZ 86001	
Representative (If applicable) Tiffany Antol                      Zoning Code Manager		Phone 928-213-2605	Email tantol@flagstaffaz.gov
Mailing Address      same as above		City, State, Zip	

Property Address N/A	City, State, Zip
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Application Name: PZ-22-00089 Recreational Only Marijuana Dispensary and Dispensary Separation Requirements	
Zoning Code Text Amendment	
Chapter Name and Number: Definitions "M" 10-80.20.130	
Division Name and Number:	
Section Name and Number:	
Chapter Name and Number: Marijuana Establishments 10-40.60.220	
Division Name and Number:	
Section Name and Number:	
Chapter Name and Number:	
Division Name and Number:	
Section Name and Number:	

Additional Information:
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Owner's Signature (required) 	Date: 5/5/22	Representative Signature (If applicable)	Date:
<b>For City Use</b>			
Date Filed:	File Number(s):	Fee Receipt Number:	
P & Z Hearing Date:	Publication and Posting Date:	Amount:	
Council Hearing Date:	Publication and Posting Date:	Date:	
Received by:	Comments:		

## Case No. PZ-22-00089 Marijuana Operations and Retail Establishments

### HOW TO READ THIS DOCUMENT

Unless otherwise stated, existing provisions that are being deleted are shown in bold red strikethrough text, like this: ~~**Provisions that are being deleted are shown with a bold red strikethrough text.**~~

Provisions that are being added are shown in bold blue text, like this: **Provisions that are being added are shown in bold blue text.**

Section 1. Amend Title 10 FLAGSTAFF ZONING CODE, Division 10-40.30 Non-Transect Zones, Section 10-40.30.040 Commercial Zones, Subsection B. Commercial Zones – Allowed Uses., Table 10-40.30.040.B., as follows:

#### Section 10-40.30.040 Commercial Zones

Table 10-40.30.040.B. Commercial Zones – Allowed Uses						
Primary Land Use <sup>1</sup>	Specific Use Regulations	Commercial Zones				
		SC	CC	HC	CS	CB
<del><b>Marijuana Dispensary</b></del>	<del><b>10-40.60.220</b></del>	--	--	<b>P</b>	--	--
<b>Marijuana Retail Establishment</b>	<b>10-40.60.220</b>	--	--	<b>P</b>	--	--

Section 2. Amend Title 10 FLAGSTAFF ZONING CODE, Division 10-40.30 Non-Transect Zones, Section 10-40.30.050 Industrial Zones, Subsection B. Industrial Zones – Allowed Uses., Table 10-40.30.050.B., as follows:

#### Section 10-40.30.050 Industrial Zones

Table 10-40.30.050.B. Industrial Zones – Allowed Uses						
Primary Land Use <sup>1</sup>	Specific Use Regulations	Industrial Zones				
		RD	LI	LI-O	HI	HI-O
Marijuana Off-Site Cultivation <del><b>Location</b></del>	10-40.60.220	--	P	P <sup>7</sup>	P	P <sup>7</sup>
Marijuana Off-Site Manufacturing <del><b>Location</b></del>	10-40.60.220	--	P	P <sup>7</sup>	P	P <sup>7</sup>

Section 3. Amend Title 10 FLAGSTAFF ZONING CODE, Division 10-40.60: Specific to Uses, Section 10-40.60.220 Marijuana Establishments, as follows:

**10-40.60.220 Marijuana ~~Establishments~~ Operation**

A. **Applicability.** Prior to the submittal of a Building Permit or Business license application, or prior to the occupancy of a structure, for a Marijuana ~~Establishment~~ Operation, the applicant shall complete a Concept Plan in accordance with Section [10-20.30.050](#), Concept Plan Review.

B. The Concept Plan application shall include the following:

1. A notarized authorization executed by the property owner acknowledging and consenting to the use of the property as a Marijuana ~~Establishment~~ Operation;
2. The name of the Marijuana ~~Establishment~~ Operation and the name of the owner(s) of the Marijuana ~~Establishment~~ Operation;
3. The name, address, birth date, and valid registry identification card number of each ~~nonprofit-medical Marijuana Dispensary agent or registered Marijuana facility~~ Marijuana Operation agent;
4. A security plan describing details of alarm systems and exterior lighting in compliance with Division [10-50.70](#), Outdoor Lighting Standards, and including a floor plan showing the location, dimensions, and type of security measures demonstrating that the Marijuana ~~Establishment~~ Operation will be secured, enclosed, and locked as required by law;
5. A scaled survey sealed by a land surveyor registered in the State of Arizona depicting the property lines of the lot or parcel that is proposed to contain the Marijuana ~~Establishment~~ Operation and the separations from the nearest lot or parcel that contain any of the existing uses listed in subsection F of this section; and
6. An affidavit signed and notarized by the applicant attesting that the lot or parcel proposed to contain the Marijuana ~~Establishment~~ Operation meets the separation requirements from the nearest lot or parcel containing any of the existing uses listed in subsection F of this section.

C. A Marijuana ~~Dispensary~~ Retail Establishment shall have operating hours not earlier than 8:00 a.m. and not later than 7:00 p.m.

D. A Marijuana ~~Establishment~~ Operation shall:

1. Not be located in a temporary building or structure (e.g., shipping container, storage structure, tent, trailer, vehicle, etc., as determined by the ~~Zoning Administrator~~ **Planning Director**);
2. Not emit dust, fumes, vapors, smoke, or odors into the environment;
3. Prohibit consumption of Marijuana on the premises, including the parking area associated with the Marijuana ~~Establishment~~ **Operation**;
4. Display a current City of Flagstaff business license;
5. Include a secure storage area that can be enclosed and locked as required by law;
6. Have a single secure entrance or, if a dual licensee, demonstrate appropriate security measures to deter and prevent the theft of Marijuana and to reasonably regulate customer access to the premises, including equipping all entrances and exits with an alarm system;
7. Provide additional exits in accordance with the Building Code or Fire Code; and
8. Dispose of Marijuana remnants and by-products in accordance with State and local regulations.

E. A Marijuana ~~Dispensary~~ **Retail Establishment** shall not have a drive-through service or an outdoor seating area for dispensary customers. An outdoor seating area for employees shall be designed in a manner that prohibits access and use by dispensary customers.

F. A Marijuana ~~Establishment~~ **Operation** shall meet the following minimum separations, measured in a straight line from the boundary of the lot or parcel containing the use to the property boundary of the lot or parcel containing any of the existing uses listed below:

1. ~~Two thousand feet~~ **Two thousand five hundred feet** from another Marijuana ~~Establishment~~ **Operation**;
2. Five hundred feet from a residential substance abuse treatment facility or other residential drug or alcohol rehabilitation facility licensed by the State of Arizona;

3. Five hundred feet from a community college, university, or from any public, private, parochial, charter, dramatic, dancing, music learning center, or other similar school or educational facility that caters to children;
4. Five hundred feet from a daycare home or daycare center;
5. Five hundred feet from a public library or public park; and
6. Five hundred feet from a facility devoted to family recreation or entertainment.

Section 4. Amend Title 10 FLAGSTAFF ZONING CODE, Division 10-40.60: Definition of Specialized Terms, Phrases, and Building Functions, Section 10-80.20.130 Definitions "M", to modify the following:

**10-80.20.130 Definitions "M"**

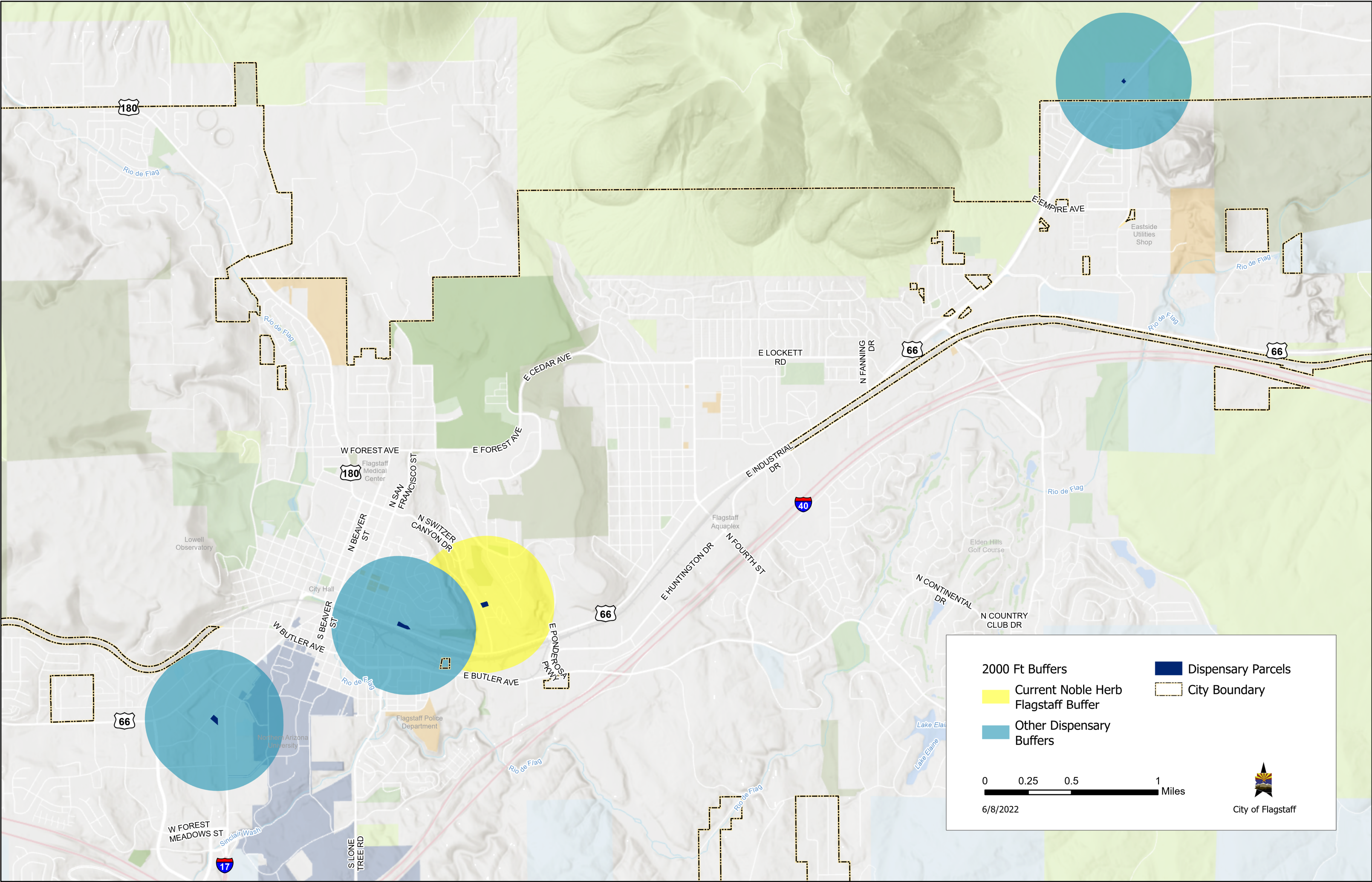
~~Marijuana Dispensary: A medical or dual licensee (as defined in ARS §36-2850, as amended) marijuana dispensary certified by the State of Arizona to sell marijuana and marijuana products to consumers, which may include the cultivation, manufacturing, processing, packaging, or storage of marijuana products as an accessory use to the dispensary.~~

Marijuana ~~Establishment~~ **Operation**: Means any of the following: Marijuana ~~Dispensary~~ **Retail Establishment**, Marijuana Off-Site Cultivation ~~Location Establishment~~, Marijuana Off-Site Manufacturing ~~Location Establishment~~, and Marijuana Testing Facility.

Marijuana Off-Site Cultivation ~~Location Establishment~~: A location used by an entity certified by the State of Arizona to cultivate, manufacture, package, process, and store marijuana and marijuana products, excluding the sale or transfer of marijuana and marijuana products to consumers.

Marijuana Off-site Manufacturing ~~Location Establishment~~: A location used by an entity certified by the State of Arizona to manufacture, package, process, and store marijuana and marijuana products, excluding the sale or transfer of marijuana and marijuana products to consumers.

**Marijuana Retail Establishment: A Non-Profit Medical Marijuana Dispensary, Dual-Licensed establishment (as defined in A.R.S. §36-2850, as amended), or a single recreational retail establishment certified by the State of Arizona to sell Marijuana and Marijuana products to consumers, which may include the cultivation, manufacturing, processing, packaging, or storage of Marijuana products as an accessory use to the dispensary.**



2000 Ft Buffers

Current Noble Herb  
Flagstaff Buffer

Other Dispensary  
Buffers

Dispensary Parcels

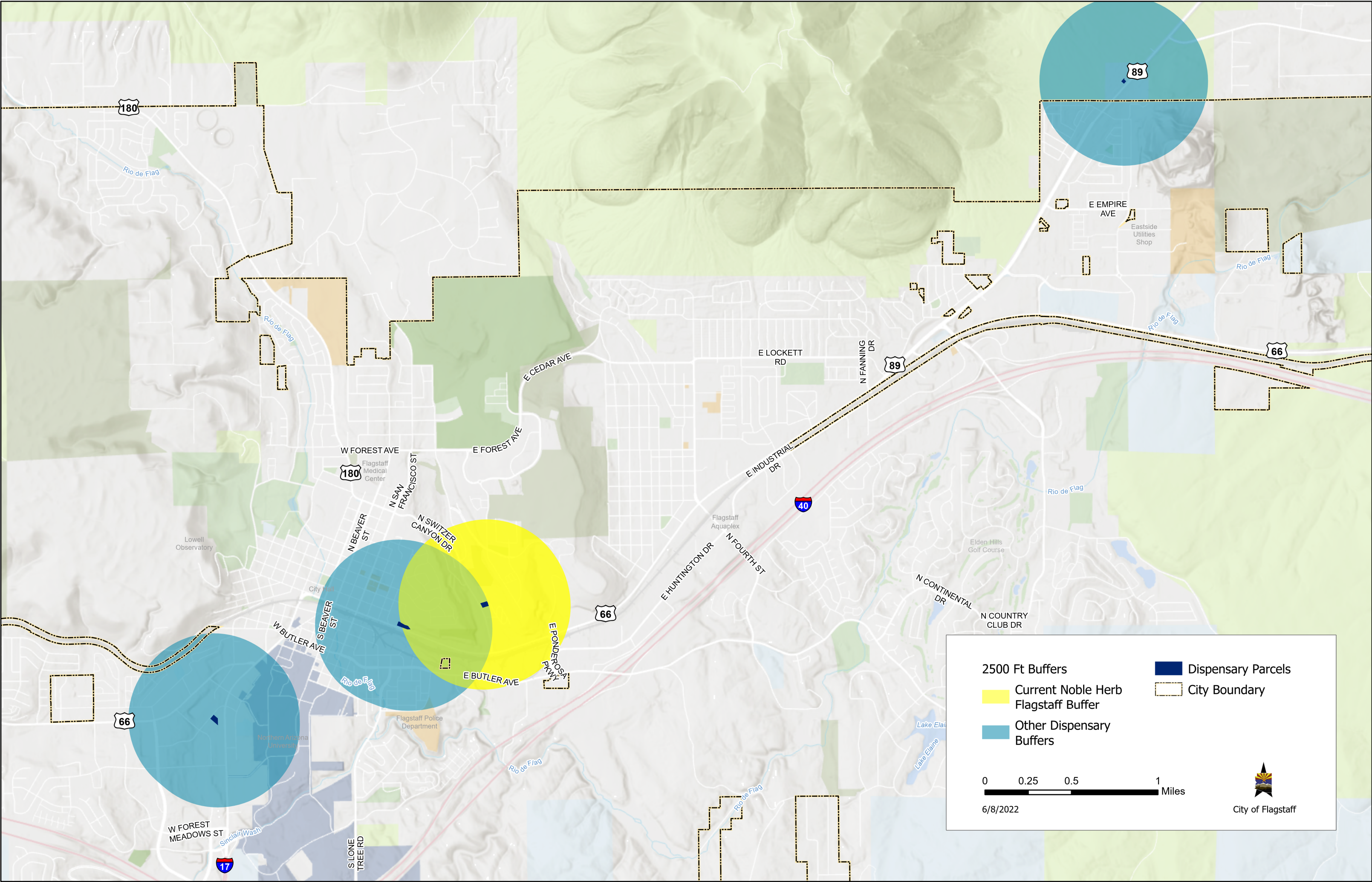
City Boundary

0 0.25 0.5 1 Miles

6/8/2022



City of Flagstaff

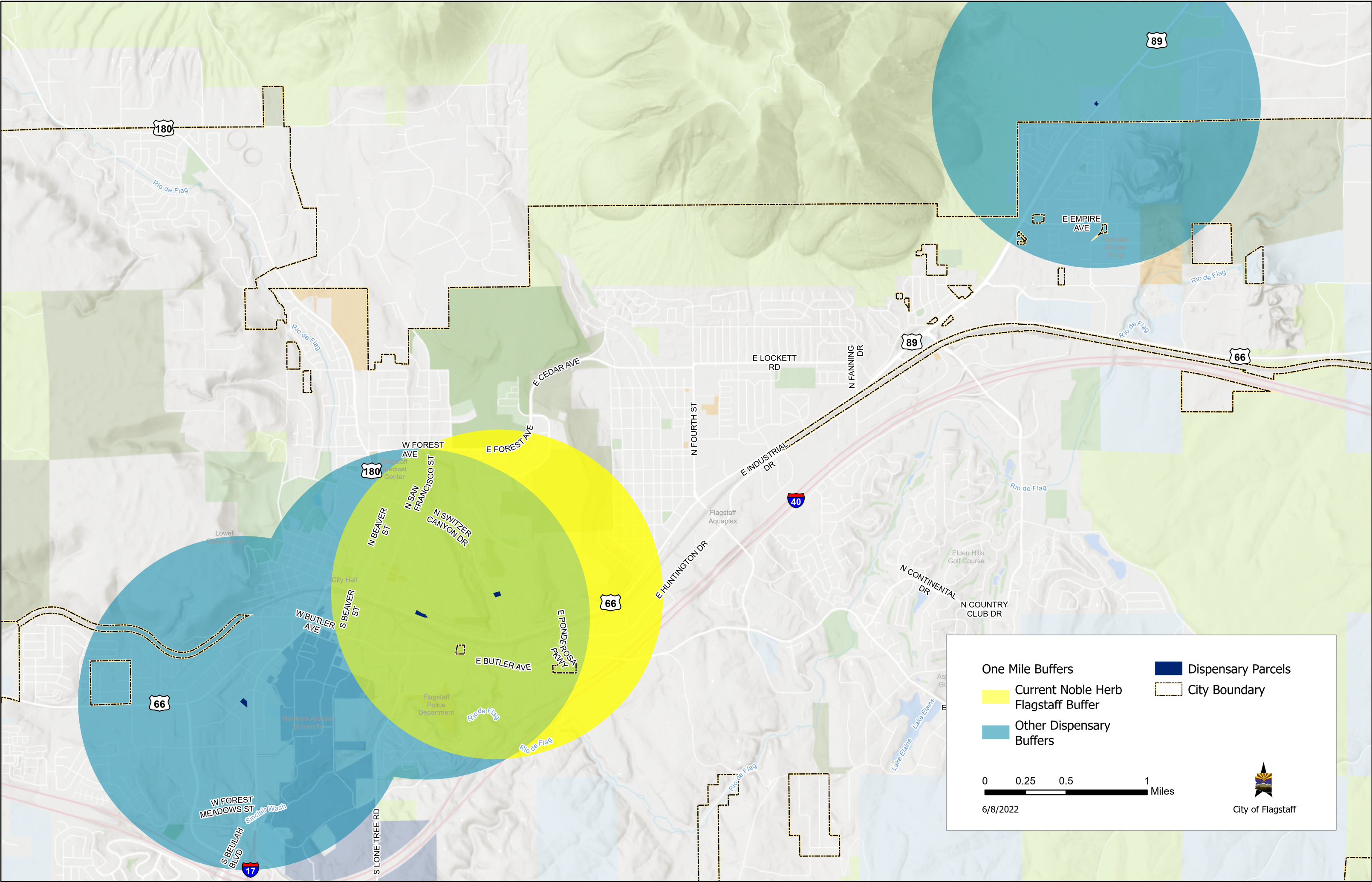


- 2500 Ft Buffers
- Current Noble Herb Flagstaff Buffer
- Other Dispensary Buffers
- Dispensary Parcels
- City Boundary

0 0.25 0.5 1 Miles

6/8/2022





One Mile Buffers

Current Noble Herb  
Flagstaff Buffer

Other Dispensary  
Buffers

Dispensary Parcels

City Boundary

0 0.25 0.5 1 Miles

6/8/2022



City of Flagstaff



## Planning & Zoning Commission

6. A.

Meeting Date: 06/22/2022

From: Genevieve Pearthree, Senior Planner

---

### Information

#### TITLE:

#### **Preliminary Plat PZ-19-00019-07 for Rio Homes Unit 4 Multifamily**

A request by RP4V, LLC and RP40, LLC for Preliminary Plat approval for Rio Homes Unit 4 Multifamily, a 6-unit multi-family residential townhome subdivision. The 5.1-acre site is located at 1221 East Emma Drive in the MR, Medium Density Residential Zone, and has a Resource Protection Overlay (RPO) zone.

#### **STAFF RECOMMENDED ACTION:**

In accordance with the findings, staff recommends the Planning and Zoning Commission forward the Preliminary Plat to the City Council with a recommendation for approval.

#### **Executive Summary:**

A request by RP4V, LLC and RP40, LLC for Preliminary Plat approval for Rio Homes Unit 4 Multifamily, a 6-unit multi-family residential townhome subdivision. The 5.1-acre site is located at 1221 East Emma Drive in the MR, Medium Density Residential Zone, and has a Resource Protection Overlay (RPO) zone. The developer is proposing to modify the previous final plat to erase existing lot lines, and clarify parking and access issues, so that 40 additional multifamily residential housing units currently being built on the site can be sold individually as condos (the condominium plat is being processed concurrently through Preliminary Plat application PZ-19-00019-06).

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### Attachments

P&Z Staff Report

Application

Preliminary Plat

Natural Resource Protection Plan

Vicinity Map

Utility Notification Letters

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# PLANNING & DEVELOPMENT SERVICES REPORT

## Preliminary Plat for Rio Homes Unit 4 Multi-Family

**PZ-19-00019-07**

**DATE:** May 18, 2022

**MEETING DATE:** June 22, 2022

**REPORT BY:** Genevieve Pearthree

### **REQUEST:**

A request by RP4V, LLC and RP40, LLC for Preliminary Plat approval for Rio Homes Unit 4 Multifamily, a 6-unit multi-family residential townhome subdivision. The 5.1-acre site is located at 1221 East Emma Drive in the MR, Medium Density Residential Zone, and has a Resource Protection Overlay (RPO) zone. The developer is proposing to modify the previous final plat to erase existing lot lines, and clarify parking and access issues, so that 40 additional multifamily residential housing units currently being built on the site can be sold individually as condos (the condominium plat is being processed concurrently through Preliminary Plat application PZ-19-00019-06).

### **PRESENT LAND USE:**

The present land use is partially developed residential property with six (6) townhome units and associated garages, and six undeveloped townhome lots. The plat contains three tracts in addition to the townhome lots.

### **PROPOSED LAND USE:**

The Rio Homes Unit 4 Multifamily second amendment will erase the six undeveloped townhome lots and will leave the six existing townhome units and associated garages as-is. An additional 40 attached multifamily residential units are currently under construction on Tract B and Tract C of the Rio Homes Unit 4 subdivision plat. These units are subject to a separate condominium plat (PZ-19-00019-06) to allow the units to be sold individually.

### **NEIGHBORHOOD DEVELOPMENT:**

See the attached vicinity map for more information.

North: Pine Knoll Village subdivision; MR, Medium Density Residential Zone

South: E. Pine Knoll Drive; then open space zoned MR, Medium Density Residential Zone

East: Rio Homes subdivision; MR, Medium Density Residential Zone

West: Arroyo Park; PF, Public Facility Zone

### **REQUIRED FINDINGS:**

The Planning and Zoning Commission shall find the Preliminary Plat meets the findings for approval, which is compliance with the following City Code sections:

1. City Code Title 10, Flagstaff Zoning Code
2. City Code Division 11-20, Subdivision and Land Split Regulations
3. City Code Title 13, Engineering Design Standards and Specifications.

These findings are addressed in the next sections of this report.

### **STAFF RECOMMENDATION:**

Staff recommends the Planning and Zoning Commission, in accordance with the findings for approval presented in this report, forward the Preliminary Plat to the City Council with a recommendation of approval.

---

## **STAFF REVIEW:**

### **I. Project Information**

#### **A. Background**

The subject site is located at 1221 E. Emma Dr. on the north side of East Pine Knoll Drive and east of Lone Tree Road. The Rio Homes Unit 4 development was originally intended in the mid-2000s to be a cohousing type of community and included a larger parcel intended for a common house. The original 2005 subdivision plat proposed variety of detached and attached residential building types across 21 lots and 9 tracts. The only structures from the original development plan that were ultimately built were six townhome units, each with an associated detached garage (two of the garages have an accessory dwelling unit on the second floor).

A first amendment to the Rio Homes Unit 4 subdivision was recorded in 2021 to allow for the development of 40 additional multifamily residential units. The amendment modified the 2005 plat to create 12 lots and 3 tracts to allow for the development of 40 multifamily residential units (rental apartments). It maintained the lot lines for the townhomes and garages that had already been developed but removed most of the lot lines that had not been developed. City staff approved the Site Plan for the 40 residential units on March 26, 2020 (Civil Plans were approved on July 10, 2020, and Building Permits were approved on November 11, 2021).

The developer has decided to turn the 40 multifamily residential units into condominiums so that they can be sold individually. The condominiums are located on Tracts B and C of the Rio Homes Unit 4 subdivision plat and are being processed as a separate Preliminary Condominium Plat (PZ-19-00019-06, which City staff administratively approved on May 26, 2022).

The focus of this Preliminary Plat approval request is a second amendment to the Rio Homes Unit 4 Multifamily subdivision plat. The purpose of the request is to erase the property lines for six townhome lots that were never developed (lots 165-168, 170, and 172) so that the multifamily residential units being built in these locations can be sold individually. The amendment also clarifies parking/access between the townhome and condominium owners. Staff also administratively approved this plat on May 26, 2022

#### **B. Type of Plat**

This Preliminary Plat amendment is for a townhome subdivision consisting of 6 townhome lots and associated garages. All areas in the subdivision not allocated as lots are reserved as tracts. There are three tracts. The purposes of Tract A are: access easement, ingress/egress, parking, common element, and open space. The purposes of Tract B are: common element, open space, resource protection, drainage maintenance easement, and multifamily development. The purposes of Tract C are: ingress/egress, parking, common element, and open space. Tract A of the Rio Homes Unit 4 Amended plat is not included in the Preliminary Condominium Plat for Rio Homes Unit 4 Multifamily.

### **II. Required Findings: Conformance with City Development Standards and Regional Plan**

Staff reviewed and approved the Preliminary Plat based on conformance with City Code Title 10, Flagstaff Zoning Code; City Code Division 11-20, Subdivision and Land Split Regulations; and City Code Title 13, Engineering Design Standards and Specifications.

#### **A. City of Flagstaff Zoning Code**

##### **i. Medium Density Residential (MR) Zone**

Any subdivision shall be designed to comply with the requirements of the specific zoning district within which it is located. The subject property is zoned MR, Medium Density Residential and has a Resource Protection Overlay (RPO) zone. The MR zone requires a minimum density of 6 dwelling units per acre (DU/AC) and a maximum of 9 DU/AC if subject to the Resource Protection Overlay. The proposed density for this site is 9 dwelling units per acre (46 units divided by 5.1 acres), which complies with the density standard. Maximum permitted lot coverage on the MR zone is 40 percent; the proposed coverage is approximately 12 percent.

The new condominium units comply with MR zone standards for setbacks and height. This is discussed in detail in the Preliminary Condominium Plat for Rio Homes Unit 4 Multifamily (PZ-19-00019-06) staff report.

## **ii. Natural Resources**

The subject property is located within a Resource Protection Overlay (RPO) Zone. A Natural Resource Protection Plan (NRPP) was approved on July 10, 2020 as part of Civil Plan review for the 40 new residential units. The NRPP accounts for proposed changes to the original development and is an update to the NRPP for Unit 4 originally approved on March 24, 2004. The 2020 NRPP is attached and is discussed in detail in the Preliminary Condominium Plat for Rio Homes Unit 4 Multifamily (PZ-19-00019-06) staff report.

## **iii. Parks, Open Space, Pedestrian, and Bicycle Facilities**

The site is adjacent to Arroyo Park. A FUTS easement on the southwest corner of the site was dedicated with the previous amendment. New paver crosswalks will be installed to provide pedestrian access in the parking areas.

## **vi. Landscaping**

Required landscaping for the townhomes was reviewed and approved as part of the original Site Plan for the development in 2003 and 2004. Landscaping for the condominiums is discussed in the Preliminary Condominium Plat for Rio Homes Unit 4 Multifamily (PZ-19-00019-06) staff report.

## **vii. Parking**

Parking area access for the six townhome units is from E. Jen Drive off E. Pine Knoll Drive. Fifteen spaces are required for the townhomes, all of which are provided on E. Jen Drive as surface parking spaces or detached garages. Parking requirements for the condominiums are discussed in detail in the Preliminary Condominium Plat for Rio Homes Unit 4 Multifamily (PZ-19-00019-06) staff report.

# **B. City of Flagstaff Subdivision Standards**

## **i. Preliminary Plat Application Requirements and Procedures**

Preliminary Plats require submittal and staff review of traffic, preliminary stormwater, and water and/or sewer analyses. The subdivider is also required to inform public utility, cable and communication companies, school district, Soil Conservation Service, County Health Department, ADOT (if site abuts a state highway); Flood Control District; and, County Community Development Department (if site is adjacent to an unincorporated area). The applicant sent the required letters and has provided copies of any responses by the review agencies.

The information required to be shown as part of the Preliminary Plat submittal is extensive and includes, for example, existing and proposed rights-of-way and easements within the subdivision; adjacent street dedications and lot lines; size of each lot; location and description of proposed and existing utilities; and lot and tract dimensions. Approval of a Preliminary Plat is valid for a period of two years from the date of City Council approval.

## **ii. Subdivision Design Standards and Requirements**

This section includes standards for the design of lots, streets, easements, and city blocks. It requires all new lots or parcels created by the subdivision of land to have their own frontage to a public or private street. It also requires public and private streets to be designed and improved to public street standards. This plat is not creating any new lots, streets, or city blocks, but is instead erasing lot lines for six townhome units that were never developed. The existing townhome lots do not have frontage on a public or private street, and are thus considered legal-nonconforming (they do not meet current standards, but they met the standards in place when they were first platted in 2005). This second amendment is reducing the number of legal-nonconforming lots on site. All easements shown in the plat meet current standards and were approved with the previous amendment (no new easements are being created with this plat).

### **iii. Minimum Required Subdivision Improvements**

Minimum required subdivision improvements are identified through public systems analysis for traffic, stormwater, water, and wastewater. These analyses are described in the City of Flagstaff Engineering Standards section below.

### **C. City of Flagstaff Engineering Standards**

Preliminary Plats are required to comply with Engineering Standards. Staff conducted an initial public systems analysis as part of Site Plan review for the 40 multifamily units, and a final analysis as part of Civil Plan review. The development received Civil Plan approval on July 10, 2020, thereby signifying compliance with all relevant Engineering Standards. These analyses are discussed in detail in the Preliminary Condominium Plat for Rio Homes Unit 4 Multifamily (PZ-19-00019-06) staff report.

---

#### **Attachments:**

- Application
- Preliminary Plat
- Natural Resource Protection Plan
- Vicinity Map
- Utility notification letters



# City of Flagstaff

## Community Development Division

211 W. Aspen Ave

P: (928) 213-2618

Flagstaff, AZ 86001

F: (928) 213-2609

www.flagstaff.az.gov

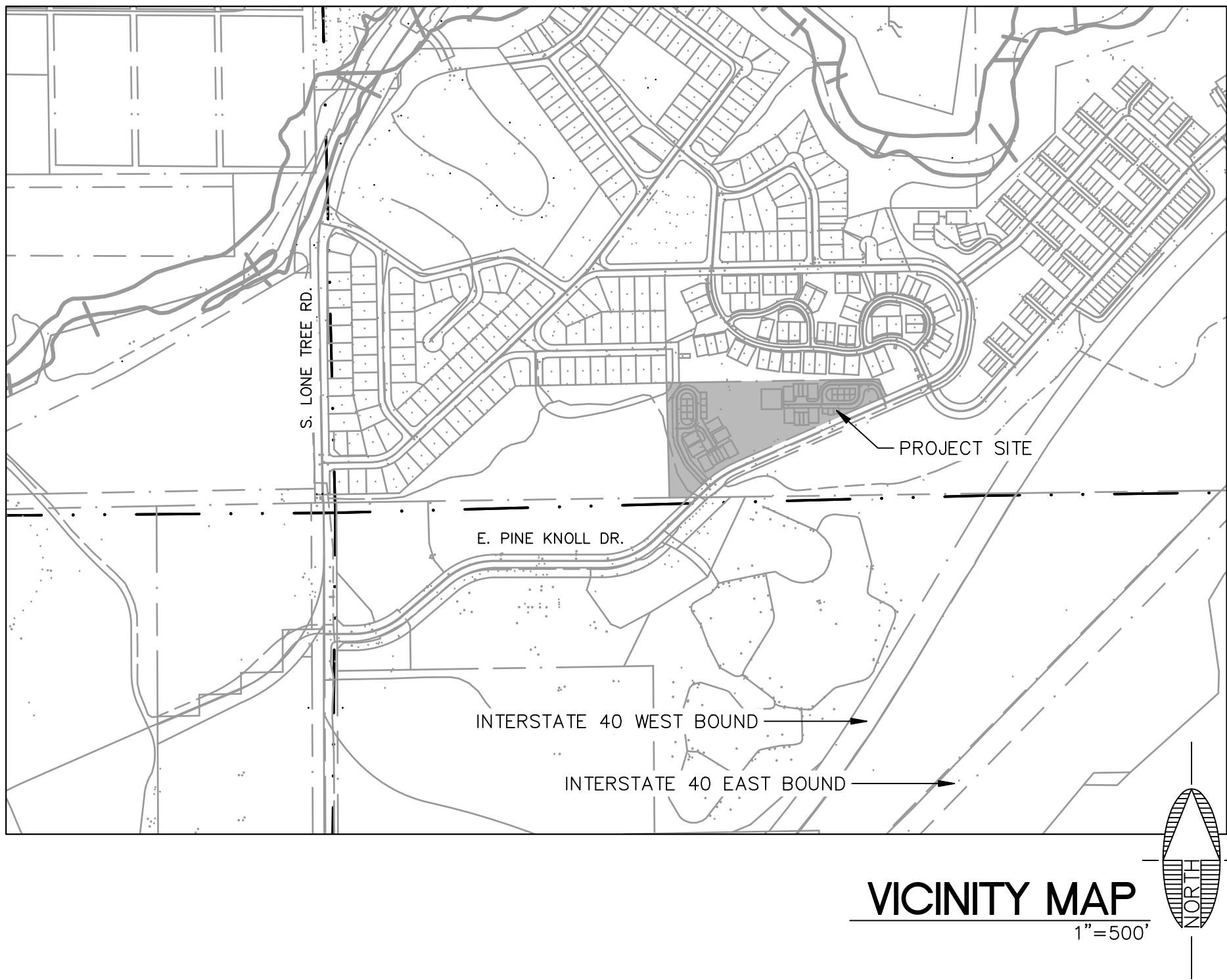
Date Received	Application for Subdivision Review		File Number
Property Owner(s) RP4V LLC & RP40 LLC		Phone	
Mailing Address 2410 E. Route 66		City, State, Zip Flagstaff, AZ 86004	Email tom@aznorth.com
Applicant(s) AZ North Realty		Phone	
Mailing Address 2410 E. Route 66		City, State, Zip Flagstaff, AZ 86004	Email
Project Representative Blake Schraufnagel		Phone 928-774-6637	
Mailing Address 2410 E. Route 66		City, State, Zip Flagstaff, AZ 86004	Email blake@schraufrealestate.com
Requested Review:	<input type="checkbox"/> Development Master Plan <input type="checkbox"/> Conceptual Plat <input type="checkbox"/> Preliminary Plat P&Z and Council <input type="checkbox"/> Modified Subdivision <input checked="" type="checkbox"/> Preliminary Plat Amendment <input type="checkbox"/> Final Plat- Council		

Project Name: Rio Homes Unit 4		Site Address Emma Drive & Jen Drive		Parcel Number 104-17-154 through 107-17-187	
Proposed Use Residential - Apartments		Existing Use Residential - Apartments		Subdivision, Tract & Lot Number Rio Homes Unit 4	
Zoning District Medium Density Residential (MR)		Regional Plan Category Suburban		Flood Zone Zone X	Size of Site (Sq. ft. or Acres) 5.1 acres
Property Information:		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Located in an existing Local/National Historic District? (Name: _____) <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Existing structures are over 50 years old at the time of application? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Subject property is undeveloped land?			
Surrounding Uses		North	South	East	West
(Res, Com, Ind)		Residential	Residential/Undeveloped	Residential	Public Facility - Park
Proposed Use:		Number of Lots	Number of Units	Number of acres per use	Building Square Feet
				5.1 acres	
Please complete a "Subdivision Review Application" and provide an initialed "Application and Information Checklist" form along with the required number of plans and information as appropriate for a Development Master Plan, Conceptual, Preliminary or Final Plat. <b>Incomplete submittals will not be scheduled.</b>					
Property Owner Signature: (required)		Date: 4/2/22	Applicant Signature:		Date:
For City Use					
Date Filed:		Case Number (s)			
P & Z Hearing Date:		Publication and Posting Date:			
Council Hearing Date:		Publication and Posting Date:			
Fee Receipt Number:		Amount:		Date:	
Action by Planning and Zoning Commission:		Action By City Council:			
<input type="checkbox"/> Approved		<input type="checkbox"/> Approved			
<input type="checkbox"/> Denied		<input type="checkbox"/> Denied			
<input type="checkbox"/> Continued		<input type="checkbox"/> Continued			
Staff Assignments	Planning	Engineering	Fire	Public Works/Utilities	Stormwater

PRELIMINARY PLAT  
FOR  
RIO HOMES UNIT 4  
MULTI-FAMILY  
FLAGSTAFF, ARIZONA

AN AMENDED PLAT FOR RIO HOMES UNIT 4, ACCORDING TO  
THE FINAL PLAT FOR RIO HOMES UNIT 4, INSTRUMENT  
#3925263, OFFICIAL RECORDS COCONINO COUNTY, ARIZONA.

LOCATED IN SOUTH HALF OF SECTION 22, TOWNSHIP  
21 NORTH, RANGE 7 EAST, GILA AND SALT BASE AND  
MERIDIAN, COCONINO COUNTY, FLAGSTAFF, ARIZONA



SOURCE OF PROJECT INFORMATION

TOPOGRAPHIC, BOUNDARY, EASEMENTS, AND EXISTING IMPROVEMENTS WERE PROVIDED BY THE CITY OF FLAGSTAFF AND ARE FROM A RECORD OF SURVEY, RECORDED IN BOOK 18, PAGES 3 AND 3A, PREPARED BY WFM, INC. ENGINEERS AND SURVEYORS AND SEALED BY JAMES A. FOLKERS ON 9-7-2001. A SUPPLEMENTAL TOPOGRAPHIC SURVEY WAS PERFORMED BY SHEPHARD-WESNITZER, INC., DATED 8-13-2019.

ADEQUATE WATER SUPPLY NOTE:

THE CITY OF FLAGSTAFF PROVIDES WATER [UTILITY] SERVICE PURSUANT TO STATE LAW, AND IS CURRENTLY OPERATING UNDER A DESIGNATION OF ADEQUATE WATER SUPPLY GRANTED BY THE ARIZONA DEPARTMENT OF WATER RESOURCES, APPLICATION NO. 41-900002.0002.

COORDINATE SYSTEM DETAILS

LINEAR UNIT: INTERNATIONAL FEET  
GEODETIC DATUM: NAD 83 (CONUS)  
VERTICAL DATUM: NAVD 88, REFERENCED FROM NGS CORS STATION 'AZFL'  
SYSTEM: CITY OF FLAGSTAFF LOW DISTORTION PROJECTION (1992)

PROJECTION:  
TRANSVERSE MERCATOR  
LATITUDE OF GRID ORIGIN: 31.000000000 N  
LONGITUDE OF CENTRAL MERIDIAN: 111.916666667 W  
NORTHING AT GRID ORIGIN: -48563.550 FT  
EASTING AT CENTRAL MERIDIAN: -1475125.575 FT  
CENTRAL MERIDIAN SCALE FACTOR: 1.0003162016

ALL MEASURED DISTANCES AND BEARINGS SHOWN HEREON ARE GRID VALUES BASED ON THE PRECEDING PROJECTION DEFINITION. THE PROJECTION WAS DEFINED SUCH THAT GRID DISTANCES ARE EQUIVALENT TO "GROUND" DISTANCES IN THE PROJECT AREA.

THE BASIS OF BEARINGS IS TRUE GEODEDIC NORTH; NOTE THAT THE MEASURED GRID BEARINGS SHOWN HEREON (OR IMPLIED BY GRID COORDINATES) DO NOT EQUAL GEODETIC BEARINGS DUE TO MERIDIAN CONVERGENCE.

ORTHOMETRIC HEIGHTS (ELEVATIONS) WERE TRANSFERRED TO THE SITE FROM NGS CONTROL POINT "AZFL" USING GPS WITH NGS GEOID MODEL "GEOID03". ELEVATIONS SHOWN HEREON ARE REFERENCED TO THE PUBLISHED ELEVATION OF THIS STATION.

THE SURVEY WAS CONDUCTED USING GPS REFERENCED TO THE NATIONAL SPATIAL REFERENCE SYSTEM. A PARTIAL LIST OF POINT COORDINATES FOR THIS SURVEY IS GIVEN BELOW. (ADDITIONAL COORDINATES ARE AVAILABLE UPON REQUEST). LOCAL NETWORK ESTIMATES ARE GIVEN AT THE 95% CONFIDENCE LEVEL AND ARE BASED ON A LEAST-SQUARES ADJUSTMENT OF STATISTICALLY INDEPENDENT OBSERVATIONS.

POINT #3003 = 2" ALUMINUM CAP IN CENTERLINE OF PINE KNOLL DRIVE  
LATITUDE = N 35.181316209  
LONGITUDE = W 111.643120982  
ELLIPSOID HEIGHT = 6864.461 FT  
NORTHING = 46905.651 FT  
EASTING = 33208.715 FT  
ELEVATION = 6940.464 FT

POINT #3004 = 2" ALUMINUM CAP IN CENTERLINE OF PINE KNOLL DRIVE  
LATITUDE = N 35.181528385  
LONGITUDE = W 111.642723891  
ELLIPSOID HEIGHT = 6865.395 FT  
NORTHING = 46983.232 FT  
EASTING = 33327.207 FT  
ELEVATION = 6941.398 FT

POINT #3005 = 2" ALUMINUM CAP IN CENTERLINE OF PINE KNOLL DRIVE  
LATITUDE = N 35.182232027  
LONGITUDE = W 111.640773788  
ELLIPSOID HEIGHT = 6891.863 FT  
NORTHING = 47241.044 FT  
EASTING = 33909.449 FT  
ELEVATION = 6967.871 FT

PROJECT OWNER/DEVELOPER:

RP40, LLC & RP4V, LLC  
THOMAS BREWSTER, MANAGER  
2410 E. ROUTE 66  
FLAGSTAFF, AZ 86004  
(928) 774-6637

CIVIL ENGINEER:

SHEPHARD WESNITZER INC.  
GUILLERMO E. CORTES, PE  
110 WEST DALE AVE  
FLAGSTAFF, AZ 86001  
(928) 773-0354

SURVEYOR:

SHEPHARD-WESNITZER, INC.  
AARON BORLING, RLS #48756  
110 WEST DALE AVE  
FLAGSTAFF, AZ 86001  
(928) 773-0354

LEGEND

---	ROW BOUNDARY	⊙	FOUND MONUMENTS
- - -	EX. EASEMENT	⊙	SECTION CORNER AS NOTED
---	ROAD CENTERLINE	●	CALCULATED POINT
---	LOT LINE		
- - -	EASEMENT		
---	SECTION LINE		

LEGAL DESCRIPTION

RIO HOMES UNIT 4, ACCORDING TO THE CITY OF FLAGSTAFF FINAL PLAT FOR RIO HOMES UNIT 4, INSTRUMENT #3925263, OFFICIAL RECORDS OF COCONINO COUNTY, LOCATED IN THE SOUTH HALF OF SECTION 22, TOWNSHIP 21 NORTH, RANGE 7 EAST OF THE GILA AND SALT RIVER MERIDIAN, COCONINO COUNTY, ARIZONA.

PROJECT INFORMATION

RIO HOMES UNIT 4  
EMMA DRIVE & JEN DRIVE  
FLAGSTAFF, AZ 86001

NUMBER OF LOTS/TRACTS: 9  
BUILDING TYPE: MEDIUM DENSITY RESIDENTIAL (MR)  
GROSS/NET AREA: 5.1 ACRES

EXISTING ZONING: MR (MEDIUM DENSITY RESIDENTIAL)

- TRACT 'A' FOR THE PURPOSES OF ACCESS EASEMENT, INGRESS/EGRESS, PARKING, COMMON ELEMENT AND OPEN SPACE AS SHOWN HEREON.
- TRACT 'B' FOR THE PURPOSES OF OPEN SPACE, RESOURCE PROTECTION, DRAINAGE MAINTENANCE EASEMENT AND FUTURE DEVELOPMENT AS SHOWN HEREON.
- TRACT 'C' FOR THE PURPOSE OF INGRESS/EGRESS, PARKING, COMMON ELEMENT AND OPEN SPACE AS SHOWN HEREON.

SUMMARY OF TRACTS

- TRACT A: 31,057 SF, 0.71 ACRES
- TRACT B: 149,890 SF, 3.44 ACRES
- TRACT C: 29,160 SF, 0.67 ACRES

UTILITY COMPANY CONTACTS

APS  
CONTACT: CHAD BROOKS  
2200 E. HUNTINGTON  
FLAGSTAFF, AZ 86004  
CHAD.BROOKS@APS.COM  
PHONE: (928) 773-6440

UNISOURCE ENERGY SERVICES  
CONTACT: MARTIN CONBOY  
2901 W SHAMRELL BLVD #110  
FLAGSTAFF, AZ 86001  
MCONBOY@UESAZ.COM  
PHONE: (928) 226-2269

CENTURYLINK  
CONTACT: MANUEL HERNANDEZ  
112 NORTH BEAVER STREET  
FLAGSTAFF, AZ 86001  
MANUEL.HERNANDEZ4@CENTURYLINK.COM  
PHONE: (928) 779-4935

ALTICE USA  
CONTACT: SANFORD YAZZIE  
1601 SOUTH PLAZA WAY  
FLAGSTAFF, AZ 86001  
SANFORD.YAZZIE@ALTICEUSA.COM  
PHONE: (928) 266-0672

UTILITY COMPANY APPROVAL

ARIZONA PUBLIC SERVICE

CHAD BROOKS (BY LETTER) 10-4-2021  
BY: CHAD BROOKS DATE:

UNISOURCE ENERGY SERVICES

MARTIN CONBOY (BY LETTER) 10-4-2021  
BY: MARTIN CONBOY DATE:

CENTURYLINK

MANUEL HERNANDEZ (BY LETTER) 10-18-2021  
BY: MANUEL HERNANDEZ DATE:

ALTICE USA

SANFORD YAZZIE (BY LETTER) 10-18-2021  
BY: SANFORD YAZZIE DATE:

UTILITY CONFLICT NOTE

THERE ARE NO APPARENT UTILITY CONFLICTS WITH APS, CENTURYLINK, UNISOURCE, OR ALTICE USA; HOWEVER, THEY DO HAVE EXISTING FACILITIES IN THE AREA THAT WILL NEED TO BE PROTECTED AND/OR RELOCATED.

FLOOD ZONE CLASSIFICATION:

THE SUBJECT PARCEL IS LOCATED WITHIN ZONE X OF FEMA FIRM MAP #0400506816G, EFFECTIVE SEPTEMBER 3, 2010. ZONE X IS DESCRIBED AS AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN.

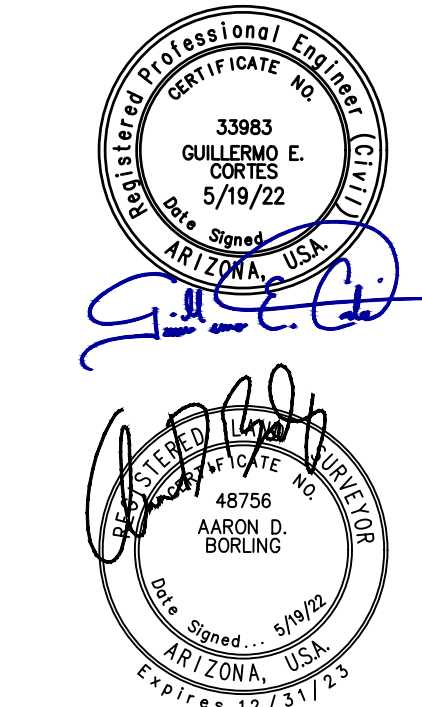
RESOURCE PROTECTION :

THE PROJECT FALLS WITHIN THE CITY OF FLAGSTAFF RESOURCE PROTECTION OVERLAY ZONE. BASED ON THE APPROVED RIO HOMES NATURAL RESOURCE PROTECTION PLAN FOR UNIT 4, DATED FEBRUARY 18, 2021, AND THE PROPOSED DEVELOPMENT, THERE ARE RESOURCES THAT REQUIRE PRESERVATION.

CERTIFICATE OF LAND SURVEYOR

THIS IS TO CERTIFY THAT THE SURVEY OF THE PROPERTY DESCRIBED AND PLATTED HEREON WAS MADE UNDER MY DIRECTION AND SUPERVISION AND IS ACCURATELY REPRESENTED ON THIS PLAT. I ALSO CERTIFY THAT THE PLAT IS IN SUBSTANTIAL CONFORMANCE TO THE APPROVED TENTATIVE PLAT AND THAT THIS PLAT IS CORRECT AND ACCURATE AS SHOWN TO THE BEST OF MY KNOWLEDGE AND BELIEF.

Aaron D. Borling, RLS 48756



C.O.F. #PZ-19-00019-07

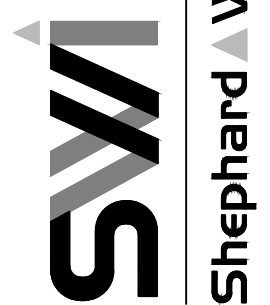
FLAGSTAFF  
ARIZONA

RIO HOMES UNIT 4 PRELIMINARY PLAT

COVER SHEET

JOB NO: 19025  
DATE: MAY 22  
SCALE: AS SHOWN  
DRAWN: JEE  
DESIGN: KMF/JEE  
CHECKED: ADB/GEC

110 W. Dale Avenue  
Flagstaff, AZ 86001  
928.773.0354  
928.774.8934 fax  
www.swiwoz.com



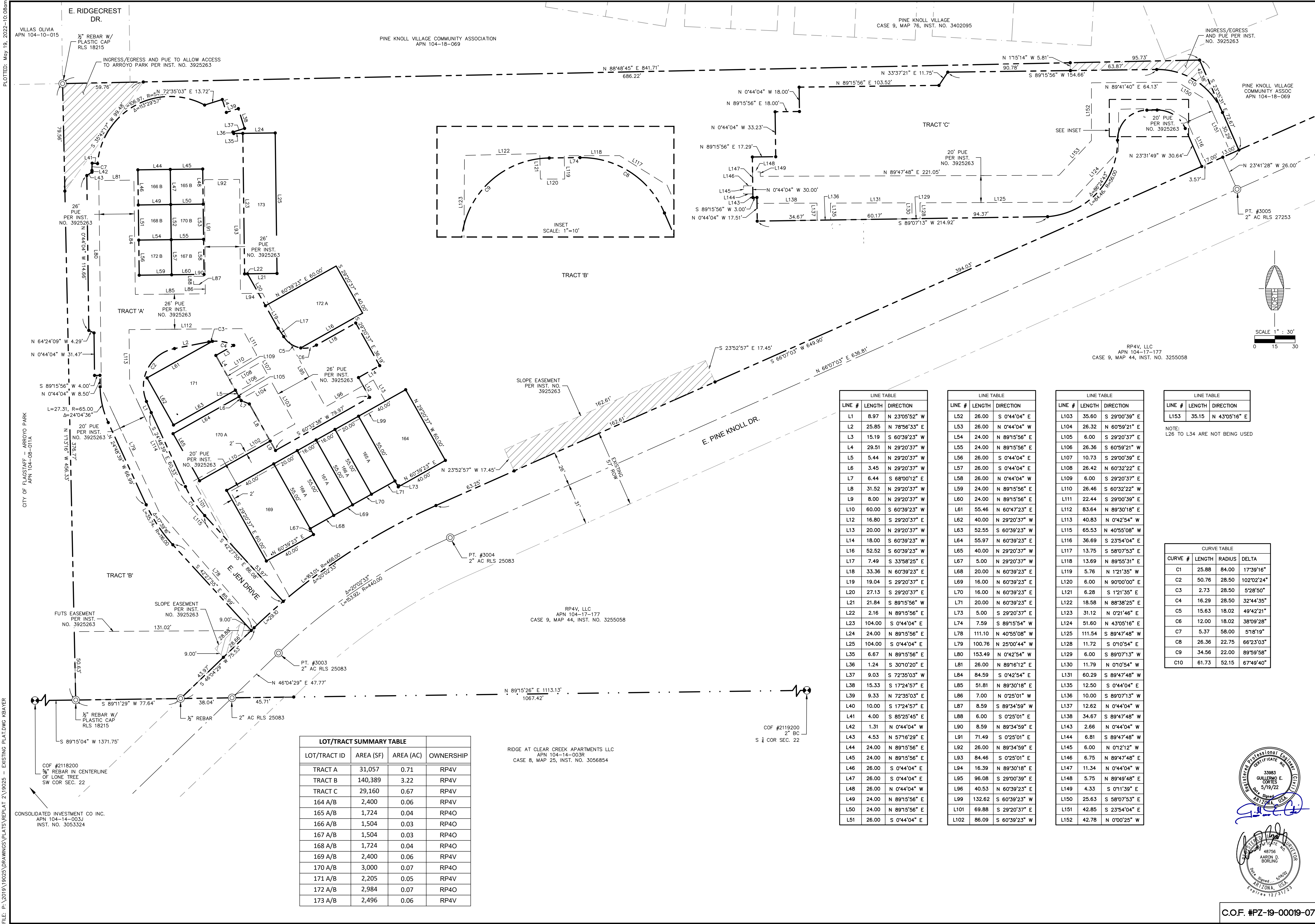
REVISIONS	BY	DATE	DESCRIPTION
NO.			

Call at least two full working days before you begin excavation.  
ARIZONA811  
Arizona Blue Stakes, Inc.  
Dial 8-1-1 or 1-800-546-4111 (PZ-5348)

DRAWING NO.  
CVR

SHT NO. OF  
1 3

FILE: P:\2019\19025\DRAWINGS\PLATS\REPLAT 2\19025 - EXISTING PLATDMS KBAYER  
PLOTTED: May 19, 2022-10:08am



LOT/TRACT SUMMARY TABLE			
LOT/TRACT ID	AREA (SF)	AREA (AC)	OWNERSHIP
TRACT A	31,057	0.71	RP4V
TRACT B	140,389	3.22	RP4V
TRACT C	29,160	0.67	RP4V
164 A/B	2,400	0.06	RP4V
165 A/B	1,724	0.04	RP4O
166 A/B	1,504	0.03	RP4O
167 A/B	1,504	0.03	RP4O
168 A/B	1,724	0.04	RP4O
169 A/B	2,400	0.06	RP4V
170 A/B	3,000	0.07	RP4O
171 A/B	2,205	0.05	RP4V
172 A/B	2,984	0.07	RP4O
173 A/B	2,496	0.06	RP4V

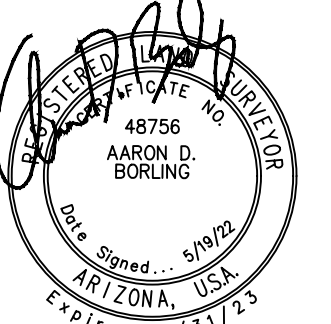
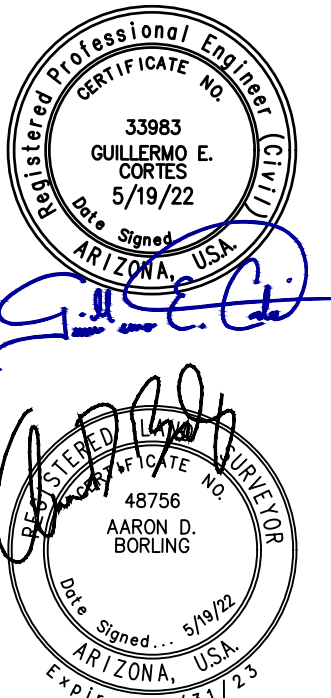
LINE TABLE		
LINE #	LENGTH	DIRECTION
L1	8.97	N 23°05'52" W
L2	25.85	N 78°56'33" E
L3	15.19	S 60°39'23" W
L4	29.51	N 29°20'37" W
L5	5.44	N 29°20'37" W
L6	3.45	N 29°20'37" W
L7	6.44	S 68°00'12" E
L8	31.52	N 29°20'37" W
L9	8.00	N 29°20'37" W
L10	60.00	S 60°39'23" W
L11	16.80	S 29°20'37" W
L12	20.00	N 29°20'37" W
L13	18.00	S 60°39'23" W
L14	52.52	S 60°39'23" W
L15	7.49	S 33°58'25" E
L16	33.36	N 60°39'23" E
L17	19.04	S 29°20'37" E
L18	27.13	N 29°20'37" E
L19	21.84	S 89°15'56" W
L20	2.16	N 89°15'56" E
L21	104.00	S 0°44'04" E
L22	24.00	N 89°15'56" E
L23	104.00	S 0°44'04" E
L24	24.00	N 89°15'56" E
L25	104.00	S 0°44'04" E
L35	6.67	N 89°15'56" E
L36	1.24	S 30°10'20" E
L37	9.03	S 72°35'03" W
L38	15.33	S 17°24'57" E
L39	9.33	N 72°35'03" E
L40	10.00	S 17°24'57" E
L41	4.00	S 85°25'45" E
L42	1.31	N 0°44'04" W
L43	4.53	N 57°16'29" E
L44	24.00	N 89°15'56" E
L45	24.00	N 89°15'56" E
L46	26.00	S 0°44'04" E
L47	26.00	S 0°44'04" E
L48	26.00	N 0°44'04" W
L49	24.00	N 89°15'56" E
L50	24.00	N 89°15'56" E
L51	26.00	S 0°44'04" E

LINE TABLE		
LINE #	LENGTH	DIRECTION
L52	26.00	S 0°44'04" E
L53	26.00	N 0°44'04" W
L54	24.00	N 89°15'56" E
L55	24.00	N 89°15'56" E
L56	26.00	S 0°44'04" E
L57	26.00	S 0°44'04" E
L58	26.00	N 0°44'04" W
L59	24.00	N 89°15'56" E
L60	24.00	N 89°15'56" E
L61	55.46	N 60°47'23" E
L62	40.00	N 29°20'37" W
L63	52.55	S 60°39'23" W
L64	55.97	N 60°39'23" E
L65	40.00	N 29°20'37" W
L66	5.00	N 29°20'37" W
L67	20.00	N 60°39'23" E
L68	16.00	N 60°39'23" E
L69	16.00	N 60°39'23" E
L70	16.00	N 60°39'23" E
L71	20.00	N 60°39'23" E
L72	5.00	S 29°20'37" E
L73	7.59	S 89°15'54" W
L74	111.10	N 40°55'08" W
L75	100.76	N 25°00'44" W
L76	153.49	N 0°42'54" W
L77	26.00	N 89°16'12" E
L78	84.59	S 0°42'54" E
L79	51.81	N 89°30'18" E
L80	7.00	N 0°25'01" W
L81	8.59	S 89°34'59" W
L82	6.00	S 0°25'01" E
L83	8.59	N 89°34'59" E
L84	71.49	S 0°25'01" E
L85	26.00	N 89°30'18" E
L86	6.00	N 89°34'59" E
L87	40.53	N 60°39'23" E
L88	132.62	S 60°39'23" W
L89	69.88	S 29°20'37" E
L90	86.09	S 60°39'23" W

LINE TABLE		
LINE #	LENGTH	DIRECTION
L103	35.60	S 29°00'39" E
L104	26.32	N 60°59'21" E
L105	6.00	S 29°20'37" E
L106	26.36	S 60°59'21" W
L107	10.73	S 29°00'39" E
L108	26.42	N 60°32'22" E
L109	6.00	S 29°20'37" E
L110	26.46	S 60°32'22" W
L111	22.44	S 29°00'39" E
L112	83.64	N 89°30'18" E
L113	40.83	N 0°42'54" W
L114	65.53	N 40°55'08" W
L115	36.69	S 23°54'04" E
L116	13.75	S 58°07'53" E
L117	13.69	N 89°55'31" E
L118	5.76	N 1°21'35" W
L119	50.76	N 90°00'00" E
L120	6.28	S 1°21'35" E
L121	18.58	N 88°38'25" E
L122	31.12	N 0°21'46" E
L123	51.60	N 43°05'16" E
L124	111.54	S 89°47'48" W
L125	11.72	S 0°10'54" E
L126	6.00	S 89°07'13" W
L127	11.79	N 0°10'54" W
L128	60.29	S 89°47'48" W
L129	12.50	S 0°44'04" E
L130	10.00	S 89°07'13" W
L131	12.62	N 0°44'04" W
L132	34.67	S 89°47'48" W
L133	2.66	N 0°44'04" W
L134	6.81	S 89°47'48" W
L135	11.34	N 0°44'04" W
L136	5.75	N 89°49'48" E
L137	4.33	S 0°11'39" E
L138	25.63	S 58°07'53" E
L139	42.85	S 23°54'04" E
L140	42.78	N 0°00'25" W

CURVE TABLE			
CURVE #	LENGTH	RADIUS	DELTA
C1	25.88	84.00	17°39'16"
C2	50.76	28.50	102°02'24"
C3	2.73	28.50	5°28'50"
C4	16.29	28.50	32°44'35"
C5	15.63	18.02	49°42'21"
C6	12.00	18.02	38°09'28"
C7	5.37	58.00	5°16'19"
C8	26.36	22.75	66°23'03"
C9	34.56	22.00	89°59'58"
C10	61.73	52.15	67°49'40"

NOTE:  
L26 TO L34 ARE NOT BEING USED



FLAGSTAFF  
ARIZONA

RIO HOMES UNIT 4 PRELIMINARY PLAT

JOB NO: 19025  
DATE: APR '21  
SCALE: 1"=30'  
DRAWN: JEE  
DESIGN: KMF  
CHECKED: AUB/GEC

110 W. Dale Avenue  
Flagstaff, AZ 86001  
928.773.0354  
928.774.8934 fax  
www.swicor.com

**Shephard Wesnitzer, Inc.**

REVISIONS

NO.	DESCRIPTION	DATE	BY

Call at least two full working days before you begin excavation.  
Dial 8-1-1 or 1-800-544-1111 (Toll-Free)

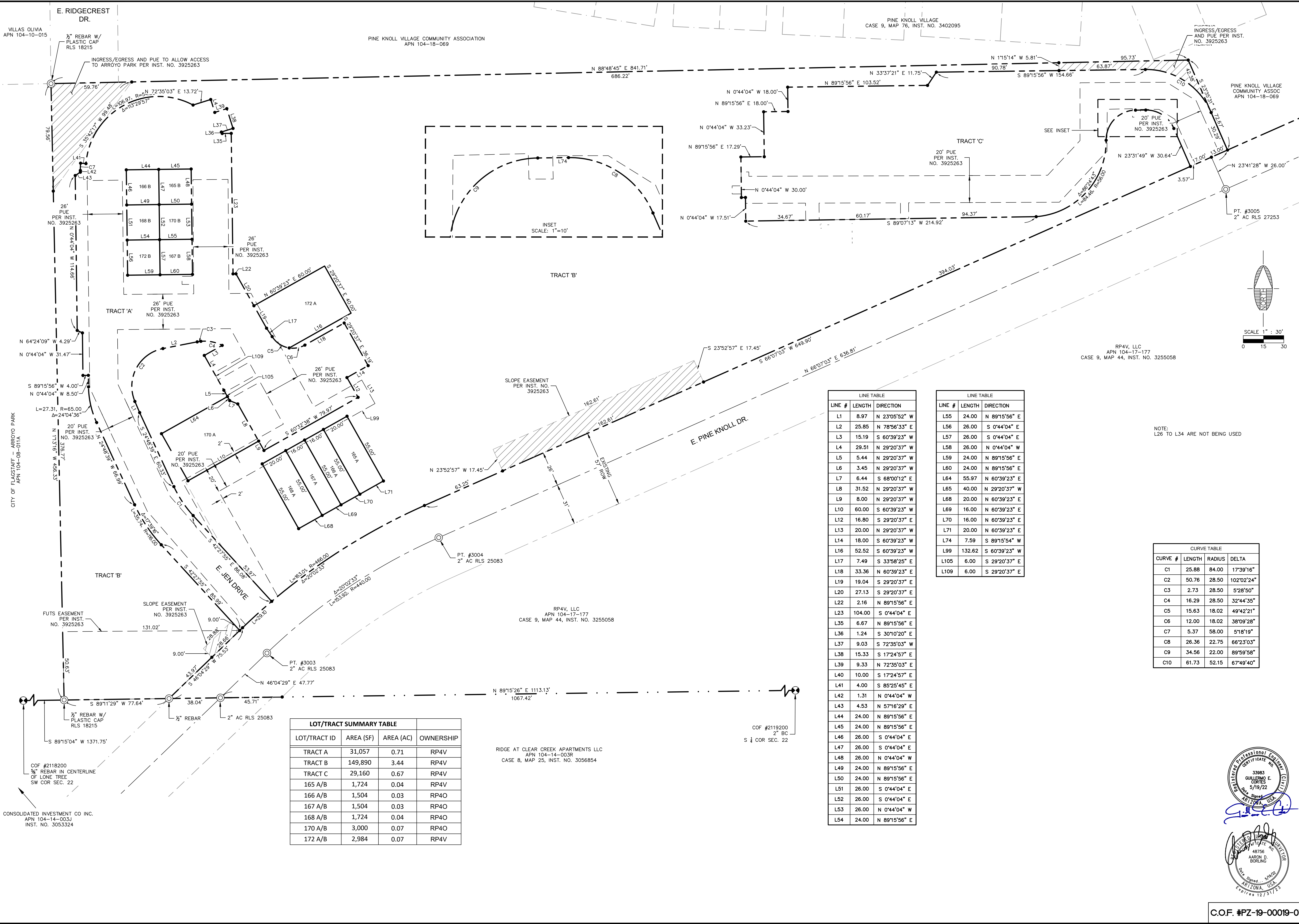
**ARIZONA 811**  
Arizona Blue Stakes, Inc.

DRAWING NO.  
**EP01**

SHT NO. 2 OF 3

C.O.F. #PZ-19-00019-07

FILE: P:\2019\19025\DRAWINGS\PLATS\REPLAT 2\19025 - PRELIMINARY PLAT.DWG KBAYER  
PLOTTED: May 19, 2022-10:08am



FLAGSTAFF  
ARIZONA

RIO HOMES UNIT 4 PRELIMINARY PLAT

PRELIMINARY PLAT

JOB NO: 19025

DATE: APR '21

SCALE: 1"=30'

DRAWN: JEE

DESIGN: KMF/JEE

CHECKED: AUB/GEC

110 W. Dale Avenue  
Flagstaff, AZ 86001  
928.773.0354  
928.774.8934 fax  
www.swicaz.com

Shephard Wesnitzer, Inc.

REVISIONS

NO.	DESCRIPTION	DATE	BY

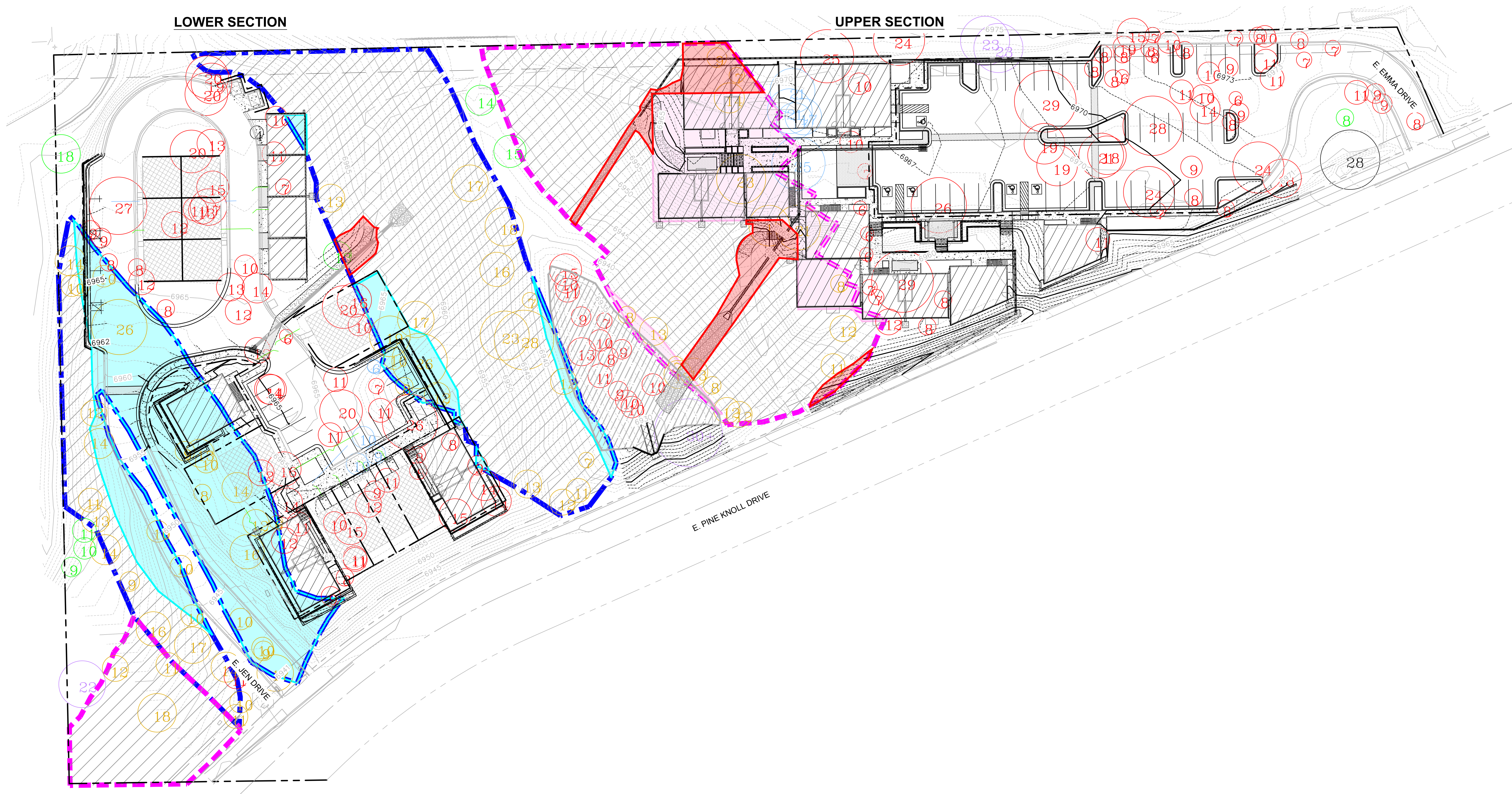
Call at least two full working days before you begin excavation.  
ARIZONA 811  
Arizona Blue Stakes, Inc.

Call 8-1-1 or 1-800-544-1111 (Toll-Free)

DRAWING NO.  
PP01

SHT NO. 3 OF 3





LEGEND

- 17-24.9% SLOPE
- DISTURBED AREA AND SLOPE
- ADDED DISTURBED AREA AND SLOPE (BASED ON PROPOSED IMPROVEMENTS)
- 25% AND GREATER SLOPE
- DISTURBED AREA AND SLOPE
- DISCRETIONARY TREE
- SAVE TREE
- REMOVE TREE
- FLEX TREE
- SLOPE TREE
- BURNT/BEEBLE TREE

UNIT 4 (SEE SHEET RS02 OF ORIGINAL NRPP FOR UNIT 2 AND 3 CALCULATIONS)

EXISTING TREE CANOPY=36,163 S.F.  
REQUIRED TREE CANOPY PRESERVATION (40%)=14,465 S.F.  
PRESERVED TREE CANOPY=3,912 S.F.  
FLEXIBLE MEASURE TREE CANOPY=2,101 S.F.  
USEABLE FLEXIBLE TREE CANOPY=723 S.F.  
TOTAL PRESERVED TREE CANOPY (WITH FLEX TREES)=4,635 S.F.  
TREE CANOPY DEFICIT=9,830 S.F.

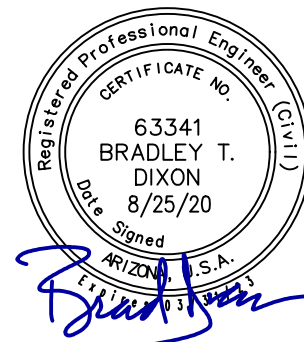
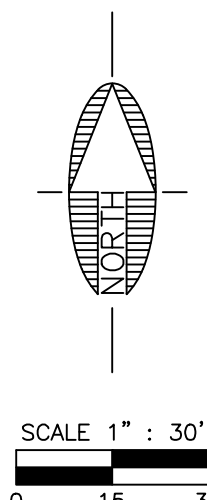
EXISTING 17-24.9% SLOPE=41,172 S.F.  
REQUIRED 17-24.9% SLOPE PRESERVATION (56%)=23,056 S.F.  
PRESERVED 17-24.9% SLOPE=31,967 S.F. 27,901 S.F.  
17-24.9% SLOPE EXCESS=8,911 S.F. 4,845 S.F.

EXISTING 25% & GREATER SLOPE=54,004 S.F.  
REQUIRED 25% & GREATER SLOPE PRESERVATION (64%)=34,563 S.F.  
PRESERVED 25% & GREATER SLOPE=33,580 S.F. 33,010 S.F.  
25% & GREATER SLOPE DEFICIT=983 S.F. 1,553 S.F.

UNIT 4 RESOURCE BANKING SUMMARY

UNIT 3 RESOURCE EXCESS=+7,406 S.F.  
UNIT 4 TREE DEFICIT=-9,830 S.F.  
UNIT 4 17-24.9% SLOPE EXCESS=+8,911 S.F. +4,845 S.F.  
UNIT 4 25% & GREATER SLOPE DEFICIT=-983 S.F. -1,553 S.F.  
UNIT 4 EXCESS=868 S.F.  
UNIT 4 EXCESS=868 S.F. (TOTAL FOR THE PROJECT)

NOTES:  
1. THIS PRELIMINARY NATURAL RESOURCE PROTECTION PLAN (NRPP) PROVIDED HEREON IS BASED ON THE ORIGINALLY APPROVED NRPP & ASSOCIATED CALCULATIONS FOR THE RIO HOMES SUBDIVISION. SEE SHEET RS01 AND RS02 FOR THE ORIGINAL NRPP. THIS PRELIMINARY NRPP IS A RE-REPRESENTATION OF THE ORIGINAL NRPP WITH THE PROPOSED DEVELOPMENT AND ASSOCIATED RESOURCE REVISIONS.



C.O.F. #PZ-19-00019

REVISIONS		DATE	BY
NO.	DESCRIPTION		

Call at least two full working days before you begin excavation.  
**ARIZONA 811**  
Arizona Blue Stakes, Inc.  
Dial 8-1-1 or 1-800-514-1111 (722-5348)

DRAWING NO.  
**NRPP**  
SHT NO. 18 OF 18

**SWI**  
Shephard Wesnitzer, Inc.

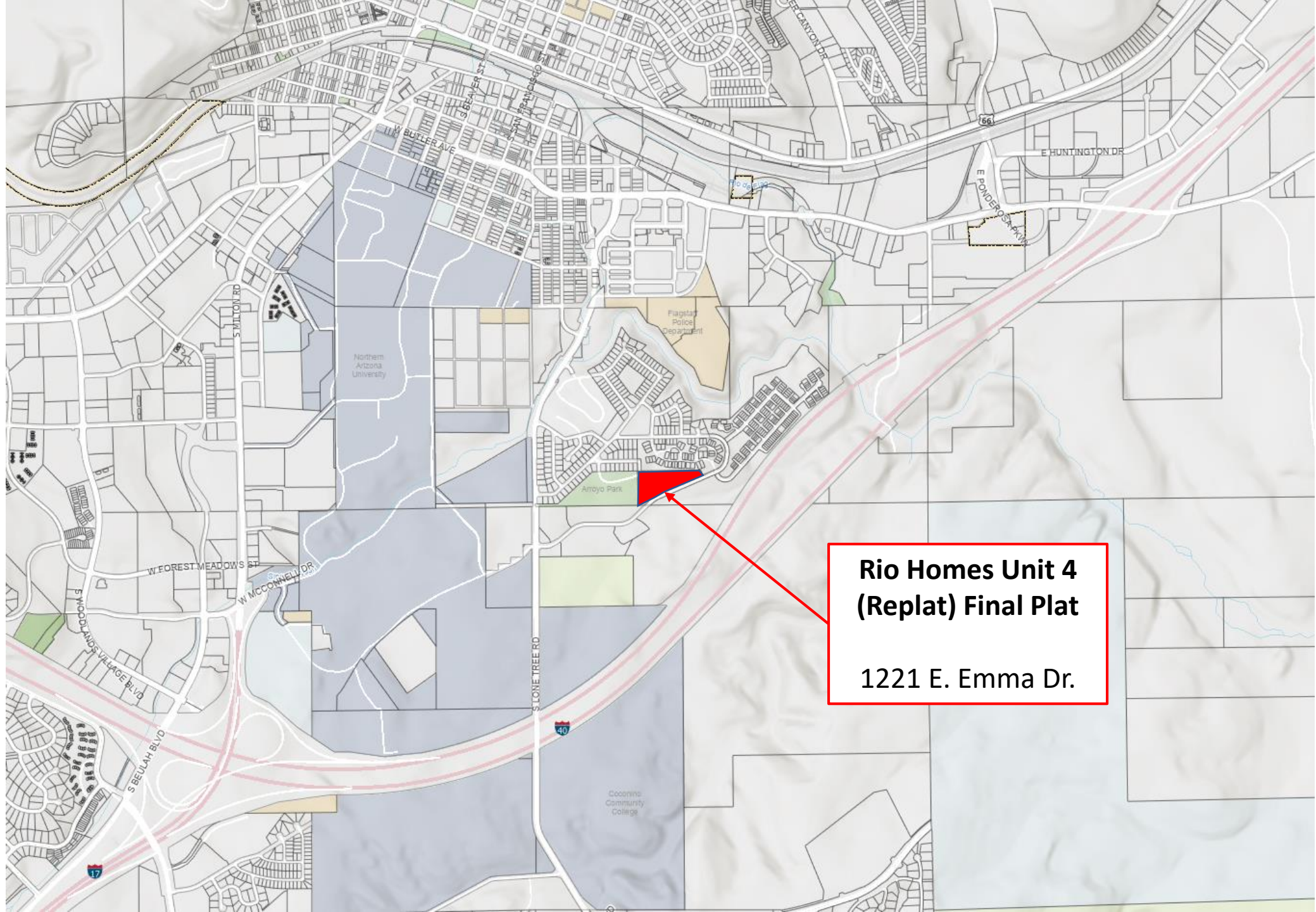
110 W. Dole Avenue  
Flagstaff, AZ 86001  
928.773.0354  
928.774.8934 fax  
www.swiaz.com

JOB NO: 19025  
DATE: AUG 20  
SCALE: AS SHOWN  
DRAWN: KMF  
DESIGN: KMF  
CHECKED: GEC/BJD

RIO HOMES UNIT 4

FLAGSTAFF  
ARIZONA

NATURAL RESOURCE PROTECTION PLAN



**Rio Homes Unit 4  
(Replat) Final Plat**

**1221 E. Emma Dr.**



Shephard Wesnitzer, Inc.  
Engineering an environment of excellence

110 West Dale Avenue  
Flagstaff, AZ 86001

928.773.0354  
928.774.8923

www.swiaz.com

*Engineering an environment of excellence.*

October 4, 2021

Job #19025

PROJECT: *Rio Homes Unit 4*

---

**REVIEW AGENCY NOTIFICATION LETTER**

---

**TO: AlticeUSA**

Sanford Yazzie  
1601 S Plaza Way  
Flagstaff, AZ 86001

**FROM: Shephard-Wesnitzer Inc.**

Kayla Fleishman  
110 W Dale Ave  
Flagstaff, AZ 86001

---

In conformance with the City of Flagstaff subdivision development process, we have enclosed the Preliminary Condominium Plat for the Rio Homes Unit 4 development prepared by Shephard-Wesnitzer, Inc. The site is situated on the north side of E. Pine Knoll Drive.

Please provide any comments and return them to us as soon as possible. Please also provide maps of any existing Altice USA utilities in the vicinity of the site for coordination purposes. Thank you for taking the time to complete, sign, date, and return this document. Your transmittal may be by mail or email as indicated on the bottom of this page.

☐ APPROVED WITHOUT COMMENT

☒ APPROVED WITH COMMENT, AS FOLLOWS

☐ ACKNOWLEDGED, APPROVAL NOT REQUIRED, COMMENTS AS FOLLOWS

Altice/Suddenlink has existing plant on Jen Drive, if any CATV that will need to be relocated it will be at the on the developer to coordinate with Altice/Suddenlink on the both the cost & moving the lines. On Emma Drive there are currently no facilities on the property except at the entrance of the property that goes over to Pine Knoll Lane.

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**SIGNED:** Sanford Yazzie

**TITLE:** Supervisor Operations Construction

**AGENCY:** Suddenlink/Altice

**DATE:** 10-18-2021

110 W. Dale Ave.  
Flagstaff, AZ 86001

Phone #: 928-773-0354

Email: kfleishman@swiaz.com

SEDONA COTTONWOOD FLAGSTAFF PRESCOTT



## Lumen Conflict Memorandum

**Date:** October 18, 2021

**To:** Kayla Fleishma (Shepard Wesnitzer, Inc.)  
[kfleishman@swiaz.com](mailto:kfleishman@swiaz.com)

**From:** Kevin Wagner, Terra Technologies LLC

**Subject:** Lumen – Conflict Memo – Project No. 19025 – Rio Homes Unit 4 Multi-Family, Flagstaff

---

Terra Technologies is in receipt of the plans and a letter dated October 4, 2021. Below you will see an overview of Lumen facilities within the project limits, and a brief project overview along with comments regarding any Lumen facilities with respect to the proposed project.

### **Inventory of Lumen Facilities**

Lumen has facilities within the project limits. Terra Technologies anticipates that due to the site improvements that the Lumen facilities (buried cable & pedestals) should not be impacted. Plan markups have been attached showing approximate locations of Lumen facilities.

### **Project Overview**

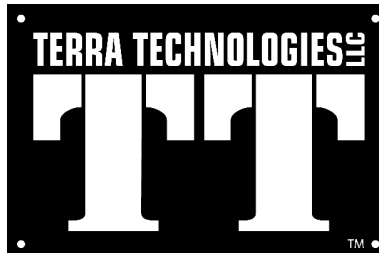
The design intent of this project appears to be developing a vacant parcel of land for a residential multi-family homes.

### **Facility Locations and Impacts**

Plans have been reviewed for conflicts with Lumen facilities based on NDS mapping which show a general location of utility locations. Neither Terra Technologies LLC nor Lumen makes any representation regarding the completeness or accuracy of vertical and horizontal utility information used to determine conflicts or no conflicts.

Based on Lumen mapping and the construction drawings provided there appear to be **no conflicts**.

Utility conflicts with this private development project will be 100% reimbursable. Payment for design and mitigation of conflicts is to be coordinated prior to work commencing.



## Lumen Conflict Memorandum

In accordance with state law, Blue Staking for location of Lumen facilities must be completed prior to any construction. When crossing Lumen facilities, you will be required to pothole to determine depth and maintain a minimum of 12 inch vertical and horizontal separation from facilities.

Pursuant to state law, support and protection is required for all Lumen facilities during construction.

Should the Contractor locate or expose an unknown Lumen facility, please contact Lumen as soon as possible.

In the event Lumen facilities need to be removed/relocated, some or all cost may be at the expense of the sponsoring agency.

If you have any questions or concerns regarding this review feel free to contact me immediately, either by phone or email at the number/address provided below. The contractor is also responsible for contacting Lumen prior to construction around the Lumen facilities.

### **Notification List**

<b>Terra Technologies LLC</b> Kevin Wagner, Project Manager <a href="mailto:kwagner@terratechllc.net">kwagner@terratechllc.net</a> 815-245-9640	<b>Terra Technologies LLC</b> Jason Jensen, P.E. <a href="mailto:jjensen@terratechllc.net">jjensen@terratechllc.net</a> 801-735-2464
<b>Lumen (Engineer II)</b> Manny Hernandez <a href="mailto:Manuel.Hernandez@lumen.com">Manuel.Hernandez@lumen.com</a> 112 N Beaver Street Flagstaff AZ 86001 Work: 928-779-4935	<b>Lumen™ (SR Account Mgr – BDP/MDU-GF)</b> John West <a href="mailto:John.West1@lumen.com">John.West1@lumen.com</a> Work: 480-423-4737

October 4, 2021

Job #19025

PROJECT: *Rio Homes Unit 4*

---

**REVIEW AGENCY NOTIFICATION LETTER**

---

**TO: CenturyLink**

**FROM: Shephard-Wesnitzer Inc.**

Manual Hernandez  
112 North Beaver Street  
Flagstaff, AZ 86001

Kayla Fleishman  
110 W Dale Ave  
Flagstaff, AZ 86001

---

In conformance with the City of Flagstaff subdivision development process, we have enclosed the Preliminary Condominium Plat for the Rio Homes Unit 4 development prepared by Shephard-Wesnitzer, Inc. The site is situated on the north side of E. Pine Knoll Drive.

Please provide any comments and return them to us as soon as possible. Please also provide maps of any existing CenturyLink utilities in the vicinity of the site for coordination purposes. Thank you for taking the time to complete, sign, date, and return this document. Your transmittal may be by mail or email as indicated on the bottom of this page.

☒ APPROVED WITHOUT COMMENT

☐ APPROVED WITH COMMENT, AS FOLLOWS

☐ ACKNOWLEDGED, APPROVAL NOT REQUIRED, COMMENTS AS FOLLOWS

**SIGNED:** Kevin S. Wagner

**TITLE:** Project Manager

**AGENCY:** Terra Technologies / Lumen

**DATE:** October 18, 2021



Shephard Wesnitzer, Inc.  
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Flagstaff, AZ 86001

928.773.0354  
928.774.8923

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October 4, 2021

Job #19025

PROJECT: *Rio Homes Unit 4*

---

**REVIEW AGENCY NOTIFICATION LETTER**

---

**TO: USDA Natural Resources Conservation Service**

**FROM: Shephard-Wesnitzer Inc.**

Sierra Frydenlund  
1585 South Plaza Way  
Flagstaff, AZ 86001

Kayla Fleishman  
110 W Dale Ave  
Flagstaff, AZ 86001

---

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Please provide any comments and return them to us as soon as possible. Thank you for taking the time to complete, sign, date, and return this document. Your transmittal may be by mail or email as indicated on the bottom of this page.

\_\_\_\_ APPROVED WITHOUT COMMENT

\_\_\_\_ APPROVED WITH COMMENT, AS FOLLOWS

X  ACKNOWLEDGED, APPROVAL NOT REQUIRED, COMMENTS AS FOLLOWS

We acknowledge that we have received your forms and want to clarify that USDA-NRCS is not an approving agency and we typically do not receive these requests. We have attached a soils report from Web Soil Survey for the entire work area. For the P Plat, we would like to point out the clay content of the soil, which has shrink-swell potential. This is important to note for load support when building foundations for housing structures. Another soil property to note is the shallow depth to bedrock. These are aspects of the soil that should be considered thoroughly before construction.

---

**SIGNED:** \_\_\_\_\_

**TITLE:** Soil Conservationist

**AGENCY:** NRCS

**DATE:** 10/12/21

110 W. Dale Ave.  
Flagstaff, AZ 86001

Phone #: 928-773-0354

Email: kfleishman@swiaz.com

SEDONA COTTONWOOD FLAGSTAFF PRESCOTT

October 4, 2021

Job #19025

PROJECT: *Rio Homes Unit 4*

---

**REVIEW AGENCY NOTIFICATION LETTER**

---

**TO: Coconino County Flood Control District**

**FROM: Shephard-Wesnitzer Inc.**

Jamie Brown-Esplain  
2500 North Fort Valley Road, Bldg. 1  
Flagstaff, AZ 86001

Kayla Fleishman  
110 W Dale Ave  
Flagstaff, AZ 86001

---

In conformance with the City of Flagstaff subdivision development process, we have enclosed the Preliminary Condominium Plat for the Rio Homes Unit 4 development prepared by Shephard-Wesnitzer, Inc. The site is situated on the north side of E. Pine Knoll Drive.

Please provide any comments and return them to us as soon as possible. Thank you for taking the time to complete, sign, date, and return this document. Your transmittal may be by mail or email as indicated on the bottom of this page.

☐ APPROVED WITHOUT COMMENT

☐ APPROVED WITH COMMENT, AS FOLLOWS

☒ ACKNOWLEDGED, APPROVAL NOT REQUIRED, COMMENTS AS FOLLOWS

Review of submitted document completed. Parcel is located outside of Coconino County Unincorporated area.

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**SIGNED:** Jamie Brown-Esplain

**TITLE:** Engineering Technician

**AGENCY:** Coconino County Community Development

**DATE:** 10/06/21



Shephard  Wesnitzer, Inc.  
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Flagstaff, AZ 86001

928.773.0354  
928.774.8923

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October 4, 2021

Job #19025

PROJECT: *Rio Homes Unit 4*

---

**REVIEW AGENCY NOTIFICATION LETTER**

---

**TO: CC Community Development**

**FROM: Shephard-Wesnitzer Inc.**

Jay Christelman  
2500 North Fort Valley Road, Bldg. 1  
Flagstaff, AZ 86001

Kayla Fleishman  
110 W Dale Ave  
Flagstaff, AZ 86001

---

In conformance with the City of Flagstaff subdivision development process, we have enclosed the Preliminary Condominium Plat for the Rio Homes Unit 4 development prepared by Shephard-Wesnitzer, Inc. The site is situated on the north side of E. Pine Knoll Drive.

Please provide any comments and return them to us as soon as possible. Thank you for taking the time to complete, sign, date, and return this document. Your transmittal may be by mail or email as indicated on the bottom of this page.

- ☒ APPROVED WITHOUT COMMENT  
☐ APPROVED WITH COMMENT, AS FOLLOWS  
☐ ACKNOWLEDGED, APPROVAL NOT REQUIRED, COMMENTS AS FOLLOWS
- 
- 
- 
- 
- 
- 
- 
- 

SIGNED: 

TITLE: CD Director

AGENCY: Coco Community Dev.

DATE: 10.4.21

110 W. Dale Ave.  
Flagstaff, AZ 86001

Phone #: 928-773-0354

Email: kfleishman@swiaz.com

SEDONA COTTONWOOD FLAGSTAFF PRESCOTT

October 4, 2021

Job #19025

PROJECT: *Rio Homes Unit 4*

---

**REVIEW AGENCY NOTIFICATION LETTER**

---

**TO: Flagstaff Unified School District**

**FROM: Shephard-Wesnitzer Inc.**

Bob Kuhn  
3285 E. Sparrow Avenue  
Flagstaff, AZ 86001

Kayla Fleishman  
110 W Dale Ave  
Flagstaff, AZ 86001

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In conformance with the City of Flagstaff subdivision development process, we have enclosed the Preliminary Condominium Plat for the Rio Homes Unit 4 development prepared by Shephard-Wesnitzer, Inc. The site is situated on the north side of E. Pine Knoll Drive.

Please provide any comments and return them to us as soon as possible. Thank you for taking the time to complete, sign, date, and return this document. Your transmittal may be by mail or email as indicated on the bottom of this page.

☒ APPROVED WITHOUT COMMENT  
☐ APPROVED WITH COMMENT, AS FOLLOWS  
☐ ACKNOWLEDGED, APPROVAL NOT REQUIRED, COMMENTS AS FOLLOWS

SIGNED: 

TITLE: Director of Operations

AGENCY: FUSD

DATE: 10/18/21

October 4, 2021

Job #19025

PROJECT: *Rio Homes Unit 4*

---

**REVIEW AGENCY NOTIFICATION LETTER**

---

**TO: Unisource Energy Services**

Martin Conboy  
1459 East Butler Ave.  
Flagstaff, AZ 86001

**FROM: Shephard-Wesnitzer Inc.**

Kayla Fleishman  
110 W Dale Ave  
Flagstaff, AZ 86001

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In conformance with the City of Flagstaff subdivision development process, we have enclosed the Preliminary Condominium Plat for the Rio Homes Unit 4 development prepared by Shephard-Wesnitzer, Inc. The site is situated on the north side of E. Pine Knoll Drive.

Please provide any comments and return them to us as soon as possible. Please also provide maps of any existing Unisource utilities in the vicinity of the site for coordination purposes. Thank you for taking the time to complete, sign, date, and return this document. Your transmittal may be by mail or email as indicated on the bottom of this page.

  X   APPROVED WITHOUT COMMENT

       APPROVED WITH COMMENT, AS FOLLOWS

       ACKNOWLEDGED, APPROVAL NOT REQUIRED, COMMENTS AS FOLLOWS

**SIGNED:** Martin Conboy

**TITLE:** Gas Engineering Supervisor

**AGENCY:** UNS Gas, Inc.

**DATE:** October 4, 2021



## Planning & Zoning Commission

6. B.

Meeting Date: 06/22/2022

From: Genevieve Pearthree, Senior Planner

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### Information

#### TITLE:

#### **Preliminary Plat: PZ-19-00019-06 Rio Homes Unit 4 Multifamily Condominiums**

RP40, LLC and RP4V, LLC request approval of the Preliminary Condominium Plat for Rio Homes Unit 4 Multifamily, a 40-unit multi-family residential condominium subdivision. The 4.11-acre site is located at 1221 E. Emma Drive in the Medium Density Residential (MR) Zone and has a Resource Protection Overlay (RPO) zone.

#### **STAFF RECOMMENDED ACTION:**

Staff recommends the Planning and Zoning Commission, in accordance with the findings presented in this report, forward the Preliminary Plat to the City Council with a recommendation for approval.

#### **Executive Summary:**

The Preliminary Condominium Plat for Rio Homes Unit 4 Multifamily is a residential condominium subdivision development that consists of 40 dwelling units and located on 4.11 acres. The site also contains the required parking and landscaping, in addition to six townhome units from a previous development plan.

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### Attachments

P&Z Staff Report

Application

Preliminary Plat

Natural Resource Protection Plan

Vicinity Map

Utility Notification Letters

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# PLANNING & DEVELOPMENT SERVICES REPORT

## Preliminary Condominium Plat for Rio Homes Unit 4 Multifamily

**PZ-19-00019-06**

**DATE:** May 18, 2022

**MEETING DATE:** June 22, 2022

**REPORT BY:** Genevieve Pearthree

### **REQUEST:**

A request by RP4V, LLC and RP40, LLC for approval of the Preliminary Condominium Plat for Rio Homes Unit 4 Multifamily, a 40-unit multi-family residential condominium subdivision. The 4.11-acre site is located at 1221 E. Emma Drive in the MR, Medium Density Residential Zone, and has a Resource Protection Overlay (RPO) zone. The developer is proposing to condo 40 attached multifamily residential units currently under construction so that they can be sold individually.

### **PRESENT LAND USE:**

The present land use is a partially developed residential property with six townhome units and associated garages.

### **PROPOSED LAND USE:**

Rio Homes Unit 4 Condominiums is a 40-unit residential condominium subdivision. After these units are constructed, there will be 46 units total (40 condominium units and six townhome units).

### **NEIGHBORHOOD DEVELOPMENT:**

See the attached vicinity map for more information.

North: Pine Knoll Village subdivision; MR, Medium Density Residential Zone

South: E. Pine Knoll Drive; then open space zoned MR, Medium Density Residential Zone

East: Rio Homes subdivision; MR, Medium Density Residential Zone

West: Arroyo Park; PF, Public Facility Zone

### **REQUIRED FINDINGS:**

The Planning and Zoning Commission shall find the Preliminary Plat meets the findings for approval, which is compliance with the following City Code sections:

1. City Code Title 10, Flagstaff Zoning Code
2. City Code Division 11-20, Subdivision and Land Split Regulations
3. City Code Title 13, Engineering Design Standards and Specifications.

These findings are addressed in the next sections of this report.

### **STAFF RECOMMENDATION:**

Staff recommends the Planning and Zoning Commission, in accordance with the findings for approval presented in this report, forward the Preliminary Plat to the City Council with a recommendation of approval.

---

### **STAFF REVIEW:**

#### **I. Project Information**

##### **A. Background**

The subject site is located at 1221 E. Emma Dr. on the north side of East Pine Knoll Drive and east of Lone Tree Road. The Rio Homes Unit 4 development was originally intended in the mid-2000s to be a cohousing type of community and included a larger parcel intended for a common house. The original 2005 subdivision plat proposed variety of detached and attached residential building types across 21 lots and 9 tracts. The only structures from the original development plan that were ultimately built were six townhome units, each with an associated detached garage (two of the garages have an accessory dwelling unit on the second floor).

A first amendment to the Rio Homes Unit 4 subdivision was recorded in 2021 to allow for the development of 40 additional multifamily residential units. The amendment modified the 2005 plat to create 12 lots and 3 tracts to allow for the development of 40 multifamily residential units (rental apartments). It maintained the lot lines for the townhomes and garages that had already been developed but removed most of the lot lines that had not been developed. City staff approved the Site Plan for the 40 residential units on March 26, 2020 (Civil Plans were approved on July 10, 2020, and Building Permits were approved on November 11, 2021).

The developer has decided to turn the 40 multifamily residential units into condominiums so that they can be sold individually. The condominiums are located on Tracts B and C of the Rio Homes Unit 4 subdivision plat. City staff administratively approved the Rio Homes Unit 4 Condominiums Preliminary Plat on May 26, 2022.

A second amendment to the Rio Homes Unit 4 subdivision plat is being processed concurrently with the Preliminary Condominium Plat for Rio Homes Unit 4. The purpose of the concurrent amendment (case number PZ-19-00019-07) is to erase the property lines for six townhome lots that were never developed (lots 165-168, 170, and 172). The amendment also clarifies parking/access between the townhome and condominium owners.

## **B. Type of Plat**

This application is for a condominium plat, which takes a multi-unit complex, such as the subject property, and creates the potential for individually owned units. The Preliminary Plat delineates all the elements affiliated with the individual units. In this case, the units are defined as the airspace within each unit. The vertical boundaries start at the finish floor elevation (FFE) of each unit and extend to the ceiling of that unit. The horizontal boundaries start at the inside of the walls enclosing each unit.

Each unit has one or more decks and/or porches, and second floor units have external stairs. The porches, decks, and stairs associated with specific units are being platted as 'limited common elements' (LCEs). Parking spaces are also being platted as LCEs. Shared areas, including the floor plates between the walls, stairways serving multiple units, and all other areas outside of the condominiums, are considered "common elements" (CEs).

The condominiums are also being platted on top of Tracts B and C of the Rio Homes Unit 4 Amended Plat. The purposes of Tract B are: common element, open space, resource protection, drainage maintenance easement, and multifamily development. The purposes of Tract C are: ingress/egress, parking, common element, and open space. Tract A of the Rio Homes Unit 4 Amended plat is not included in the Condominium Plat for Rio Homes Unit 4.

## **II. Required Findings: Conformance with City Development Standards and Regional Plan**

Staff reviewed and approved the Preliminary Plat based on conformance with City Code Title 10, Flagstaff Zoning Code; City Code Division 11-20, Subdivision and Land Split Regulations; and City Code Title 13, Engineering Design Standards and Specifications.

### **A. City of Flagstaff Zoning Code**

#### **i. Medium Density Residential (MR) Zone**

Any subdivision shall be designed to comply with the requirements of the specific zoning district within which it is located. The subject property is zoned MR, Medium Density Residential and has a Resource Protection Overlay (RPO) zone. The MR zone requires a minimum density of 6 dwelling units per acre (DU/AC) and a maximum of 9 DU/AC if subject to the Resource Protection Overlay. The proposed density for this site is 9 dwelling units per acre (46 units divided by 5.1 acres), which complies with the density standard. Maximum permitted lot coverage on the MR zone is 40 percent; the proposed coverage is approximately 12 percent.

The required setbacks for the MR zone are: Front 10' min.; Side 5' min.; Rear 15' min. The proposed development complies with these setbacks.

Maximum permitted height in the MR zone is 35 feet. The height of the condominium units will range from 26'-8" to 34'-9".

## **ii. Natural Resources**

The subject property is located within a Resource Protection Overlay (RPO) Zone. A Natural Resource Protection Plan (NRPP) was approved on July 10, 2020 as part of Civil Plan review for the 40 new residential units. The NRPP accounts for proposed changes to the original development and is an update to the NRPP for Unit 4 originally approved on March 24, 2004.

The 2020 NRPP documents an increase in the disturbance of slopes with 17-24.99% grade due to reconfiguration of buildings on the upper loop. The 2004 NRPP protected 8,911 sq. ft. of steep slopes beyond the minimum required; the excess slope area protected on the 2021 NRRP is 6,267 sq. ft.

No forest resources (pine trees) will be removed for this development. Forest resources on Unit 4 were originally calculated as meeting resource protection standards by banking resources from Unit 3, an undeveloped area of Rio Homes south of E. Pine Knoll Drive. This area will not be developed due to steep slopes per the original agreement for the Rio Homes subdivision. The 2020 NRPP is attached.

## **iii. Parks, Open Space, Pedestrian, and Bicycle Facilities**

The site is adjacent to Arroyo Park. A FUTS easement on the southwest corner of the site was dedicated with the previous amendment. New paver crosswalks will be installed to provide pedestrian access in the parking areas.

## **vi. Landscaping**

A landscaping plan was submitted and approved in conjunction with the site plan for the Rio Homes Unit 4 residential development. Existing and new vegetation will be utilized to meet the requirements for street buffer, building foundation, parking lot and peripheral (rear) buffer landscaping.

## **vii. Parking**

Parking area access is from E. Jen Drive and E. Emma Drive, both off E. Pine Knoll Drive. The minimum required parking for the 6 existing townhome units and the 40 new condominium units is 89 spaces (15 spaces are required for the existing units; 74 spaces are required for the new units). A bike parking reduction of 5% (4 parking spaces) brings the requirement down to 85 spaces. A total of 87 vehicle parking spaces and 10 bicycle parking spaces are provided for all units.

Parking for the six existing townhome units is provided as detached garages and as surface parking spaces, all of which are located on Tract A of the Rio Homes Unit 4 Amended Plat (not a part of the Rio Homes Condominium Plat). Parking for the 40 new condominium units will be provided on Tract A and on Tract C. The owner/developer

of the Rio Homes Unit 4 subdivision will record a shared parking agreement with the HOA of the 40 condominium units, which will allow residents of the condominiums to park on Tracts A and C.

Parking spaces for condominium residents who take access off Emma Dr. (Tract C) are identified as “limited common elements” on the plat, and will be assigned to residents of those units. Parking for residents who take access off Jen Dr. (Tract A) will be assigned by the HOA as part of the shared parking agreement. These parking spaces cannot be platted as “limited common elements” because Tract A is not included in the condominium plat.

## **B. City of Flagstaff Subdivision Standards**

### **i. Preliminary Plat Application Requirements and Procedures**

Preliminary Plats require submittal and staff review of traffic, preliminary stormwater, and water and/or sewer analyses. A summary of these analyses is provided later in this report. The subdivider is also required to inform public utility, cable and communication companies, school district, Soil Conservation Service, County Health Department, ADOT (if site abuts a state highway); Flood Control District; and, County Community Development Department (if site is adjacent to an unincorporated area). The applicant sent the required letters and has provided copies of any responses by the review agencies.

The information required to be shown as part of the Preliminary Plat submittal is extensive and includes, for example, existing and proposed rights-of-way and easements within the subdivision; adjacent street dedications and lot lines; size of each lot; location and description of proposed and existing utilities; and lot and tract dimensions. Approval of a Preliminary Plat is valid for a period of two years from the date of City Council approval.

City Code also requires condominium plats to include the additional information per by A.R.S. § 33-1219, such as identifying the vertical and horizontal boundaries of each condominium unit. The applicant has provided all information for a condominium subdivision as required by City Code.

### **ii. Subdivision Design Standards and Requirements**

This plat is not creating any new lots, streets, easements, or blocks, so this section does not apply.

### **iii. Minimum Required Subdivision Improvements**

Minimum required subdivision improvements are identified through public systems analysis for traffic, stormwater, water, and wastewater. These analyses are described in detail in the City of Flagstaff Engineering Standards section below.

## **C. City of Flagstaff Engineering Standards**

Preliminary Plats are required to comply with Engineering Standards. Staff conducted an initial public systems analysis as part of Site Plan review for the 40 multifamily units, and a final analysis as part of Civil Plan review. The development received Civil Plan approval on July 10, 2020, thereby signifying compliance with all relevant Engineering Standards. A summary of the public systems analyses is presented below.

### **i. Access and Traffic**

The subject property is located on the north side of East Pine Knoll, a minor collector, east of Lone Tree Road. Rio Homes Unit 4 has two development loops: E. Emma Drive, the “Upper Loop”, and E. Jen Drive, the “Lower Loop.” Access to the site is provided by two driveways on East Pine Knoll. The 40 new residential units shown on this plat will take access off E. Jen Drive and E. Emma Drive. For this project, the driveways were expanded to accommodate fire and trash vehicles, including space for a 45’ turning radius, backing up, and fire department access points for the required 150’ hose reach. Fire department access requires driveways have a minimum 26’ width. Onsite there are

pedestrian walkways from all residential units which are connected to pathways and/or the internal driveway throughout the development. An existing foot path connects E. Jen Drive and E. Emma Drive through the large open space area in the middle of the site.

## **ii. Water and Wastewater**

On August 6, 2019, the City of Flagstaff Water Services Division waived the requirement for a Water & Sewer Impact Analysis because the Division determined that 40 residential units would have no significant impact to off-site water or sewer infrastructure (the infrastructure developed for the original designed proposed in 2005 has the capacity to serve the new Rio Homes Unit 4 project). Water and sewer lines are shown on sheet 2 of the Preliminary Plat. Sewer will be provided by existing 8" sewer services through E. Jen Drive and E. Emma Drive. Water service will be provided by existing 8" water mains also through E. Jen and E. Emma Drives. Per City of Flagstaff Engineering standards, the previous Rio Homes Unit 4 amendment dedicated easements to serve the required infrastructure and abandoned easements that were no longer necessary.

## **iii. Stormwater**

The City of Flagstaff Stormwater Section reviewed and approved a drainage letter by the developer's engineer as part of the site plan application for the 40 additional units. The drainage letter discussed the analysis of the proposed changes from the original design proposed in 2005, as well as requirements for Low Impact Development. Stormwater required the applicant to provide a statement of intent to comply with the Low Impact Development (LID) requirements including retention and water quality components. With civil plans the applicant provided an expanded drainage letter and a LID O&M Manual.

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### **Attachments:**

- Application
- Preliminary Plat (6 sheets, 24 x 36")
- Natural Resource Protection Plan
- Vicinity Map
- Utility notification letters



# City of Flagstaff

## Community Development Division

211 W. Aspen Ave  
Flagstaff, AZ 86001  
www.flagstaff.az.gov

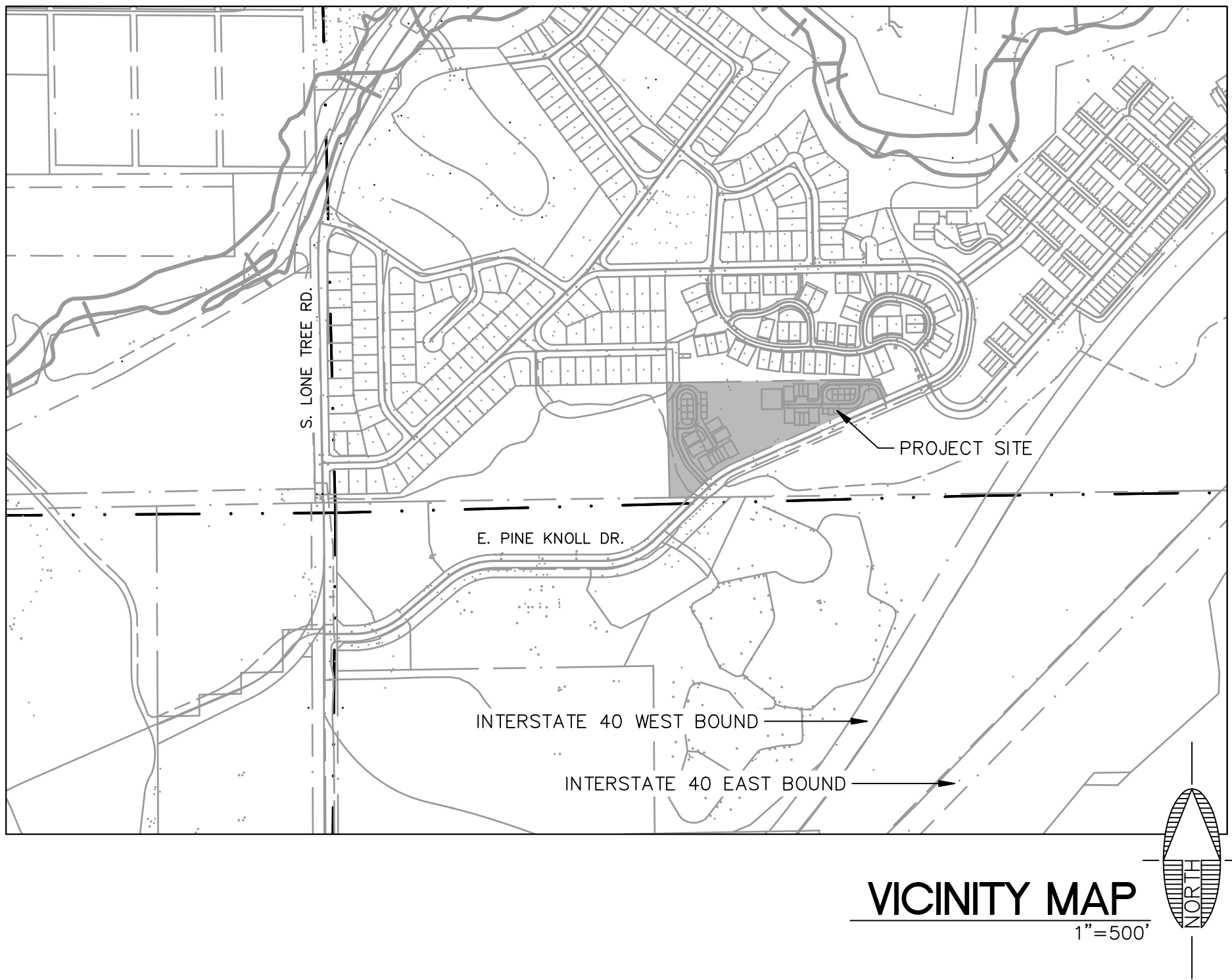
P: (928) 213-2618  
F: (928) 213-2609

Date Received		Application for Subdivision Review		File Number	
Property Owner(s) RP4V LLC & RP40 LLC			Phone		
Mailing Address 2410 E. Route 66		City, State, Zip Flagstaff, AZ 86004		Email tom@aznorth.com	
Applicant(s) AZ North Realty			Phone		
Mailing Address 2410 E. Route 66		City, State, Zip Flagstaff, AZ 86004		Email	
Project Representative Blake Schraufnager			Phone 928-774-6637		
Mailing Address 2410 E. Route 66		City, State, Zip Flagstaff, AZ 86004		Email blake@aznorth.com	
Requested Review:		<input type="checkbox"/> Development Master Plan <input type="checkbox"/> Modified Subdivision <input type="checkbox"/> Conceptual Plat <input checked="" type="checkbox"/> Preliminary Plat Condominiums <input type="checkbox"/> Preliminary Plat P&Z and Council <input type="checkbox"/> Final Plat- Council			
Project Name: Rio Homes Unit 4		Site Address Emma Drive & Jen Drive		Parcel Number 104-17-154 through 107-17-187	
Proposed Use Residential - Condominiums		Existing Use Residential - Apartments		Subdivision, Tract & Lot Number Rio Homes Unit 4	
Zoning District Medium Density Residential (MR)		Regional Plan Category Suburban		Flood Zone Zone X	
		Size of Site (Sq. ft. or Acres) 5.1 acres			
Property Information:		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Located in an existing Local/National Historic District? (Name: _____) <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Existing structures are over 50 years old at the time of application? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Subject property is undeveloped land?			
Surrounding Uses		North		South	
(Res, Com, Ind)		Residential		Residential/Undeveloped	
		East		West	
		Residential		Public Facility - Park	
Proposed Use:		Number of Lots		Number of Units	
Residential - Condos		3 ex. tracts		46 units (incl. 6 ex.)	
				5.1 acres	
				Building Square Feet	
Please complete a "Subdivision Review Application" and provide an initialed "Application and Information Checklist" form along with the required number of plans and information as appropriate for a Development Master Plan, Conceptual, Preliminary or Final Plat. <b>Incomplete submittals will not be scheduled.</b>					
Property Owner Signature: (required)		Date:		Applicant Signature:	
		9/23/21			
				Date: 9/23/21	
For City Use					
Date Filed:		Case Number (s)			
P & Z Hearing Date:		Publication and Posting Date:			
Council Hearing Date:		Publication and Posting Date:			
Fee Receipt Number:		Amount:		Date:	
Action by Planning and Zoning Commission:		Action By City Council:			
<input type="checkbox"/> Approved		<input type="checkbox"/> Approved			
<input type="checkbox"/> Denied		<input type="checkbox"/> Denied			
<input type="checkbox"/> Continued		<input type="checkbox"/> Continued			
Staff Assignments		Planning		Engineering	
		Fire		Public Works/Utilities	
				Stormwater	

PRELIMINARY CONDOMINIUM PLAT  
FOR  
RIO HOMES UNIT 4  
MULTI-FAMILY  
FLAGSTAFF, ARIZONA

A CONDOMINIUM SUBDIVISION OF TRACTS B AND C OF THE  
AMENDED PLAT FOR RIO HOMES UNIT 4, ACCORDING TO  
THE FINAL PLAT FOR RIO HOMES UNIT 4, INST. NO.  
3925263, OFFICIAL RECORDS COCONINO COUNTY, ARIZONA.

LOCATED IN SOUTH HALF OF SECTION 22, TOWNSHIP  
21 NORTH, RANGE 7 EAST, GILA AND SALT BASE AND  
MERIDIAN, COCONINO COUNTY, FLAGSTAFF, ARIZONA



COORDINATE SYSTEM DETAILS

LINEAR UNIT: INTERNATIONAL FEET  
GEODETIC DATUM: NAD 83 (CONUS)  
VERTICAL DATUM: NAVD 88, REFERENCED FROM NGS CORS STATION 'AZFL'  
SYSTEM: CITY OF FLAGSTAFF LOW DISTORTION PROJECTION (1992)

PROJECTION:  
TRANSVERSE MERCATOR  
LATITUDE OF GRID ORIGIN: 31.000000000 N  
LONGITUDE OF CENTRAL MERIDIAN: 111.916666667 W  
NORTHING AT GRID ORIGIN: -48563.550 FT  
EASTING AT CENTRAL MERIDIAN: -1475125.575 FT  
CENTRAL MERIDIAN SCALE FACTOR: 1.0003162016

ALL MEASURED DISTANCES AND BEARINGS SHOWN HEREON ARE GRID VALUES BASED ON THE  
PRECEDING PROJECTION DEFINITION. THE PROJECTION WAS DEFINED SUCH THAT GRID  
DISTANCES ARE EQUIVALENT TO "GROUND" DISTANCES IN THE PROJECT AREA.

THE BASIS OF BEARINGS IS TRUE GEODEDIC NORTH; NOTE THAT THE MEASURED GRID  
BEARINGS SHOWN HEREON (OR IMPLIED BY GRID COORDINATES) DO NOT EQUAL GEODETIC  
BEARINGS DUE TO MERIDIAN CONVERGENCE.

ORTHOMETRIC HEIGHTS (ELEVATIONS) WERE TRANSFERRED TO THE SITE FROM NGS CONTROL  
POINT "AZFL" USING GPS WITH NGS GEOID MODEL "GEOID03". ELEVATIONS SHOWN HEREON  
ARE REFERENCED TO THE PUBLISHED ELEVATION OF THIS STATION.

THE SURVEY WAS CONDUCTED USING GPS REFERENCED TO THE NATIONAL SPATIAL REFERENCE  
SYSTEM. A PARTIAL LIST OF POINT COORDINATES FOR THIS SURVEY IS GIVEN BELOW  
(ADDITIONAL COORDINATES ARE AVAILABLE UPON REQUEST). LOCAL NETWORK ESTIMATES ARE  
GIVEN AT THE 95% CONFIDENCE LEVEL AND ARE BASED ON A LEAST-SQUARES ADJUSTMENT  
OF STATISTICALLY INDEPENDENT OBSERVATIONS.

POINT #3003 = 2" ALUMINUM CAP IN CENTERLINE OF PINE KNOLL DRIVE  
LATITUDE = N 35.181316209  
LONGITUDE = W 111.643120982  
ELLIPSOID HEIGHT = 6864.461 FT  
NORTHING = 46905.651 FT  
EASTING = 33208.715 FT  
ELEVATION = 6940.464 FT

POINT #3004 = 2" ALUMINUM CAP IN CENTERLINE OF PINE KNOLL DRIVE  
LATITUDE = N 35.181528385  
LONGITUDE = W 111.642723891  
ELLIPSOID HEIGHT = 6865.395 FT  
NORTHING = 46983.232 FT  
EASTING = 33327.207 FT  
ELEVATION = 6941.398 FT

POINT #3005 = 2" ALUMINUM CAP IN CENTERLINE OF PINE KNOLL DRIVE  
LATITUDE = N 35.182232027  
LONGITUDE = W 111.640773788  
ELLIPSOID HEIGHT = 6891.863 FT  
NORTHING = 47241.044 FT  
EASTING = 33909.449 FT  
ELEVATION = 6967.871 FT

Sheet List Table		
Sheet Number	Sheet Number	Sheet Title
1	CVR	COVER
2	CP01	PRELIMINARY CONDO PLAT OVERVIEW
3	CP02	CONDO PLAT (1)
4	CP03	CONDO PLAT (2)
5	CP04	CONDO PLAT (3)
6	CP05	CONDO PLAT (4)

PROJECT OWNER/DEVELOPER:

RP40, LLC & RP4V, LLC  
THOMAS BREWSTER, MANAGER  
2410 E. ROUTE 66  
FLAGSTAFF, AZ 86004  
(928) 774-6637

CIVIL ENGINEER:

SHEPHARD-WESNITZER, INC.  
GUILLERMO E. CORTES, PE #33983  
110 WEST DALE AVE  
FLAGSTAFF, AZ 86001  
(928) 773-0354

SURVEYOR:

SHEPHARD-WESNITZER, INC.  
AARON BORLING, RLS #48756  
110 WEST DALE AVE  
FLAGSTAFF, AZ 86001  
(928) 773-0354

LEGEND

---	ROW BOUNDARY	⊙	FOUND MONUMENTS
---	EX. EASEMENT	⊙	SECTION CORNER AS NOTED
---	ROAD CENTERLINE	●	CALCULATED POINT
---	LOT LINE		
---	EASEMENT		
---	SECTION LINE		

LEGAL DESCRIPTION

TRACTS B AND C OF RIO HOMES UNIT 4, ACCORDING TO  
THE CITY OF FLAGSTAFF FINAL PLAT FOR RIO HOMES UNIT  
4, NO. 3925263, OFFICIAL RECORDS OF COCONINO COUNTY,  
LOCATED IN THE SOUTH HALF OF SECTION 22, TOWNSHIP 21  
NORTH, RANGE 7 EAST OF THE GILA AND SALT RIVER  
MERIDIAN, COCONINO COUNTY, ARIZONA.

EARTHWORK SUMMARY:

SITE GRADING:

UNADJUSTED CUT: 2,170 CY  
UNADJUSTED FILL: 2,730 CY

EARTHWORK VOLUMES SHOWN ABOVE ARE BASED ON IN-PLACE  
VOLUMES REQUIRED FOR SITE GRADING. QUANTITIES ARE NOT ADJUSTED  
FOR SHRINKAGE (SEE GEOTECH REPORT FOR ESTIMATED SHRINKAGE  
FACTORS). THESE RESULTS MAY NOT REFLECT THE FINAL CONSTRUCTED  
QUANTITIES. THE CONTRACTOR IS RESPONSIBLE FOR MAKING HIS OWN  
QUANTITY DETERMINATIONS. ADDITIONAL EARTHWORK QUANTITIES SHALL  
BE CONSIDERED INCIDENTAL TO BUILDING CONSTRUCTION. ANY WASTE  
MATERIAL SHALL BE INCIDENTAL TO CONSTRUCTION.

PROJECT INFORMATION

RIO HOMES UNIT 4  
EMMA DRIVE & JEN DRIVE  
FLAGSTAFF, AZ 86001

NUMBER OF PROPOSED UNITS: 40  
BUILDING TYPE: MEDIUM DENSITY RESIDENTIAL (MR)  
GROSS/NET AREA: 3.71 ACRES

EXISTING ZONING: MR (MEDIUM DENSITY RESIDENTIAL)

UTILITY COMPANY CONTACTS

APS  
CONTACT: CHAD BROOKS  
2200 E. HUNTINGTON  
FLAGSTAFF, AZ 86004  
CHAD.BROOKS@APS.COM  
PHONE: (928) 773-6440

UNISOURCE ENERGY SERVICES  
CONTACT: MARTIN CONBOY  
2901 W SHAMRELL BLVD #110  
FLAGSTAFF, AZ 86001  
MCONBOY@UESAZ.COM  
PHONE: (928) 226-2269

CENTURYLINK  
CONTACT: MANUEL HERNANDEZ  
112 NORTH BEAVER STREET  
FLAGSTAFF, AZ 86001  
MANUEL.HERNANDEZ4@CENTURYLINK.COM  
PHONE: (928) 779-4935

ALTICE USA  
CONTACT: SANFORD YAZZIE  
1601 SOUTH PLAZA WAY  
FLAGSTAFF, AZ 86001  
SANFORD.YAZZIE@ALTICEUSA.COM  
PHONE: (928) 266-0672

UTILITY COMPANY APPROVAL

ARIZONA PUBLIC SERVICE

CHAD BROOKS (BY LETTER) 10-4-2021  
BY: CHAD BROOKS DATE:

UNISOURCE ENERGY SERVICES

MARTIN CONBOY (BY LETTER) 10-4-2021  
BY: MARTIN CONBOY DATE:

CENTURYLINK

MANUEL HERNANDEZ (BY LETTER) 10-18-2021  
BY: MANUEL HERNANDEZ DATE:

ALTICE USA

SANFORD YAZZIE (BY LETTER) 10-18-2021  
BY: SANFORD YAZZIE DATE:

UTILITY CONFLICT NOTE

THERE ARE NO APPARENT UTILITY CONFLICTS WITH APS, CENTURYLINK,  
UNISOURCE, OR ALTICE USA; HOWEVER, THEY DO HAVE EXISTING FACILITIES  
IN THE AREA THAT WILL NEED TO BE PROTECTED AND/OR RELOCATED.

SUMMARY OF TRACTS

DESCRIPTION

- |    |                                 |   |
|----|---------------------------------|---|
| 2. | TRACT B: 132,380 SF, 3.04 ACRES | TRACT 'B' FOR THE PURPOSES OF COMMON ELEMENT,<br>OPEN SPACE, RESOURCE PROTECTION, DRAINAGE<br>MAINTENANCE EASEMENT AND THE MULTI-FAMILY<br>DEVELOPMENT AS SHOWN HEREON. |
| 3. | TRACT C: 29,160 SF, 0.67 ACRES  | TRACT 'C' FOR THE PURPOSE OF INGRESS/EGRESS,<br>PARKING, COMMON ELEMENT AND OPEN SPACE AS<br>SHOWN HEREON.  |

RESOURCE PROTECTION

THE PROJECT FALLS WITHIN THE CITY OF FLAGSTAFF RESOURCE PROTECTION OVERLAY ZONE. BASED  
ON THE APPROVED RIO HOMES NATURAL RESOURCE PROTECTION PLAN FOR UNIT 4, DATED  
FEBRUARY 18, 2021, AND THE PROPOSED DEVELOPMENT, THERE ARE RESOURCES THAT REQUIRE  
PRESERVATION.

FLOOD ZONE CLASSIFICATION:

THE SUBJECT PARCEL IS LOCATED WITHIN ZONE X OF FEMA FIRM MAP  
#04005C6816G, EFFECTIVE SEPTEMBER 3, 2010. ZONE X IS DESCRIBED  
AS AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE  
FLOODPLAIN.

WATER AND SEWER IMPACT ANALYSIS

THE PRELIMINARY PLAT DOES NOT HAVE SIGNIFICANT IMPACT TO THE EXISTING OFF-SITE WATER OR  
SEWER INFRASTRUCTURE. THE W.S.I.A. WAS WAIVED BY THE BY THE CITY OF FLAGSTAFF UTILITIES  
DEPARTMENT, DATED AUGUST 6, 2019.

ADEQUATE WATER SUPPLY NOTE:

THE CITY OF FLAGSTAFF PROVIDES WATER [UTILITY] SERVICE PURSUANT TO STATE LAW, AND IS  
CURRENTLY OPERATING UNDER A DESIGNATION OF ADEQUATE WATER SUPPLY GRANTED BY THE  
ARIZONA DEPARTMENT OF WATER RESOURCES, APPLICATION NO. 41-900002.0002.

SOURCE OF PROJECT INFORMATION

TOPOGRAPHIC, BOUNDARY, EASEMENTS, AND EXISTING IMPROVEMENTS WERE PROVIDED BY THE CITY  
OF FLAGSTAFF AND ARE FROM A RECORD OF SURVEY, RECORDED IN BOOK 18, PAGES 3 AND 3A,  
PREPARED BY WFM, INC. ENGINEERS AND SURVEYORS AND SEALED BY JAMES A. FOLKERS ON  
9-7-2001. A SUPPLEMENTAL TOPOGRAPHIC SURVEY WAS PERFORMED BY SHEPHARD-WESNITZER,  
INC., DATED 8-13-2019.

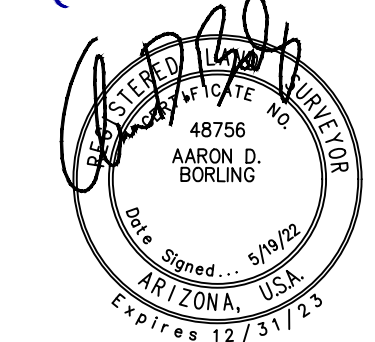
A.R.S. 33-1212. UNIT BOUNDARIES  
EXCEPT AS PROVIDED BY THE DECLARANT

- IF WALLS ARE DESIGNATED AS BOUNDARIES OF A UNIT. ALL LATH FURRING,  
WALLBOARD, PLASTERBOARD, PLASTER, PANELING, TIES, WALL PAPER, PAINT,  
AND ANY OTHER MATERIALS CONSTITUTING AS PART OF THE FINISHED SURFACE  
ARE A PART OF THE UNIT, AND ALL OTHER PORTIONS OF THE WALLS ARE PART  
OF THE COMMON ELEMENT.
- IF ANY DUCT, WIRE, CONDUIT, BEARING WALL, BEARING COLUMN, OR OTHER  
FIXTURE LIES PARTIALLY WITH IN THE AN PARTIALLY OUTSIDE THE DESIGNATED  
BOUNDARIES OF A UNIT, ANY PORTION SERVING MORE THAN ONE UNIT OR ANY  
PORTION OF THE COMMON ELEMENTS IS A PART OF THE COMMON ELEMENT.
- ALL SPACES, INTERIOR PARTITIONS AND OTHER FIXTURES AND IMPROVEMENTS  
WITHIN THE BOUNDARIES OF A UNIT ARE PART OF THE UNIT.
- ANY SHUTTERS, AWININGS, WINDOW BOXES, DOORSTEPS, STOOPS, PORCHES,  
BALCONIES, ENTRYWAYS, OR PATIOS, AND ANY EXTERIOR DOORS AND WINDOWS  
OR OTHER FIXTURES DESIGNED TO SERVE A SINGLE UNIT, BUT LOCATED OUTSIDE  
THE UNITS BOUNDARIES ARE LIMITED COMMON ELEMENTS ALLOCATED EXCLUSIVE  
TO THAT UNIT.

CERTIFICATE OF LAND SURVEYOR

THIS IS TO CERTIFY THAT THE SURVEY OF THE PROPERTY  
DESCRIBED AND PLATTED HEREON WAS MADE UNDER MY  
DIRECTION AND SUPERVISION AND IS ACCURATELY  
REPRESENTED ON THIS PLAT. I ALSO CERTIFY THAT THE  
PLAT IS IN SUBSTANTIAL CONFORMANCE TO THE APPROVED  
TENTATIVE PLAT AND THAT THIS PLAT IS CORRECT AND  
ACCURATE AS SHOWN TO THE BEST OF MY KNOWLEDGE AND  
BELIEF.

Aaron D. Borling, RLS 48756



C.O.F. #PZ-19-00019-06

FLAGSTAFF  
ARIZONA

RIO HOMES UNIT 4 PRELIMINARY CONDO PLAT

COVER

JOB NO: 19025

DATE: MAY 22

SCALE: AS SHOWN

DRAWN: JEE

DESIGN: KMF

CHECKED: ADB

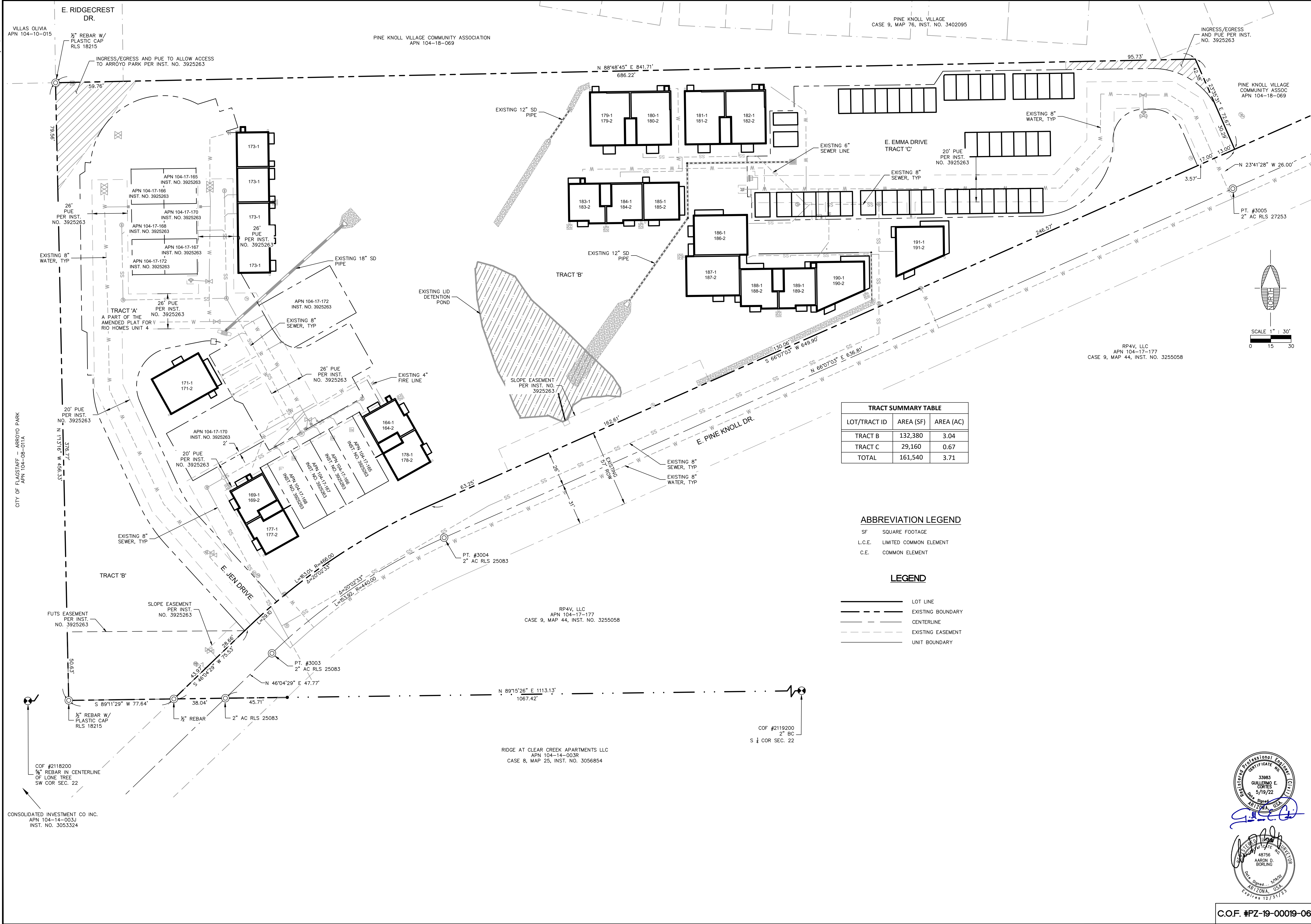
110 W. Dale Avenue  
Flagstaff, AZ 86001  
928.773.0354  
928.774.8934 fax  
www.swicaz.com

Shephard Wesnitzer, Inc.

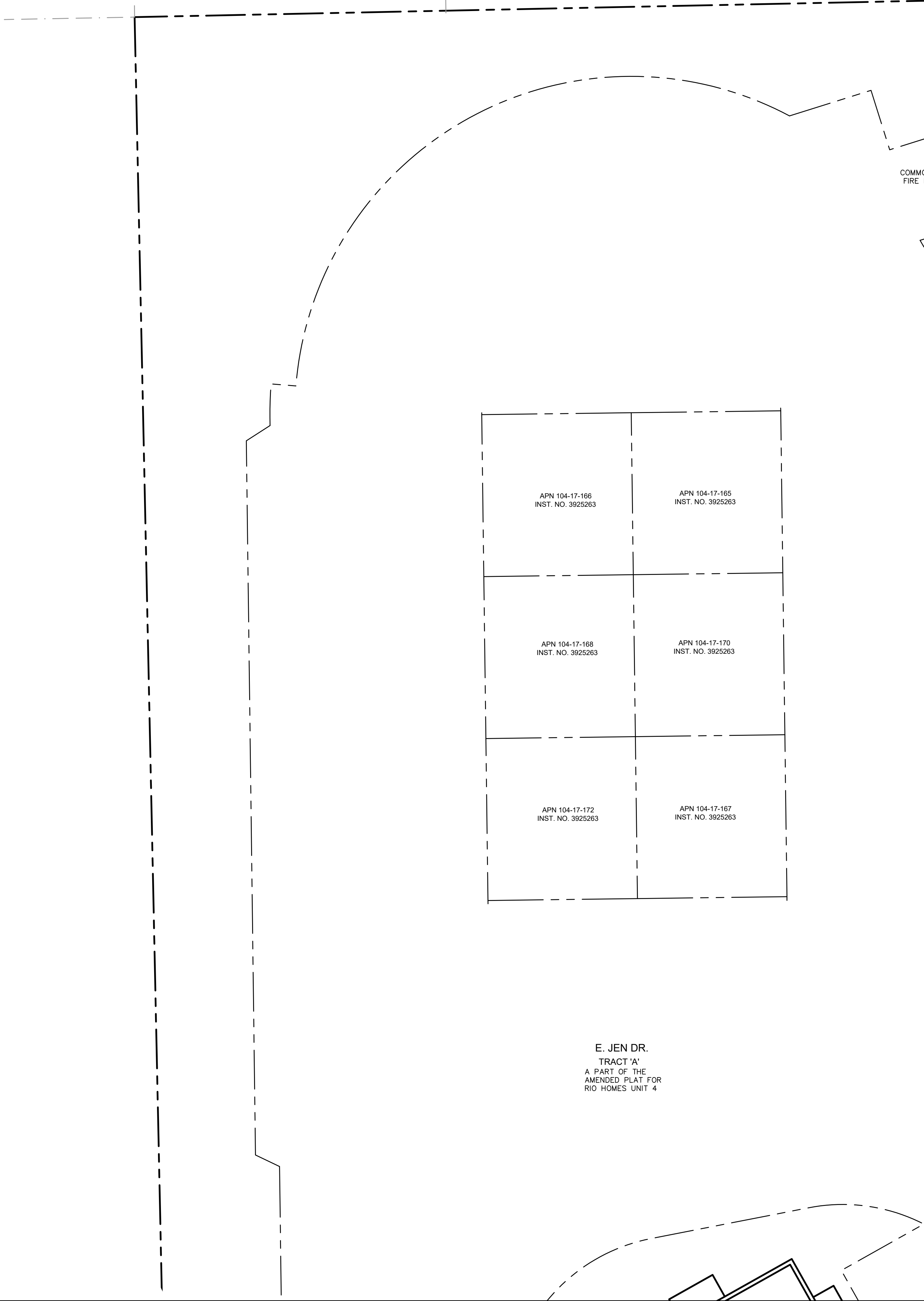
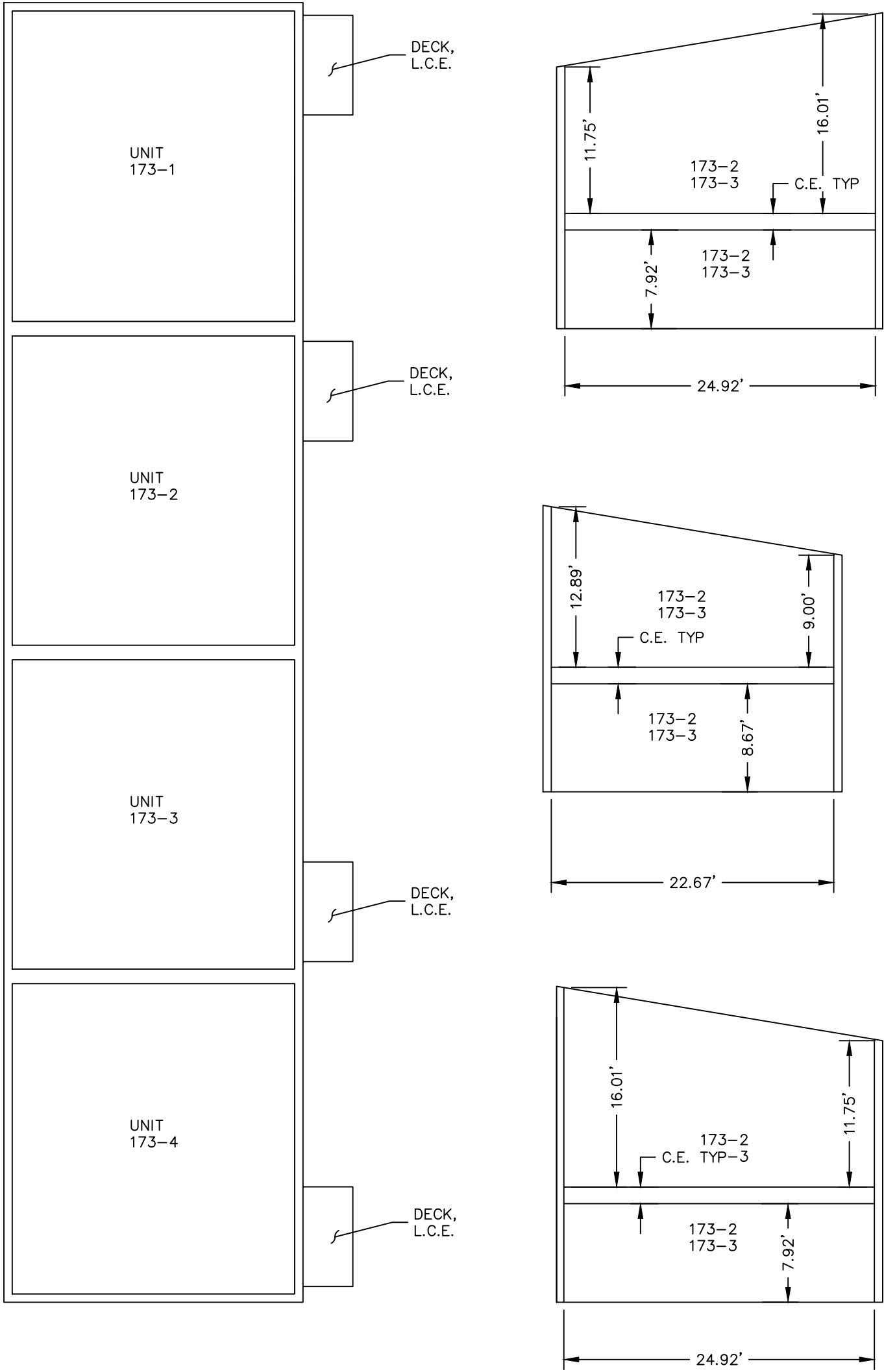
REVISIONS	BY	DATE	DESCRIPTION
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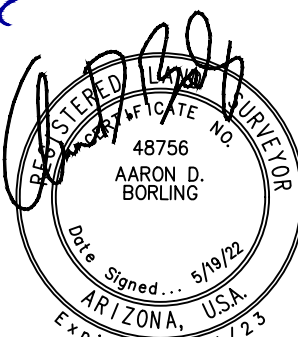
SHT NO. 1 OF 6



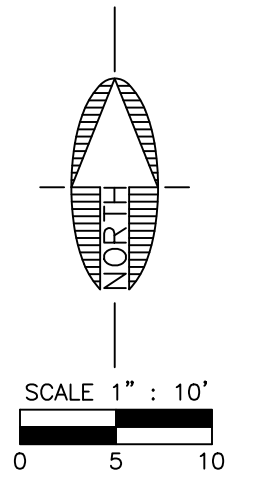
FLOOR PLAN & SECTION



E. JEN DR.  
TRACT 'A'  
A PART OF THE  
AMENDED PLAT FOR  
RIO HOMES UNIT 4



JOB NO: 19025		DATE: MAY 22		SCALE: 1"=10'		DRAWN: JEE		DESIGN: KMF		CHECKED: AUB	
110 W. Dale Avenue Flagstaff, AZ 86001 928.774.8934 fax www.swiciz.com		RIO HOMES UNIT 4 PRELIMINARY CONDO PLAT		FLAGSTAFF ARIZONA		CONDO PLAT (1)					
REVISIONS		BY		DATE		DESCRIPTION		NO.		DRAWING NO.	
										CP02	
										SHT NO. OF	
										3 6	



RIO HOMES UNIT 4 PRELIMINARY CONDO PLAT

CONDO PLAT (2)

DATE:	MAY 22
SCALE:	1"=10'
DRAWN:	JEE
DESIGN:	KMF
CHECKED:	ADB

110 W. Dale Avenue  
Flagstaff, AZ 86001  
928.773.0354  
928.774.8934 fax  
[www.swiaz.com](http://www.swiaz.com)



Shephard &amp; Associates, Inc.

[illegible]

Call at least two full working days  
before you begin excavation.

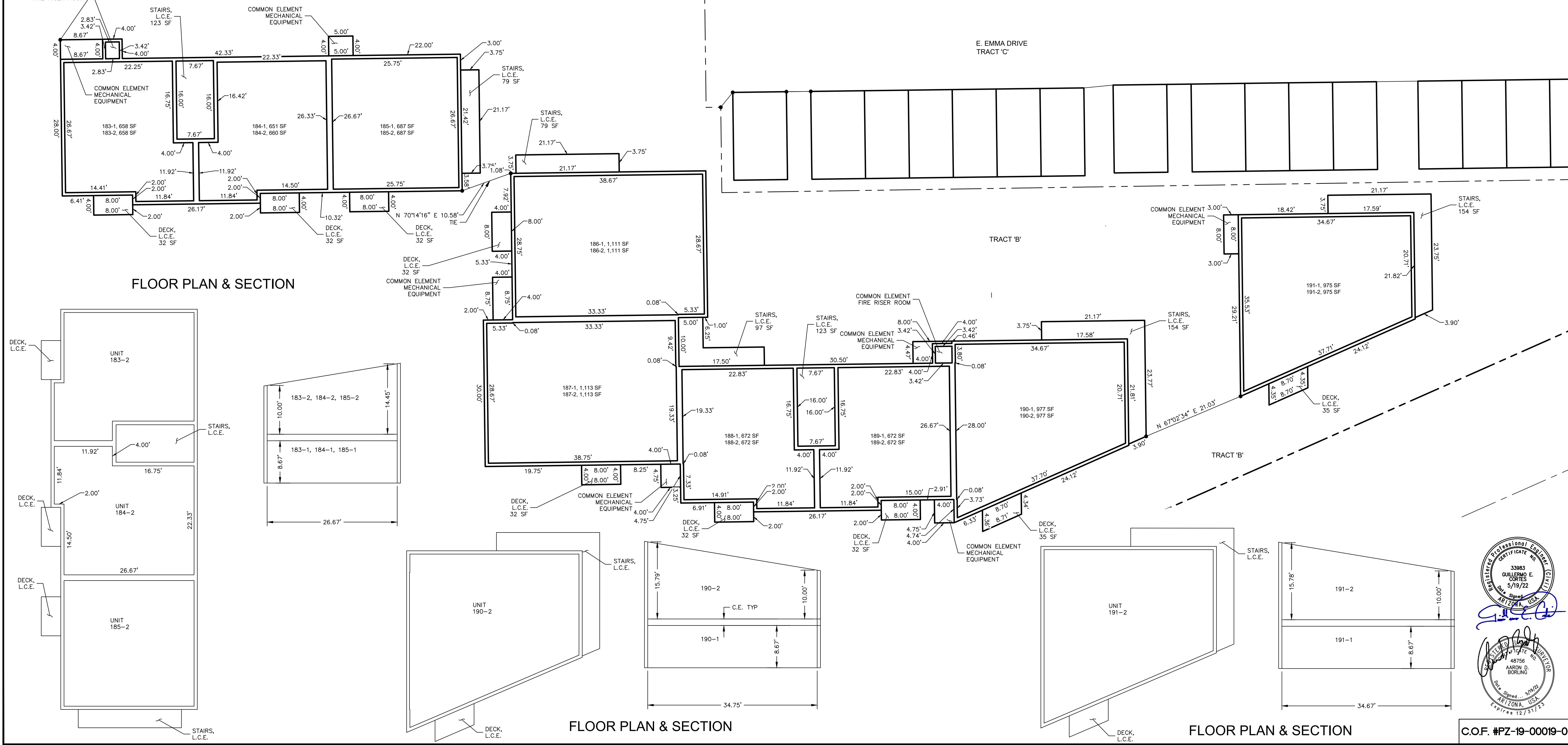
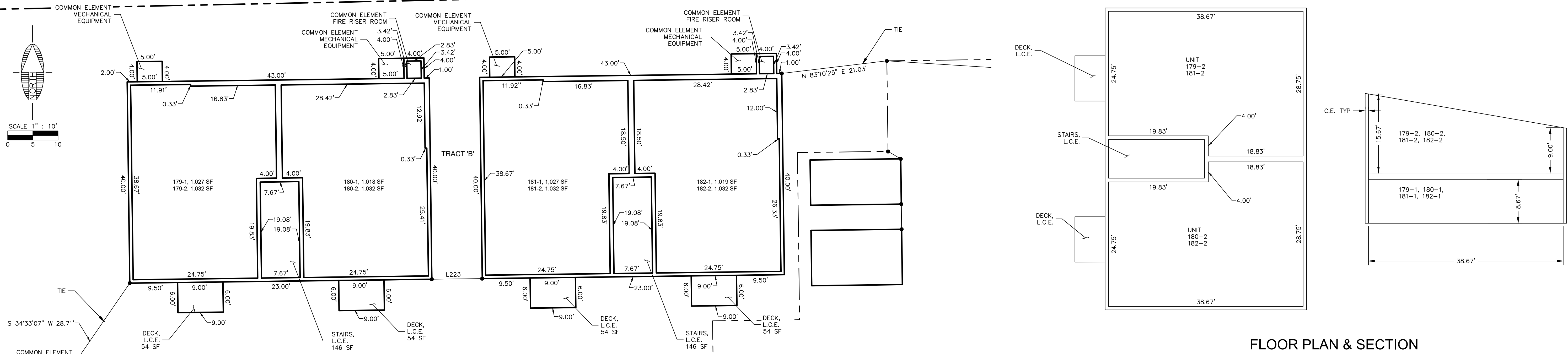



Didl 8-1-1 or 1-800-STAKE-IT (782-5348)

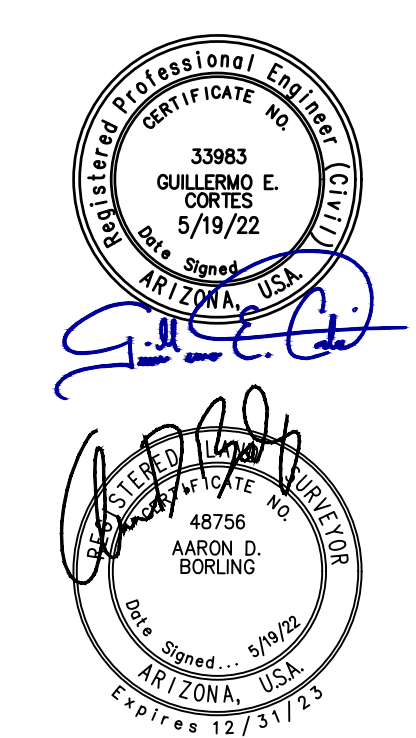
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4	6

C.O.F. #PZ-19-00019-06

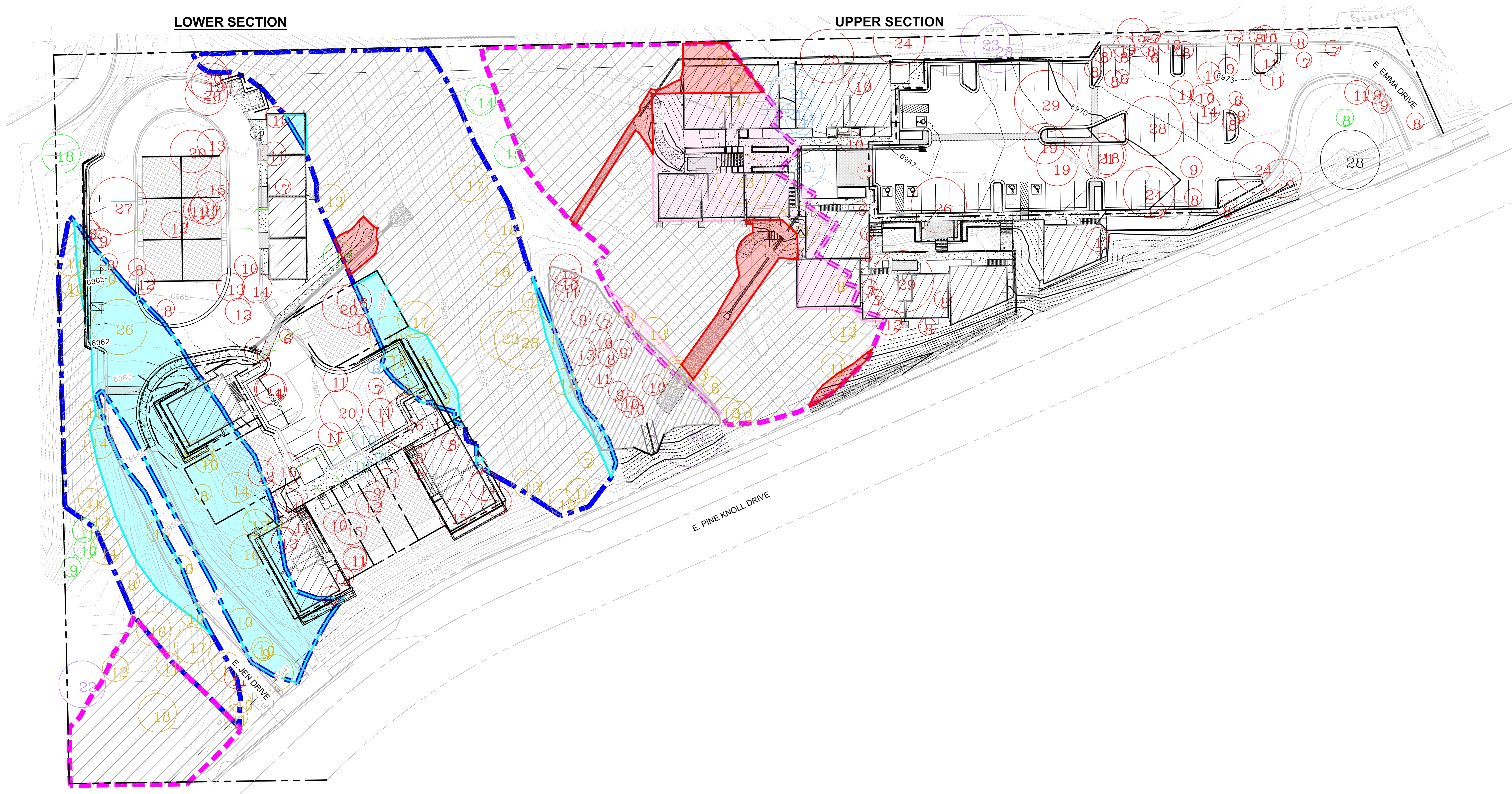


6	SHT NO.	5	OF	6	Call at least two full working days before beginning	<div>ARIZONA 811</div> <div>Arizona Blue Stake, Inc.</div> <div>(Don 8-1-1 or 1-800-574-6117 (782-5348))</div>	REVISIONS				<div></div> <div>Shephard &amp; Wesnitzer, Inc.</div>	110 W. Dale Avenue Flagstaff, AZ 86001 928.774.8354 928.774.8354 fax <a href="http://www.swiaz.com">www.swiaz.com</a>	JOB NO: 19025 DATE: MAY 22 SCALE: 1"=10' DRAWN: JFE CHECKED: KMF DESIGNED: ADB	RIO HOMES UNIT 4 PRELIMINARY CONDO PLAT  CONDO PLAT (3)	FLAGSTAFF ARIZONA
							NO.	DESCRIPTION	DATE	BY					





Call at least two full working days before you begin excavation.		REVISIONS		JOB NO: 19025		RIO HOMES UNIT 4 PRELIMINARY CONDO PLAT	FLAGSTAFF ARIZONA
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ARIZONA 811 Arizona Blue State, Inc.				DESIGN: KMF			
ARIZONA 811 Arizona Blue State, Inc.				CHECKED: ADB		CONDO PLAT (4)	
ARIZONA 811 Arizona Blue State, Inc.				110 W. Dale Avenue Flagstaff, AZ 86001			
ARIZONA 811 Arizona Blue State, Inc.				928.773.0354			
ARIZONA 811 Arizona Blue State, Inc.				928.774.8934 fax			
ARIZONA 811 Arizona Blue State, Inc.				www.swiaz.com			
ARIZONA 811 Arizona Blue State, Inc.				Shephard & Wesnitzer, Inc.			
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ARIZONA 811 Arizona Blue State, Inc.							



LEGEND

- 17-24.9% SLOPE
- DISTURBED AREA AND SLOPE
- ADDED DISTURBED AREA AND SLOPE (BASED ON PROPOSED IMPROVEMENTS)
- 25% AND GREATER SLOPE
- DISTURBED AREA AND SLOPE
- DISCRETIONARY TREE
- SAVE TREE
- REMOVE TREE
- FLEX TREE
- SLOPE TREE
- BURNT/BEEBLE TREE

UNIT 4 (SEE SHEET RS02 OF ORIGINAL NRPP FOR UNIT 2 AND 3 CALCULATIONS)

EXISTING TREE CANOPY=36,163 S.F.  
REQUIRED TREE CANOPY PRESERVATION (40%)=14,465 S.F.  
PRESERVED TREE CANOPY=3,912 S.F.  
FLEXIBLE MEASURE TREE CANOPY=2,101 S.F.  
USEABLE FLEXIBLE TREE CANOPY=723 S.F.  
TOTAL PRESERVED TREE CANOPY (WITH FLEX TREES)=4,635 S.F.  
TREE CANOPY DEFICIT=9,830 S.F.

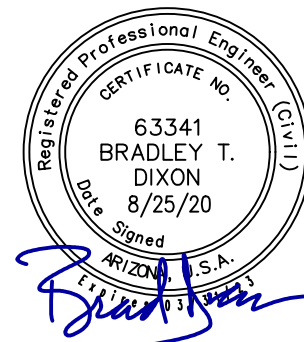
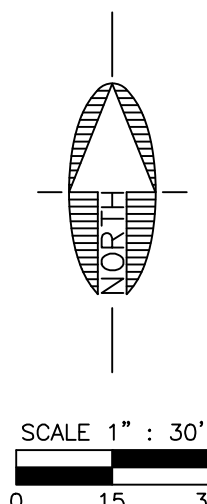
EXISTING 17-24.9% SLOPE=41,172 S.F.  
REQUIRED 17-24.9% SLOPE PRESERVATION (56%)=23,056 S.F.  
PRESERVED 17-24.9% SLOPE=31,967 S.F. 27,901 S.F.  
17-24.9% SLOPE EXCESS=8,911 S.F. 4,845 S.F.

EXISTING 25% & GREATER SLOPE=54,004 S.F.  
REQUIRED 25% & GREATER SLOPE PRESERVATION (64%)=34,563 S.F.  
PRESERVED 25% & GREATER SLOPE=33,580 S.F. 33,010 S.F.  
25% & GREATER SLOPE DEFICIT=983 S.F. 1,553 S.F.

UNIT 4 RESOURCE BANKING SUMMARY

UNIT 3 RESOURCE EXCESS=+7,406 S.F.  
UNIT 4 TREE DEFICIT=-9,830 S.F.  
UNIT 4 17-24.9% SLOPE EXCESS=+8,911 S.F. +4,845 S.F.  
UNIT 4 25% & GREATER SLOPE DEFICIT=-983 S.F. -1,553 S.F.  
UNIT 4 EXCESS=868 S.F.  
UNIT 4 EXCESS=868 S.F. (TOTAL FOR THE PROJECT)

NOTES:  
1. THIS PRELIMINARY NATURAL RESOURCE PROTECTION PLAN (NRPP) PROVIDED HEREON IS BASED ON THE ORIGINALLY APPROVED NRPP & ASSOCIATED CALCULATIONS FOR THE RIO HOMES SUBDIVISION. SEE SHEET RS01 AND RS02 FOR THE ORIGINAL NRPP. THIS PRELIMINARY NRPP IS A RE-REPRESENTATION OF THE ORIGINAL NRPP WITH THE PROPOSED DEVELOPMENT AND ASSOCIATED RESOURCE REVISIONS.



C.O.F. #PZ-19-00019

REVISIONS		DATE	BY
NO.	DESCRIPTION		

Call at least two full working days before you begin excavation.  
**ARIZONA 811**  
Arizona Blue Stakes, Inc.  
Dial 8-1-1 or 1-800-514-1111 (722-5348)

DRAWING NO.  
**NRPP**  
SHT NO. 18 OF 18

**SWI**  
Shephard Wesnitzer, Inc.

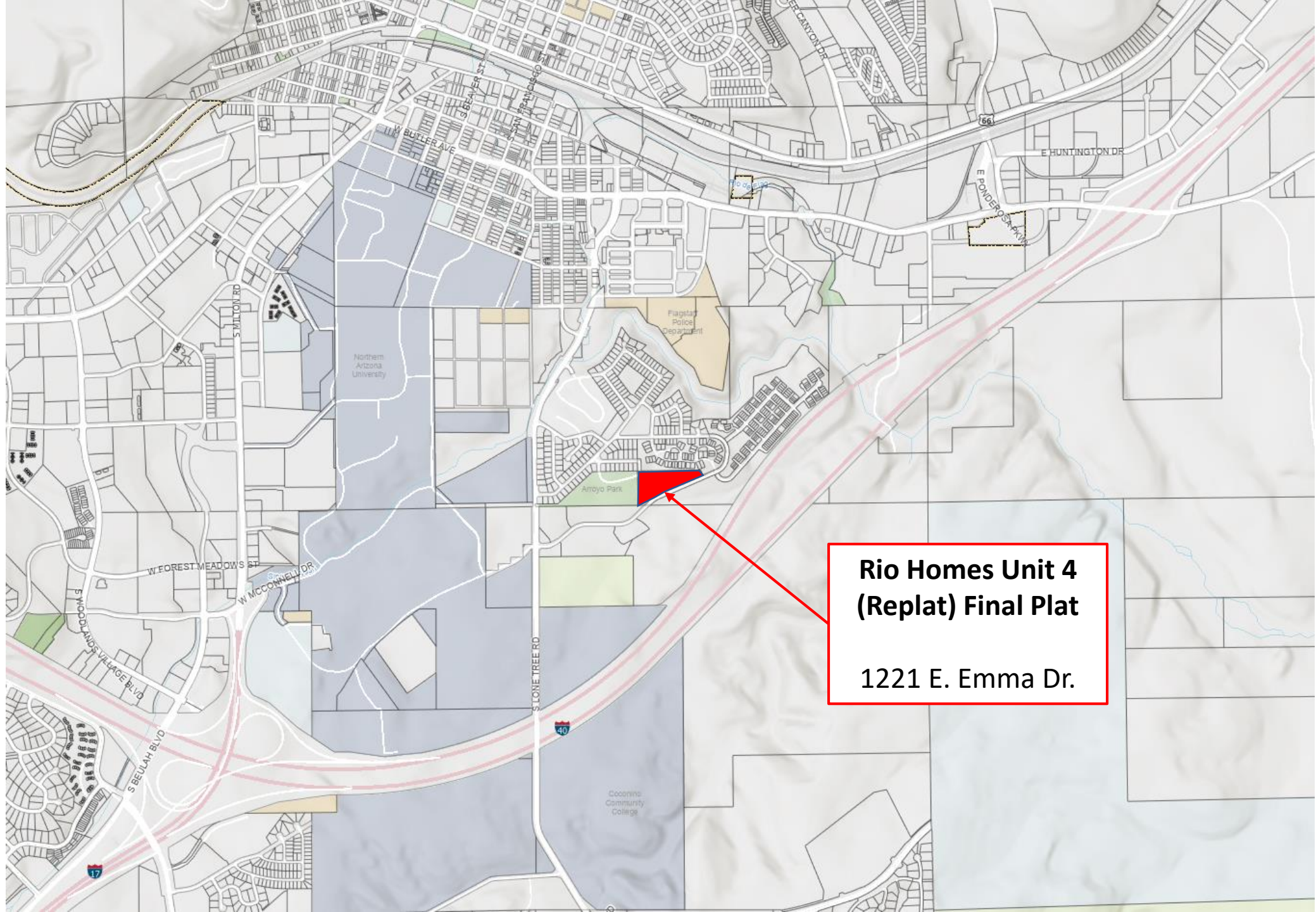
110 W. Dole Avenue  
Flagstaff, AZ 86001  
928.773.0354  
928.774.8934 fax  
www.swiaz.com

JOB NO: 19025  
DATE: AUG 20  
SCALE: AS SHOWN  
DRAWN: KMF  
DESIGN: KMF  
CHECKED: GEC/BJD

RIO HOMES UNIT 4

FLAGSTAFF  
ARIZONA

NATURAL RESOURCE PROTECTION PLAN



**Rio Homes Unit 4  
(Replat) Final Plat**

1221 E. Emma Dr.



Shephard Wesnitzer, Inc.  
Engineering an environment of excellence

110 West Dale Avenue  
Flagstaff, AZ 86001

928.773.0354  
928.774.8923

www.swiaz.com

*Engineering an environment of excellence.*

October 4, 2021

Job #19025

PROJECT: *Rio Homes Unit 4*

---

**REVIEW AGENCY NOTIFICATION LETTER**

---

**TO: AlticeUSA**

Sanford Yazzie  
1601 S Plaza Way  
Flagstaff, AZ 86001

**FROM: Shephard-Wesnitzer Inc.**

Kayla Fleishman  
110 W Dale Ave  
Flagstaff, AZ 86001

---

In conformance with the City of Flagstaff subdivision development process, we have enclosed the Preliminary Condominium Plat for the Rio Homes Unit 4 development prepared by Shephard-Wesnitzer, Inc. The site is situated on the north side of E. Pine Knoll Drive.

Please provide any comments and return them to us as soon as possible. Please also provide maps of any existing Altice USA utilities in the vicinity of the site for coordination purposes. Thank you for taking the time to complete, sign, date, and return this document. Your transmittal may be by mail or email as indicated on the bottom of this page.

☐ APPROVED WITHOUT COMMENT

☒ APPROVED WITH COMMENT, AS FOLLOWS

☐ ACKNOWLEDGED, APPROVAL NOT REQUIRED, COMMENTS AS FOLLOWS

Altice/Suddenlink has existing plant on Jen Drive, if any CATV that will need to be relocated it will be at the on the developer to coordinate with Altice/Suddenlink on the both the cost & moving the lines. On Emma Drive there are currently no facilities on the property except at the entrance of the property that goes over to Pine Knoll Lane.

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**SIGNED:** Sanford Yazzie

**TITLE:** Supervisor Operations Construction

**AGENCY:** Suddenlink/Altice

**DATE:** 10-18-2021

110 W. Dale Ave.  
Flagstaff, AZ 86001

Phone #: 928-773-0354

Email: kfleishman@swiaz.com

SEDONA COTTONWOOD FLAGSTAFF PRESCOTT



## Lumen Conflict Memorandum

**Date:** October 18, 2021

**To:** Kayla Fleishma (Shepard Wesnitzer, Inc.)  
[kfleishman@swiaz.com](mailto:kfleishman@swiaz.com)

**From:** Kevin Wagner, Terra Technologies LLC

**Subject:** Lumen – Conflict Memo – Project No. 19025 – Rio Homes Unit 4 Multi-Family, Flagstaff

---

Terra Technologies is in receipt of the plans and a letter dated October 4, 2021. Below you will see an overview of Lumen facilities within the project limits, and a brief project overview along with comments regarding any Lumen facilities with respect to the proposed project.

### **Inventory of Lumen Facilities**

Lumen has facilities within the project limits. Terra Technologies anticipates that due to the site improvements that the Lumen facilities (buried cable & pedestals) should not be impacted. Plan markups have been attached showing approximate locations of Lumen facilities.

### **Project Overview**

The design intent of this project appears to be developing a vacant parcel of land for a residential multi-family homes.

### **Facility Locations and Impacts**

Plans have been reviewed for conflicts with Lumen facilities based on NDS mapping which show a general location of utility locations. Neither Terra Technologies LLC nor Lumen makes any representation regarding the completeness or accuracy of vertical and horizontal utility information used to determine conflicts or no conflicts.

Based on Lumen mapping and the construction drawings provided there appear to be **no conflicts**.

Utility conflicts with this private development project will be 100% reimbursable. Payment for design and mitigation of conflicts is to be coordinated prior to work commencing.



## Lumen Conflict Memorandum

In accordance with state law, Blue Staking for location of Lumen facilities must be completed prior to any construction. When crossing Lumen facilities, you will be required to pothole to determine depth and maintain a minimum of 12 inch vertical and horizontal separation from facilities.

Pursuant to state law, support and protection is required for all Lumen facilities during construction.

Should the Contractor locate or expose an unknown Lumen facility, please contact Lumen as soon as possible.

In the event Lumen facilities need to be removed/relocated, some or all cost may be at the expense of the sponsoring agency.

If you have any questions or concerns regarding this review feel free to contact me immediately, either by phone or email at the number/address provided below. The contractor is also responsible for contacting Lumen prior to construction around the Lumen facilities.

### **Notification List**

<b>Terra Technologies LLC</b> Kevin Wagner, Project Manager <a href="mailto:kwagner@terratechllc.net">kwagner@terratechllc.net</a> 815-245-9640	<b>Terra Technologies LLC</b> Jason Jensen, P.E. <a href="mailto:jjensen@terratechllc.net">jjensen@terratechllc.net</a> 801-735-2464
<b>Lumen (Engineer II)</b> Manny Hernandez <a href="mailto:Manuel.Hernandez@lumen.com">Manuel.Hernandez@lumen.com</a> 112 N Beaver Street Flagstaff AZ 86001 Work: 928-779-4935	<b>Lumen™ (SR Account Mgr – BDP/MDU-GF)</b> John West <a href="mailto:John.West1@lumen.com">John.West1@lumen.com</a> Work: 480-423-4737

October 4, 2021

Job #19025

PROJECT: *Rio Homes Unit 4*

---

**REVIEW AGENCY NOTIFICATION LETTER**

---

**TO: CenturyLink**

**FROM: Shephard-Wesnitzer Inc.**

Manual Hernandez  
112 North Beaver Street  
Flagstaff, AZ 86001

Kayla Fleishman  
110 W Dale Ave  
Flagstaff, AZ 86001

---

In conformance with the City of Flagstaff subdivision development process, we have enclosed the Preliminary Condominium Plat for the Rio Homes Unit 4 development prepared by Shephard-Wesnitzer, Inc. The site is situated on the north side of E. Pine Knoll Drive.

Please provide any comments and return them to us as soon as possible. Please also provide maps of any existing CenturyLink utilities in the vicinity of the site for coordination purposes. Thank you for taking the time to complete, sign, date, and return this document. Your transmittal may be by mail or email as indicated on the bottom of this page.

☒ APPROVED WITHOUT COMMENT

☐ APPROVED WITH COMMENT, AS FOLLOWS

☐ ACKNOWLEDGED, APPROVAL NOT REQUIRED, COMMENTS AS FOLLOWS

**SIGNED:** Kevin S. Wagner

**TITLE:** Project Manager

**AGENCY:** Terra Technologies / Lumen

**DATE:** October 18, 2021



Shephard Wesnitzer, Inc.  
Engineering an environment of excellence

110 West Dale Avenue  
Flagstaff, AZ 86001

928.773.0354  
928.774.8923

www.swiaz.com

*Engineering an environment of excellence.*

October 4, 2021

Job #19025

PROJECT: *Rio Homes Unit 4*

---

**REVIEW AGENCY NOTIFICATION LETTER**

---

**TO: USDA Natural Resources Conservation Service**

**FROM: Shephard-Wesnitzer Inc.**

Sierra Frydenlund  
1585 South Plaza Way  
Flagstaff, AZ 86001

Kayla Fleishman  
110 W Dale Ave  
Flagstaff, AZ 86001

---

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\_\_\_\_ APPROVED WITHOUT COMMENT

\_\_\_\_ APPROVED WITH COMMENT, AS FOLLOWS

X  ACKNOWLEDGED, APPROVAL NOT REQUIRED, COMMENTS AS FOLLOWS

We acknowledge that we have received your forms and want to clarify that USDA-NRCS is not an approving agency and we typically do not receive these requests. We have attached a soils report from Web Soil Survey for the entire work area. For the P Plat, we would like to point out the clay content of the soil, which has shrink-swell potential. This is important to note for load support when building foundations for housing structures. Another soil property to note is the shallow depth to bedrock. These are aspects of the soil that should be considered thoroughly before construction.

---

**SIGNED:** \_\_\_\_\_

**TITLE:** Soil Conservationist

**AGENCY:** NRCS

**DATE:** 10/12/21

110 W. Dale Ave.  
Flagstaff, AZ 86001

Phone #: 928-773-0354

Email: kfleishman@swiaz.com

SEDONA COTTONWOOD FLAGSTAFF PRESCOTT

October 4, 2021

Job #19025

PROJECT: *Rio Homes Unit 4*

---

**REVIEW AGENCY NOTIFICATION LETTER**

---

**TO: Coconino County Flood Control District**

**FROM: Shephard-Wesnitzer Inc.**

Jamie Brown-Esplain  
2500 North Fort Valley Road, Bldg. 1  
Flagstaff, AZ 86001

Kayla Fleishman  
110 W Dale Ave  
Flagstaff, AZ 86001

---

In conformance with the City of Flagstaff subdivision development process, we have enclosed the Preliminary Condominium Plat for the Rio Homes Unit 4 development prepared by Shephard-Wesnitzer, Inc. The site is situated on the north side of E. Pine Knoll Drive.

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☐ APPROVED WITHOUT COMMENT

☐ APPROVED WITH COMMENT, AS FOLLOWS

☒ ACKNOWLEDGED, APPROVAL NOT REQUIRED, COMMENTS AS FOLLOWS

Review of submitted document completed. Parcel is located outside of Coconino County Unincorporated area.

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**SIGNED:** Jamie Brown-Esplain

**TITLE:** Engineering Technician

**AGENCY:** Coconino County Community Development

**DATE:** 10/06/21



Shephard  Wesnitzer, Inc.  
Engineering an environment of excellence

110 West Dale Avenue  
Flagstaff, AZ 86001

928.773.0354  
928.774.8923

www.swiaz.com

*Engineering an environment of excellence.*

October 4, 2021

Job #19025

PROJECT: *Rio Homes Unit 4*

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**REVIEW AGENCY NOTIFICATION LETTER**

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**TO: CC Community Development**

**FROM: Shephard-Wesnitzer Inc.**

Jay Christelman  
2500 North Fort Valley Road, Bldg. 1  
Flagstaff, AZ 86001

Kayla Fleishman  
110 W Dale Ave  
Flagstaff, AZ 86001

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In conformance with the City of Flagstaff subdivision development process, we have enclosed the Preliminary Condominium Plat for the Rio Homes Unit 4 development prepared by Shephard-Wesnitzer, Inc. The site is situated on the north side of E. Pine Knoll Drive.

Please provide any comments and return them to us as soon as possible. Thank you for taking the time to complete, sign, date, and return this document. Your transmittal may be by mail or email as indicated on the bottom of this page.

- ☒ APPROVED WITHOUT COMMENT  
☐ APPROVED WITH COMMENT, AS FOLLOWS  
☐ ACKNOWLEDGED, APPROVAL NOT REQUIRED, COMMENTS AS FOLLOWS
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SIGNED: 

TITLE: CD Director

AGENCY: CoCo Community Dev.

DATE: 10.4.21

110 W. Dale Ave.  
Flagstaff, AZ 86001

Phone #: 928-773-0354

Email: kfleishman@swiaz.com

SEDONA COTTONWOOD FLAGSTAFF PRESCOTT

October 4, 2021

Job #19025

PROJECT: *Rio Homes Unit 4*

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**REVIEW AGENCY NOTIFICATION LETTER**

---

**TO: Flagstaff Unified School District**

**FROM: Shephard-Wesnitzer Inc.**

Bob Kuhn  
3285 E. Sparrow Avenue  
Flagstaff, AZ 86001

Kayla Fleishman  
110 W Dale Ave  
Flagstaff, AZ 86001

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☐ ACKNOWLEDGED, APPROVAL NOT REQUIRED, COMMENTS AS FOLLOWS

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SIGNED: \_\_\_\_\_



TITLE: \_\_\_\_\_

*Director of Operations*

AGENCY: \_\_\_\_\_

*FUSD*

DATE: \_\_\_\_\_

*10/18/21*

October 4, 2021

Job #19025

PROJECT: *Rio Homes Unit 4*

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**REVIEW AGENCY NOTIFICATION LETTER**

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**TO: Unisource Energy Services**

Martin Conboy  
1459 East Butler Ave.  
Flagstaff, AZ 86001

**FROM: Shephard-Wesnitzer Inc.**

Kayla Fleishman  
110 W Dale Ave  
Flagstaff, AZ 86001

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Please provide any comments and return them to us as soon as possible. Please also provide maps of any existing Unisource utilities in the vicinity of the site for coordination purposes. Thank you for taking the time to complete, sign, date, and return this document. Your transmittal may be by mail or email as indicated on the bottom of this page.

  X   APPROVED WITHOUT COMMENT

       APPROVED WITH COMMENT, AS FOLLOWS

       ACKNOWLEDGED, APPROVAL NOT REQUIRED, COMMENTS AS FOLLOWS

**SIGNED:** Martin Conboy

**TITLE:** Gas Engineering Supervisor

**AGENCY:** UNS Gas, Inc.

**DATE:** October 4, 2021