

**CITY OF KINGMAN
MEETING OF THE COMMON COUNCIL
Council Chambers
310 N. 4th Street**

5:30 PM

AGENDA

Tuesday, January 5, 2016

REGULAR MEETING

CALL TO ORDER AND ROLL CALL

INVOCATION

The invocation will be given by Grif Vautier of Kingman Presbyterian Church.

PLEDGE OF ALLEGIANCE

THE COUNCIL MAY GO INTO EXECUTIVE SESSION FOR LEGAL COUNSEL IN ACCORDANCE WITH A.R.S.38-431.03(A) 3 TO DISCUSS ANY AGENDA ITEM. THE FOLLOWING ITEMS MAY BE DISCUSSED, CONSIDERED AND DECISIONS MADE RELATING THERETO:

1. APPROVAL OF MINUTES

- a. There are no minutes to approve this meeting.**

2. APPOINTMENTS

- a. Consideration of appointing and/or reappointing Economic Development and Marketing Commission (EDMC) members**

EDMC members Chuck Waalkens' and Susan Yamaguchi's terms expired on December 31, 2015. Ms. Yamaguchi did not seek reappointment. Mr. Waalkens expressed interest in serving a second term. The EDMC also has two vacant terms that expire December, 2017. On December 9, 2015 the EDMC voted 4-0 to recommend reappointing Chuck Waalkens for a second full term and to appointment Eugene Kirkham to his first full term. **Staff recommends approval.**

- b. Consideration of reappointing Krystal Burge to the Tourism Development Commission (TDC)**

Krystal Burge's term ended December 31, 2015. The TDC met on December 3, 2015 and recommended on a four-to-one vote to reappoint Ms. Burge. Ms. Burge has served four terms and is willing to serve another term, which requires a super-majority vote of the Council. **The TDC recommends approval.**

3. AWARDS/RECOGNITION

- a. Employee service recognition**

In appreciation for their hard work, dedication, and loyalty, the Mayor and Council would like to recognize employees who have reached years of service milestones, beginning at five years of service and continuing at each five year interval. Tonight the Mayor and Council hereby convey their earnest appreciation to:

Yrs of Service	Name	Title	Department
20	Blum, Thomas	Equipment Operator B	Street Dept
30	White, Harry	Welder	Fleet
10	Ackerson, Ronald	Crew Leader	Golf Course
10	Linne, Cindy	Court Clerk	Magistrate Court
10	Reed, Danny	Police Officer	Police
10	Rodriguez, Carlos	Bluestake Coordinator	Water Operating
5	Osborn, Dustin	Firefighter	Fire
5	Payton, Judy	Customer Service Representative	Water Admin

Mayor and Council would also like to congratulate the following retirees on their retirement:

Linda Dorado-Corwin who retired from Water Administration on December 11, 2015 with 19 years of outstanding service.

4. CALL TO THE PUBLIC - COMMENTS FROM THE PUBLIC

Those wishing to address the Council should fill out request forms in advance. Action taken as a result of public comments will be limited to directing staff to study the matter or rescheduling the matter for consideration and decision at a later time. Comments from the Public will be restricted to items not on the agenda with the exception of those on the Consent Agenda. There will be no comments allowed that advertise for a particular person or group. Comments should be limited to no longer than 3 minutes.

5. CONSENT AGENDA

All matters listed here are considered to be routine by the City Council and will be enacted by one motion. There will be no separate discussion of these items. If discussion is desired, that item will be removed from the CONSENT AGENDA and will be considered separately.

a. Utility easement agreement

The Kingman Police Department (KPD), with the assistance of the Parks & Recreation Department and Public Works Department, have expanded parking at KPD's facility. Staff removed shrubbery and graded an area to the north of the building; however, a utility pole and guide wire need to be removed to allow for barrier free parking. Unisource reviewed the site and agreed to remove the obstruction at no cost to the department upon completion of the attached utility easement agreement. **Staff recommends accepting the utility easement agreement.**

b. Liquor license application

Applicant Ruby Christina Duey of the Mohave Livestock Association has applied for a Series 15 Special Event Liquor License for an event taking place Saturday, February 13, 2016 from 4:30 P.M. to 2:00 A.M. at 301 N. 4th Street in Kingman. **Staff recommends approval.**

c. Liquor license application

Applicant Yvonne Woytovich of the Kingman Area Chamber of Commerce has applied for a Series 15 Special Event Liquor License for an event taking place Saturday, February 27, 2016 from 6:00 P.M. to 10:00 P.M. at 201 N. 4th Street in Kingman. **Staff recommends approval.**

d. Liquor license application

Applicant Jamie S. Taylor of the Route 66 Association of Kingman has applied for a Series 15 Special Event Liquor License for an event taking place Saturday, January 16, 2016 from 5:00 P.M. to 10:00 P.M. at 201 N. 4th Street in Kingman. **Staff recommends approval.**

e. Resolution 4988: authorization for banking activities

Resolution 4988 removes Diane Richards, Budget Analyst, and adds Aracely Rivas, Finance Administrator, as an authorized person to make wire transfers between the City's accounts. It removes the authorization for any person to make telephonic transfers between the City's accounts. **Staff recommends approval.**

6. OLD BUSINESS

a. Public Hearing and consideration of Ordinance 1806: creating the Kingman Crossing Planned Development District (PDD) and applies this zoning district to the 151 acre area located south of Interstate 40 (I-40) in the Kingman Crossing area

The proposed Kingman Crossing PDD text has been revised since the public hearing held on November 3, 2015. The Planning and Zoning Commission held a public hearing on December 8, 2015 and recommended approval of the proposed district text with the exception to permit murals on exterior walls of buildings. Changes from the previous draft include: permission of poles in the area that are at least 1,000 feet from the section lines; more restrictive lighting standards; prohibition of mechanical lifts outside of buildings; requiring service bays to face north; and the permission of murals on exterior buildings. **The Planning and Zoning Commission and Staff recommend**

approval of Ordinance 1806.

b. Adoption of Ordinance 1810: amendments to City Code Chapter 3, Article II, Section 3-22

On October 6, 2015, the Council directed Staff to amend the ordinance at the request of resident Amber Novak in order to permit livestock allowances on properly zoned property to be interchangeable. For the sake of efficiency, Staff also implemented further alterations to increase uniformity of language throughout the ordinance and clarify bird allowances in response to enforcement issues encountered by KPD personnel. **Staff recommends adopting Ordinance 1810.**

c. Discussion and possible decision on work session

The Council will discuss and possibly direct staff to set a date for a work session to discuss the property tax levy, visioning, budget goals and annexation. Council must decide the levy amount by the second meeting in January, 2016. **Staff recommends setting a date for a work session between January 7-15, 2016.**

7. NEW BUSINESS

a. Presentation and funding request from Help Animals Lives Today (H.A.L.T.)

Lotti Benker of H.A.L.T. is requesting the Council grant funding in the 2016-17 fiscal budget. Ms. Benker is also proposing the City ban the sale of puppies within the City limits unless a business license is granted and maintained. **While sympathetic to the lives of animals, Staff recommends denying the funding request as there are several adoption agencies in the area.**

b. Consideration of waiving Subsection 2.2(8)(iv) of the Subdivision Ordinance to permit Kingman Crossing LLC to seek a preliminary plat extension on Kingman Crossing Plat 1993

Kingman Crossing Tract 1993 Preliminary Plat is a 1,154 lot subdivision located south of Airway Avenue, east of the Castle Rock alignment, west of Prospector Street, and north of the Hualapai Campus of the Kingman Regional Medical Center. The preliminary plat was approved August 2, 2004 and the latest two year preliminary plat extension expired on November 6, 2014. Granting an extension of the existing preliminary plat allows the owner to plat without necessary right-of-way and then subsequently requires the City to acquire the houses and property necessary to construct the Kingman Crossing Boulevard as identified in the Kingman Crossing Design Concept Report. In the past the applicant has claimed no involvement with the commercial aspect of the Kingman Crossing area north of I-40, but Kingman Crossing LLC was the applicant on the General Plan amendment to designate this area as "Regional Commercial" in 2004. **Staff recommends not waiving Subsection 2.2 98)(iv) of the Subdivision Ordinance and thereby requiring the subdivider to apply for a new preliminary plat that includes the 130-foot wide right-of-way for Kingman Crossing Boulevard.**

c. Public hearing and consideration of Resolution 4987: approval of a one-year renewal of a conditional use permit (CUP) approved under Resolution 4860 to expand a mini-storage complex at 3442 Hualapai Mountain Road

Robert E. & Judith Bennett, applicants and property owners, requested approval of a one-year renewal of a CUP originally approved on October 15, 2013 to expand a mini-storage complex at 3442 Hualapai Mountain Road. The CUP allowed approximately 210 mini-storage units of varying sizes as well as an office, manager's residence, and garage as additions to the existing facility. Because a building permit was not obtained within one year, the applicant requested and received a one-year renewal of the CUP from the Council on December 2, 2014 with direction to Mr. Bennett that he must begin construction in one-year. On October 20, 2015, the City issued a grading permit for the subject site; however, a building permit has not been obtained and grading has not taken place. The property owner is requesting another one-year renewal of the CUP. The Planning and Zoning Commission met on December 8, 2015 and held a public hearing on this request. There was no public opposition to this request for renewal. **The Planning and Zoning Commission voted 3-2 to recommend approval of the request for the one-year renewal of the CUP.**

d. Pavement management study

The Street Department would like approval to hire The Barnhardt Group, a pavement management consultant, to conduct a pavement management study. Asphalt treated roads within the City Limits will be inspected and rated with a PCI (pavement condition index) and the quantity center line miles

of asphalt will be established. This information will be used with a software program to outline which roads need maintenance work, the appropriate treatment, and estimated cost. **Staff recommends approval.**

8. REPORTS

Board, Commission and Committee Reports by Council Liaisons

9. ANNOUNCEMENTS BY MAYOR, COUNCIL MEMBERS, CITY MANAGER

Limited to announcements, availability/attendance at conferences and seminars, requests for agenda items for future meetings.

10. EXECUTIVE SESSION

a. Executive Session

Pursuant to ARS 38-431.03(A)(4), the City Attorney requests the Council enter executive session to discuss a Notice of Claim filed by the Central Christian Church regarding the City's denial of a CUP.

ADJOURNMENT



**CITY OF KINGMAN
COMMUNICATION TO COUNCIL**

TO: Honorable Mayor and Common Council

FROM: John Dougherty, City Manager

MEETING DATE: January 5, 2016

AGENDA SUBJECT: Consideration of appointing and/or reappointing Economic Development and Marketing Commission (EDMC) members

SUMMARY:

EDMC members Chuck Waalkens' and Susan Yamaguchi's terms expired on December 31, 2015. Ms. Yamaguchi did not seek reappointment. Mr. Waalkens expressed interest in serving a second term. The EDMC also has two vacant terms that expire December, 2017. On December 9, 2015 the EDMC voted 4-0 to recommend reappointing Chuck Waalkens for a second full term and to appointment Eugene Kirkham to his first full term.

FISCAL IMPACT:

None.

STAFF RECOMMENDATION:

Staff recommends approval.

ATTACHMENTS:

Description

Eugene Kirkham's application

REVIEWERS:

Department	Reviewer	Action	Date
City Manager	Dougherty, John	Approved	12/11/2015 - 10:49 AM
City Attorney	Cooper, Carl	Approved	12/14/2015 - 11:31 AM
City Manager	Dougherty, John	Approved	12/11/2015 - 10:49 AM



CITY OF KINGMAN
BOARDS AND COMMISSIONS APPLICATION

'15 DEC 213:1232s

FOR MEMBERSHIP ON THE EDMC
Estimated hours per month you can devote to this group: _____

Name Eugene Kirkham Home Phone # [REDACTED]

Address [REDACTED] Alternative Phone # [REDACTED]

Zip Code 86409

Email [REDACTED]@AOL.COM Resident Located in -

Kingman City Limits

Mohave County

Length of Residency 6 Are you a registered voter? Yes No

If asked, I would be willing to serve on another board or Commission. Yes No

List other boards or commissions interested in:

1. List your educational background. _____

2. Please state your occupational background as it relates to the board or commission you are applying for beginning with your current occupation and employer.
See page #2

3. Describe your involvement in the Kingman community. _____
See page #2

4. Describe your leadership roles and/or any special expertise you have which would be applicable to the position for which you are applying.
I have been on many Commissions
Both here and in CA

5. Describe why you are interested in serving in this position.

Don no longer serve on AZ

6. If you are appointed to any of the boards or commissions you have listed interest in, please list potential conflicts of interest. Explain:

NOPE

Appointment to this board, commission or advisory committee will require your consistent attendance at regularly scheduled meetings. Please note the times below for each Board or Commission. All meetings are held at the Council Chambers, 310 N. 4th Street, Kingman.

Board of Adjustment	As Needed
Building Board of Appeals	As Needed
Business License Review Board	As Needed
Clean City Commission	3rd Thursday/Monthly @ 5:00PM
Economic Development Marketing Commission	2nd Wednesday/Monthly @ 7:30 AM
Golf Course Advisory Committee	3rd Wednesday/odd months @ 4:30PM
Historical Preservation Commission	4 th Tuesday/odd months @ 5:30PM
Industrial Development Board	As Needed
Local Public Safety Personnel Retirement Board	As Needed
Municipal Property Corporation	As Needed
Municipal Utilities Commission	4th Thursday/Monthly @ 5:30 PM
Parks & Recreation Commission	3rd Wednesday/odd months @ 6:30PM
Personnel Board	As Needed
Planning & Zoning Commission	2nd Tuesday/Monthly @ 6:00PM
Tourism Development Commission	1st Thursday/Monthly @ 7:30AM
Transit Advisory Commission	2nd Tuesday/1 st month of Quarter @10:00

This application is subject to the Arizona Open Records law and should not be considered confidential.

Signature of Applicant

Eugene N Kukham Date *12/2/15*

Please return this application to:

City of Kingman
City Clerk's Office
310 North Fourth Street
Kingman, AZ 86401

Fax (928) 753-6867

For further information, please call: City Clerk's office at (928) 753-5561.

Thank you for taking the time to fill out this application. Volunteers play a vital role in the City of Kingman government. We appreciate your interest.

#2

Post Commission work before
I moved to Kingman

- Attended 90 % of the City Council Meetings from 2000 to 2009.
- In 2004 appointed by Council Mark Leyes to the Community Forum.
- In 2005 was appointed to the Traffic Commission of Garden Grove, 2 years commitment.
- In 2007 was re-appointed to the Traffic Commission and elected Chairman.
- In 2008, I was appointed by Mayor Dalton to the Planning Commission to fill a vacant seat.
- The same year, I worked on the 2035 General Plan of the City of Garden Grove.
- In 2009, was re-appointed to the Planning Commission and voted Vice-Chair.
- The same year, I was appointed to the Orange County Transit Advisory Committee by the County Supervisor Janet Nguyen.
- On April 2, 2009, I was honored with several certificates of appreciation for my volunteer work in the Community by Mayor Dalton and the City Manager Matt Fortell.

On December 17 2009, I resigned my position on the Planning Commission and all my volunteer work in this Community because I relocated to Kingman, Arizona (Butler area).

On January 14, 2010 at the City Council Meeting, the Council accepted with regrets my resignation.

After moving to Kingman, on April 25, 2010, the Garden Grove Chamber of Commerce awarded me with the Silver Spoon Award (this honor is similar to receive the key of the city). I received recognition awards from the Garden Grove Mayor, three Assembly awards, two awards from the Senate, two awards from the Congress, one award from the County Supervisor and one award from Epsilon Sigma Alpha for community services. I was one of 12 Garden Grove residents to receive this great honor that year.

In Kingman I served on KART (2012)
PT 2 2013-2015

Gene Kubham
Name ()
Cell



**CITY OF KINGMAN
COMMUNICATION TO COUNCIL**

TO: Honorable Mayor and Common Council

FROM: Gary Jeppson, Development Services Director

MEETING DATE: January 5, 2016

AGENDA SUBJECT: Consideration of reappointing Krystal Burge to the Tourism Development Commission (TDC)

SUMMARY:

Krystal Burge's term on the Tourism Development Commission ended December 31, 2015. The Tourism Development Commission met on December 3, 2015 and recommended, on a four-to-one vote, that Commissioner Burge be reappointed. Commissioner Burge has served four terms and is willing to serve another term. Her reappointment will require a super-majority of the City Council. The term will be from January 1, 2016 to December 31, 2018.

FISCAL IMPACT:

None

STAFF RECOMMENDATION:

The Tourism Development Commission recommends reappointing Commissioner Burge to a fifth term.

REVIEWERS:

Department	Reviewer	Action	Date
Development Services	Jeppson, Gary	Approved	12/15/2015 - 7:04 PM
City Attorney	Cooper, Carl	Approved	12/23/2015 - 10:31 AM
City Manager	Dougherty, John	Approved	12/28/2015 - 12:35 PM



**CITY OF KINGMAN
COMMUNICATION TO COUNCIL**

TO: Honorable Mayor and Common Council

FROM: Robert DeVries, Chief of Police

MEETING DATE: January 5, 2016

AGENDA SUBJECT: Utility easement agreement

SUMMARY:

The department, with the assistance of both Parks and Public Works have worked to expand parking at the facility. Staff identified an area on the northside of the building that would allow for an additional 3 - 4 parking spots. Both Parks and Public Works removed shrubbery and graded the area however a current utility pole and guide wire still need to be removed to allow for barrier free parking. Unisource has reviewed the site and agreed to remove the obstruction at no cost to the department upon completion of the attached utility easement agreement.

FISCAL IMPACT:

None

STAFF RECOMMENDATION:

Accept the Utility Easement Agreement and authorize the Mayor to sign on behalf of the City of Kingman

ATTACHMENTS:

Description

Utility Easement Agreement

REVIEWERS:

Department	Reviewer	Action	Date
Police Department	Roper, Erin	Approved	12/31/2015 - 3:44 PM

When Recorded HOLD for:
UNS Electric, Inc.
Attn: R/W Department

R/W # - 186E/15-001
Type / Rqstr. - Electric / js
Service area - Kingman

UTILITY EASEMENT AGREEMENT

CITY OF KINGMAN

(hereinafter referred to as "Grantor"), hereby grants and conveys to **UNS Electric, Inc.**, an Arizona corporation, its successors and assigns (hereinafter referred to as "Grantee"), for good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, a perpetual, non-exclusive easement and right-of-way of a width and course described on Exhibits "A" & "B" attached hereto, to construct, use, maintain, operate, alter, add to, repair, replace, reconstruct, inspect and remove at any time and from time to time, electric lines and appurtenant facilities for the transmission and distribution of electricity, consisting of wires, underground conduits, cables, vaults, manholes, hand holes, and including above-ground enclosures, markers, concrete pads, risers, poles, anchors, guy wires and other appurtenant fixtures and equipment necessary or useful for distributing electrical energy and for attached communication facilities, including those of other entities, in, over, under, and across said easement and right-of-way (the "Easement") within that certain real property as described below (the "Property"), together with, as part of said Easement, the right of reasonable ingress and egress over, and temporary work space upon, the Property in order to access and make full use of the Easement.

The Property being a portion of northeast (NE¼) quarter
Section 18, T. 21 N., R. 16 W., Gila & Salt River Meridian, Mohave County, Arizona.

Subdivision Golden Gate Addition Tract _____ Block 110 Lot(s) 21 & 22

Legal description of easement:

See Exhibit A for text description of the Easement.
See Exhibit B for graphic depiction of the Easement.

Grantor agrees for itself, its successors and assigns, not to erect, place or maintain, nor to permit the erection, placement or maintenance of any building, landscaping, earth fill, walls or fences upon the Easement, which would impair the repair, maintenance or removal of any or all of Grantee's facilities. All facilities installed by Grantee in and upon the Easement shall remain the personal property of the Grantee and shall not be deemed a part of the realty.

Grantee and its contractors, agents and employees shall have the right to trim or top such trees and to cut such roots and remove such obstacles that could endanger or interfere with Grantee's facilities, and shall have free access to said facilities and every part thereof, at all times, for the purpose of exercising the rights herein granted.

Grantor shall not increase or decrease the ground surface elevation within the boundary of the Easement after approved final grade is established and meets Grantee's construction standards. Subsequent to the construction, the ground surface shall not be penetrated to a depth in excess of 12 inches by any tool or implement, without having the underground facilities located and taking all necessary precautions to protect them. If subsequent to construction, the grade is changed in such a way as to require relocation of the facilities, the cost shall be borne by Grantor.

Grantor hereby agrees that these covenants are made for the real property described herein which is the subject of this Easement. Grantor hereby warrants and represents, and acknowledges Grantee's reliance upon said warranty and representation, that Grantor has good and sufficient title to the real property in order to grant said Easement.

Exhibit "A"
"10 foot wide Electrical Easement for UNS Electric, Inc."

Parcel of land, 10' feet wide located within that portion of Block 110 Golden Gate Addition situate in the N.E. 1/4 of Section 18, Township 21 North, Range 16 West, Gila & Salt River Meridian, City of Kingman, Mohave County, Arizona, CENTERLINE of easement being more particularly described as the following;

Commencing at the north one-quarter corner of said Section 18 as shown on "DEPENDENT RESURVEY AND RETRACEMENT OF A PORTION OF THE NE 1/4 OF SECTION 18" Recorded June 17, 1994, Reception No. 94-36469, Records of Mohave County, Arizona;

THENCE S.89° 50' 18" E. along the north boundary of said Section 18, a distance of 1211.85' feet to the intersection of Alene Avenue as shown on said Retracement survey;

THENCE S.40° 37' 14" W. a distance of 151.12' feet;

THENCE N.49° 24' 19" W. a distance of 25.00' to a point on the south boundary of Block 110, which point is also the common corner for Lots 21 & 22 of said Block 110, also being the **POINT OF BEGINNING** of centerline of the said 10' wide easement;

THENCE continuing N.49° 24' 45" W. along the lot line between Lots 21 and 22, a distance of 40.00' to the **TERMINUS POINT** of said easement.

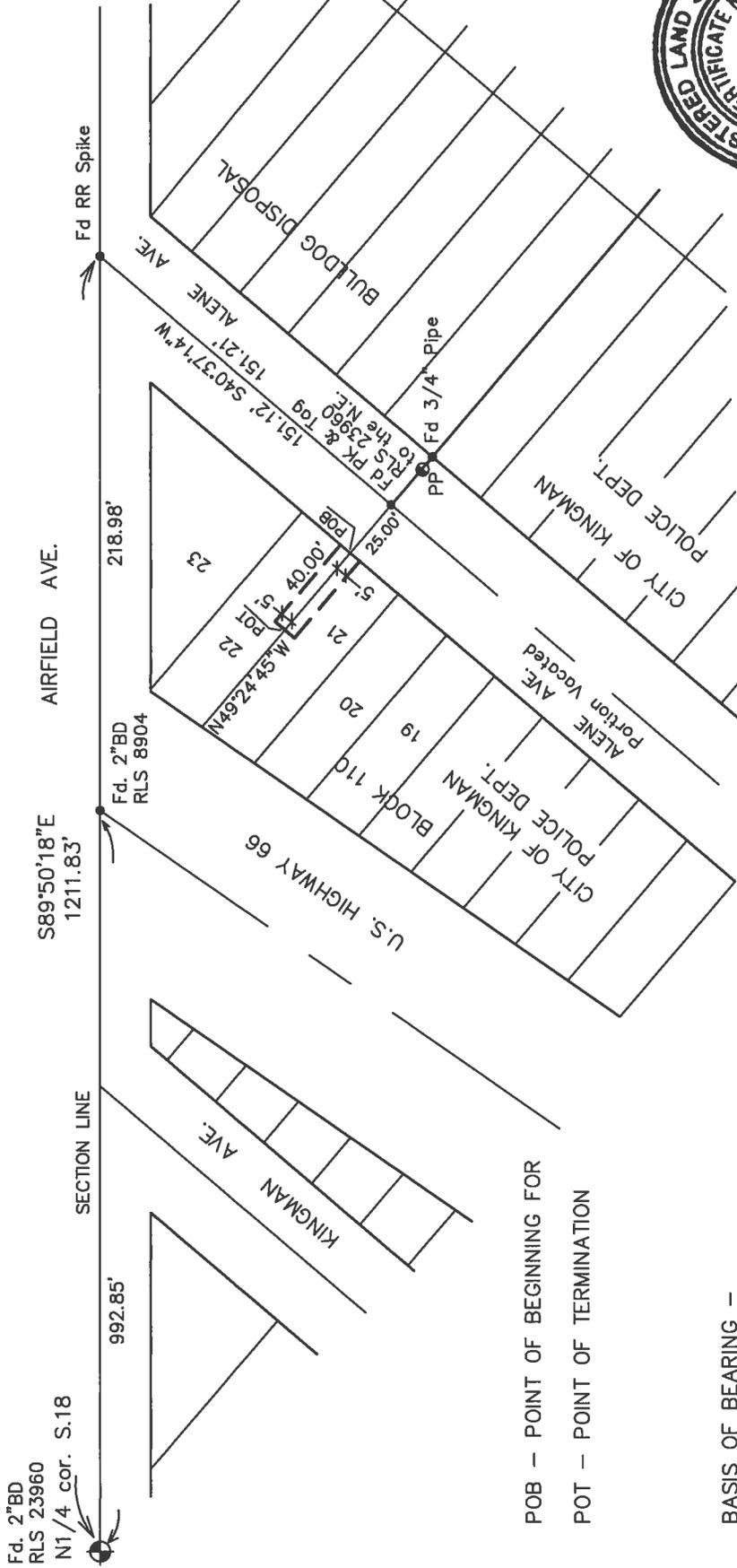
Side lines of said easement begin and terminate at said south boundary of said Block 110 and terminate perpendicular to said centerline of easement at the point of termination.



MAP TO ACCOMPANY EXHIBIT "A"

UNS ELECTRIC INC.
UTILITY EASEMENT AGREEMENT

Fd. 2"BD
RLS 23960
N1/4 cor. S.18



POB - POINT OF BEGINNING FOR

POT - POINT OF TERMINATION

BASIS OF BEARING -
CADASTRAL CONTROL SURVEY
RECORDED JUNE 17, 1994 AT
RECEPTION NO. 94-36469.

See Job# 120 COK



EXPRES 12-31-2016

C.O.K.P.D. GRID NORTH

N.T.S.



**CITY OF KINGMAN
COMMUNICATION TO COUNCIL**

TO: Honorable Mayor and Common Council
FROM: City Clerk's Office
MEETING DATE: January 5, 2016
AGENDA SUBJECT: Liquor license application

SUMMARY:

Applicant Ruby Christina Duey of the Mohave Livestock Association has applied for a Series 15 Special Event Liquor License for an event taking place Saturday, February 13, 2016 from 4:30 P.M. to 2:00 A.M. at 301 N. 4th Street in Kingman.

FISCAL IMPACT:

None

STAFF RECOMMENDATION:

Approve the application.

ATTACHMENTS:

Description

First page of the liquor license application

REVIEWERS:

Department	Reviewer	Action	Date
City Clerk	Muhle, Sydney	Approved	12/28/2015 - 3:13 PM
City Attorney	Cooper, Carl	Approved	12/28/2015 - 4:09 PM
City Manager	Dougherty, John	Approved	12/29/2015 - 2:17 PM



Arizona Department of Liquor Licenses and Control
800 W Washington 5th Floor
Phoenix, AZ 85007-2934
www.azliquor.gov
(602) 542-5141

FOR DLLC USE ONLY	
Event Date(s):	
Event time start/end:	
CSR:	
License:	

APPLICATION FOR SPECIAL EVENT LICENSE
 Fee= \$25.00 per day for 1-10 days (consecutive)
 A service fee of \$25.00 will be charged for all dishonored checks (A.R.S. § 44-6852)

IMPORTANT INFORMATION: This document must be fully completed or it will be returned.

The Department of Liquor Licenses and Control must receive this application ten (10) business days prior to the event. If the special event will be held at a location without a permanent liquor license or if the event will be on any portion of a location that is not covered by the existing liquor license, this application must be approved by the local government before submission to the Department of Liquor Licenses and Control (see Section 15).

SECTION 1 Name of Organization: Mohave Livestock Association

SECTION 2 Non-Profit/IRS Tax Exempt Number: 860002768 860214837

SECTION 3 The organization is a: (check one box only)
 Charitable Fraternal (must have regular membership and have been in existence for over five (5) years)
 Religious Civic (Rotary, College Scholarship) Political Party, Ballot Measure or Campaign Committee

SECTION 4 Will this event be held on a currently licensed premise and within the already approved premises? Yes No

_____ Name of Business _____ License Number _____ Phone (include Area Code) _____

SECTION 5 How is this special event going to conduct all dispensing, serving, and selling of spirituous liquors? Please read R-19-318 for explanation (look in special event planning guide) and check one of the following boxes.

- Place license in non-use
- Dispense and serve all spirituous liquors under retailer's license
- Dispense and serve all spirituous liquors under special event
- Split premise between special event and retail location

(If **not** using retail license, submit a letter of agreement from the agent/owner of the licensed premise to suspend the license during the event. If the special event is only using a portion of premise, agent/owner will need to suspend that portion of the premise.)

SECTION 6 What is the purpose of this event? On-site consumption Off-site (auction) Both

SECTION 7 Location of the Event: Old Elks Lodge #468 Historic Kingman

Address of Location: 301N. 4th Kingman, Mohave Arizona 86401

Street City COUNTY State Zip

SECTION 8 Will this be stacked with a wine festival/craft distiller festival? Yes No

SECTION 9 Applicant must be a member of the qualifying organization and authorized by an Officer, Director or Chairperson of the Organization named in Section 1. (Authorizing signature is required in Section 13.)

1. Applicant: Duey, Ruby Christina _____
 Last First Middle Date of Birth

2. Applicant's mailing address: _____
 Street City State Zip

3. Applicant's home/cell phone: _____ Applicant's business phone: (928) 757-4011

4. Applicant's email address: _____ .com



**CITY OF KINGMAN
COMMUNICATION TO COUNCIL**

TO: Honorable Mayor and Common Council
FROM: City Clerk's Office
MEETING DATE: January 5, 2016
AGENDA SUBJECT: Liquor license application

SUMMARY:

Applicant Yvonne Woytovich of the Kingman Area Chamber of Commerce has applied for a Series 15 Special Event Liquor License for an event taking place Saturday, February 27, 2016 from 6:00 P.M. to 10:00 P.M. at 201 N. 4th Street in Kingman.

FISCAL IMPACT:

None.

STAFF RECOMMENDATION:

Approve the application.

ATTACHMENTS:

Description

First page of the liquor license application

REVIEWERS:

Department	Reviewer	Action	Date
City Clerk	Muhle, Sydney	Approved	12/28/2015 - 3:13 PM
City Attorney	Cooper, Carl	Approved	12/28/2015 - 4:09 PM
City Manager	Dougherty, John	Approved	12/29/2015 - 2:17 PM



Arizona Department of Liquor Licenses and Control
800 W Washington 5th Floor
Phoenix, AZ 85007-2934
www.azliquor.gov
(602) 542-5141

FOR DLLC USE ONLY	
Event Date(s):	
Event time start/end:	
CSR:	
License:	

APPLICATION FOR SPECIAL EVENT LICENSE
 Fee= \$25.00 per day for 1-10 days (consecutive)
 A service fee of \$25.00 will be charged for all dishonored checks (A.R.S. § 44-6852)

IMPORTANT INFORMATION: This document must be fully completed or it will be returned.

The Department of Liquor Licenses and Control must receive this application ten (10) business days prior to the event. If the special event will be held at a location without a permanent liquor license or if the event will be on any portion of a location that is not covered by the existing liquor license, this application must be approved by the local government before submission to the Department of Liquor Licenses and Control (see Section 15).

SECTION 1 Name of Organization: Kingman Area Chamber of Commerce

SECTION 2 Non-Profit/IRS Tax Exempt Number: 86-0039625

SECTION 3 The organization is a: (check one box only)

- Charitable Fraternal (must have regular membership and have been in existence for over five (5) years)
 Religious Civic (Rotary, College Scholarship) Political Party, Ballot Measure or Campaign Committee

SECTION 4 Will this event be held on a currently licensed premise and within the already approved premises? Yes No

Name of Business	License Number	Phone (include Area Code)
------------------	----------------	---------------------------

SECTION 5 How is this special event going to conduct all dispensing, serving, and selling of spirituous liquors? Please read R-19-318 for explanation (look in special event planning guide) and check one of the following boxes.

- Place license in non-use
 Dispense and serve all spirituous liquors under retailer's license
 Dispense and serve all spirituous liquors under special event
 Split premise between special event and retail location

(If not using retail license, submit a letter of agreement from the agent/owner of the licensed premise to suspend the license during the event. If the special event is only using a portion of premise, agent/owner will need to suspend that portion of the premise.)

SECTION 6 What is the purpose of this event? On-site consumption Off-site (auction) Both

SECTION 7 Location of the Event: Beale Celebrations

Address of Location: <u>201 N 4th St</u>	<u>Kingman County</u>	<u>AZ</u>	<u>86401</u>
<small>Street</small>	<small>City</small>	<small>COUNTY</small>	<small>State Zip</small>

SECTION 8 Will this be stacked with a wine festival/craft distiller festival? Yes No

SECTION 9 Applicant must be a member of the qualifying organization and authorized by an Officer, Director or Chairperson of the Organization named in Section 1. (Authorizing signature is required in Section 13.)

1. Applicant: Woytovich Yvonne [REDACTED]
Last First Middle Date of Birth

2. Applicant's mailing address: [REDACTED]
Street City State Zip

3. Applicant's home/cell phone: [REDACTED] Applicant's business phone: (928) 753-6253

4. Applicant's email address: [REDACTED].com



**CITY OF KINGMAN
COMMUNICATION TO COUNCIL**

TO: Honorable Mayor and Common Council
FROM: City Clerk's Office
MEETING DATE: January 5, 2016
AGENDA SUBJECT: Liquor license application

SUMMARY:

Applicant Jamie S. Taylor of the Route 66 Association of Kingman has applied for a Series 15 Special Event Liquor License for an event taking place Saturday, January 16, 2016 from 5:00 P.M. to 10:00 P.M. at 201 N. 4th Street in Kingman.

FISCAL IMPACT:

None.

STAFF RECOMMENDATION:

Approve the application.

ATTACHMENTS:

Description

First page of the liquor license application

REVIEWERS:

Department	Reviewer	Action	Date
City Clerk	Muhle, Sydney	Rejected	12/28/2015 - 3:14 PM
City Clerk	Roper, Erin	Approved	12/31/2015 - 3:17 PM



**CITY OF KINGMAN
COMMUNICATION TO COUNCIL**

TO: Honorable Mayor and Common Council
FROM: Tina D. Moline, Financial Services Director
MEETING DATE: January 5, 2016
AGENDA SUBJECT: Resolution 4988: authorization for banking activities

SUMMARY:

Resolution No. 4988 removes Diane Richards, Budget Analyst, and adds Aracely Rivas, Finance Administrator, as an authorized person to make wire transfers between the City's accounts. It removes the authorization for any person to make telephonic transfers between the City's accounts.

FISCAL IMPACT:

None.

STAFF RECOMMENDATION:

Staff recommends Council adopt Resolution No. 4988 which provides a specific authorization relating to the City's banking activities.

ATTACHMENTS:

Description
Resolution No. 4988

REVIEWERS:

Department	Reviewer	Action	Date
Finance	Moline, Tina	Approved	12/29/2015 - 5:02 PM
City Attorney	Cooper, Carl	Approved	12/31/2015 - 12:10 PM
City Manager	Dougherty, John	Approved	12/30/2015 - 7:05 PM

CITY OF KINGMAN, ARIZONA

RESOLUTION NO. 4988

A RESOLUTION BY THE MAYOR AND COMMON COUNCIL OF THE CITY OF KINGMAN, ARIZONA; RELATING TO THE CITY'S BANKING ACTIVITIES BY AUTHORIZING SIGNATORIES FOR THE CITY'S BANK ACCOUNTS, AND AUTHORIZING PERSONS TO MAKE WIRE TRANSFERS BETWEEN ACCOUNTS; AUTHORIZING PERSONS TO HOLD CITY PURCHASING CARDS; AND DELETING RESOLUTION NO. 4957.

NOW, THEREFORE, BE IT RESOLVED:

1. that Resolution No. 4957 is hereby superseded in its entirety;
2. a) that Tina Moline, Director of Financial Services; and John Dougherty, City Manager; are hereby appointed as signatories of the City of Kingman's bank accounts; and

b) that the signatories of both will be required on all checks written on the City of Kingman's bank accounts; and
3. that Tina Moline, Director of Financial Services; Wendy Sherer, Finance Administrator; and Aracely Rivas, Finance Administrator; are hereby authorized to make wire transfers between the City's accounts; and
4. that the following positions are hereby authorized to hold City purchasing cards: Mayor or Vice-Mayor; City Manager; Budget Analyst; Finance Administrator(s); Director of Financial Services; Public Works Director and designees; City Clerk and designees; Human Resources Director and designees; Magistrate and designees; City Attorney and designees; Information Technology Director and designees; Parks & Recreation Director and designees; City Engineer and designees; Fire Chief and designees; Police Chief and designees; and Development Services Director and designees.

PASSED AND ADOPTED by the Mayor and Common Council of the City of Kingman, Arizona on January 5, 2016.

ATTEST:

APPROVED:

Sydney Muhle, City Clerk

Richard Anderson, Mayor

APPROVED AS TO FORM:

Carl Cooper, City Attorney



**CITY OF KINGMAN
COMMUNICATION TO COUNCIL**

TO: Honorable Mayor and Common Council

FROM: Gary Jeppson, Development Services Director

MEETING DATE: January 5, 2016

AGENDA SUBJECT: Public Hearing and consideration of Ordinance 1806: creating the Kingman Crossing Planned Development District (PDD) and applies this zoning district to the 151 acre area located south of Interstate 40 (I-40) in the Kingman Crossing area

SUMMARY:

The proposed Kingman Crossing Planned Development District text has been revised since the City Council's public hearing on November 3, 2015. The Planning and Zoning Commission held a public hearing on December 8, 2015 and recommended approval of the proposed district text as proposed by staff with the exception that the Commission wanted to permit murals on exterior walls of buildings. Ordinance #1806 has been prepared as the Planning and Zoning Commission recommends. Changes from the previous draft include: permission of poles in the area that is at least 1000-feet from the section lines; more restrictive lighting standards; the prohibition of having mechanical lifts outside of buildings; requiring service bays to face north; and the permission of murals on exterior buildings.

FISCAL IMPACT:

Potential to increase the value of the City's 151-acres in the Kingman Crossing area.

STAFF RECOMMENDATION:

The Planning and Zoning Commission and staff recommend approval of Ordinance #1806.

ATTACHMENTS:

Description

Planning and Zoning Commission Report

PowerPoint Presentation

Ordinance No. 1806

REVIEWERS:

Department	Reviewer	Action	Date
Development Services	Jeppson, Gary	Approved	12/15/2015 - 7:04 PM
City Attorney	Cooper, Carl	Approved	12/23/2015 - 10:32 AM
City Manager	Dougherty, John	Approved	12/29/2015 - 2:19 PM



CITY OF KINGMAN
Kingman Crossing
Planned Development District
Rezoning Case: CI15-001
Planning and Zoning Commission Report
December 8, 2015

Summary of Request: Public Hearing and Consideration of a recommendation to the City Council on adopting the revised Kingman Crossing Planned Development District as Section 18.000 of the Zoning Ordinance of the City of Kingman and to apply the zoning district to the approximately 151-acres located on the south portion of Section 9, T.21N., R.16W., of the G&SRM, Mohave County, Arizona.

Applicant: City of Kingman
310 North Fourth Street
Kingman, Arizona 86401

Contact Person: Gary Jeppson, (928) 753-8353

Property Owner: City of Kingman
310 North Fourth Street
Kingman, Arizona 86401

RECOMMENDATION

The Planning and Zoning Commission and staff recommend approval of this zoning text amendment and zoning map amendment because the Kingman Crossing PDD creates a zoning district that allows the Kingman Crossing area become compatible with the area and will enhance the City. The proposed zoning map amendment area matches the "Regional Commercial" land use designation in the Kingman Crossing area south of Interstate-40.

STANDARDS FOR REVIEW

APPLICABLE GOALS, OBJECTIVES AND POLICIES OF THE KINGMAN GENERAL PLAN 2030 UPDATE:

GOALS AND OBJECTIVES GROWTH AREA ELEMENT

GOALS, OBJECTIVES AND POLICIES

GOAL: To promote managed, economically sound and orderly growth that supports a variety of land uses, conserves natural resources, reduces automobile dependency, and provides for the logical expansion of infrastructure and service capacities.

Objective 3.0: Encourage a planned mixture of land uses that provides for a choice of transportation modes which reduces automobile dependency, provides for needed public open space and creates a sense of place.

APPLICABLE SECTIONS OF THE CITY OF KINGMAN ZONING ORDINANCE:

- Section 12.000: Commercial, Community Business
- Section 13.000: Commercial, Commercial Service
- Section 19.000: Planned Development District
- Section 31.000: Amendments and Zone Changes

FINDINGS OF FACT

Location and Size:

- The 151± acre Kingman Crossing area is located in on the south edge of Section 9, Township 21 North, Range 16 West, of the Gila and Salt River Meridian, City of Kingman, Mohave County, Arizona; more particularly, north of the Airfield Avenue alignment, east of Sage Street and west of the Cherokee Street alignment.

Legal Description:

- The area proposed to be rezoned to Kingman Crossing Planned Development District is described as: a portion of the south half of Section 9, T.21N., R.16W, of the G&SRM, Mohave County, AZ., as shown on Retracement and Dependent Resurvey of a portion of the South East One Quarter and the South West One Quarter of Section 9 lying within the area as described as follows:

That portion of said Section 9 as described in Book 3550, page 368 Official Records of Mohave County, Arizona and shown as Parcel A and B on said

resurvey plat and lying Easterly and adjacent to an 125-foot wide Electrical Transmission Easement as described in Book 138, pages 16 through 18 of Dockets Mohave County Recorder. This area contains 151-acres more or less based on recorded deeds and surveys.

Existing Land Use: Vacant.

General Plan Land Use Designation:

- Upon adoption of Resolution #4949 by the Kingman Common Council on May 5, 2015, the City of Kingman General Plan 2030 Update was amended to designate this area as “Regional Commercial”.

Surrounding Land Use and Zoning:

- To the north is Interstate 40 and vacant land immediate north of Interstate-40.
- To the west is a vacant land and an electrical substation that is zoned Rural Residential.
- To the east is vacant land zoned R-1-10
- To the southeast is the Rancho Santa Fe Subdivision.
- To the south Arizona State Trust Land that is vacant and is zoned Rural Residential.

Zoning and Development History:

- The Kingman Crossing area is an area deeded to the City of Kingman after the construction of Interstate-40.
- The proposed traffic interchange has been approved by the Federal Highway Administration and the Arizona Department of Transportation in the horizontal center of the property.
- Originally, the property was designed as “Open Space/Recreational” and zoned as Rural Residential (RR).
- A general plan amendment designating this property “Rural Residential” as approved May 7, 2007 with the adoption of Resolution #4425. The voters repealed Resolution #4425 by referendum on November 6, 2007 by a vote of 1498 “for” and 2309 “against”.
- The Design Concept Report for the Kingman Crossing Traffic Interchange was subsequently amended to have no access south of the interchange across the City’s property.
- Another General Plan Amendment application was initiated by the City Council on February 3, 2015. After the application was submitted and public hearing was held, the City Council adopted Resolution #4949 on May 5, 2015 to designate approximately 151 acres from “Parks/Open Space” to “Regional Commercial”. This resolution was not referred.
- The Hualapai Mountain Medical Center Subdivision was zoned from Rural-Residential to C-3 on December 3, 2007 with the adoption of Ordinance #1600.
- On January 7, 2008 with the adoption of Ordinance #1604, 115.59-acres located immediately to the north of the proposed Kingman Crossing traffic interchange on Interstate-40 was rezoned to C-3PDD and the 55.49 acres to the immediate east of this property was zoned C-2 PDD.
- The subject property is currently zoned “Rural-Residential”.
- The Planning and Zoning Commission held a public hearing on the proposed planned development district on October 13, 2015. The Commission recommended approval of this zoning district with the provision that freestanding signs be permitted along I-40; that

service bays face to the north; and that outdoor lighting be controlled to reduce the impact on surrounding residential property.

- The City Council held a public hearing on the matter on November 3, 2015 and tabled action to include greater controls on lighting, signage, and service bay orientation.
- The Planning and Zoning Commission held public hearings on a revised ordinance proposed planned development district on December 8, 2015. The Commission recommended approval of this zoning district with the provision that murals be permitted.

Physical Characteristics:

- The overall natural site slopes from the southeast down to the northwest. The average slopes are in the two-percent to four-percent range. No hillsides or other significant geology appear to exist on the site.
- The soil types in this area are a mixture of Tres Hermanos in the western section and Pajarito Gravelly Sandy Loam in the eastern portion according to the 1990-2010 Kingman General Plan. Both soil types are deep and well drained the hazard of water erosion, and the permeability is slight. The water capacity for the Tres Hermanos soil type is moderate while the Pajarito type is low. The Tres Hermanos soil type is moderately suited to home site and urban development, while the Pajarito type is well suited for such development.
- The site lies within Zone “X”, an area of 0.2-percent annual chance of flood with average depths of less than one foot or with drainage less than one square mile, and areas protected by levees from one-percent annual chance flood, minimal flooding, according to Panel 4578 of 6700 (Map # 0415C4578G, Effective Date: November 18, 2009) of the Flood Insurance Rate Map of the Federal Emergency Management Agency.

Public Utilities:

- A 12-inch sewer line runs just to the south of the property on the north edge of the Section 16.
- An eight-inch water line is located in Airfield Avenue to the west of the property.

Transportation:

- Currently, the property can be accessed from the west on Airfield Avenue.
- A 60-foot wide road easement on the east edge of Section 16, which is owned by the State of Arizona as State Trust Land. Adjoining this road easement is a 42-foot wide right-of-way along the Rancho Santa Fe Subdivision. This roadway access is the Cherokee Street alignment.

Public Noticing/Comments:

- The site was posted on Airfield Avenue at the power line easement.
- A public notice ran in the Kingman Daily Miner on September 27, 2015.
- A notice to all property owners within 300-feet were sent by first-class mail.
- There have been no inquires received from the public at the time this report was completed on October 5, 2015.

ANALYSIS OF REZONING REQUEST

The intent and purpose of a Planned Development District (PDD) is to provide various types of land uses which can be combined in compatible relationship with each other as a part of a totally planned development. The intent of this district to ensure compliance with the General

Plan and good zoning practices while allowing certain desirable departures from the strict provisions of specific zone classifications. The advantages are intended to result from the application of the PDD are to ensure enhancement with the surrounding area and the community as a whole.

The Kingman Crossing area is surrounded by current and future residential development. Truck oriented businesses and some other businesses permitted in the C-3 zoning district are not desired in the Kingman Crossing area. The C-3 Zoning District allows truck related businesses. In order to bring the zoning regulations into compatibility with the surrounding land uses, a planned development district, such as the proposed Kingman Crossing Planned Development District, must be developed to prohibit truck related and other undesirable uses.

Attached as Exhibit "A" is the proposed text of the Kingman Crossing Planned Development District and Exhibit B is the map and legal description showing the proposed location of this zoning district.

The revised Kingman Crossing Planned Development District has expanded outdoor lighting standards, signage standards that allow pole signs in the area that is at least 1000 feet from the south, east and west section lines; permits murals, and a requirement for service bays to face north.

RECOMMENDATION

After a review of the Goals and Objectives of the Kingman General Plan 2030 Update, the Standard for Review and of the applicant's request, the Planning and Zoning Commission and staff recommend **approval of the Kingman Crossing-PDD Zoning District as shown in Exhibit "A"** and the **Zoning Map amendment as shown in Exhibit "B"**.

EXHIBIT "A"

18.000 RESERVED FOR FUTURE USE KINGMAN CROSSING PLANNED DEVELOPMENT DISTRICT (KINGMAN CROSSING PDD)

18.100 INTENT AND PURPOSE

This district is intended to provide for the development of business and service uses designed to meet the needs of the Kingman Crossing area located south of Interstate-40. Such areas will provide a wide variety of goods and services in establishments whose operating characteristics require good exposure in a readily identifiable and accessible commercial setting. Provisions of this district are designed to ensure that such commerce will be compatible with adjacent, non-commercial development and to minimize any undesirable effects of heavy traffic or other operating characteristics.

18.200 GENERAL PROVISIONS

18.210 PERMITTED USES

Land shall be used and buildings/structures shall hereafter be erected, altered, enlarged, or otherwise modified for the following permitted uses:

Ambulance services
Animal hospitals and small animal boarding
Antique shops
Art and school supply stores
Art galleries – but not including auction rooms
Auto accessories and parts store
Automobile rental and service; all repairs must be conducted within an enclosed building.
Automobile repairs, but not including body repair
Automobile sales and service, new and used
Automobile service stations
Bakery
Banks and financial institutions
Barbershop/beauty parlor
Bed and breakfast establishments
Bicycle stores – sales, rental and repair
Blueprinting establishments
Book and stationery stores
Building material sales
Cabinet shops
Camera and photographic supply stores
Candy and ice cream stores
Carpet and rug stores
Catering establishments
China and glassware stores
Cleaning and dyeing, coin operating, pick-up station and/or using non-explosive solvents
Clothing and costume rental establishments
Coffee shops, sandwich shops, and bagel shops
Coin and philatelic stores
Computer and electronic component sales and service
Convalescent or nursing home
Delicatessen
Department store

Drafting service
Restaurants, including outdoor dining and fast-food with drive-through service.
Electrical and household appliance stores – including radio, sales, accessory repair, and service
Employment offices
Equipment and appliances, household – service and repair shops
Exterminating shops
Family, Group, or Commercial Day Care Facilities
Florist shops
Flower shops and conservatories
Food stores, grocery stores, meat markets, delicatessens and frozen food stores
Funeral parlors and accessory uses not including outside monument storage
Furniture stores
Garden supply and plant nurseries, providing that all areas devoted to outdoor storage of other than live plant material shall be completely screened from view abutting streets and highways and from abutting properties. No bulk storage of sand, gravel, fertilizer or other chemical or organic materials is permitted. Does not include medical marijuana cultivation facilities
General offices, including banks and financial establishments
Gift shops
Glass replacement and repair (including auto glass)
Haberdasheries and millinery shop or hat repair
Hardware stores
Health care or therapeutic services, but not medical marijuana dispensaries.
Health centers
Heating, plumbing, ventilating, refrigeration and air-conditioning sales and service
High-density multiple-family developments
Hobby shops – for retailing of items to be assembled or used away from the premises
Hotels and motels - including dining and meeting rooms
Instructional Schools (not providing housing, dormitories or sleeping overnight)
Instructional Schools or Trade Schools, not involving any danger of fire, explosion nor offensive noise, vibration, smoke, dust, odor, glare, heat or other objectionable influences (not providing housing, dormitories or sleeping overnight)
Interior decorating shops
Jewelry stores
Job printing and related retail sales
Laboratories – medical, dental with accessory research, and testing
Laundries
Leather goods and luggage stores
Linen supply services
Liquor stores
Loan offices
Locksmith shops
Low density multiple-family developments
Mail order service stores
Medical and dental clinics
Medical and dental offices and clinics
Music and dance studios
Musical instrument sales and repair
Newspaper offices – including printing
Office supply stores
Offices – business, professional or public
Opticians, optometrists and ophthalmologists
Orthopedic and medical appliance stores – but not including assembly or manufacture of such articles
Paint and wallpaper stores
Parcel delivery services
Parking lots and storage garages for automobiles

Pet shops – including grooming
Photography studios – including developing and printing of photographs when conducted on the premises as part of the retail business
Picture framing – when conducted on the premises for retail trade
Post offices
Pre-Schools
Printing establishments
Public Assembly – Indoor, General
Public Assembly – Indoor, Entertainment
Public libraries
Radio and television broadcasting studios provided that no broadcast antenna exceed the height of fifty (50) feet and no dish style antenna exceed one-point-five (1.5) meters in diameter.
Real estate and title companies
Recording studios
Restaurants – including live entertainment and dancing
Schools, commercial or trade, not involving any danger of fire, explosion nor offensive noise, vibration, smoke, dust, odor, glare, heat or other objectionable influences; and not providing housing, dormitories or sleeping overnight.
Shoe stores – sales or repair
Sporting goods stores
Stamp and coin hobby shops
Tailor shops
Tattoo parlors
Tavern or cocktail lounge
Telephone answering service
Theaters – not including drive-in theaters
Tobacco shops
Tool and cutlery sharpening or grinding
Toy Stores
Travel agencies
Travel bureaus and transportation ticket office
Variety stores
Vending machine sales and service
Wholesale establishments with storage of merchandise
Wireless Communication Facilities located or co-located on an existing building or structure, if concealed or camouflaged. Maximum height of all facilities is fifty (50) feet. (See also Subsection 26.1000: WIRELESS COMMUNICATION FACILITIES in Section 26.000: GENERAL DEVELOPMENT STANDARDS.)

Accessory uses to the above permitted uses. Uses not explicitly enumerated in this section as permitted uses but closely similar thereto, provided that these uses are not explicitly mentioned as permitted or conditional uses elsewhere in this ordinance.

18.220 USES WHICH MAY BE PERMITTED BY CONDITIONAL USE PERMIT

The following uses may be permitted subject to approval of a Conditional Use Permit as provided in Section 29.000: CONDITIONAL USE PERMITS:

Car washes
Schools, Private School, Charter School, or Community College providing housing, dormitories or sleeping overnight.
Wireless Communication Facilities located or co-located on an existing building or structure, if concealed or camouflaged. Maximum height of all facilities is two-hundred-fifty (250) feet. (See also Subsection 26.1000: WIRELESS COMMUNICATION FACILITIES in Section 26.000: GENERAL DEVELOPMENT STANDARDS.)

Uses not explicitly enumerated in this section as permitted uses but closely similar thereto, provided that these uses are not explicitly mentioned as permitted or conditional uses elsewhere in this ordinance.

18.300 GENERAL

18.310 LOT AREA

All lots hereafter created in this district shall contain a minimum of seventy-five-hundred (7,500) square feet. The specified lot area size is not intended to prohibit two (2) or more separate uses on a lot where the lot is in undivided ownership.

18.320 LOT WIDTH

Not less than seventy-five (75) feet

18.330 YARDS

Yard abutting street: 25-feet; such areas shall be landscaped.

Interior lot line: zero

Lot abutting residentially zoned property: 25-feet. Parking may be allowed in the setback area abutting a residential zoning district, but commercial truck deliveries or outdoor storage purposes, including the placement of storage containers are not permitted in these areas.

18.340 BUILDING HEIGHT

Not to exceed fifty (50) feet

18.350 DISTANCE BETWEEN BUILDINGS

Buildings not actually adjoining shall be provided with a minimum six (6) foot separation.

18.360 OFF-STREET PARKING AND OFF-STREET LOADING

See Section 22.000: OFF-STREET PARKING AND LOADING REQUIREMENTS

18.370 CONDUCT OF USES

All business, service, storage, and merchandise display shall be conducted wholly within an enclosed building or an opaque enclosure, including porches, except for off-street automobile parking, off street loading, and the usual pumping operations of gasoline sales and permitted open sales or storage lots. Vehicle repair and service work may be performed outside of an enclosed building. Any vehicle that does not have the repair completed by the end of the business day must be placed in an enclosed building or behind a screen enclosure that meets the standards of Section 26.800 STORAGE FACILITIES, subsection 26.810 ALL COMMERCIAL AND INDUSTRIAL USES HAVING PERMITTED OUTSIDE STORAGE OR DISPLAY OF MERCHANDISE, MATERIAL, OR EQUIPMENT. Mechanical equipment **may not** be erected or constructed outside an enclosed building necessary to repair or service vehicles. **Service bays shall be oriented to the north.**

When a lot is used for commercial purposes and abuts a lot within any developed residential district, a masonry wall of not less than six (6) feet or more than eight (8) feet in height shall be erected and maintained along the abutting side and/or rear yard line prior to occupancy of the building.

Said wall shall be reduced to thirty-six (36) inches in height within a required front yard of the adjacent residential property. In the case where the developed commercial lot abuts an undeveloped residential

district, which has been identified as having commercial potential by an approved land use plan, the masonry wall requirement may be deferred until such time as the abutting lot is developed in a residential manner. At this point in time, the owner of the abutting commercial property shall have six (6) months, from the date of Certificate of Occupancy for the residence is issued, to construct the required masonry wall. If there is a dedicated alley or public roadway separating the commercial property from the residential property, the alley or public roadway shall serve as the buffer and the masonry wall shall not be required unless so specified by ordinance relating to the rezoning of the subject property.

18.400 SITE DEVELOPMENT

1. A project shall be developed to be compatible with the immediate environment of the site and to be sensitive to the surrounding neighborhood. Damage to the natural environment should be minimized. Clear grading of lots, especially large lots, should be avoided.
2. Projects shall be designed to minimize interference with the privacy, quiet and views of neighbors.
3. Projects shall be designed to minimize traffic problems.
4. Projects shall be designed to retain a site's natural topography whenever possible. The project should be planned to fit the site's natural conditions rather than altering the site to accommodate the project. Excessive cuts and fills should be avoided.
5. The street pattern should respond to topography. Curvilinear streets may have to be used in some instances.
6. All developments shall have the buildings setback a minimum of 25-feet from the street property lines and residential zoning district lines.
7. Curb cuts on arterial and collector streets shall be limited. The guidelines for access onto arterial and collector streets as follows:
 - a. No driveway onto an arterial street or collector street shall be located closer than one-hundred (100) feet to the nearest intersecting curb line.
 - b. Access to and from arterial and collector streets should be limited to street intersections. Properties with frontage on these streets should have access by a parallel road or a side street when this option is available. One (1) driveway will be permitted on side streets when the frontage is less than two-hundred (200) feet. Two (2) driveways will be permitted on side streets when the frontage is three-hundred (300) to six-hundred (600) feet.
 - c. The use of shared driveways between adjacent parcels on arterials is required when appropriate.
 - d. Adjacent driveways should be no closer than sixty (60) feet.
 - e. Driveways on opposite sides of a street should not be offset less than one-hundred-fifty (150) feet.
8. A main driveway into a site should have adequate space for stacking of vehicles. If over forty (40) parking spaces are required by the use and building size, fifty percent (50%) of the required parking spaces should be located to the side or rear of the proposed building.

9. Access to and from arterial and collector streets should be limited to street intersections. Properties with frontage on these streets should have access by a parallel road or a side street when this option is available.
10. Sidewalks and tree landscaping (properly irrigated and maintained by the property owner) shall be required in accordance with Section 10.000 LANDSCAPING of this ordinance.
11. Exterior lighting, when used, shall adhere to Section 34.000: OUTDOOR LIGHTING CODE, of the City Zoning Ordinance.
12. There should be a pleasant transition from the street to the buildings. This can be accomplished by the use of sidewalks and landscaping.
13. The site organization of a project should take into consideration the arrangement of building in relation to open spaces, landscaping and the elements of adjacent sites.
14. Proportion, scale, continuity and balance should prevail in all aspects of a project.

18.500 LIGHTING

A. Purpose and Applicability.

1. Purpose. It is intended to ensure appropriate lighting levels that support way-finding and crime prevention, assist people with visual impairments, allow flexibility in architectural design, minimize undesirable light and glare into adjoining properties and minimize light pollution into the nighttime sky.
2. Applicability. This subsection applies to lighting for uses on-site. It does not apply to streetlights in the public right-of-way, which are governed by the City of Kingman Street and Sidewalk Regulations. All exterior lighting installations require the approval of the Development Services Director or designee, prior to installation. Any person applying for a building, electrical or sign permit to install outdoor lighting fixtures shall, as a part of said application, submit evidence that the proposed work will comply with the provisions of this subsection.

B. Photometric Plan.

Any building or development submitted for a building permit shall contain information on the type of lighting and illumination levels proposed (photometric plan). The contents of photometric plans shall be as specified in Appendix E.

C. Lighting Standards.

Prior to issuance of a building, electrical or sign permit, the Development Services Director, or designee, shall determine that the submitted plans and details for said permit are in conformance with the following standards. The stamping of the plans and the signature of the Development Services Director, or designated representative, and the date of the signature shall indicate that the plans are in conformance. Should the applicant desire to substitute outdoor light fixtures or lamps to be installed on private property after a permit has been issued, the applicant shall submit all changes to the Development Services Director or designated representative for approval, with adequate information to assure compliance with this chapter.

1. **Illumination in General.** Exterior lighting shall provide for appropriate and desirable nighttime

illumination for all uses on and related to the site, including, but not limited to, pedestrian pathways, plazas, courtyards, building entrances, parking and driveway areas, automatic teller machines (ATMs), and other outdoor spaces commonly used at night. Lighting of exterior areas shall reduce conflicts between building design and landscape treatments, provide appropriate surveillance for crime prevention, and minimize glare or intrusive light onto adjoining properties and into the night sky.

2. **Illumination Levels.** The maximum illumination level for on-site lighting is forty (40) foot-candles as measured at grade, based on light loss factor of sixty-eight percent and seventy-two percent (0.72) for high pressure sodium lighting. Refer to subsection E. Exemptions.
3. **Mounting and Operation of Light Fixtures.** The mounting and operation of light fixtures shall be governed by the following:
 - a. Building mounted light fixtures shall be attached only to walls and the top of the fixture shall not be higher than necessary to illuminate the area required;
 - b. In any residential zoning district or within fifty (50) feet of any residential zoning district, freestanding light fixtures shall not exceed eighteen (18) feet in height. Within the next fifty (50) to one hundred fifty (150) feet of any residential zoning district, freestanding light fixtures shall not exceed twenty-five (25) feet in height. In all other locations, freestanding light fixtures shall not exceed thirty (30) feet in height.
 - c. To comply with a. and b. above, height shall be measured from the top of a light fixture to the adjacent grade at the base of the support for that light fixture;
 - d. Controls for lights for rest rooms identified for general public use shall be of the style that cannot be turned off or on by users other than employees of the business;
 - e. Light fixture design:
 - i. All luminaries used for security shall be vandal resistant that resist tampering, incorporate vandal resistant refractors (lens) and be provided with a gasket or seal that is designed to resist rain, dust and insect contamination;
 - ii. Outdoor light fixtures, which are full cutoff to direct all light below a horizontal plane through the bottom of the fixture and have no lens which drops below the fixture may use any illumination source, up to a maximum of forty (40) foot-candles, as provided in subsection C.2;
 - iii. Outdoor light fixtures, which have a lens or diffuser which is visible above the horizontal plane and constructed of white/opal glass, are considered non-cutoff and filtered and shall be limited to the light output equal to a one hundred (100) watt incandescent bulb, no greater than one thousand seven hundred (1,700) lumens;
 - iv. Outdoor light fixtures, which have a lens or diffuser which is visible above the horizontal plane and constructed of clear or prismatic glass, are considered non-cutoff and non-filtered and shall be limited to the light output equal to a fifty (50) watt incandescent bulb no greater than six hundred (600) lumens;

- v. All conduits shall be concealed;
 - vi. The foot-candle level at the property line adjacent to a single-family district (from the proposed lighting) shall not exceed one-half (0.5) foot-candle. Lighting next to a residential use shall not spill over onto that use;
 - vii. Lighting fixtures used to illuminate an outdoor advertising sign (billboard) shall be mounted on the top of the sign structure and shall comply with the shielding requirements of this subsection;
- f. Ornamental twinkling lights are permitted when part of a window display, patio, landscape or other integral part of a business, provided that they do not exceed one-half (0.5) foot-candles at the property line and do not conflict with the provisions of subsection C.3.e. above, related to adjacent residential use; and
- g. Other conditions related to lighting may be required through development plan review.

4. Specific Areas to be Illuminated. The following areas on a building or development shall be illuminated to the minimum security lighting levels shown below:

- a. All loading areas and docks shall be illuminated from dusk to dawn, with four (4) foot-candles of light at finish grade;
- b. Carport parking structures shall be illuminated from dusk to dawn, with three (3) foot-candles, including the adjacent landscape area at finish grade;
- c. Parking structures and parking garages shall be illuminated from dawn to dusk with ten (10) foot-candles, and from dusk to dawn with four (4) foot-candles. Sub-level parking shall be continuously illuminated twenty-four (24) hours a day with four (4) foot-candles at finish grade. Transitional lighting will be required at all entry areas;
- d. All stairwells, landings and under areas under the lower landing shall be continuously illuminated with five (5) foot-candles;
- e. Breezeway lighting shall be illuminated from dusk to dawn, with four (4) foot-candles. Transitional lighting will be required at all entry areas to the breezeway corridor;
- f. Exterior pedestrian pathways and adjacent landscape areas within twenty (20) feet of the pathway shall be illuminated from dusk to dawn, with one-half (0.5) foot-candle of light at finish grade. Pedestrian gates shall be illuminated from dusk to dawn, with five (5) foot-candles and two (2) foot-candles within a fifteen (15) foot radius;
- g. Retention areas shall be illuminated from dusk to dawn, with one-half (0.5)

footcandle of light at finish grade;

- h. Cluster or gang mailboxes shall be illuminated from dusk to dawn, with five (5) foot-candles of light for a fifteen (15) foot radius of the mailboxes;
- i. Parking lots, aisles and refuse areas shall be illuminated from dusk to dawn as follows:
 - i. Parking spaces for motor vehicles and bicycles shall be illuminated with two (2) foot-candles;
 - ii. Parking lot drive aisles shall be illuminated with one (1) foot-candle;
 - iii. Refuse areas shall be illuminated to two (2) foot-candles, with gates five (5) foot-candles;
- j. All building entrances and vehicular gates at operator or locking mechanism shall be illuminated with five (5) foot-candles at the entrance and two (2) foot-candles within a fifteen (15) foot radius from the center point of the entrance; and
- k. Secondary lighting may be required to supplement the primary security lighting due to design elements and landscape conflicts, in order to meet the minimum lighting criteria.

D. Prohibited Lighting. Except as provided under subsection E. Exemptions, mercury vapor fixtures is prohibited.

E. Exemptions.

- 1. Exemptions. The following types of lights are exempt from the standards in subsections C and D:
 - a. Lighting used for single-family homes and accessory buildings, provided no measurable light spills over to adjacent property;
 - b. Lighting specifically directed at a flag may be unshielded and unfiltered provided that the beam spread is limited to a narrow spot (approximately seven (7) degrees) and the fixture aperture is concealed by a matrix grid to limit glare;
 - c. Lighting of baseball fields, softball fields, football fields, soccer fields, golf courses and golf driving range, and other similar sporting venues shall be exempt from the height and shielding requirements in subsection C.3.;
 - d. Lighting of baseball fields, softball fields, football fields, soccer fields, golf courses and golf driving ranges, and other similar sporting venues, shall be allowed to exceed the maximum illumination limitation level of forty (40) foot-candles until 11:00 PM. No outdoor recreational facility, public or private, shall be illuminated after 11:00 p.m. except to conclude any recreational or sporting event or other activity conducted at a ball park, outdoor amphitheater, arena, or similar facility in progress prior to 11:00 p.m.;
 - e. Automobile dealerships are allowed a maximum illumination level of eighty (80) foot-candles at display areas until 11:00 pm;

- f. Fossil fuel light produced directly or indirectly by the combustion of natural gas or other utility-type fossil fuels is exempt from the provisions of this section;
- g. City of Kingman ornamental lighting is exempt from the provisions of this section and is a permitted lighting installation;
- h. Glass tubes filled with neon, argon or krypton do not require shielding or filtering;
- i. Lighting necessary for construction or emergencies is exempt from the provisions of this subsection, provided said lighting is temporary and is discontinued immediately upon completion of the construction work or abatement of the emergency necessitating said lighting;
- j. Searchlights require a temporary exemption approval, as provided in k below;
- k. Temporary exemptions to the requirements of this subsection may be granted by the Development Services Director or designated representative upon finding that the exemption does not violate any provision of this zoning district and it would not pose a hardship on any adjacent property or use. Such requests shall be submitted in writing to the Development Services Department and include the following information:
 - (1) Specific exemption(s) requested;
 - (2) Type and use of exterior light involved;
 - (3) Duration of time for requested exemption;
 - (4) Type of lamp and foot-candles;
 - (5) Total wattage of lamp(s);
 - (6) Proposed location of exterior light; and
- l. For street lighting within the public right-of-way, the Development Services Director or Public Works Director, or designee, may approve an alternate type of lighting not otherwise provided in this chapter if he or she finds that the proposed design, material or method:
 - (1) Provides approximate equivalence to the specific requirements of this article; or,
 - (2) Is otherwise satisfactory and complies with the intent of this article.

18.600 BUILDINGS

1. The maximum height for all buildings shall be fifty (50) feet.
2. The intent of the design review is to create architectural design quality, based on a common set of principles which include consideration of the unique environment, climate, and context of the Kingman Crossing area and its natural setting in the City of Kingman. A broad Southwestern theme, however this theme is not intended to limit architectural innovation within the general styles below. These styles include: Southwestern Traditional, Arizona Territorial, Pueblo, and Spanish Colonial.
3. Buildings shall be compatible with the neighborhood character.
4. Buildings shall be compatible with the colors and textures of the surrounding environment. Warm earth tone colors shall be used. This would not exclude the ability of a user to express a corporate logo or color as a minor element in the overall design.

5. Highly reflective materials that create glare shall not be used. Preferred exterior materials shall be stucco, brick, adobe, natural stone, textured concrete, or textured and split face concrete masonry units. Materials such as pre-fabricated metal wall panels and smooth faced concrete shall not be used.
6. All glass or all metal buildings, including accessory buildings and structures visible from any street shall be avoided.
7. Reduce the apparent size and mass of buildings. Break up the mass of large buildings by dividing into basic geometric components with intersecting wall planes. Long blank walls, even with appropriate colors, are not permitted. Walls shall not have runs of greater than twenty-five (25) linear feet without an architectural feature breaking up the expanse. These features could be columns with contrasting but complimentary colors, pilasters, tile contrasts, varied facades or parapets.
8. Any exposed roof to street view shall use complimentary colored concrete tile, or a method compatible with the themes and intents above.
9. Mechanical equipment, to the extent possible, should be located on the ground, with screening.
10. Any mechanical equipment, that has to be on the roof, shall be screened, with architecturally compatible features.
11. Parapets shall not be one (1) continuous height, but should be varied in height. Parapet caps shall contrast with the prime color of the building with contrasting but complimentary colors. Exposed metal strips should not be used.
12. Varied window and door openings shall be required.
13. Entryways shall not be flush with the building wall, but should be recessed at least one (1) foot, or shall be covered, with human scale overhangs, or trellis.
14. Service features, such as electric or telephone boxes, irrigation boxes, any exposed communication equipment etc., shall be shown on the site plan and shall be screened, or designed with compatible colors and materials.
15. All building elevation (sides) shall be shown in submitted plans and design elements required shall be expressed on all sides of the building.
16. Storage or shipping containers, as accessory uses, are prohibited.

18.700 SIGNS

A. INTENT AND PURPOSE

It is the purpose of this subsection to provide regulations governing the location, design and illumination of signs and advertising structures for the preservation of the amenities, aesthetics, efficient and safe automobile and pedestrian traffic movements, property values of the surrounding area, the continued well-being of the City's economy and the prevention of undue visual competition.

B. EXCEPTIONS

The provisions of this subsection shall *not* apply to:

1. Flags of any Nation, State, County, City or other political unit that meets the size standards of Executive Order 10834.

2. Temporary decorations or displays celebrating the occasion of traditionally accepted patriotic, religious or local holidays or events.
3. Signs not visible or intended to be viewed from beyond the boundaries of the lot or parcel upon which they are located, including but not limited to menu boards, operating instructions for gasoline pumps or car washes, etc.
4. Official traffic, fire or police signs, signals, devices and markings used by any authorized public agency or the posting of notices as required by law.
5. Address and mail boxes.
6. Barber poles or similar symbols or devices used to identify and displayed in connection with a Barber Shop.

C. DEFINITIONS

For the purpose of this subsection, certain words and terms are defined as follows: Words used in the present tense include the future; words in the singular number include the plural, and vice-versa; the word "shall" is mandatory and not permissive; the word "person" includes individuals, partnerships, corporations, clubs or associations. The term "governing body" shall mean the Mayor and Common Council of the City; the word "City" shall mean the City of Kingman. The word "used" shall include the words "arranged", "designed", or "intended to be used". The word "erect" shall include the words "construct" or "reconstruct".

Abandoned Sign: shall mean a sign, which no longer correctly directs or exhorts any person, advertises a bona fide business, lessor, owner, product or activity conducted or product available on the premises where such sign is displayed. Abandoned sign shall also relate to any sign, which has been left in place after being substantially defaced or ruined by natural causes.

Action Sign: shall mean the movement of the sign body or any segment thereof such as rotating, revolving, moving up and down or any other type or movement involving a change in position of the sign body or segment thereof whether caused by mechanical or any other means.

Advertising: shall mean any writing, printing display, emblem, drawing, sign or other device designed, used or intended for outdoor display or any type of publicity or propaganda for the purpose of making anything known or attracting attention to a place, product, service or an idea.

Alter or Alteration: shall mean changed in structural components or increase in size, height and location or increases in electrical load. It shall also mean any change in advertising content if such change causes the sign to change in classification from an on-premises sign to an off-premise sign or vice-versa.

Animated Sign: shall mean the movement of any light used in connection with any sign such as blinking, traveling, flaring or changing degree of intensity of any light movement other than burning continuously.

Building Sign: shall mean any sign attached to a building.

Construction – Signs identifying the site of a building under construction; the maximum size of the sign shall be thirty-two (32) square feet.

Curb Line: shall be the imaginary line at the back of the curb nearest the street or roadway. In the absence of a curb, the curb line shall be established by the City Engineer or his authorized representative.

Directional Sign: shall be on-premises signs designed to direct safe movement of traffic or pedestrian at corners, entrance and exit driveways or other hazard locations of commercial, industrial and multi-family residential sites.

Directory Sign: shall mean a sign designed to show the logos or symbols of several businesses on one structure; also it may be a sign designed to show the relative locations of the several commercial activities within a shopping center or other multi-tenant development.

Electronic Message Display Sign: A type of animated sign capable of displaying words, symbols, figures or images that can be electronically or mechanically changed by remote or automatic means. Signs which employ light-emitting diode (LED) technology are included as a form of electronic message display sign.

Free-Standing Sign: shall mean any sign not attached to any building and which is supported by one or more uprights set in a fixed position in the ground.

Front Foot: of a building (or parcel of land) shall mean the maximum width measured on a straight line parallel to the street.

Grand Opening Sign: a temporary sign that is utilized to indicate that a new business is now open to the public.

Illegal Sign: shall mean any sign not in accordance with or authorized by this subsection.

Indirect Lighting: shall mean lighting, which is remote from the sign fixture.

Interstate: shall mean Interstate-40 in respect to which the owners of abutting lands have no right or easement of access to or from their abutting land, or in respect to which such owners have only limited or restricted right or easement of access and which is declared to be a portion of the interstate system as defined by the Arizona Department of Transportation.

Interstate Corridor: shall mean that area immediately adjacent to Interstate-40 that is not closer than 1000-linear feet from the Airfield Avenue, Cherokee Street, and Sage Drive road rights-of-way.

Location: shall mean a lot or premises, building, wall or any place whatsoever upon which a sign is erected, constructed or maintained.

Maintenance: shall mean the replacing or repairing of a part or portion of a sign made unusable by ordinary wear, tear or damage beyond the control of the owner. The word maintenance shall not include, however, any act which requires that a permit be obtained.

Mural: shall mean any picture, scene, or diagram, painted on any exterior wall or fence.

Off-Premises Sign (Billboard): shall mean a structure portraying information which directs attention to a business, commodity, service, entertainment or products not necessarily related to the other uses existing on the premise upon which the sign is located.

On-Premise Sign: shall mean a sign directing attention to a business, commodity, service, or offered upon the same premises as those upon which the sign is maintained.

Political and Ideological Signs – shall mean signs on behalf of candidates for public office or measures on primary, general or special election ballots, or ideological issues.

Price Signs – Price signs shall be allowed in commercial and industrial zones for a permitted use. The area required for a price sign shall be included as a part of the total signage allowed by this Code for the business use. Price signs shall be on-premises signs only.

Projecting Sign: shall mean any sign attached to a building or other structure and extending in whole, or in part more than twelve (12) inches beyond the wall or building line.

Price Sign: shall mean any signs, which designate a unit price for any commodity for sale on the lot or parcel of land, such as gasoline costs per gallon.

Real Estate Signs – Non-illuminated real estate signs not exceeding eight (8) square feet in single-family residential zones; sixteen (16) square feet in area in multiple-family residential zones; and, thirty-two (32) square feet in area in commercial and industrial zones, pertaining only to the lease, sale or rental of the property shall be allowed.

Repair: shall mean the re-erecting or reconstruction of signs damaged or knocked down by wind or any other force or condition. Repair shall not include minor damage that does not affect the structural stability or parts of a sign.

Roof Sign: shall mean any sign erected or constructed upon the roof of any building. All support members shall be free of any external bracing, guy wires, cables, etc. Roof signs shall not include signs defined as wall signs.

Shopping Center: shall mean a group of commercial establishments organized in balanced arrangement for retail trade with provisions for combined off-street parking.

Sign: shall mean any device for visual communication that is used for the purpose of bringing the subject thereof to the attention of the public and not including decorative or protective coating on a building or structure.

Sign Area: shall mean the entire area within a continuous perimeter composed of parallelograms, circles, ellipses, trapezoids and triangles, or any combinations of these, computed to the nearest square foot.

Sign Walker: A person who wears, holds, or balances a sign for commercial purposes. A person who wears a costume intended for commercial advertising purposes is also included in this definition.

Special Event: shall mean any single event or series of events that occur on an infrequent basis and take place at a specific location in which the public is encouraged or invited to watch, listen, participate or purchase goods and/or services, including, but not limited to, the following:

- A. Commercial sales, including pre and post-holiday sales
- B. Political picnics or gatherings
- C. Arts and crafts shows, gun shows, knife shows, trade shows, antique shows and other similar events
- D. Motorized or non-motorized vehicle races
- E. Carnivals, fairs, circuses, mechanical amusement rides, non-domesticated animal acts or exhibitions, and similar activities
- F. Outdoor shows, concerts and exhibitions
- G. Annual events

Static Display: shall mean a sign face that does not change within a twenty-four (24) hour period.

Temporary Sign: shall mean any non-permanent sign consisting of banners, pennants, wind-driven spinners, streamers, balloons, flags, inflatable structures/signs and signs made of paper or plastic.

Tract Sales – Tract signs concerning the original public sale of property on a subdivision tract are allowed only on the subdivided land being sold. Signs shall be a maximum of ninety-six (96) square feet; spaced a minimum of four-hundred (400) feet apart and are to be unlighted. Where construction or tract sales exceed one (1) year, the permit may be renewed annually until construction or sales are completed. There shall be allowed no more than two (2) signs for each subdivision tract except that if a subdivision tract contains one-hundred-sixty (160) acres or more, then a maximum of four (4) signs will be allowed.

Tri-Vision Sign: shall mean a sign that uses vertical Venetian type triangular panels to display one (1) or more, and not to exceed three (3), messages on an existing or proposed off-premise sign. Said signs shall change at intervals of six (6) seconds or more. This type of technology shall not be permitted on any other type of sign.

Wall Sign: shall mean a sign applied to, or painted or mounted on the wall or surface of a building or a structure, the display surface of which is parallel to the supporting surface, not more than twelve (12) inches from the wall. Marquees, facades, false fronts, etc., shall be considered to be a wall surface.

Zone: shall mean and refer to the Zoning Districts as defined by the zoning provisions of this Ordinance.

Zoning Administrator: shall mean the Development Services Director of the City of Kingman or his authorized representative.

C. GENERAL PROVISIONS

Compliance: It is unlawful for any person to erect, install, repair, alter or relocate any sign or advertising structure without obtaining from the Zoning Administrator a written permit to do so, paying the fees prescribed and conforming to any complying with all of the provisions of this Code.

Measurement of Signs: For the purpose of determining the area of any sign, the following criteria shall be used:

- a. For on-premises signs, the sign area shall be calculated from the measurement of the circumscribed frame area, said area including all wording, symbols and integrated background. Where a sign has two (2) or more faces, the area of all faces shall be included in determining the sign area, except that only one (1) face of a double faced sign shall be considered in determining the sign area, providing both faces are parallel to each other; not more than thirty (30) inches apart, and enclosed.
- b. Where a sign consists only of individual letters, numerals, symbols or other similar components, and is painted on, or attached flat against the wall of a building, and where such individual components are without an integrated background definition, and are not within a circumscribed frame area. The total area of the sign shall be the sum of the areas of squares or rectangles surrounding each individual letter.

Maintenance: Each sign shall be maintained in a safe, presentable and good condition, including the replacement of defective parts, painting, repainting, cleaning and other acts required for the maintenance of said sign. Any sign which is located on property which becomes vacant and unoccupied for a period of three (3) months or more, or any sign which was erected for an occupant or business unrelated to the present occupant or his business, or a sign which pertains to a time, event or purpose which no longer applies, shall be deemed to have been abandoned. Permanent signs applicable to a business temporarily suspended because of a change of

ownership or management of such business shall not be deemed abandoned unless the property remains vacant for a period of six (6) months or more. Off-premises sign structure shall be deemed as abandoned if left vacant and unoccupied for a period of three (3) months or more.

Projection of Signs: Signs may not be permitted to project over the public right-of-way.

Murals: Murals are permitted on exterior building walls.

D. ERECTION OF SIGNS

1. Signs shall compliment and reflect the architectural theme of the principal buildings.
2. All signs shall be designed and constructed in accordance with the current edition of the adopted Sign Code as adopted by the Common Council.
3. All electric signs shall conform in design and construction to the appropriate sections of Article 600 of the current edition of the National Electrical Code as adopted by the Common Council.
4. The maximum height of any monument sign shall be six (6) feet.
5. Building signs shall not exceed the height of the building wall to which it is attached.
6. In the Interstate Corridor, the height of signs shall not exceed forty (40) feet above the finished grade of the Interstate. The finished grade shall be the highest point of the interchange.
7. No free-standing sign shall be located within twenty-five (25) feet of any other free-standing sign.
8. At locations that abut a residential zone on a common property line, all free-standing signs shall be located at least eighty-five percent (85%) of the distance of the lot depth or width away from common property line with the residential zone. In the event that eighty-five percent (85%) distance is less than fifty (50) feet, the free-standing sign shall be unlighted.
9. All signs shall be erected in conformance with Section 26.000: GENERAL DEVELOPMENT STANDARDS, INTERSECTION VISIBILITY AND CORNER CUTBACK.

E. TEMPORARY SIGNS

The following temporary signs are permitted:

Construction – Signs identifying the site of a building under construction; the maximum size of the sign shall be thirty-two (32) square feet.

Tract Sales – Tract signs concerning the original public sale of property on a subdivision tract are allowed only on the subdivided land being sold. Signs shall be a maximum of ninety-six (96) square feet; spaced a minimum of four-hundred (400) feet apart and are to be unlighted. Where construction or tract sales exceed one (1) year, the permit may be renewed annually until construction or sales are completed.

Real Estate Signs – Non-illuminated real estate signs not exceeding thirty-two (32) square feet pertaining only to the lease, sale or rental of the property shall be allowed.

Political and Ideological Signs – Political and ideological signs on behalf of candidates for public office or measures on primary, general or special election ballots, or ideological issues are permitted subject to the following regulations:

1. No more than 60-days prior to an election and not more than 15-days following a general election, except that for a sign for a candidate in a primary election who does not advance to the general election, the period ends fifteen days after the primary election. Such signs may be located within City of Kingman public rights-of-way, except in sign-free zones as identified by Council resolution. In all cases such signs cannot be hazardous to public safety, obstruct clear vision in the area or interfere with the requirements of the Americans with Disabilities Act (42 United States Code section 12101 through 47 United States Code section 225 and 611).
2. Political signs placed in the City of Kingman's public rights-of-way cannot exceed an area of sixteen (16) square feet, if the sign is located in an area zoned for residential use, or a maximum area of thirty-two (32) square feet if the sign is located in any other area. Such signs shall not exceed three (3) feet above grade regardless of location.
3. Political signs placed in the City of Kingman public rights-of-way shall contain the name and telephone number of the candidate or campaign committee contact person.
4. If the City of Kingman deems that the placement of a political sign in its public right-of-way constitutes an emergency, the City may immediately relocate the sign. In such case, the City shall notify the candidate or campaign committee that placed the sign within 24-hours after the relocation.
5. If a sign is placed in violation of subsections 1, 2, and/or 3, and the placement is not deemed to constitute an emergency, the City may notify the candidate or campaign committee that placed the sign of the violation. If the sign remains in violation at least 24-hours after the City notified the candidate or campaign committee, the City may remove the sign. The City shall contact the candidate or campaign committee contact and shall retain the sign for at least 10-business days to allow the candidate or campaign committee to retrieve the sign without penalty.
6. No political or ideological sign may be installed on any sign, structure, or land (other than public rights-of-way) owned by the City of Kingman.
7. Subsections 1 through 6 of this section does not apply to state highways or routes, or overpasses over those state highways or routes.
8. Political and ideological signs may be located on private property with the owner's permission. Property owners may remove any political or ideological sign on his or her property at any time.
9. Political and ideological signs shall be removed within fifteen (15) days following the primary or special election, except the successful candidates may leave them in their present location until (15) days after the general election, at which time the signs shall be removed.
10. The person, political party, or parties responsible for the erection or distribution of any such signs shall be jointly and individually liable for their removal.
11. Political and ideological signs on private property shall not exceed six (6) square feet in non-commercial zoning districts; and cannot exceed fifty (50) square feet in all other districts.
12. Such freestanding signs shall not exceed three (3) feet in height.
13. Sign permits are not required, nor do political signs count against a property's otherwise allowable signage area. A person, persons, or organizations planning to erect political or ideological signs greater than six (6) square feet shall place on the sign contact information of the person responsible for the proper erection, maintenance, and removal of the signs.

14. Due to the weathering and degradability of the material of temporary political or ideological signs, no individual sign shall remain in place longer than one hundred and twenty (120) days. This restriction does not apply to political or ideological messages located on permanent sign structures permitted through the non-political and ideological provisions of these sign regulations.
15. Any signs which are deemed to be unsafe, defective or which create an immediate hazard to persons or property or are not in compliance with the provisions of this section shall be declared to be a public nuisance and shall be subject to immediate removal by the city.
16. Any such signs removed by the city shall be held by the city no less than ten (10) days. The city shall make attempt to contact the responsible person for the sign to advise that person of the removal. The responsible person may pick up their signs from the city after ten (10) business days; the city may destroy the signs in their possession.
17. All candidates, groups, or committees must comply with Arizona revised statutes and federal law regarding political or campaign signs and reporting requirements.

Price Signs – Price signs shall be allowed for a permitted use. The area required for a price sign shall be included as a part of the total signage allowed by this Code for the business use. Price signs shall be on-premises signs only.

Special Event Signs – These signs are permitted if a Special Event Permit is obtained from the City Clerk’s Office and are subject to the following regulations:

1. A Sign Permit at no fee must be obtained from the Development Services Department.
2. Limited to six (6) special events per year.
3. The signs are limited to banners, pennants, wind-driven spinners, streamers, balloons, flags, inflatable structures/signs and signs made of paper or plastic.
4. The signs can be displayed for fourteen (14) days per event.
5. The on-premises signs shall not exceed sixty (60) square feet per sign and there is no limit on the number of signs.
6. These signs shall be no taller than six (6) feet from the average finished grade of the property.
7. The applicant may display off-premise signs with the property owner’s written permission. The signs are limited to sixty (60) square feet per parcel. The written permission for each property shall be attached to the sign permit application.
8. The signs shall not be illuminated.
9. These signs shall be contained on private property and shall not be placed in the public right-of-way or be attached to any landscape hedge or bush, streetlight and signal poles, street or regulatory signs, or utility poles.
10. These signs shall be removed by no later than the day following the conclusion of the event.
11. The signs shall be maintained in safe, presentable and good condition.
12. The applicant is responsible for maintaining, repairing and removing the temporary signs.

Grand Opening Signs:

1. A Sign Permit at no fee must be obtained from the Development Services Department.
2. All businesses shall be permitted to display grand opening signs, on a one-time basis, for a maximum of thirty (30) consecutive days.
3. Grand opening signs are limited to on-premises signs consisting of banners, pennants, wind-driven spinners, streamers, balloons, flags, inflatable structures/signs and signs made of paper or plastic.
4. These signs shall be contained on private property and shall not be placed in the public right-of-way, or be attached to any landscape hedge or bush, street light and signal poles, street or regulatory signs, or utility poles.
5. These signs shall be no taller than six (6) feet from the average finished grade of the property.
6. The signs shall not exceed sixty (60) square feet per sign and there is no limit on the number of signs.

Sign Walker Signs – Temporary off-premise signs worn, held or balanced by an individual for commercial purpose are permitted subject to the following criteria:

1. A sign permit at no fee must be obtained from the Development Services Department. Non-profit organizations holding funding events are exempt from this requirement.
2. The sign can be no larger than ten (10) square feet.
3. A sign walker may only locate on a sidewalk but must keep at least four (4) feet in width of the sidewalk unimpeded.
4. The sign must be worn, held or balanced while standing.
5. No shade structure, chair or sitting device may be setup in the City of Kingman right-of-way or in the landscaping and/or required parking of any business.
6. The spinning, waving, bouncing, tossing, throwing, juggling of signs is prohibited.
7. A business shall only be allowed to use sign walkers for up to ten (10) consecutive days in any thirty (30) day period and there shall be at least a 20-day period before the commencing of another 10-day period.
8. Sign walkers are prohibited from standing in the median of streets, in travel lanes, and landscaping and unimproved rights-of-way areas.
9. Sign walkers may not be located within the twenty-five (25) foot site triangle as defined by Section 26.000 of the Zoning Ordinance.
10. Sign walkers are permitted only from 8:00 a.m. to 8:00 p.m.
11. Sign walkers shall not use audio devices to attract attention to their sign or business.
12. Illumination of signs or costumes is prohibited.

Weekend Signs – These signs are temporary weekend off-premise signs. This may be permitted, subject to the following criteria applying to these signs only.

1. Signs may be two (2) sided but may not be illuminated.
2. Signs may be placed on weekends only. (Friday, after 5:00 P.M., and Saturday and Sunday). These signs must be removed before 8:00 A.M., Monday morning or will be subject to confiscation at owner's expense.
3. No sign of this nature may be placed in a public right-of-way.
4. Signs of this nature may be placed on private property only with permission of the owner.
5. Signs may not exceed three (3) square feet in area, or thirty (30) inches in height and must be professional in appearance.
6. Signs may not obstruct the safe movement of traffic at corners, driveways or other locations.

F. PROHIBITED SIGNS

Notwithstanding any other provisions of this Code, the following types of signs are prohibited in the City of Kingman:

1. Vehicles Signs – Vehicle signs are prohibited unless all of the following conditions are met:
 - a. The primary purpose of such vehicles or equipment is not the display of signs;
 - b. Signs are painted upon or applied directly to an integral part of the vehicle or equipment, do not extend beyond the horizontal or vertical profile of the vehicle, and are not mounted to the truck bed;
 - c. Such vehicles or equipment are in operating condition, currently registered and licensed to operate on public streets when applicable; and actively used in the daily function of the business to which the signs relate;
 - d. Such vehicles or equipment are not used primarily as static displays advertising products or services, nor utilized as storage, shelter or distribution points for products or services, and;
 - e. During periods of inactivity exceeding 72 hours such vehicles or equipment are not parked or placed in such a manner that the signs thereon are displayed to the public. Vehicles or equipment engaged in active construction projects and the on-premises storage of equipment and vehicles offered to the general public for rent or lease shall not be subjected to this condition.
2. Signs painted on the exterior of fences and roofs.
3. Signs resembling official traffic control devices of any nature.
4. Signs which display a continuous or sequential operation in which any exposed or shielded incandescent lamp exceed twenty-five (25) watts.
5. Any exposed incandescent lamp with a red wattage in excess of forty (40) watts.
6. Any exposed incandescent lamp with an internal metallic reflector.
7. Any exposed incandescent lamp with an external reflector.
8. Any revolving beacon light.
9. Abandoned signs.
10. Action Signs.

11. Off-premises signs

G. PERMITTED ON-PREMISES SIGNS

1. Area: One (1) square foot of sign area will be permitted for each foot of property frontage adjacent to the street, up to a maximum of thirty-five (35) square feet per sign.
2. Distribution of Signs: For each building there shall be no more than one (1) free-standing sign for each street the building or property abuts. In the event that the property abutting the street is greater than six-hundred (600) linear feet, a second free-standing sign will be permitted on that frontage, provided the property frontage does not intersect with another right-of-way (corner lot). These signs shall not be placed closer together than two-hundred (200) feet. There may be more than one (1) building sign provided the total size of combined signs does not exceed two (2) square feet for each front foot of the building frontage.

If there is more than one (1) business in a building, each business establishment will be allowed building signs computed as follows: Two (2) square feet of sign area for each one (1) foot of business frontage along the street.

3. Roof Signs: Roof signs are not permitted.
4. Signs in Shopping Centers Outside of the Interstate Corridor: One (1) free-standing signs shall be allowed per street frontage. Two (2) square feet of sign area shall be permitted for each foot of property frontage adjacent to the street, up to a maximum of one-hundred (150) square feet per sign. In the event that the property abutting the street is greater than six-hundred (600) linear feet, a second free-standing sign of one-hundred (150) square feet will be permitted on the frontage. The free-standing signs shall not be placed closer together than two-hundred (200) feet. In the case where there are individual building pads set aside, along the street frontage, which are separated from the remaining portion of the shopping center by curbing, landscaping or other barrier, each building pad may have a monument sign limited to fifty (50) square feet and six (6) feet in height. Individual businesses will not be allowed free-standing signs. Where canopies are used for outside pedestrian walkways, each business will be permitted to erect a sign under the canopies to identify their businesses. The signs shall be counted as a building sign and shall be no larger than three (3) square feet.
5. Signs in Interstate Corridor: On-premise signs within the Interstate Corridor are allowed to be up to three-hundred (300) square feet and be forty (40) feet above the immediate freeway grade. One (1) free-standing signs shall be allowed per street frontage. Two (2) square feet of sign area shall be permitted for each foot of property frontage adjacent to the street. In the event that the property abutting the street is greater than six-hundred (600) linear feet, a second free-standing sign of three-hundred (300) square feet will be permitted on the frontage. The free-standing signs shall not be placed closer together than two-hundred (200) feet. In the case where there are individual building pads set aside, along the street frontage, which are separated from the remaining portion of the shopping center by curbing, landscaping or other barrier, each building pad may have a monument sign limited to fifty (50) square feet and six (6) feet in height. Individual businesses will not be allowed free-standing signs. Where canopies are used for outside pedestrian walkways, each business will be permitted to erect a sign under the canopies to identify their businesses. The signs shall be counted as a building sign and shall be no larger than three (3) square feet.

H. DIRECTIONAL SIGNS

Directional signs (as defined) may be permitted subject to the following criteria:

1. The signs may not be located in a public right-of-way.
2. The signs may not obstruct the safe movement of traffic or pedestrian at corners, driveways or other hazard locations.
3. The signs may be two (2) sided and may be illuminated.
4. The signs may not exceed three (3) square feet in area per side.
5. The signs may not be more than three (3) feet in height for a free-standing sign and no higher than eight (8) feet for a building (wall) sign.
6. There shall not be more than one (1) directional sign per driveway entering or existing onto a street and no more than six (6) signs per site or development.
7. The signs must be professional in appearance and may not display any commercial messages other than corporate colors or logos and an arrow or the words "entrance or exit".
8. The signs shall be designed and constructed in conformity with the Building Codes of the City of Kingman and with the latest adopted edition of the Sign Code published by the International Conference of Building Officials (ICBO).

I. ELECTRONIC MESSAGE DISPLAY SIGNS

An Electronic Message Display Sign as defined may be permitted as, but not in place of, an on-premises free-standing sign or a building sign subject to the following criteria:

1. Intensity of Lighting. Between sunset and sunrise electronic message display signs shall be limited in brightness to a maximum lighting intensity of 0.6 candela (foot-candles) over ambient light levels as measured using a foot-candle meter at a one hundred foot (100') distance from the sign.
2. Control of Brightness. Each sign shall have a redundant system for controlling sign brightness, including an automatic light sensing device or photocell that will adjust the brightness as ambient light conditions change, and a backup system based on local sunrise and sunset times.

J. PERMITS

1. A sign shall not hereafter be erected, re-erected, constructed, altered or maintained, except as provided by these regulations and the adopted Sign Code and after a permit for the same has been issued by the Building Official. A separate permit shall be required for a sign or signs for each business entity, and a separate permit shall be required for each group of signs on a single supporting structure. In addition, electrical permits shall be obtained for electrical signs.
2. Application for a permit shall be made to the Building Official upon a form provided by the City and shall be accompanied by such information as may be required to assure compliance with all appropriate laws and regulations of the City, including drawings to scale indicating the sign legend or advertising message, sign location, dimensions, construction specifications, electrical components and wiring, method of attachment and character of structural members to which attachment is to be made, and the location of the sign hole and finished sign in relation to the property line and public right-of-way.
3. The Building Official shall issue a permit for the erection, alteration or relocation of a sign within the City when the application, therefore, has been properly made and the sign complies with all appropriate laws and regulations of the City, as verified and approved.

4. Before issuing any sign permit required by this Code, the Building Official shall collect a fee in accordance with adopted Building Code as adopted by the Common Council. Temporary real estate signs in excess of eight (8) square feet in area are required to purchase an annual permit at a fee of five (5) dollars yearly from date of purchase for each sign. Each temporary real estate sign must clearly display the issued permit number in the front lower right hand corner of the sign.
5. Once a building permit has been issued, the permit will be governed in accordance with the appropriate provisions of latest adopted edition of the Building Code.
6. The following signs shall not require a sign permit. These exemptions shall not be construed as relieving the owner of the sign from the responsibility of its erection and maintenance, and its compliance with the provisions of this Code or any other law or ordinance regulating the same.
 - a. The changing of the advertising copy or message on a painted or printed sign only. Except for theater marquees and similar signs specifically designed for the use or replaceable copy, electric signs shall not be included in this exception.
 - b. Painting, repainting or cleaning of an advertising structure or the changing of the advertising copy or message thereon shall not be considered an erection or alteration which requires a sign permit unless a structural change is made.

18.800 LANDSCAPING

1. Natural features, such as rock out-cropping and water courses, should be incorporated into the project's design whenever possible.
2. Landscaped areas shall be protected from damage from automobiles by the use of bumper guards, etc.
3. Pedestrian areas should be shaded with landscaping whenever possible.
4. A coherent, logical landscaping design should be utilized and in accordance with Section 10.000 LANDSCAPING. Landscaping plans shall exhibit an organized concept, not just an arrangement of plants with appropriate irrigation.
5. On site plans, the type, size and number of plants, and the location and design of landscaped areas should be shown, along with the irrigation systems. The Kingman Landscape Ordinance standards are the minimum required in the corridor.

18.900 SCREENING

1. Trash receptacles shall be screened. The screening shall be designed so that garbage collection vehicles can easily service these areas.
2. Exterior mechanical and electrical equipment, such as meter boxes, electrical and gas connections, solar devices, etc., shall be screened.
3. Screening can be accomplished by using site obstructing vegetation or site obstructing fences which are made of materials that are architecturally compatible with the principal buildings.
4. Screening for trash receptacles should be a minimum of six (6) feet in height.

5. If roof-mounted mechanical equipment is used it shall be screened in a manner architecturally compatible with the building whenever possible.
6. All utility stations and substations shall be screened with landscaping or a site obstructing fence.
7. All utilities should be placed underground whenever feasible.
8. All commercial and multiple family areas shall be screened from adjoining residential areas, even if a street or alley intervenes. Split face block, stucco, or compatible wrought iron, fences, of architecturally compatible wood or mimic material shall be used, in conjunction with landscaping. Chain link, barbed wire, razor wired, etc., are prohibited.

PROJECTS SHOULD BE DESIGNED TO MINIMIZE INTERFERENCE WITH THE PRIVACY, QUIET AND VIEWS OF NEIGHBORS

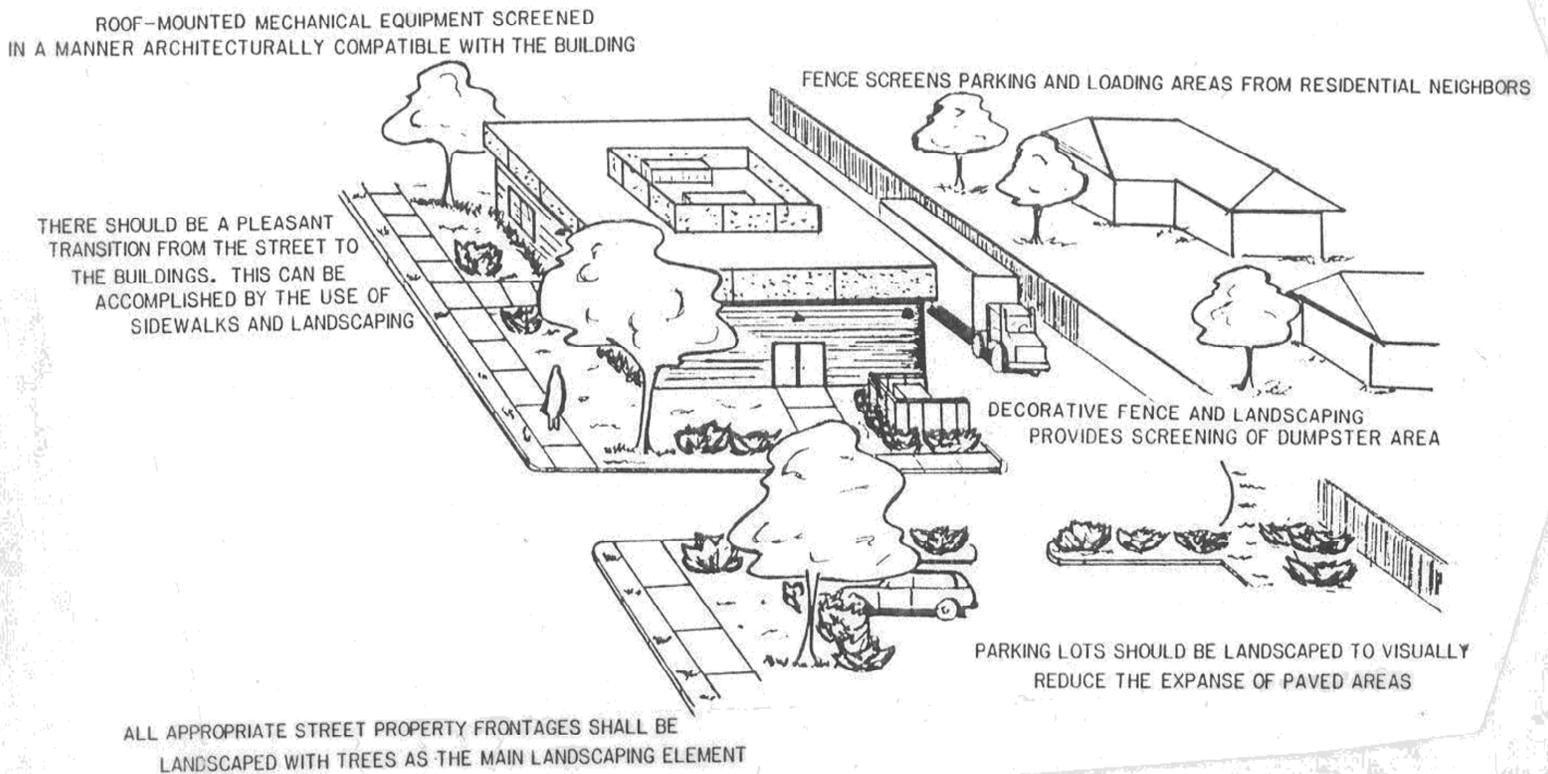


FIGURE 1: SITE DEVELOPMENT

FIGURE 2: DRIVEWAY GUIDELINES

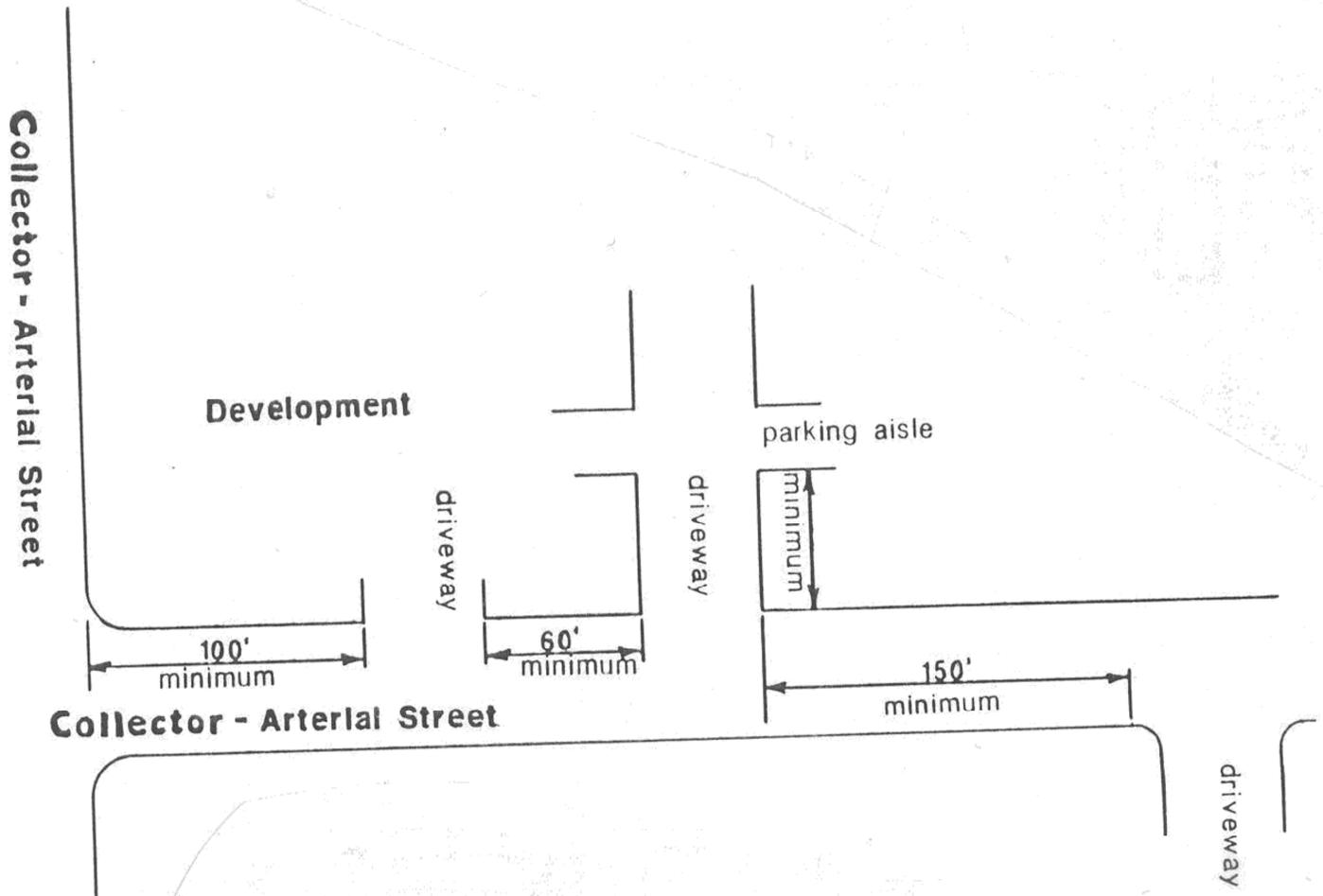


FIGURE 3: BUILDING COMPATIBILITY

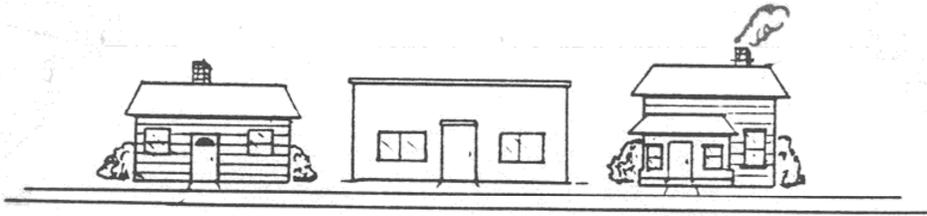


BUILDINGS SHOULD BE COMPATIBLE WITH THE NEIGHBORHOOD CHARACTER

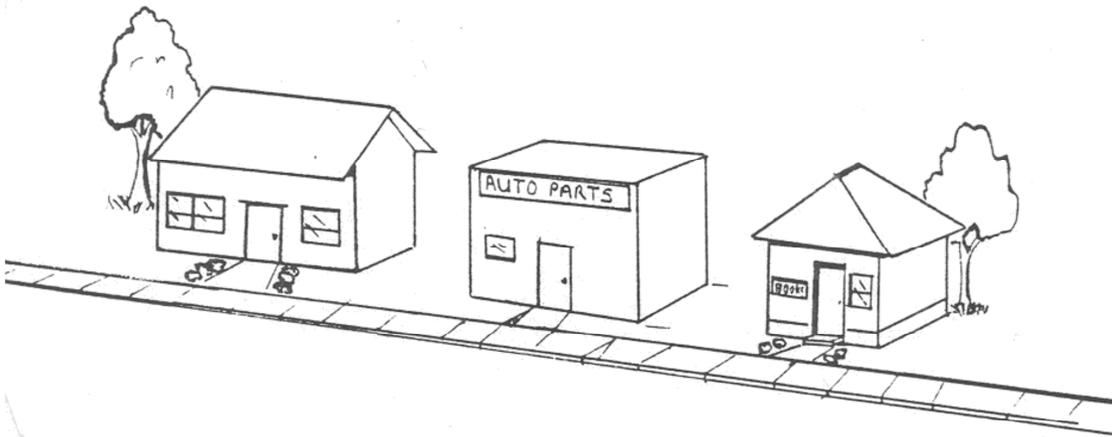


PROPORTION, SCALE, CONTINUITY AND BALANCE SHOULD PREVAIL IN ALL ASPECTS OF A PROJECT

FIGURE 4: BUILDING INCOMPATIBILITY

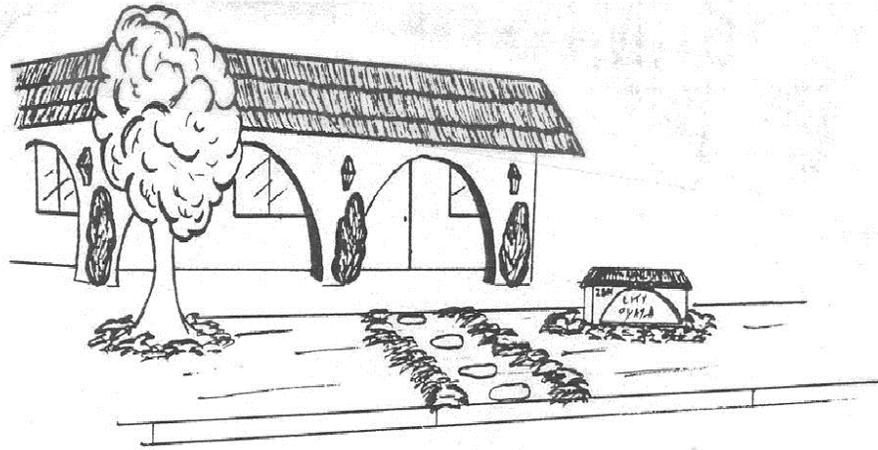


AVOID BUILDINGS THAT VIOLATE THE EXISTING SCALE, SIZE
AND PROPORTION OF THE AREA AND ADJACENT BUILDINGS

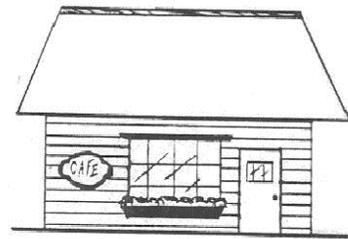


BREAK UP UNINTERESTING BOXLIKE FORMS

FIGURE 5: SIGN EXAMPLES



ONLY BUILDING SIGNS AND MONUMENT STYLE SIGNS ARE PERMITTED



SIGNS SHOULD REFLECT THE ARCHITECTURAL THEME OF THE PRINCIPAL BUILDINGS

FIGURE 6: MONUMENT STYLE FREESTANDING SIGNS

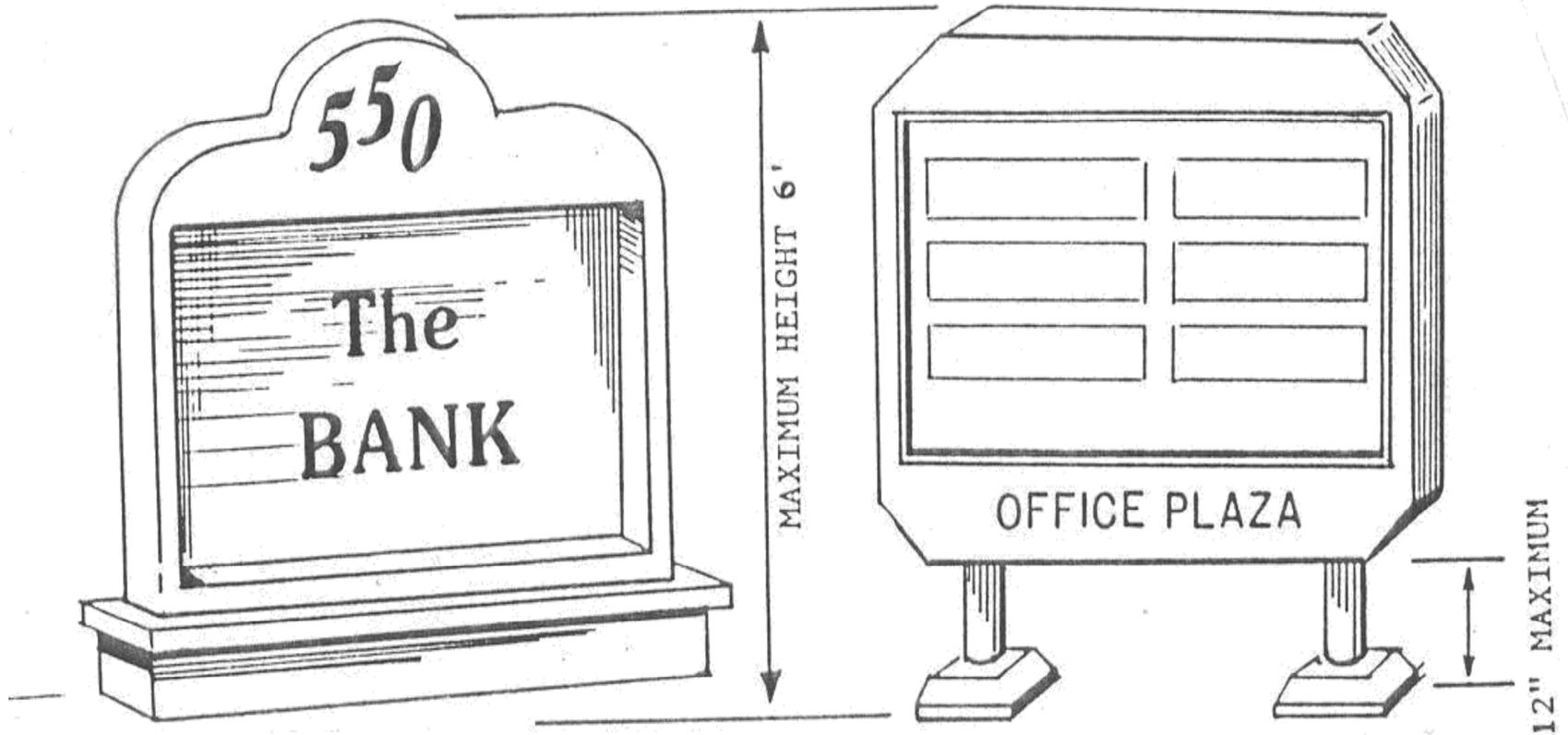
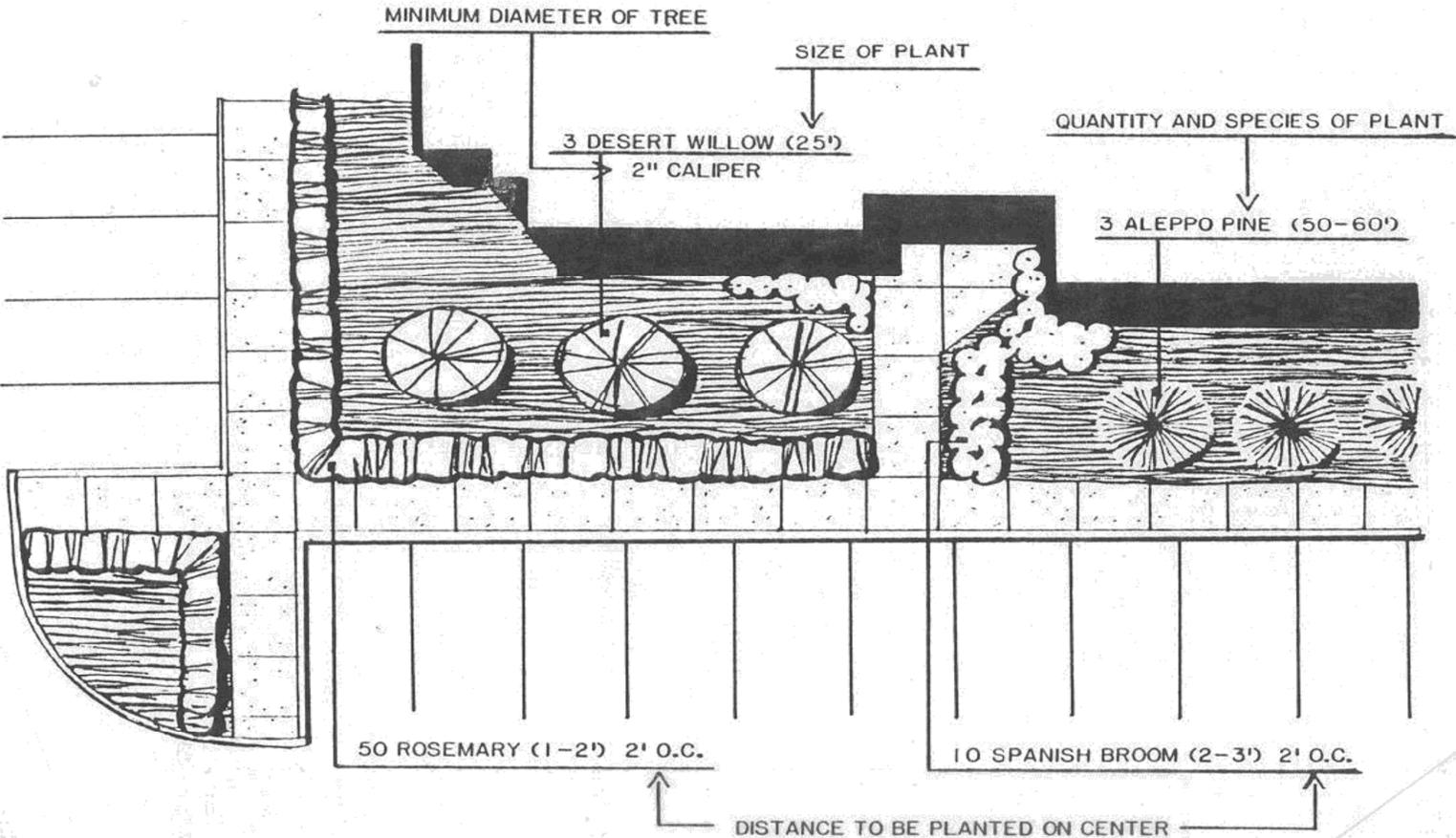


FIGURE 7: TYPICAL LANDSCAPE PLAN

ON SITE PLANS, THE TYPE, SIZE AND NUMBER OF PLANTS AND THE LOCATION AND DESIGN OF LANDSCAPED AREAS SHOULD BE SHOWN



**EXHIBIT 1
CITY OF KINGMAN
DESIGN REVIEW CHECKLIST
For the Kingman Crossing PDD**

DATE: _____ **APPLICANT:** _____

PROJECT: _____

LEGAL DESCRIPTION: _____

REVIEWED BY: _____

APPROVED: _____ **DISAPPROVED:** _____

REQUIRES REVISIONS FOR APPROVAL: _____

<u>APPROVED</u>	<u>REVISIONS NEEDED</u>	<u>NOT APPLICABLE</u>	<u>SITE DEVELOPMENT</u>
			Minimum street setback twenty (20) feet or minimum of zoning district whichever is greater.
			Limited curb cuts on to street.
			Access to street is at street intersection.
			Project is designed to minimize traffic problems.
			Street grid responds to topography.
			Sidewalks with tree landscaping.
			Exterior lighting in accordance with subsection 18.500 LIGHTING.
			Site organization takes into account relation of buildings to street, landscaping, open spaces and adjacent sites.
			Proportion, scale, continuity and balance prevails.
			Project retains natural topography and is compatible with immediate environment. Damage to natural environment is minimized.
			Project designed to minimize interference with privacy, quiet and views of neighbors.
			Other:
			Comments:

<u>APPROVED</u>	<u>REVISIONS NEEDED</u>	<u>NOT APPLICABLE</u>	<u>BUILDINGS</u>
			Buildings are compatible with neighborhood character and with colors and textures of surrounding environment.
			Avoid all glass or all metal buildings. Highly reflective materials avoided.
			Other:
			Comments:

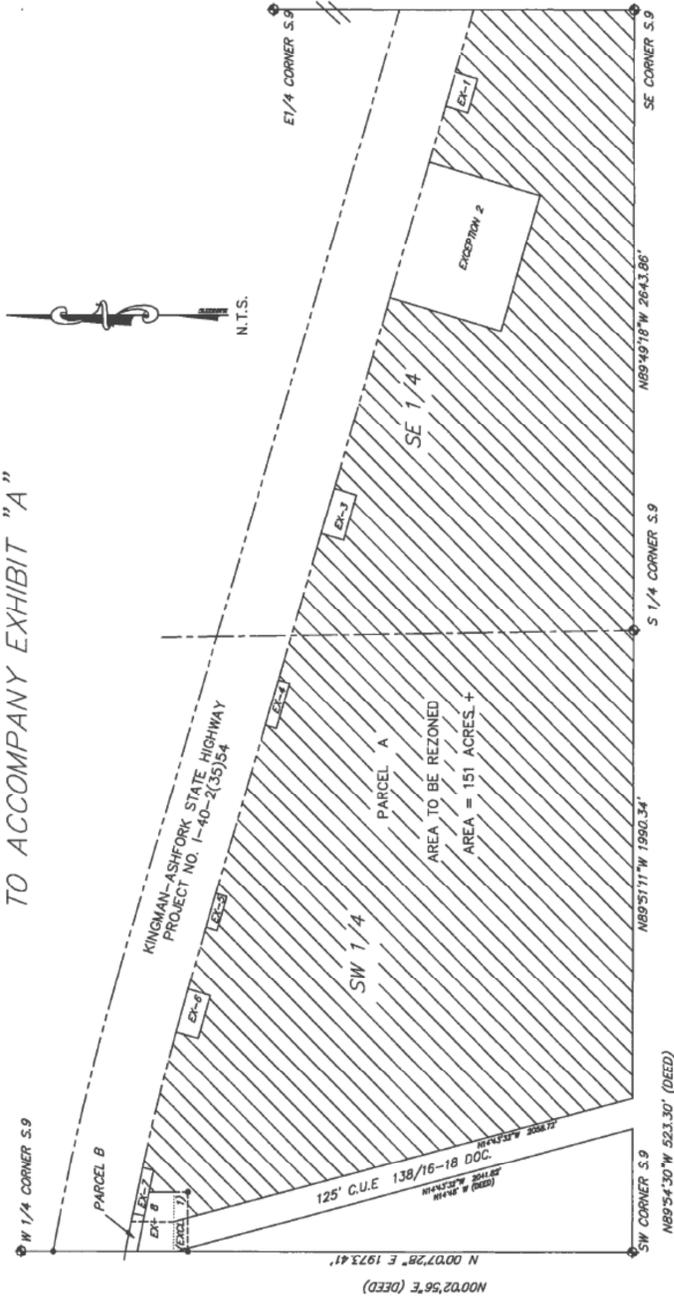
<u>APPROVED</u>	<u>REVISIONS NEEDED</u>	<u>NOT APPLICABLE</u>	<u>SIGNS</u>
			Signs fall within the allowable type, number, size, height and square footage.
			Signs are building signs and/or monument style freestanding sign.
			Signs reflect the architectural theme of the principal buildings.
			Other:
			Comments:

<u>APPROVED</u>	<u>REVISIONS NEEDED</u>	<u>NOT APPLICABLE</u>	<u>LANDSCAPING</u>
			Site plans include landscaping plan that shows type, size, number and location of plants, and irrigation systems.
			Recommended plants are used.
			Street property frontages landscaped with trees as the main landscaping element.
			Parking lot landscaped.
			Natural features incorporated into project's design.
			Pedestrian areas landscaped.
			Landscaped areas protected from automobile damage.
			Other:
			Comments:

<u>APPROVED</u>	<u>REVISIONS NEEDED</u>	<u>NOT APPLICABLE</u>	<u>SCREENING</u>
			Trash receptacles screened by a minimum six (6) foot screen.
			Trash areas easily accessible by garbage collection vehicles.
			Exterior mechanical and electrical equipment screened.
			Roof-mounted mechanical equipment screened in a manner architecturally compatible with building
			Utilities placed underground.
			Utility stations/substations screened.
			Other:
			Comments:

EXHIBIT "B"

EXHIBIT "B"
TO ACCOMPANY EXHIBIT "A"



"LEGAL OF AREA TO BE REZONED"

A portion of the South One Half (1/2) of Section 9, T. 21 N., R.16 W., G. & S.R.M., Mohave County, Arizona as shown on Retracement and Dependent Resurvey of a Portion of the South East One Quarter and the South West One Quarter of Section 9 lying within the area as described as follows;

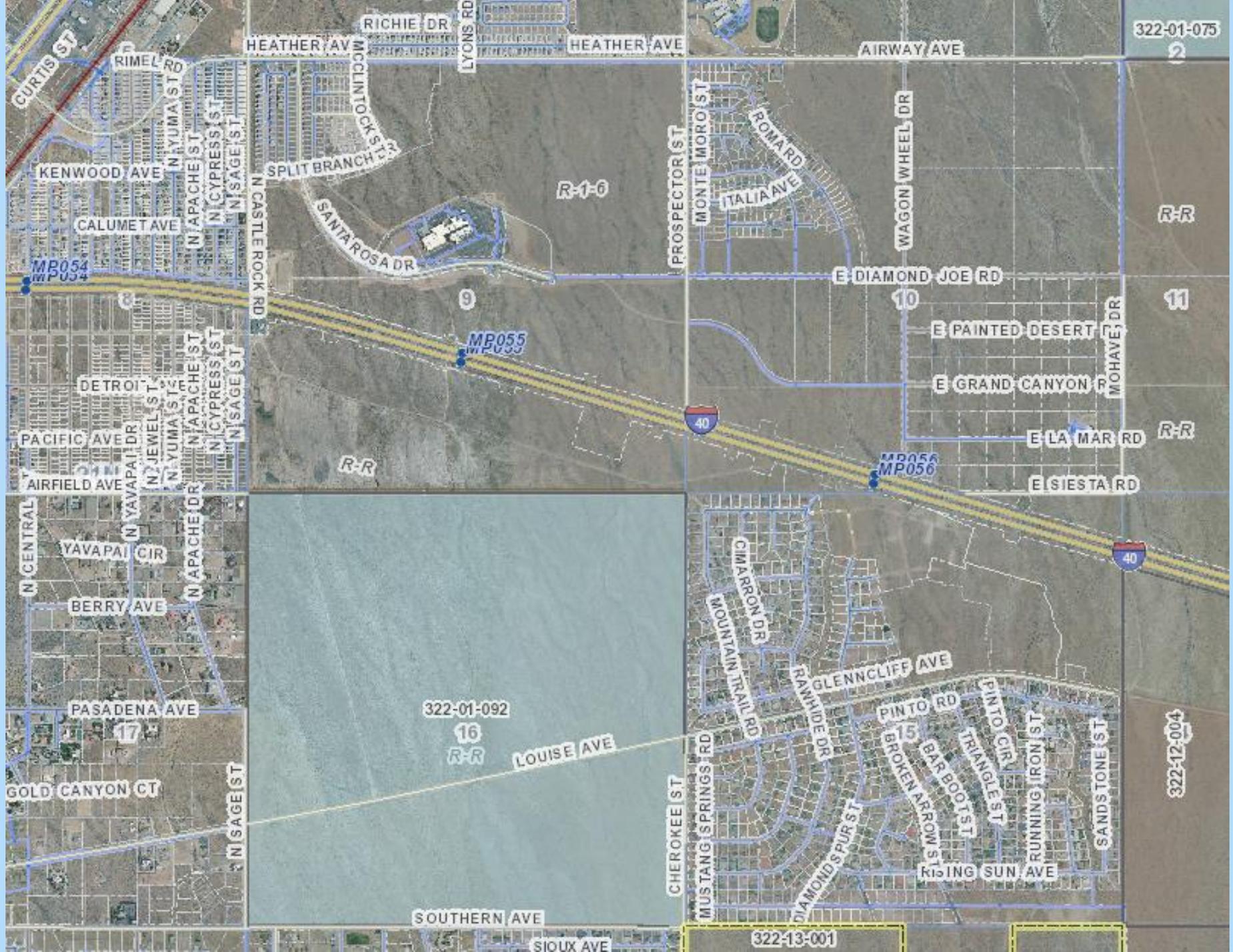
That portion of said section 9 as described in Book 3550 page 368 Official Records of Mohave County, Arizona and shown as Parcel A and B on said resurvey plat and lying Easterly and adjacent to an 125' wide Electrical Transmission Easement as described in Book 138 pages 16-18 of Dockets Mohave County Recorder.

This area contains 151 acres more or less based on recorded deeds and surveys.



KINGMAN CROSSING PLANNED DEVELOPMENT DISTRICT

January 5, 2016



Background

- The Property is currently zoned “Rural-Residential”, which allows for agricultural uses and single-family houses on one acre lots.
- With a “Regional Commercial” land use designation, the property can be zoned “C-3” Commercial: Service Business.
- On August 4, 2015, the City Council initiated Kingman Crossing Planned Development District to: (1) not allow all of the uses that a C-3 Zoning District allows; (2) make the area more compatible to the surrounding area; and (3) enhance and upgrade the minimum design standards.

Background (Continued)

- The P&Z Commission held a public hearing on October 13, 2015 and recommended approval with changes to the lighting and signage regulations.
- The City Council held a public hearing on November 3, 2015 and tabled action to have the P&Z Commission review lighting and signage regulations.

Background (Continued)

- The Planning and Zoning Commission held a public hearing on the revised text draft on December 8, 2015 and recommended approval of the proposed zoning ordinance text amendment and zoning map amendment.

Kingman Crossing Characteristics

- Land Use Designation of “Regional Commercial”.
- A future interchange is planned.
- The area to the north has a “C-3 PDD” Zoning Classification.

Concept Plan

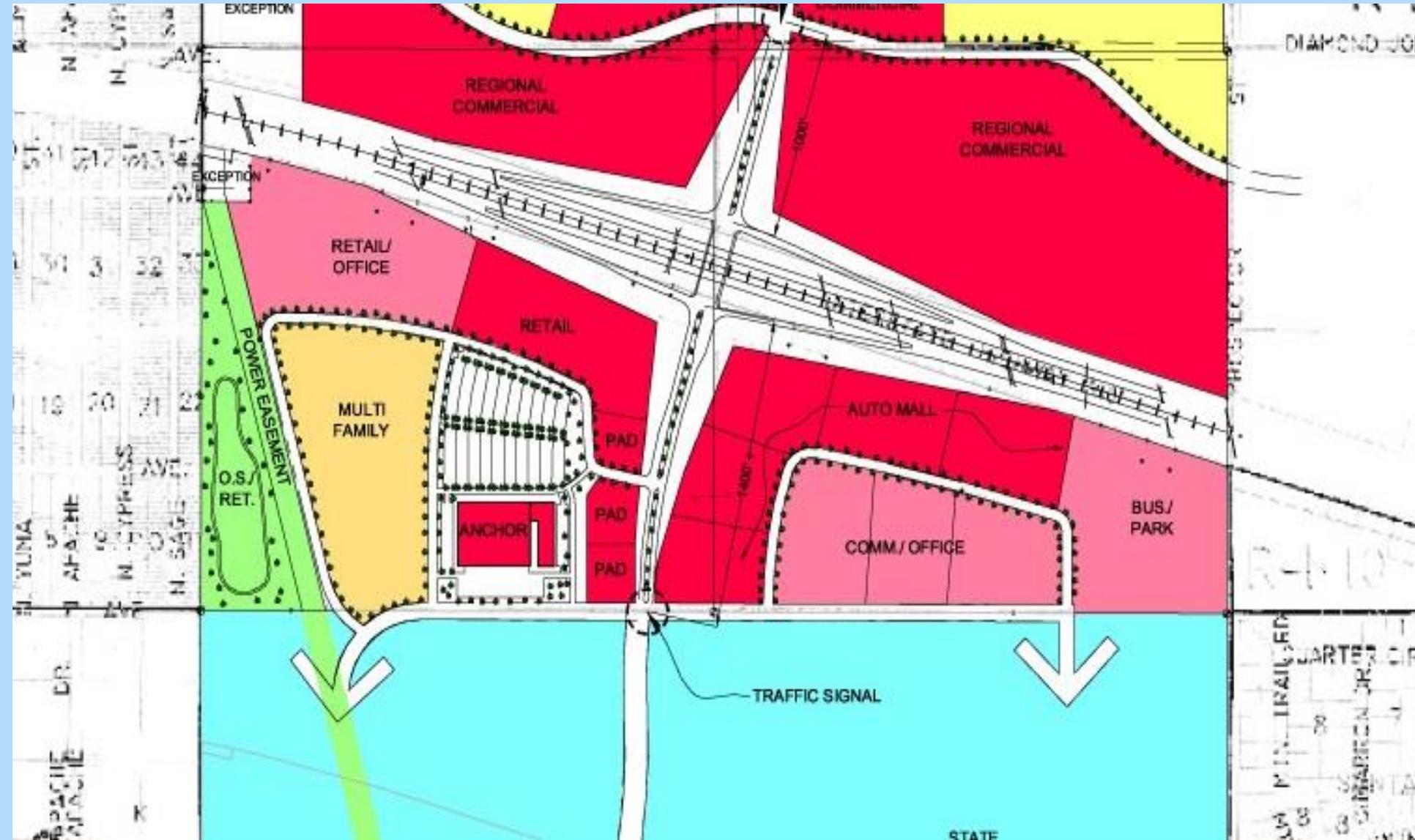
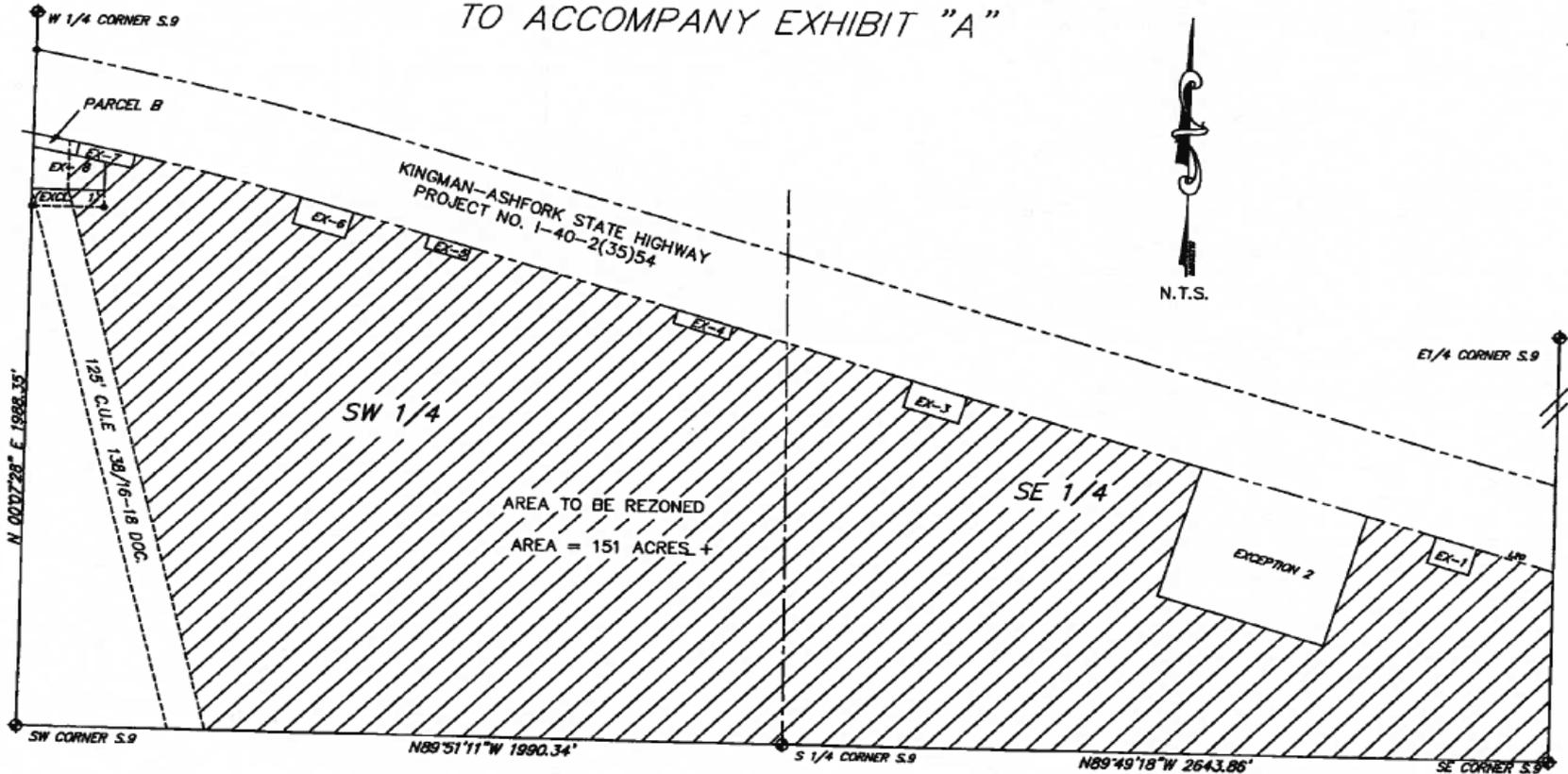


EXHIBIT "B" TO ACCOMPANY EXHIBIT "A"



EXPIRES 12-31-2016

What is a Planned Development District?

A Planned Development District is designed to provide various types of land uses and development standards to ensure compliance with the General Plan and good zoning practices while allowing certain desirable departures from the strict provisions of specific zone classifications.

Consideration of Differences from the C-3 Zoning District.

The following uses are permitted in the C-3 Zoning District not be permitted in the Kingman Crossing PDD:

1. Storage and equipment yards associated with contractors offices,
2. Truck sales and service, new and used,
3. Truck and trailer rental and service, and
4. Vehicle towing and storage.

Consideration of Differences of C-3 Conditional Permitted Uses:

The following uses are permitted in the C-3 zoning district but proposed not be permitted by Conditional Use Permit within the area zoned Kingman Crossing PDD:

1. BMX racetrack,
2. Mini-storages,
3. Motocross racetrack,
4. Off premises signs (billboards),
5. Recreational vehicle parks,
6. Swap meets (indoor and outdoor),
7. Tire retreading and recapping,
8. Travel trailer park, and
9. Truck stops for truck stop facilities.

Enhanced Development Standards

- When a development directly abuts any residential zoning district, all buildings are to be setback at least 25 feet from the abutting property line.
- Parking areas may be allowed within the setback areas, but those areas cannot be used for commercial truck deliveries or outdoor storage purposes, including the placement of shipping containers.

Architectural Controls

- Building designs and colors shall be appropriate to the southwestern United States.
- Colors should include warm earth tones and highly reflective materials such as all metal or all glass buildings shall be avoided.
- Building designs shall include the use of varied parapets, columns, popouts and pilasters to avoid the appearance of long blank walls.
- Service bays are to face north.

Walkability

At least ten (10) feet of walkway shall be required between the front entrance of any buildings and parking lot traffic aisles to provide adequate walking room and to reduce pedestrian/vehicle conflicts.

Signage

- Overall sign plans shall be submitted at the time of development which compliments the architectural theme of the principal buildings in terms of design and color.
- All free-standing signs shall have skirting around the pole supports at the base. The sign base shall be at least 50-percent of the width of the sign width.
- Poles are permitted in the area that is at least 1000 feet from the section lines.
- On-going temporary signs are eliminated.



YAVAPAI DR
AIRWAY AVE

RHOADES AVE

ROSEWOOD ST

CHARLESTON ST

SONORA DESERT

MCCLENNOCK ST

322-06-013

000000000

322-06-022

KENWOOD AVE

SPLIT BRANCH DR

N DIAMOND ST

N YAVAPAI DR

N JEWEL ST

N YUMA ST

CALUMET AVE

N CYPRESS ST

N SAGE ST

N CASTLE ROCK DR

322-06-022

SANTAROSA DR

322-60-002

322-60-001

322-60-003

322-06-024

BEVERLY AVE

PROSPECTOR ST

MONTE MORO ST

ROMA R

000000000

9

322-06-020

322-07-018

21

WINDSOR AVE

40

40

16

322-06-010

N DIAMOND ST

N YAVAPAI DR

DETROIT AVE

N APACHE ST

N CYPRESS ST

N SAGE ST

PACIFIC AVE

N JEWEL ST

N YUMA ST

AIRFIELD AVE

N APACHE ST

322-07-014

322-01-092

16

Parking

- All parking areas shall include landscaped tree islands for every 15-parking spaces.
- A raised landscaped berm or a continuous wall at least 3 feet in height or some combination of both, shall be used to screen all parking areas from adjacent public streets.
- Perimeter planting strips at least 10 feet in width along the street frontages shall be required.

Landscape Buffering

Heavy landscaping and a buffer wall shall be located at the time of development where the Kingman Crossing PDD district directly abuts any residential zoning district.

Driveways

All commercial driveways shall align on both sides of the streets where there are no medians.

Effective Date of Zoning District

The issuance of building permits by the City of Kingman on the subject properties shall not occur until a notice to proceed has been made by ADOT and construction of the Kingman Crossing interchange has begun.

RECOMMENDATION

The Planning and Zoning Commission and staff recommend the adoption of the Kingman Crossing Planned Development District text amendment and the amendment to the Official Zoning Map of the City of Kingman to apply this new zoning district to the 151-acres owned by the City in the Kingman Crossing area.

WHEN RECORDED HOLD FOR
KINGMAN CITY CLERK
310 N. 4th Street
Kingman, AZ 86401

**CITY OF KINGMAN
ORDINANCE NO. 1806**

AN ORDINANCE BY THE MAYOR AND COMMON COUNCIL OF THE CITY OF KINGMAN, ARIZONA: FOR THE REZONING CERTAIN PROPERTY DESCRIBED IN EXHIBIT "A" AND ILLUSTRATED IN EXHIBIT "B" ATTACHED, FROM R-R: RURAL RESIDENTIAL TO KINGMAN CROSSING PLANNED DEVELOPMENT DISTRICT AS SHOWN IN EXHIBIT "C"

WHEREAS, The City of Kingman is the owner of land described in Exhibit "A" of this ordinance; and,

WHEREAS, The City of Kingman desires to create a planned development district in accordance with Section 19.000 PLANNED DEVELOPMENT DISTRICT (PDD) of the Zoning Ordinance of the City of Kingman, Arizona, to ensure compliance with the General Plan and good zoning practices, while allowing certain desirable departures from the strict provisions of specific zone classifications; and

WHEREAS, the subject property proposed for PDD zoning district is approximately 151-acres and is described as a portion of Section 9, T.21N., R.16W., of the G&SRM, Mohave County, AZ, and further described in Exhibit "A" and illustrated in Exhibit "B" attached, and

WHEREAS, this proposed zoning district is in accordance with the projected land use and density standards of the adopted City of Kingman General Plan 2030 Update, and

WHEREAS, the requested zoning district will facilitate the development of a proposed retail development; and

WHEREAS, the Planned Development District designation of the subject site is intended to provide for various types of land uses compatible with retail and restaurant uses while excluding other uses which are not compatible with a retail shopping center, and

WHEREAS, the Kingman Planning and Zoning Commission held a public hearing in the Kingman Crossing Planned Development District text amendment and zoning map amendment on December 8, 2015 and following the public hearing by a five-to-zero vote in the affirmative recommended adoption of the Kingman Crossing Planned Development District and zoning map amendment; and

WHEREAS, the Kingman Common Council has the authority to approve this request pursuant to the City of Kingman Zoning Ordinance, Sections 13.000, 19.000 and 31.000.

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Common Council of the City of Kingman, Arizona as follows:

SECTION 1: The text of the Kingman Crossing Planned Development District as stated in Exhibit "C" is hereby adopted. The text shown in the underline format is an addition and the ~~strikeout~~ text is a deletion to the Zoning Ordinance of the City of Kingman, Arizona.

SECTION 2: That upon the issuance of a notice to proceed by the Arizona Department of Transportation and beginning of construction of the Kingman Crossing Traffic Interchange, the subject property which is described in Exhibits "A" and "B" attached shall be rezoned to the Kingman Crossing Planned Development District as presented in Exhibit "C" of this ordinance.

SECTION 3: If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held to be invalid or unconstitutional by a decision of competent jurisdiction, such decision shall not invalidate the remaining portions thereof.

PASSED AND ADOPTED by the Mayor and Common Council of the City of Kingman, Arizona this 5th day of January, 2016.

ATTEST:

APPROVED:

Sydney Muhle, City Clerk

Richard Anderson, Mayor

APPROVED AS TO FORM:

Carl Cooper, City Attorney

Exhibit "A"
"LEGAL OF AREA TO BE REZONED"

A portion of the South One Half (1/2) of Section 9, T. 21 N., R.16 W., G. & S.R.M., Mohave County, Arizona as shown on Retracement and Dependent Resurvey of a Portion of the South East One Quarter and the South West One Quarter of Section 9 lying within the area as described as follows;

That portion of said section 9 as described in Book 3550 page 368 Official Records of Mohave County, Arizona and shown as Parcel A and B on said resurvey plat and lying Easterly and adjacent to an 125' wide Electrical Transmission Easement as described in Book 138 pages 16-18 of Dockets Mohave County Recorder.

This area contains 151 acres more or less based on recorded deeds and surveys.



EXHIBIT "B"
TO ACCOMPANY EXHIBIT "A"

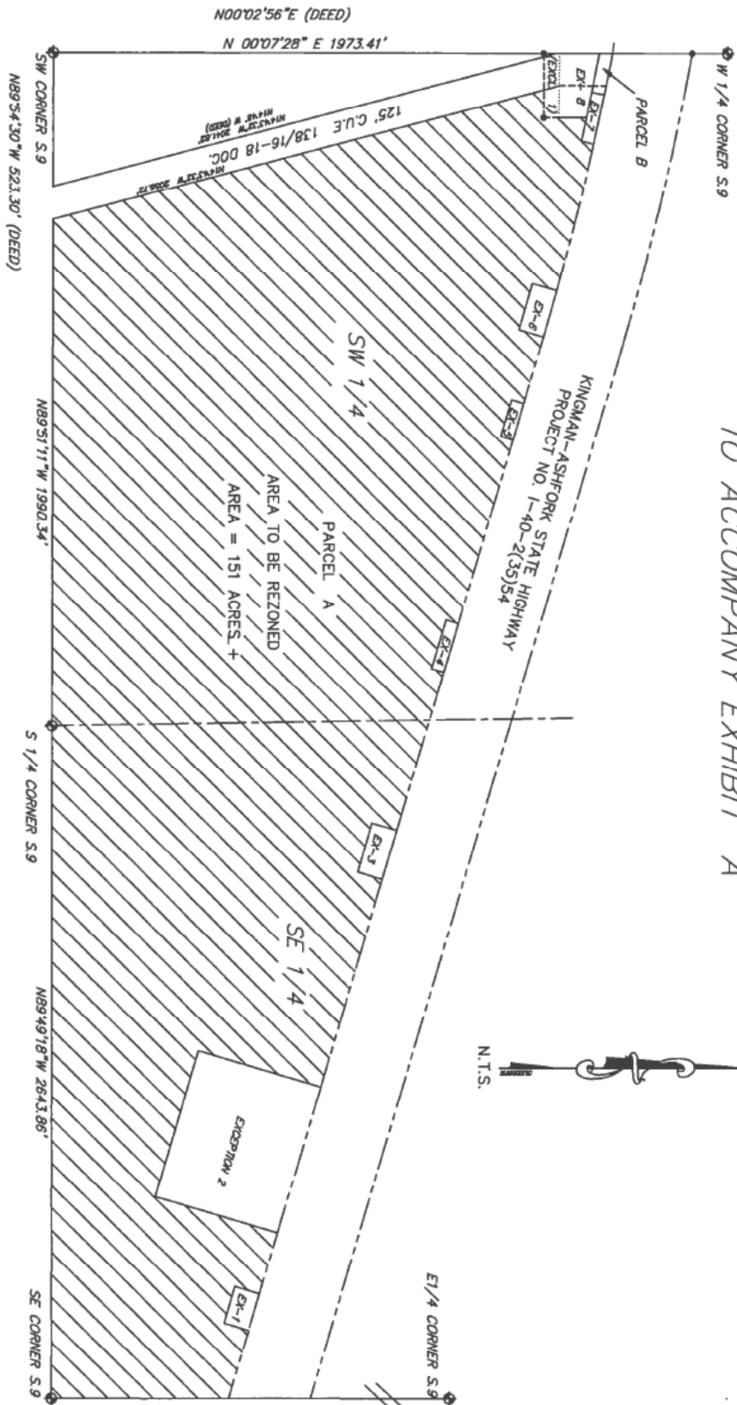


EXHIBIT "C"

18.000 RESERVED FOR FUTURE USE KINGMAN CROSSING PLANNED DEVELOPMENT DISTRICT (KINGMAN CROSSING PDD)

18.100 INTENT AND PURPOSE

This district is intended to provide for the development of business and service uses designed to meet the needs of the Kingman Crossing area located south of Interstate-40. Such areas will provide a wide variety of goods and services in establishments whose operating characteristics require good exposure in a readily identifiable and accessible commercial setting. Provisions of this district are designed to ensure that such commerce will be compatible with adjacent, non-commercial development and to minimize any undesirable effects of heavy traffic or other operating characteristics.

18.200 GENERAL PROVISIONS

18.210 PERMITTED USES

Land shall be used and buildings/structures shall hereafter be erected, altered, enlarged, or otherwise modified for the following permitted uses:

Ambulance services
Animal hospitals and small animal boarding
Antique shops
Art and school supply stores
Art galleries – but not including auction rooms
Auto accessories and parts store
Automobile rental and service; all repairs must be conducted within an enclosed building.
Automobile repairs, but not including body repair
Automobile sales and service, new and used
Automobile service stations
Bakery
Banks and financial institutions
Barbershop/beauty parlor
Bed and breakfast establishments
Bicycle stores – sales, rental and repair
Blueprinting establishments
Book and stationery stores
Building material sales
Cabinet shops
Camera and photographic supply stores
Candy and ice cream stores
Carpet and rug stores
Catering establishments
China and glassware stores
Cleaning and dyeing, coin operating, pick-up station and/or using non-explosive solvents
Clothing and costume rental establishments
Coffee shops, sandwich shops, and bagel shops
Coin and philatelic stores
Computer and electronic component sales and service
Convalescent or nursing home
Delicatessen
Department store

Drafting service
Restaurants, including outdoor dining and fast-food with drive-through service.
Electrical and household appliance stores – including radio, sales, accessory repair, and service
Employment offices
Equipment and appliances, household – service and repair shops
Exterminating shops
Family, Group, or Commercial Day Care Facilities
Florist shops
Flower shops and conservatories
Food stores, grocery stores, meat markets, delicatessens and frozen food stores
Funeral parlors and accessory uses not including outside monument storage
Furniture stores
Garden supply and plant nurseries, providing that all areas devoted to outdoor storage of other than live plant material shall be completely screened from view abutting streets and highways and from abutting properties. No bulk storage of sand, gravel, fertilizer or other chemical or organic materials is permitted. Does not include medical marijuana cultivation facilities
General offices, including banks and financial establishments
Gift shops
Glass replacement and repair (including auto glass)
Haberdasheries and millinery shop or hat repair
Hardware stores
Health care or therapeutic services, but not medical marijuana dispensaries.
Health centers
Heating, plumbing, ventilating, refrigeration and air-conditioning sales and service
High-density multiple-family developments
Hobby shops – for retailing of items to be assembled or used away from the premises
Hotels and motels - including dining and meeting rooms
Instructional Schools (not providing housing, dormitories or sleeping overnight)
Instructional Schools or Trade Schools, not involving any danger of fire, explosion nor offensive noise, vibration, smoke, dust, odor, glare, heat or other objectionable influences (not providing housing, dormitories or sleeping overnight)
Interior decorating shops
Jewelry stores
Job printing and related retail sales
Laboratories – medical, dental with accessory research, and testing
Laundries
Leather goods and luggage stores
Linen supply services
Liquor stores
Loan offices
Locksmith shops
Low density multiple-family developments
Mail order service stores
Medical and dental clinics
Medical and dental offices and clinics
Music and dance studios
Musical instrument sales and repair
Newspaper offices – including printing
Office supply stores
Offices – business, professional or public
Opticians, optometrists and ophthalmologists
Orthopedic and medical appliance stores – but not including assembly or manufacture of such articles
Paint and wallpaper stores
Parcel delivery services
Parking lots and storage garages for automobiles

Pet shops – including grooming
Photography studios – including developing and printing of photographs when conducted on the premises as part of the retail business
Picture framing – when conducted on the premises for retail trade
Post offices
Pre-Schools
Printing establishments
Public Assembly – Indoor, General
Public Assembly – Indoor, Entertainment
Public libraries
Radio and television broadcasting studios provided that no broadcast antenna exceed the height of fifty (50) feet and no dish style antenna exceed one-point-five (1.5) meters in diameter.
Real estate and title companies
Recording studios
Restaurants – including live entertainment and dancing
Schools, commercial or trade, not involving any danger of fire, explosion nor offensive noise, vibration, smoke, dust, odor, glare, heat or other objectionable influences; and not providing housing, dormitories or sleeping overnight.
Shoe stores – sales or repair
Sporting goods stores
Stamp and coin hobby shops
Tailor shops
Tattoo parlors
Tavern or cocktail lounge
Telephone answering service
Theaters – not including drive-in theaters
Tobacco shops
Tool and cutlery sharpening or grinding
Toy Stores
Travel agencies
Travel bureaus and transportation ticket office
Variety stores
Vending machine sales and service
Wholesale establishments with storage of merchandise
Wireless Communication Facilities located or co-located on an existing building or structure, if concealed or camouflaged. Maximum height of all facilities is fifty (50) feet. (See also Subsection 26.1000: WIRELESS COMMUNICATION FACILITIES in Section 26.000: GENERAL DEVELOPMENT STANDARDS.)

Accessory uses to the above permitted uses. Uses not explicitly enumerated in this section as permitted uses but closely similar thereto, provided that these uses are not explicitly mentioned as permitted or conditional uses elsewhere in this ordinance.

18.220 USES WHICH MAY BE PERMITTED BY CONDITIONAL USE PERMIT

The following uses may be permitted subject to approval of a Conditional Use Permit as provided in Section 29.000: CONDITIONAL USE PERMITS:

Car washes
Schools, Private School, Charter School, or Community College providing housing, dormitories or sleeping overnight.
Wireless Communication Facilities located or co-located on an existing building or structure, if concealed or camouflaged. Maximum height of all facilities is two-hundred-fifty (250) feet. (See also Subsection 26.1000: WIRELESS COMMUNICATION FACILITIES in Section 26.000: GENERAL DEVELOPMENT STANDARDS.)

Uses not explicitly enumerated in this section as permitted uses but closely similar thereto, provided that these uses are not explicitly mentioned as permitted or conditional uses elsewhere in this ordinance.

18.300 GENERAL

18.310 LOT AREA

All lots hereafter created in this district shall contain a minimum of seventy-five-hundred (7,500) square feet. The specified lot area size is not intended to prohibit two (2) or more separate uses on a lot where the lot is in undivided ownership.

18.320 LOT WIDTH

Not less than seventy-five (75) feet

18.330 YARDS

Yard abutting street: 25-feet; such areas shall be landscaped.

Interior lot line: zero

Lot abutting residentially zoned property: 25-feet. Parking may be allowed in the setback area abutting a residential zoning district, but commercial truck deliveries or outdoor storage purposes, including the placement of storage containers are not permitted in these areas.

18.340 BUILDING HEIGHT

Not to exceed fifty (50) feet

18.350 DISTANCE BETWEEN BUILDINGS

Buildings not actually adjoining shall be provided with a minimum six (6) foot separation.

18.360 OFF-STREET PARKING AND OFF-STREET LOADING

See Section 22.000: OFF-STREET PARKING AND LOADING REQUIREMENTS

18.370 CONDUCT OF USES

All business, service, storage, and merchandise display shall be conducted wholly within an enclosed building or an opaque enclosure, including porches, except for off-street automobile parking, off street loading, and the usual pumping operations of gasoline sales and permitted open sales or storage lots. Vehicle repair and service work may be performed outside of an enclosed building. Any vehicle that does not have the repair completed by the end of the business day must be placed in an enclosed building or behind a screen enclosure that meets the standards of Section 26.800 STORAGE FACILITIES, subsection 26.810 ALL COMMERCIAL AND INDUSTRIAL USES HAVING PERMITTED OUTSIDE STORAGE OR DISPLAY OF MERCHANDISE, MATERIAL, OR EQUIPMENT. Mechanical equipment **may not** be erected or constructed outside an enclosed building necessary to repair or service vehicles. **Service bays shall be oriented to the north.**

When a lot is used for commercial purposes and abuts a lot within any developed residential district, a masonry wall of not less than six (6) feet or more than eight (8) feet in height shall be erected and maintained along the abutting side and/or rear yard line prior to occupancy of the building.

Said wall shall be reduced to thirty-six (36) inches in height within a required front yard of the adjacent

residential property. If there is a dedicated alley or public roadway separating the commercial property from the residential property, the alley or public roadway shall serve as the buffer and the masonry wall shall not be required unless so specified by ordinance relating to the rezoning of the subject property.

18.400 SITE DEVELOPMENT

1. A project shall be developed to be compatible with the immediate environment of the site and to be sensitive to the surrounding neighborhood. Damage to the natural environment should be minimized. Clear grading of lots, especially large lots, should be avoided.
2. Projects shall be designed to minimize interference with the privacy, quiet and views of neighbors.
3. Projects shall be designed to minimize traffic problems.
4. Projects shall be designed to retain a site's natural topography whenever possible. The project should be planned to fit the site's natural conditions rather than altering the site to accommodate the project. Excessive cuts and fills should be avoided.
5. The street pattern should respond to topography. Curvilinear streets may have to be used in some instances.
6. All developments shall have the buildings setback a minimum of 25-feet from the street property lines and residential zoning district lines.
7. Curb cuts on arterial and collector streets shall be limited. The guidelines for access onto arterial and collector streets as follows:
 - a. No driveway onto an arterial street or collector street shall be located closer than one-hundred (100) feet to the nearest intersecting curb line.
 - b. Access to and from arterial and collector streets should be limited to street intersections. Properties with frontage on these streets should have access by a parallel road or a side street when this option is available. One (1) driveway will be permitted on side streets when the frontage is less than two-hundred (200) feet. Two (2) driveways will be permitted on side streets when the frontage is three-hundred (300) to six-hundred (600) feet.
 - c. The use of shared driveways between adjacent parcels on arterials is required when appropriate.
 - d. Adjacent driveways should be no closer than sixty (60) feet.
 - e. Driveways on opposite sides of a street should not be offset less than one-hundred-fifty (150) feet.
8. A main driveway into a site should have adequate space for stacking of vehicles. If over forty (40) parking spaces are required by the use and building size, fifty percent (50%) of the required parking spaces should be located to the side or rear of the proposed building.
9. Access to and from arterial and collector streets should be limited to street intersections. Properties with frontage on these streets should have access by a parallel road or a side street when this option is available.
10. Sidewalks and tree landscaping (properly irrigated and maintained by the property owner) shall be required in accordance with Section 10.000 LANDSCAPING of this ordinance.

11. Exterior lighting, when used, shall adhere to Section 34.000: OUTDOOR LIGHTING CODE, of the City Zoning Ordinance.
12. There should be a pleasant transition from the street to the buildings. This can be accomplished by the use of sidewalks and landscaping.
13. The site organization of a project should take into consideration the arrangement of building in relation to open spaces, landscaping and the elements of adjacent sites.
14. Proportion, scale, continuity and balance should prevail in all aspects of a project.

18.500 LIGHTING

A. Purpose and Applicability.

1. Purpose. It is intended to ensure appropriate lighting levels that support way-finding and crime prevention, assist people with visual impairments, allow flexibility in architectural design, minimize undesirable light and glare into adjoining properties and minimize light pollution into the nighttime sky.
2. Applicability. This subsection applies to lighting for uses on-site. It does not apply to streetlights in the public right-of-way, which are governed by the City of Kingman Street and Sidewalk Regulations. All exterior lighting installations require the approval of the Development Services Director or designee, prior to installation. Any person applying for a building, electrical or sign permit to install outdoor lighting fixtures shall, as a part of said application, submit evidence that the proposed work will comply with the provisions of this subsection.

B. Photometric Plan.

Any building or development submitted for a building permit shall contain information on the type of lighting and illumination levels proposed (photometric plan). The contents of photometric plans shall be as specified in Appendix E.

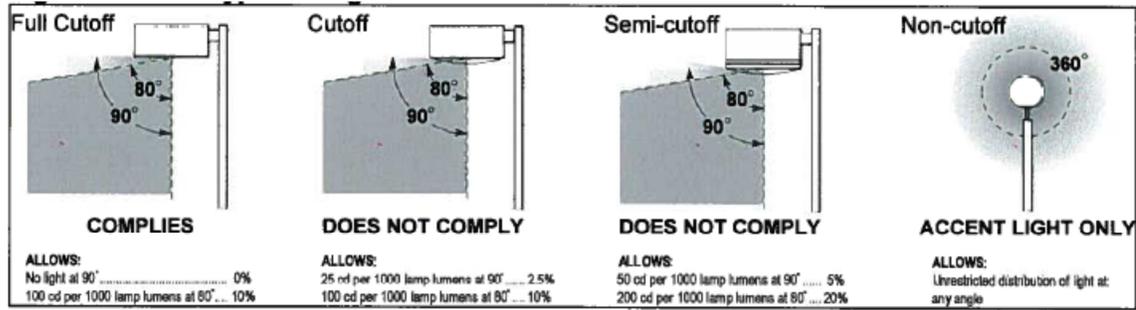
C. Lighting Standards.

Prior to issuance of a building, electrical or sign permit, the Development Services Director, or designee, shall determine that the submitted plans and details for said permit are in conformance with the following standards. The stamping of the plans and the signature of the Development Services Director, or designated representative, and the date of the signature shall indicate that the plans are in conformance. Should the applicant desire to add or subtract outdoor light fixtures or lamps to be installed on private property after a permit has been issued, the applicant shall submit all changes to the Development Services Director or designated representative for approval, with adequate information to assure compliance with this chapter.

1. **Illumination in General.** Exterior lighting shall provide for appropriate and desirable nighttime illumination for all uses on and related to the site, including, but not limited to, pedestrian pathways, plazas, courtyards, building entrances, parking and driveway areas, automatic teller machines (ATMs), and other outdoor spaces commonly used at night. Lighting of exterior areas shall reduce conflicts between building design and landscape treatments, provide appropriate surveillance for crime prevention, and minimize glare or intrusive light

onto adjoining properties and into the night sky.

2. **Illumination Levels.** The maximum illumination level for on-site lighting is forty (40) foot-candles as measured at grade, based on light loss factor of sixty-eight percent and seventy-two percent (0.72) for high pressure sodium lighting. Refer to subsection E. Exemptions.
3. **Mounting and Operation of Light Fixtures.** The mounting and operation of light fixtures shall be governed by the following:
 - a. Building mounted light fixtures shall be attached only to walls and the top of the fixture shall not be higher than necessary to illuminate the area required;
 - b. In any residential zoning district or within fifty (50) feet of any residential zoning district, freestanding light fixtures shall not exceed eighteen (18) feet in height. Within the next fifty (50) to one hundred fifty (150) feet of any residential zoning district, freestanding light fixtures shall not exceed twenty-five (25) feet in height. In all other locations, freestanding light fixtures shall not exceed thirty (30) feet in height.
 - c. To comply with a. and b. above, height shall be measured from the top of a light fixture to the adjacent grade at the base of the support for that light fixture;
 - d. Controls for lights for rest rooms identified for general public use shall be of the style that cannot be turned off or on by users other than employees of the business;
 - e. Light fixture design:
 - i. All luminaries used for security shall be vandal resistant that resist tampering, incorporate vandal resistant refractors (lens) and be provided with a gasket or seal that is designed to resist rain, dust and insect contamination;
 - ii. Outdoor light fixtures, which are full cutoff to direct all light below a horizontal plane through the bottom of the fixture and have no lens which drops below the fixture may use any illumination source, up to a maximum of forty (40) foot-candles, as provided in subsection C.2;
 - iii. Outdoor light fixtures, which have a lens or diffuser which is visible above the horizontal plane and constructed of white/opal glass, are considered non-cutoff and filtered and shall be limited to the light output equal to a one hundred (100) watt incandescent bulb, no greater than one thousand seven hundred (1,700) lumens;
 - iv. Outdoor light fixtures, which have a lens or diffuser which is visible above the horizontal plane and constructed of clear or prismatic glass, are considered non-cutoff and non-filtered and shall be limited to the light output equal to a fifty (50) watt incandescent bulb no greater than six hundred (600) lumens;



- v. All conduits shall be concealed;
- vi. The foot-candle level at the property line adjacent to a single-family district (from the proposed lighting) shall not exceed one-half (0.5) foot-candle. Lighting next to a residential use shall not spill over onto that use;
- vii. Lighting fixtures used to illuminate an outdoor advertising sign (billboard) shall be mounted on the top of the sign structure and shall comply with the shielding requirements of this subsection;
- f. Ornamental twinkling lights are permitted when part of a window display, patio, landscape or other integral part of a business, provided that they do not exceed one-half (0.5) foot-candles at the property line and do not conflict with the provisions of subsection C.3.e. above, related to adjacent residential use; and
- g. Other conditions related to lighting may be required through development plan review.

4. Specific Areas to be Illuminated. The following areas on a building or development shall be illuminated to the minimum security lighting levels shown below:

- a. All loading areas and docks shall be illuminated from dusk to dawn, with four (4) foot-candles of light at finish grade;
- b. Carport parking structures shall be illuminated from dusk to dawn, with three (3) foot-candles, including the adjacent landscape area at finish grade;
- c. Parking structures and parking garages shall be illuminated from dawn to dusk with ten (10) foot-candles, and from dusk to dawn with four (4) foot-candles. Sub-level parking shall be continuously illuminated twenty-four (24) hours a day with four (4) foot-candles at finish grade. Transitional lighting will be required at all entry areas;
- d. All stairwells, landings and under areas under the lower landing shall be continuously illuminated with five (5) foot-candles;
- e. Breezeway lighting shall be illuminated from dusk to dawn, with four (4) foot-candles. Transitional lighting will be required at all entry areas to the breezeway corridor;
- f. Exterior pedestrian pathways and adjacent landscape areas within twenty (20) feet of the pathway shall be illuminated from dusk to dawn, with one-half (0.5) foot-candle of light at finish grade. Pedestrian gates shall be illuminated from dusk to dawn, with five (5) foot-candles and two (2) foot-candles within a fifteen (15) foot radius;

- g. Retention areas shall be illuminated from dusk to dawn, with one-half (0.5) foot-candle of light at finish grade;
- h. Cluster or gang mailboxes shall be illuminated from dusk to dawn, with five (5) foot-candles of light for a fifteen (15) foot radius of the mailboxes;
- i. Parking lots, aisles and refuse areas shall be illuminated from dusk to dawn as follows:
 - i. Parking spaces for motor vehicles and bicycles shall be illuminated with two (2) foot-candles;
 - ii. Parking lot drive aisles shall be illuminated with one (1) foot-candle;
 - iii. Refuse areas shall be illuminated to two (2) foot-candles, with gates five (5) foot-candles;
- j. All building entrances and vehicular gates at operator or locking mechanism shall be illuminated with five (5) foot-candles at the entrance and two (2) foot-candles within a fifteen (15) foot radius from the center point of the entrance; and
- k. Secondary lighting may be required to supplement the primary security lighting due to design elements and landscape conflicts, in order to meet the minimum lighting criteria.

D. Prohibited Lighting. Except as provided under subsection E. Exemptions, mercury vapor fixtures is prohibited.

E. Exemptions.

- 1. Exemptions. The following types of lights are exempt from the standards in subsections C and D:
 - a. Lighting used for single-family homes and accessory buildings, provided no measurable light spills over to adjacent property;
 - b. Lighting specifically directed at a flag may be unshielded and unfiltered provided that the beam spread is limited to a narrow spot (approximately seven (7) degrees) and the fixture aperture is concealed by a matrix grid to limit glare;
 - c. Lighting of baseball fields, softball fields, football fields, soccer fields, golf courses and golf driving range, and other similar sporting venues shall be exempt from the height and shielding requirements in subsection C.3.;
 - d. Lighting of baseball fields, softball fields, football fields, soccer fields, golf courses and golf driving ranges, and other similar sporting venues, shall be allowed to exceed the maximum illumination limitation level of forty (40) foot-candles until 11:00 PM. No outdoor recreational facility, public or private, shall be illuminated after 11:00 p.m. except to conclude any recreational or sporting event or other activity conducted at a ball park, outdoor amphitheater, arena, or similar facility in progress prior to 11:00 p.m.;

- e. Automobile dealerships are allowed a maximum illumination level of eighty (80) foot-candles at display areas until 11:00 pm;
- f. Fossil fuel light produced directly or indirectly by the combustion of natural gas or other utility-type fossil fuels is exempt from the provisions of this section;
- g. City of Kingman ornamental lighting is exempt from the provisions of this section and is a permitted lighting installation;
- h. Glass tubes filled with neon, argon or krypton do not require shielding or filtering;
- i. Lighting necessary for construction or emergencies is exempt from the provisions of this subsection, provided said lighting is temporary and is discontinued immediately upon completion of the construction work or abatement of the emergency necessitating said lighting;
- j. Searchlights require a temporary exemption approval, as provided in k below;
- k. Temporary exemptions to the requirements of this subsection may be granted by the Development Services Director or designated representative upon finding that the exemption does not violate any provision of this zoning district and it would not pose a hardship on any adjacent property or use. Such requests shall be submitted in writing to the Development Services Department and include the following information:
 - (1) Specific exemption(s) requested;
 - (2) Type and use of exterior light involved;
 - (3) Duration of time for requested exemption;
 - (4) Type of lamp and foot-candles;
 - (5) Total wattage of lamp(s);
 - (6) Proposed location of exterior light; and
- l. For street lighting within the public right-of-way, the Development Services Director or Public Works Director, or designee, may approve an alternate type of lighting not otherwise provided in this chapter if he or she finds that the proposed design, material or method:
 - (1) Provides approximate equivalence to the specific requirements of this article; or,
 - (2) Is otherwise satisfactory and complies with the intent of this article.

18.600 BUILDINGS

1. The maximum height for all buildings shall be fifty (50) feet.
2. The intent of the design review is to create architectural design quality, based on a common set of principles which include consideration of the unique environment, climate, and context of the Kingman Crossing area and its natural setting in the City of Kingman. A broad Southwestern theme, however this theme is not intended to limit architectural innovation within the general styles below. These styles include: Southwestern Traditional, Arizona Territorial, Pueblo, and Spanish Colonial.
3. Buildings shall be compatible with the neighborhood character.

4. Buildings shall be compatible with the colors and textures of the surrounding environment. Warm earth tone colors shall be used. This would not exclude the ability of a user to express a corporate logo or color as a minor element in the overall design.
5. Highly reflective materials that create glare shall not be used. Preferred exterior materials shall be stucco, brick, adobe, natural stone, textured concrete, or textured and split face concrete masonry units. Materials such as pre-fabricated metal wall panels and smooth faced concrete shall not be used.
6. All glass or all metal buildings, including accessory buildings and structures visible from any street shall be avoided.
7. Reduce the apparent size and mass of buildings. Break up the mass of large buildings by dividing into basic geometric components with intersecting wall planes. Long blank walls, even with appropriate colors, are not permitted. Walls shall not have runs of greater than twenty-five (25) linear feet without an architectural feature breaking up the expanse. These features could be columns with contrasting but complimentary colors, pilasters, tile contrasts, varied facades or parapets.
8. Any exposed roof to street view shall use complimentary colored concrete tile, or a method compatible with the themes and intents above.
9. Mechanical equipment, to the extent possible, should be located on the ground, with screening.
10. Any mechanical equipment, that has to be on the roof, shall be screened, with architecturally compatible features.
11. Parapets shall not be one (1) continuous height, but should be varied in height. Parapet caps shall contrast with the prime color of the building with contrasting but complimentary colors. Exposed metal strips should not be used.
12. Varied window and door openings shall be required.
13. Entryways shall not be flush with the building wall, but should be recessed at least one (1) foot, or shall be covered, with human scale overhangs, or trellis.
14. Service features, such as electric or telephone boxes, irrigation boxes, any exposed communication equipment etc., shall be shown on the site plan and shall be screened, or designed with compatible colors and materials.
15. All building elevation (sides) shall be shown in submitted plans and design elements required shall be expressed on all sides of the building.
16. Storage or shipping containers, as accessory uses, are prohibited.

18.700 SIGNS

A. INTENT AND PURPOSE

It is the purpose of this subsection to provide regulations governing the location, design and illumination of signs and advertising structures for the preservation of the amenities, aesthetics, efficient and safe automobile and pedestrian traffic movements, property values of the surrounding area, the continued well-being of the City's economy and the prevention of undue visual competition.

B. EXCEPTIONS

The provisions of this subsection shall not apply to:

1. Flags of any Nation, State, County, City or other political unit that meets the size standards of Executive Order 10834.
2. Temporary decorations or displays celebrating the occasion of traditionally accepted patriotic, religious or local holidays or events.
3. Signs not visible or intended to be viewed from beyond the boundaries of the lot or parcel upon which they are located, including but not limited to menu boards, operating instructions for gasoline pumps or car washes, etc.
4. Official traffic, fire or police signs, signals, devices and markings used by any authorized public agency or the posting of notices as required by law.
5. Address and mail boxes.
6. Barber poles or similar symbols or devices used to identify and displayed in connection with a Barber Shop.

C. DEFINITIONS

For the purpose of this subsection, certain words and terms are defined as follows: Words used in the present tense include the future; words in the singular number include the plural, and vice-versa; the word "shall" is mandatory and not permissive; the word "person" includes individuals, partnerships, corporations, clubs or associations. The term "governing body" shall mean the Mayor and Common Council of the City; the word "City" shall mean the City of Kingman. The word "used" shall include the words "arranged", "designed", or "intended to be used". The word "erect" shall include the words "construct" or "reconstruct".

Abandoned Sign: shall mean a sign, which no longer correctly directs or exhorts any person, advertises a bona fide business, lessor, owner, product or activity conducted or product available on the premises where such sign is displayed. Abandoned sign shall also relate to any sign, which has been left in place after being substantially defaced or ruined by natural causes.

Action Sign: shall mean the movement of the sign body or any segment thereof such as rotating, revolving, moving up and down or any other type or movement involving a change in position of the sign body or segment thereof whether caused by mechanical or any other means.

Advertising: shall mean any writing, printing display, emblem, drawing, sign or other device designed, used or intended for outdoor display or any type of publicity or propaganda for the purpose of making anything known or attracting attention to a place, product, service or an idea.

Alter or Alteration: shall mean changed in structural components or increase in size, height and location or increases in electrical load. It shall also mean any change in advertising content if such change causes the sign to change in classification from an on-premises sign to an off-premise sign or vice-versa.

Animated Sign: shall mean the movement of any light used in connection with any sign such as blinking, traveling, flaring or changing degree of intensity of any light movement other than burning continuously.

Building Sign: shall mean any sign attached to a building.

Construction – Signs identifying the site of a building under construction; the maximum size of the sign shall be thirty-two (32) square feet.

Curb Line: shall be the imaginary line at the back of the curb nearest the street or roadway. In the absence of a curb, the curb line shall be established by the City Engineer or his authorized representative.

Directional Sign: shall be on-premises signs designed to direct safe movement of traffic or pedestrian at corners, entrance and exit driveways or other hazard locations of commercial, industrial and multi-family residential sites.

Directory Sign: shall mean a sign designed to show the logos or symbols of several businesses on one structure; also it may be a sign designed to show the relative locations of the several commercial activities within a shopping center or other multi-tenant development.

Electronic Message Display Sign: A type of animated sign capable of displaying words, symbols, figures or images that can be electronically or mechanically changed by remote or automatic means. Signs which employ light-emitting diode (LED) technology are included as a form of electronic message display sign.

Free-Standing Sign: shall mean any sign not attached to any building and which is supported by one or more uprights set in a fixed position in the ground.

Front Foot: of a building (or parcel of land) shall mean the maximum width measured on a straight line parallel to the street.

Grand Opening Sign: a temporary sign that is utilized to indicate that a new business is now open to the public.

Illegal Sign: shall mean any sign not in accordance with or authorized by this subsection.

Indirect Lighting: shall mean lighting, which is remote from the sign fixture.

Interstate: shall mean Interstate-40 in respect to which the owners of abutting lands have no right or easement of access to or from their abutting land, or in respect to which such owners have only limited or restricted right or easement of access and which is declared to be a portion of the interstate system as defined by the Arizona Department of Transportation.

Interstate Corridor: shall mean that area immediately adjacent to Interstate-40 that is not closer than 1000-linear feet from the Airfield Avenue, Cherokee Street, and Sage Drive road rights-of-way.

Location: shall mean a lot or premises, building, wall or any place whatsoever upon which a sign is erected, constructed or maintained.

Maintenance: shall mean the replacing or repairing of a part or portion of a sign made unusable by ordinary wear, tear or damage beyond the control of the owner. The word maintenance shall not include, however, any act which requires that a permit be obtained.

Mural: shall mean any picture, scene, or diagram, painted on any exterior wall or fence.

Off-Premises Sign (Billboard): shall mean a structure portraying information which directs attention to a business, commodity, service, entertainment or products not necessarily related to the other uses existing on the premise upon which the sign is located.

On-Premise Sign: shall mean a sign directing attention to a business, commodity, service, or offered upon the same premises as those upon which the sign is maintained.

Political and Ideological Signs – shall mean signs on behalf of candidates for public office or measures on primary, general or special election ballots, or ideological issues.

Price Signs – Price signs shall be allowed in commercial and industrial zones for a permitted use. The area required for a price sign shall be included as a part of the total signage allowed by this Code for the business use. Price signs shall be on-premises signs only.

Projecting Sign: shall mean any sign attached to a building or other structure and extending in whole, or in part more than twelve (12) inches beyond the wall or building line.

Price Sign: shall mean any signs, which designate a unit price for any commodity for sale on the lot or parcel of land, such as gasoline costs per gallon.

Real Estate Signs – Non-illuminated real estate signs not exceeding eight (8) square feet in single-family residential zones; sixteen (16) square feet in area in multiple-family residential zones; and, thirty-two (32) square feet in area in commercial and industrial zones, pertaining only to the lease, sale or rental of the property shall be allowed.

Repair: shall mean the re-erecting or reconstruction of signs damaged or knocked down by wind or any other force or condition. Repair shall not include minor damage that does not affect the structural stability or parts of a sign.

Roof Sign: shall mean any sign erected or constructed upon the roof of any building. All support members shall be free of any external bracing, guy wires, cables, etc. Roof signs shall not include signs defined as wall signs.

Shopping Center: shall mean a group of commercial establishments organized in balanced arrangement for retail trade with provisions for combined off-street parking.

Sign: shall mean any device for visual communication that is used for the purpose of bringing the subject thereof to the attention of the public and not including decorative or protective coating on a building or structure.

Sign Area: shall mean the entire area within a continuous perimeter composed of parallelograms, circles, ellipses, trapezoids and triangles, or any combinations of these, computed to the nearest square foot.

Sign Walker: A person who wears, holds, or balances a sign for commercial purposes. A person who wears a costume intended for commercial advertising purposes is also included in this definition.

Special Event: shall mean any single event or series of events that occur on an infrequent basis and take place at a specific location in which the public is encouraged or invited to watch, listen, participate or purchase goods and/or services, including, but not limited to, the following:

- A. Commercial sales, including pre and post-holiday sales
- B. Political picnics or gatherings
- C. Arts and crafts shows, gun shows, knife shows, trade shows, antique shows and other similar events
- D. Motorized or non-motorized vehicle races
- E. Carnivals, fairs, circuses, mechanical amusement rides, non-domesticated animal acts or exhibitions, and similar activities
- F. Outdoor shows, concerts and exhibitions
- G. Annual events

Static Display: shall mean a sign face that does not change within a twenty-four (24) hour period.

Temporary Sign: shall mean any non-permanent sign consisting of banners, pennants, wind-driven spinners, streamers, balloons, flags, inflatable structures/signs and signs made of paper or plastic.

Tract Sales – Tract signs concerning the original public sale of property on a subdivision tract are allowed only on the subdivided land being sold. Signs shall be a maximum of ninety-six (96) square feet; spaced a minimum of four-hundred (400) feet apart and are to be unlighted. Where construction or tract sales exceed one (1) year, the permit may be renewed annually until construction or sales are completed. There shall be allowed no more than two (2) signs for each subdivision tract except that if a subdivision tract contains one-hundred-sixty (160) acres or more, then a maximum of four (4) signs will be allowed.

Tri-Vision Sign: shall mean a sign that uses vertical Venetian type triangular panels to display one (1) or more, and not to exceed three (3), messages on an existing or proposed off-premise sign. *Said signs shall change at intervals of six (6) seconds or more.* This type of technology shall not be permitted on any other type of sign.

Wall Sign: shall mean a sign applied to, or painted or mounted on the wall or surface of a building or a structure, the display surface of which is parallel to the supporting surface, not more than twelve (12) inches from the wall. Marquees, facades, false fronts, etc., shall be considered to be a wall surface.

Zone: shall mean and refer to the Zoning Districts as defined by the zoning provisions of this Ordinance.

Zoning Administrator: shall mean the Development Services Director of the City of Kingman or his authorized representative.

C. GENERAL PROVISIONS

Compliance: It is unlawful for any person to erect, install, repair, alter or relocate any sign or advertising structure without obtaining from the Zoning Administrator a written permit to do so, paying the fees prescribed and conforming to any complying with all of the provisions of this Code.

Measurement of Signs: For the purpose of determining the area of any sign, the following criteria shall be used:

- a. For on-premises signs, the sign area shall be calculated from the measurement of the circumscribed frame area, said area including all wording, symbols and integrated background. Where a sign has two (2) or more faces, the area of all faces shall be included in determining the sign area, except that only one (1) face of a double faced sign shall be considered in determining the sign area, providing both faces are parallel to each other; not more than thirty (30) inches apart, and enclosed.
- b. Where a sign consists only of individual letters, numerals, symbols or other similar components, and is painted on, or attached flat against the wall of a building, and where such individual components are without an integrated background definition, and are not within a circumscribed frame area. The total area of the sign shall be the sum of the areas of squares or rectangles surrounding each individual letter.

Maintenance: Each sign shall be maintained in a safe, presentable and good condition, including the replacement of defective parts, painting, repainting, cleaning and other acts required for the maintenance of said sign. Any sign which is located on property which becomes vacant and unoccupied for a period of three (3) months or more, or any sign which was erected for an

occupant or business unrelated to the present occupant or his business, or a sign which pertains to a time, event or purpose which no longer applies, shall be deemed to have been abandoned. Permanent signs applicable to a business temporarily suspended because of a change of ownership or management of such business shall not be deemed abandoned unless the property remains vacant for a period of six (6) months or more. Off-premises sign structure shall be deemed as abandoned if left vacant and unoccupied for a period of three (3) months or more.

Projection of Signs: Signs may not be permitted to project over the public right-of-way.

Murals: Murals are permitted on exterior building walls.

D. ERECTION OF SIGNS

1. Signs shall compliment and reflect the architectural theme of the principal buildings.
2. All signs shall be designed and constructed in accordance with the current edition of the adopted Sign Code as adopted by the Common Council.
3. All electric signs shall conform in design and construction to the appropriate sections of Article 600 of the current edition of the National Electrical Code as adopted by the Common Council.
4. The maximum height of any monument sign shall be six (6) feet.
5. Building signs shall not exceed the height of the building wall to which it is attached.
6. In the Interstate Corridor, the height of signs shall not exceed forty (40) feet above the finished grade of the Interstate. The finished grade shall be the highest point of the interchange.
7. No free-standing sign shall be located within twenty-five (25) feet of any other free-standing sign.
8. At locations that abut a residential zone on a common property line, all free-standing signs shall be located at least eighty-five percent (85%) of the distance of the lot depth or width away from common property line with the residential zone. In the event that eighty-five percent (85%) distance is less than fifty (50) feet, the free-standing sign shall be unlighted.
9. All signs shall be erected in conformance with Section 26.000: GENERAL DEVELOPMENT STANDARDS, INTERSECTION VISIBILITY AND CORNER CUTBACK.

E. TEMPORARY SIGNS

The following temporary signs are permitted:

Construction – Signs identifying the site of a building under construction; the maximum size of the sign shall be thirty-two (32) square feet.

Tract Sales – Tract signs concerning the original public sale of property on a subdivision tract are allowed only on the subdivided land being sold. Signs shall be a maximum of ninety-six (96) square feet; spaced a minimum of four-hundred (400) feet apart and are to be unlighted. Where construction or tract sales exceed one (1) year, the permit may be renewed annually until construction or sales are completed.

Real Estate Signs – Non-illuminated real estate signs not exceeding thirty-two (32) square feet pertaining only to the lease, sale or rental of the property shall be allowed.

Political and Ideological Signs – Political and ideological signs on behalf of candidates for public office or measures on primary, general or special election ballots, or ideological issues are permitted subject to the following regulations:

1. No more than 60-days prior to an election and not more than 15-days following a general election, except that for a sign for a candidate in a primary election who does not advance to the general election, the period ends fifteen days after the primary election. Such signs may be located within City of Kingman public rights-of-way, except in sign-free zones as identified by Council resolution. In all cases such signs cannot be hazardous to public safety, obstruct clear vision in the area or interfere with the requirements of the Americans with Disabilities Act (42 United States Code section 12101 through 47 United States Code section 225 and 611).
2. Political signs placed in the City of Kingman's public rights-of-way cannot exceed an area of sixteen (16) square feet, if the sign is located in an area zoned for residential use, or a maximum area of thirty-two (32) square feet if the sign is located in any other area. Such signs shall not exceed three (3) feet above grade regardless of location.
3. Political signs placed in the City of Kingman public rights-of-way shall contain the name and telephone number of the candidate or campaign committee contact person.
4. If the City of Kingman deems that the placement of a political sign in its public right-of-way constitutes an emergency, the City may immediately relocate the sign. In such case, the City shall notify the candidate or campaign committee that placed the sign within 24-hours after the relocation.
5. If a sign is placed in violation of subsections 1, 2, and/or 3, and the placement is not deemed to constitute an emergency, the City may notify the candidate or campaign committee that placed the sign of the violation. If the sign remains in violation at least 24-hours after the City notified the candidate or campaign committee, the City may remove the sign. The City shall contact the candidate or campaign committee contact and shall retain the sign for at least 10-business days to allow the candidate or campaign committee to retrieve the sign without penalty.
6. No political or ideological sign may be installed on any sign, structure, or land (other than public rights-of-way) owned by the City of Kingman.
7. Subsections 1 through 6 of this section does not apply to state highways or routes, or overpasses over those state highways or routes.
8. Political and ideological signs may be located on private property with the owner's permission. Property owners may remove any political or ideological sign on his or her property at any time.
9. Political and ideological signs shall be removed within fifteen (15) days following the primary or special election, except the successful candidates may leave them in their present location until (15) days after the general election, at which time the signs shall be removed.
10. The person, political party, or parties responsible for the erection or distribution of any such signs shall be jointly and individually liable for their removal.
11. Political and ideological signs on private property shall not exceed six (6) square feet in non-commercial zoning districts; and cannot exceed fifty (50) square feet in all other districts.
12. Such freestanding signs shall not exceed three (3) feet in height.

13. Sign permits are not required, nor do political signs count against a property's otherwise allowable signage area. A person, persons, or organizations planning to erect political or ideological signs greater than six (6) square feet shall place on the sign contact information of the person responsible for the proper erection, maintenance, and removal of the signs.
14. Due to the weathering and degradability of the material of temporary political or ideological signs, no individual sign shall remain in place longer than one hundred and twenty (120) days. This restriction does not apply to political or ideological messages located on permanent sign structures permitted through the non-political and ideological provisions of these sign regulations.
15. Any signs which are deemed to be unsafe, defective or which create an immediate hazard to persons or property or are not in compliance with the provisions of this section shall be declared to be a public nuisance and shall be subject to immediate removal by the city.
16. Any such signs removed by the city shall be held by the city no less than ten (10) days. The city shall make attempt to contact the responsible person for the sign to advise that person of the removal. The responsible person may pick up their signs from the city after ten (10) business days; the city may destroy the signs in their possession.
17. All candidates, groups, or committees must comply with Arizona revised statutes and federal law regarding political or campaign signs and reporting requirements.

Price Signs – Price signs shall be allowed for a permitted use. The area required for a price sign shall be included as a part of the total signage allowed by this Code for the business use. Price signs shall be on-premises signs only.

Special Event Signs – These signs are permitted if a Special Event Permit is obtained from the City Clerk's Office and are subject to the following regulations:

1. A Sign Permit at no fee must be obtained from the Development Services Department.
2. Limited to six (6) special events per year.
3. The signs are limited to banners, pennants, wind-driven spinners, streamers, balloons, flags, inflatable structures/signs and signs made of paper or plastic.
4. The signs can be displayed for fourteen (14) days per event.
5. The on-premises signs shall not exceed sixty (60) square feet per sign and there is no limit on the number of signs.
6. These signs shall be no taller than six (6) feet from the average finished grade of the property.
7. The applicant may display off-premise signs with the property owner's written permission. The signs are limited to sixty (60) square feet per parcel. The written permission for each property shall be attached to the sign permit application.
8. The signs shall not be illuminated.
9. These signs shall be contained on private property and shall not be placed in the public right-of-way or be attached to any landscape hedge or bush, streetlight and signal poles, street or regulatory signs, or utility poles.
10. These signs shall be removed by no later than the day following the conclusion of the event.

11. The signs shall be maintained in safe, presentable and good condition.
12. The applicant is responsible for maintaining, repairing and removing the temporary signs.

Grand Opening Signs:

1. A Sign Permit at no fee must be obtained from the Development Services Department.
2. All businesses shall be permitted to display grand opening signs, on a one-time basis, for a maximum of thirty (30) consecutive days.
3. Grand opening signs are limited to on-premises signs consisting of banners, pennants, wind-driven spinners, streamers, balloons, flags, inflatable structures/signs and signs made of paper or plastic.
4. These signs shall be contained on private property and shall not be placed in the public right-of-way, or be attached to any landscape hedge or bush, street light and signal poles, street or regulatory signs, or utility poles.
5. These signs shall be no taller than six (6) feet from the average finished grade of the property.
6. The signs shall not exceed sixty (60) square feet per sign and there is no limit on the number of signs.

Sign Walker Signs – Temporary off-premise signs worn, held or balanced by an individual for commercial purpose are permitted subject to the following criteria:

1. A sign permit at no fee must be obtained from the Development Services Department. Non-profit organizations holding funding events are exempt from this requirement.
2. The sign can be no larger than ten (10) square feet.
3. A sign walker may only locate on a sidewalk but must keep at least four (4) feet in width of the sidewalk unimpeded.
4. The sign must be worn, held or balanced while standing.
5. No shade structure, chair or sitting device may be setup in the City of Kingman right-of-way or in the landscaping and/or required parking of any business.
6. The spinning, waving, bouncing, tossing, throwing, juggling of signs is prohibited.
7. A business shall only be allowed to use sign walkers for up to ten (10) consecutive days in any thirty (30) day period and there shall be at least a 20-day period before the commencing of another 10-day period.
8. Sign walkers are prohibited from standing in the median of streets, in travel lanes, and landscaping and unimproved rights-of-way areas.
9. Sign walkers may not be located within the twenty-five (25) foot site triangle as defined by Section 26.000 of the Zoning Ordinance.
10. Sign walkers are permitted only from 8:00 a.m. to 8:00 p.m.
11. Sign walkers shall not use audio devices to attract attention to their sign or business.

12. Illumination of signs or costumes is prohibited.

Weekend Signs – These signs are temporary weekend off-premise signs. This may be permitted, subject to the following criteria applying to these signs only.

1. Signs may be two (2) sided but may not be illuminated.
2. Signs may be placed on weekends only. (Friday, after 5:00 P.M., and Saturday and Sunday). These signs must be removed before 8:00 A.M., Monday morning or will be subject to confiscation at owner's expense.
3. No sign of this nature may be placed in a public right-of-way.
4. Signs of this nature may be placed on private property only with permission of the owner.
5. Signs may not exceed three (3) square feet in area, or thirty (30) inches in height and must be professional in appearance.
6. Signs may not obstruct the safe movement of traffic at corners, driveways or other locations.

F. PROHIBITED SIGNS

Notwithstanding any other provisions of this Code, the following types of signs are prohibited in the City of Kingman:

1. Vehicles Signs – Vehicle signs are prohibited unless all of the following conditions are met:
 - a. The primary purpose of such vehicles or equipment is not the display of signs;
 - b. Signs are painted upon or applied directly to an integral part of the vehicle or equipment, do not extend beyond the horizontal or vertical profile of the vehicle, and are not mounted to the truck bed;
 - c. Such vehicles or equipment are in operating condition, currently registered and licensed to operate on public streets when applicable; and actively used in the daily function of the business to which the signs relate;
 - d. Such vehicles or equipment are not used primarily as static displays advertising products or services, nor utilized as storage, shelter or distribution points for products or services, and;
 - e. During periods of inactivity exceeding 72 hours such vehicles or equipment are not parked or placed in such a manner that the signs thereon are displayed to the public. Vehicles or equipment engaged in active construction projects and the on-premises storage of equipment and vehicles offered to the general public for rent or lease shall not be subjected to this condition.
2. Signs painted on the exterior of fences and roofs.
3. Signs resembling official traffic control devices of any nature.
4. Signs which display a continuous or sequential operation in which any exposed or shielded incandescent lamp exceed twenty-five (25) watts.
5. Any exposed incandescent lamp with a red wattage in excess of forty (40) watts.
6. Any exposed incandescent lamp with an internal metallic reflector.
7. Any exposed incandescent lamp with an external reflector.
8. Any revolving beacon light.

9. Abandoned signs.
10. Action Signs.
11. Off-premises signs

G. PERMITTED ON-PREMISES SIGNS

1. **Area:** One (1) square foot of sign area will be permitted for each foot of property frontage adjacent to the street, up to a maximum of thirty-five (35) square feet per sign.
2. **Distribution of Signs:** For each building there shall be no more than one (1) free-standing sign for each street the building or property abuts. In the event that the property abutting the street is greater than six-hundred (600) linear feet, a second free-standing sign will be permitted on that frontage, provided the property frontage does not intersect with another right-of-way (corner lot). These signs shall not be placed closer together than two-hundred (200) feet. There may be more than one (1) building sign provided the total size of combined signs does not exceed two (2) square feet for each front foot of the building frontage.

If there is more than one (1) business in a building, each business establishment will be allowed building signs computed as follows: Two (2) square feet of sign area for each one (1) foot of business frontage along the street.

3. **Roof Signs:** Roof signs are not permitted.
4. **Signs in Shopping Centers Outside of the Interstate Corridor:** One (1) free-standing signs shall be allowed per street frontage. Two (2) square feet of sign area shall be permitted for each foot of property frontage adjacent to the street, up to a maximum of one-hundred (150) square feet per sign. In the event that the property abutting the street is greater than six-hundred (600) linear feet, a second free-standing sign of one-hundred (150) square feet will be permitted on the frontage. The free-standing signs shall not be placed closer together than two-hundred (200) feet. In the case where there are individual building pads set aside, along the street frontage, which are separated from the remaining portion of the shopping center by curbing, landscaping or other barrier, each building pad may have a monument sign limited to fifty (50) square feet and six (6) feet in height. Individual businesses will not be allowed free-standing signs. Where canopies are used for outside pedestrian walkways, each business will be permitted to erect a sign under the canopies to identify their businesses. The signs shall be counted as a building sign and shall be no larger than three (3) square feet.
5. **Signs in Interstate Corridor:** On-premise signs within the Interstate Corridor are allowed to be up to three-hundred (300) square feet and be forty (40) feet above the immediate freeway grade. One (1) free-standing signs shall be allowed per street frontage. Two (2) square feet of sign area shall be permitted for each foot of property frontage adjacent to the street. In the event that the property abutting the street is greater than six-hundred (600) linear feet, a second free-standing sign of three-hundred (300) square feet will be permitted on the frontage. The free-standing signs shall not be placed closer together than two-hundred (200) feet. In the case where there are individual building pads set aside, along the street frontage, which are separated from the remaining portion of the shopping center by curbing, landscaping or other barrier, each building pad may have a monument sign limited to fifty (50) square feet and six (6) feet in height. Individual businesses will not be allowed free-standing signs. Where canopies are used for outside pedestrian walkways, each business will be permitted to erect a sign under the canopies to identify their businesses. The signs shall be counted as a building sign and shall be no larger than three (3) square feet.

H. DIRECTIONAL SIGNS

Directional signs (as defined) may be permitted subject to the following criteria:

1. The signs may not be located in a public right-of-way.
2. The signs may not obstruct the safe movement of traffic or pedestrian at corners, driveways or other hazard locations.
3. The signs may be two (2) sided and may be illuminated.
4. The signs may not exceed three (3) square feet in area per side.
5. The signs may not be more than three (3) feet in height for a free-standing sign and no higher than eight (8) feet for a building (wall) sign.
6. There shall not be more than one (1) directional sign per driveway entering or existing onto a street and no more than six (6) signs per site or development.
7. The signs must be professional in appearance and may not display any commercial messages other than corporate colors or logos and an arrow or the words "entrance or exit".
8. The signs shall be designed and constructed in conformity with the Building Codes of the City of Kingman and with the latest adopted edition of the Sign Code published by the International Conference of Building Officials (ICBO).

I. ELECTRONIC MESSAGE DISPLAY SIGNS

An Electronic Message Display Sign as defined may be permitted as, but not in place of, an on-premises free-standing sign or a building sign subject to the following criteria:

1. Intensity of Lighting. Between sunset and sunrise electronic message display signs shall be limited in brightness to a maximum lighting intensity of 0.6 candela (foot-candles) over ambient light levels as measured using a foot-candle meter at a one hundred foot (100') distance from the sign.
2. Control of Brightness. Each sign shall have a redundant system for controlling sign brightness, including an automatic light sensing device or photocell that will adjust the brightness as ambient light conditions change, and a backup system based on local sunrise and sunset times.

J. PERMITS

1. A sign shall not hereafter be erected, re-erected, constructed, altered or maintained, except as provided by these regulations and the adopted Sign Code and after a permit for the same has been issued by the Building Official. A separate permit shall be required for a sign or signs for each business entity, and a separate permit shall be required for each group of signs on a single supporting structure. In addition, electrical permits shall be obtained for electrical signs.
2. Application for a permit shall be made to the Building Official upon a form provided by the City and shall be accompanied by such information as may be required to assure compliance with all appropriate laws and regulations of the City, including drawings to scale indicating the sign legend or advertising message, sign location, dimensions, construction specifications, electrical components and wiring, method of attachment and character of structural members to which attachment is to be made, and the location of the sign hole and finished sign in relation to the property line and public right-of-way.

3. The Building Official shall issue a permit for the erection, alteration or relocation of a sign within the City when the application, therefore, has been properly made and the sign complies with all appropriate laws and regulations of the City, as verified and approved.
4. Before issuing any sign permit required by this Code, the Building Official shall collect a fee in accordance with adopted Building Code as adopted by the Common Council. Temporary real estate signs in excess of eight (8) square feet in area are required to purchase an annual permit at a fee of five (5) dollars yearly from date of purchase for each sign. Each temporary real estate sign must clearly display the issued permit number in the front lower right hand corner of the sign.
5. Once a building permit has been issued, the permit will be governed in accordance with the appropriate provisions of latest adopted edition of the Building Code.
6. The following signs shall not require a sign permit. These exemptions shall not be construed as relieving the owner of the sign from the responsibility of its erection and maintenance, and its compliance with the provisions of this Code or any other law or ordinance regulating the same.
 - a. The changing of the advertising copy or message on a painted or printed sign only. Except for theater marquees and similar signs specifically designed for the use or replaceable copy, electric signs shall not be included in this exception.
 - b. Painting, repainting or cleaning of an advertising structure or the changing of the advertising copy or message thereon shall not be considered an erection or alteration which requires a sign permit unless a structural change is made.

18.800 LANDSCAPING

1. Natural features, such as rock out-cropping and water courses, should be incorporated into the project's design whenever possible.
2. Landscaped areas shall be protected from damage from automobiles by the use of bumper guards, etc.
3. Pedestrian areas should be shaded with landscaping whenever possible.
4. A coherent, logical landscaping design should be utilized and in accordance with Section 10.000 LANDSCAPING. Landscaping plans shall exhibit an organized concept, not just an arrangement of plants with appropriate irrigation.
5. On site plans, the type, size and number of plants, and the location and design of landscaped areas should be shown, along with the irrigation systems. The Kingman Landscape Ordinance standards are the minimum required in the corridor.

18.900 SCREENING

1. Trash receptacles shall be screened. The screening shall be designed so that garbage collection vehicles can easily service these areas.
2. Exterior mechanical and electrical equipment, such as meter boxes, electrical and gas connections, solar devices, etc., shall be screened.

3. Screening can be accomplished by using site obstructing vegetation or site obstructing fences which are made of materials that are architecturally compatible with the principal buildings.
4. Screening for trash receptacles should be a minimum of six (6) feet in height.
5. If roof-mounted mechanical equipment is used it shall be screened in a manner architecturally compatible with the building whenever possible.
6. All utility stations and substations shall be screened with landscaping or a site obstructing fence.
7. All utilities should be placed underground whenever feasible.
8. All commercial and multiple family areas shall be screened from adjoining residential areas, even if a street or alley intervenes. Split face block, stucco, or compatible wrought iron, fences, of architecturally compatible wood or mimic material shall be used, in conjunction with landscaping. Chain link, barbed wire, razor wired, etc., are prohibited.

PROJECTS SHOULD BE DESIGNED TO MINIMIZE INTERFERENCE WITH THE PRIVACY, QUIET AND VIEWS OF NEIGHBORS

ROOF-MOUNTED MECHANICAL EQUIPMENT SCREENED
IN A MANNER ARCHITECTURALLY COMPATIBLE WITH THE BUILDING

THERE SHOULD BE A PLEASANT
TRANSITION FROM THE STREET TO
THE BUILDINGS. THIS CAN BE
ACCOMPLISHED BY THE USE OF
SIDEWALKS AND LANDSCAPING

FENCE SCREENS PARKING AND LOADING AREAS FROM RESIDENTIAL NEIGHBORS

DECORATIVE FENCE AND LANDSCAPING
PROVIDES SCREENING OF DUMPSTER AREA

PARKING LOTS SHOULD BE LANDSCAPED TO VISUALLY
REDUCE THE EXPANSE OF PAVED AREAS

ALL APPROPRIATE STREET PROPERTY FRONTAGES SHALL BE
LANDSCAPED WITH TREES AS THE MAIN LANDSCAPING ELEMENT

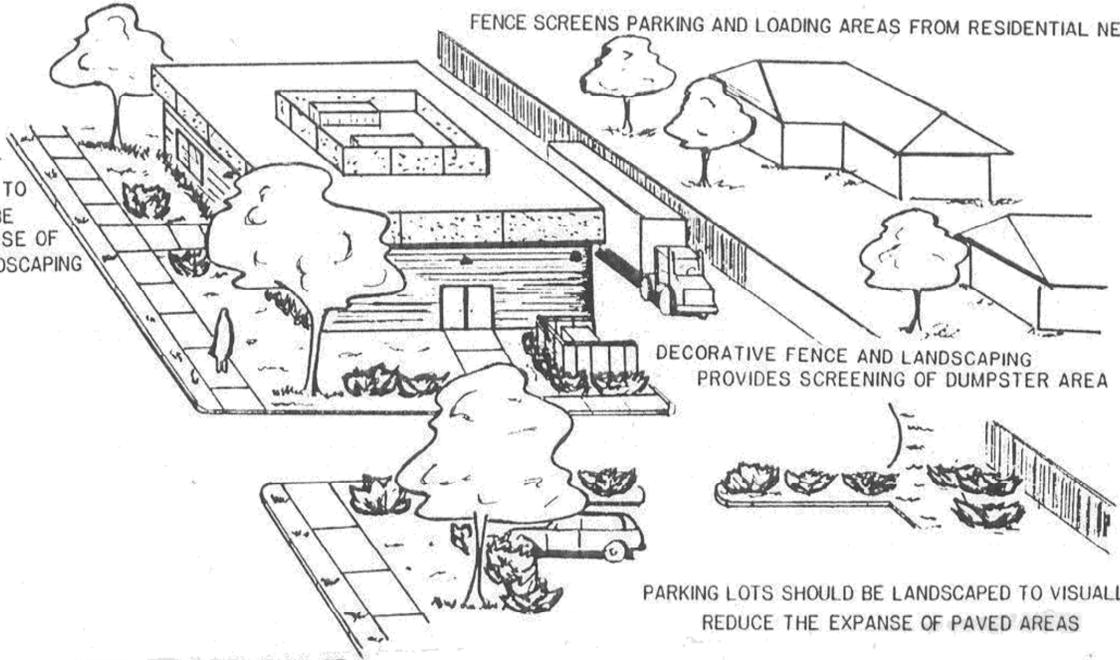


FIGURE 1: SITE DEVELOPMENT

FIGURE 2: DRIVEWAY GUIDELINES

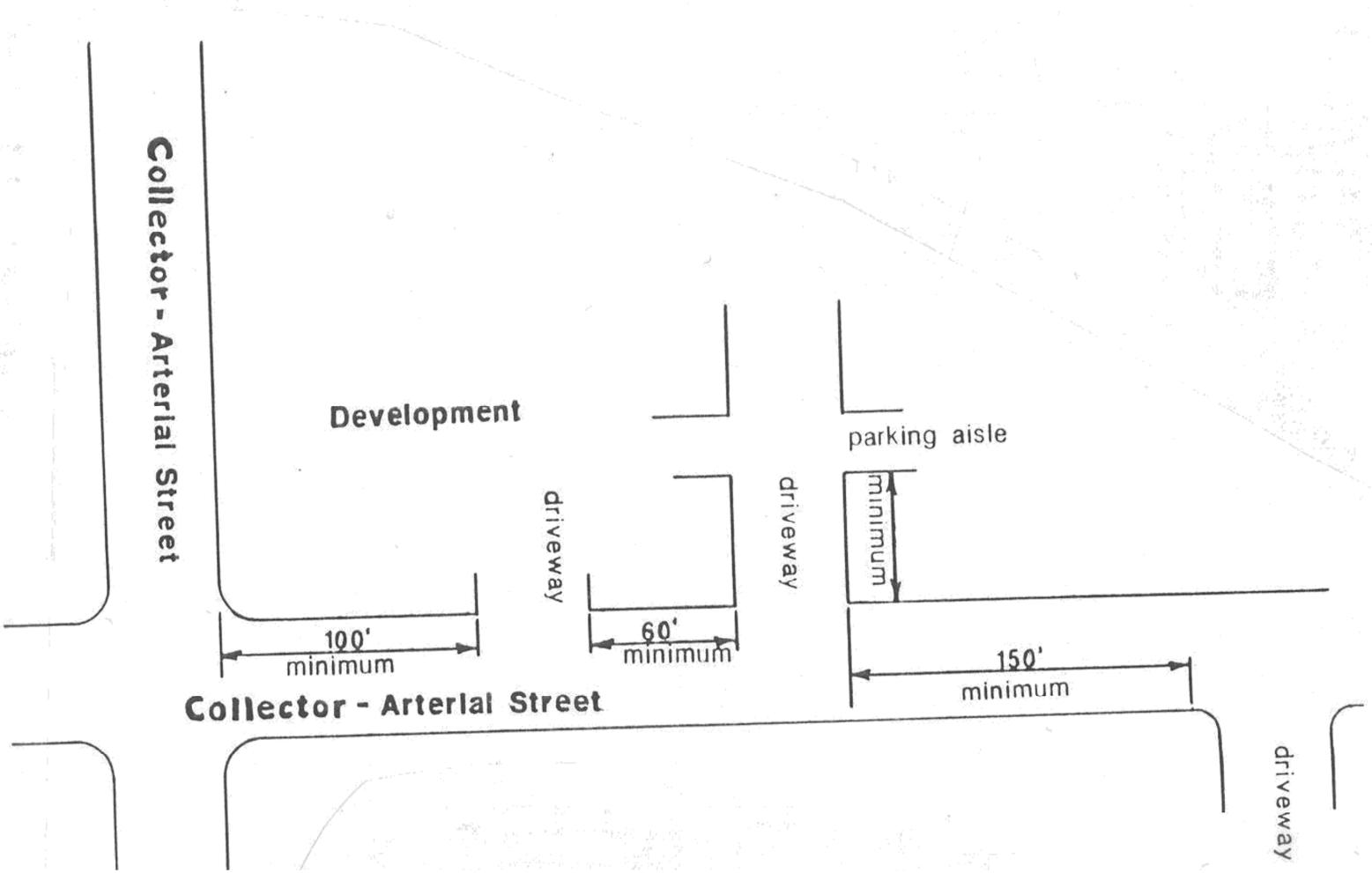


FIGURE 3: BUILDING COMPATIBILITY

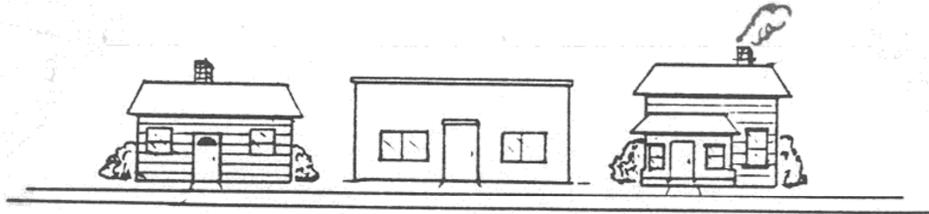


BUILDINGS SHOULD BE COMPATIBLE WITH THE NEIGHBORHOOD CHARACTER

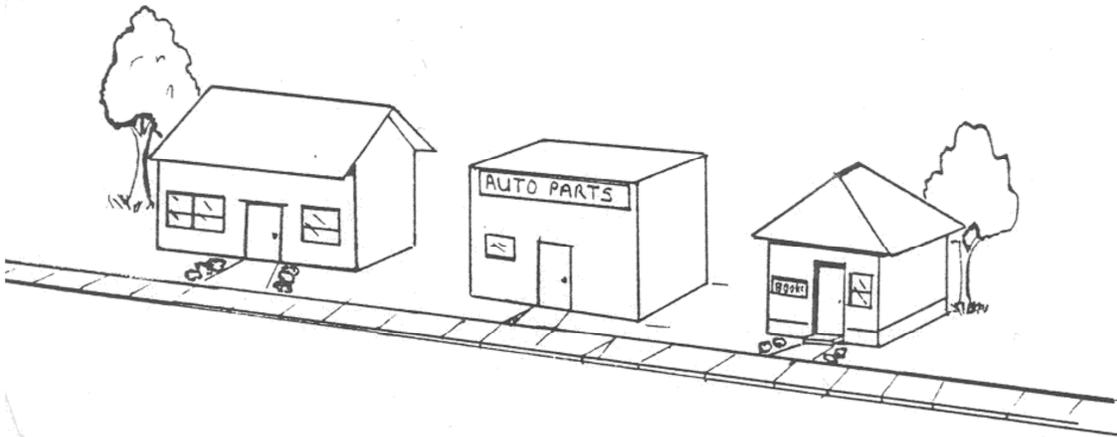


PROPORTION, SCALE, CONTINUITY AND BALANCE SHOULD PREVAIL IN ALL ASPECTS OF A PROJECT

FIGURE 4: BUILDING INCOMPATIBILITY

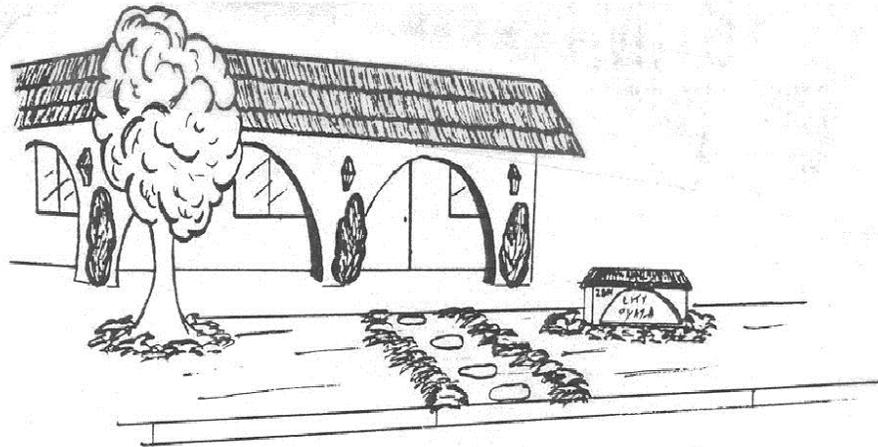


AVOID BUILDINGS THAT VIOLATE THE EXISTING SCALE, SIZE
AND PROPORTION OF THE AREA AND ADJACENT BUILDINGS

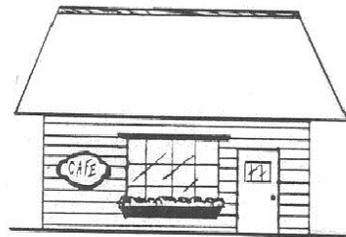
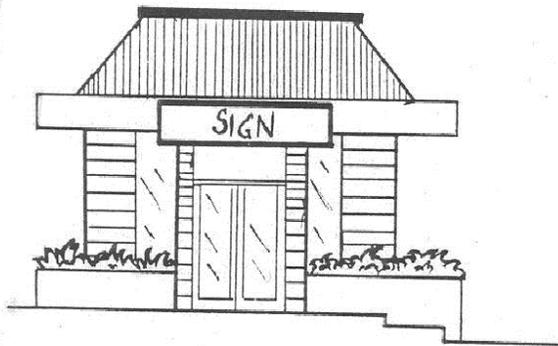


BREAK UP UNINTERESTING BOXLIKE FORMS

FIGURE 5: SIGN EXAMPLES



ONLY BUILDING SIGNS AND MONUMENT STYLE SIGNS ARE PERMITTED



SIGNS SHOULD REFLECT THE ARCHITECTURAL THEME OF THE PRINCIPAL BUILDINGS

FIGURE 6: MONUMENT STYLE FREESTANDING SIGNS

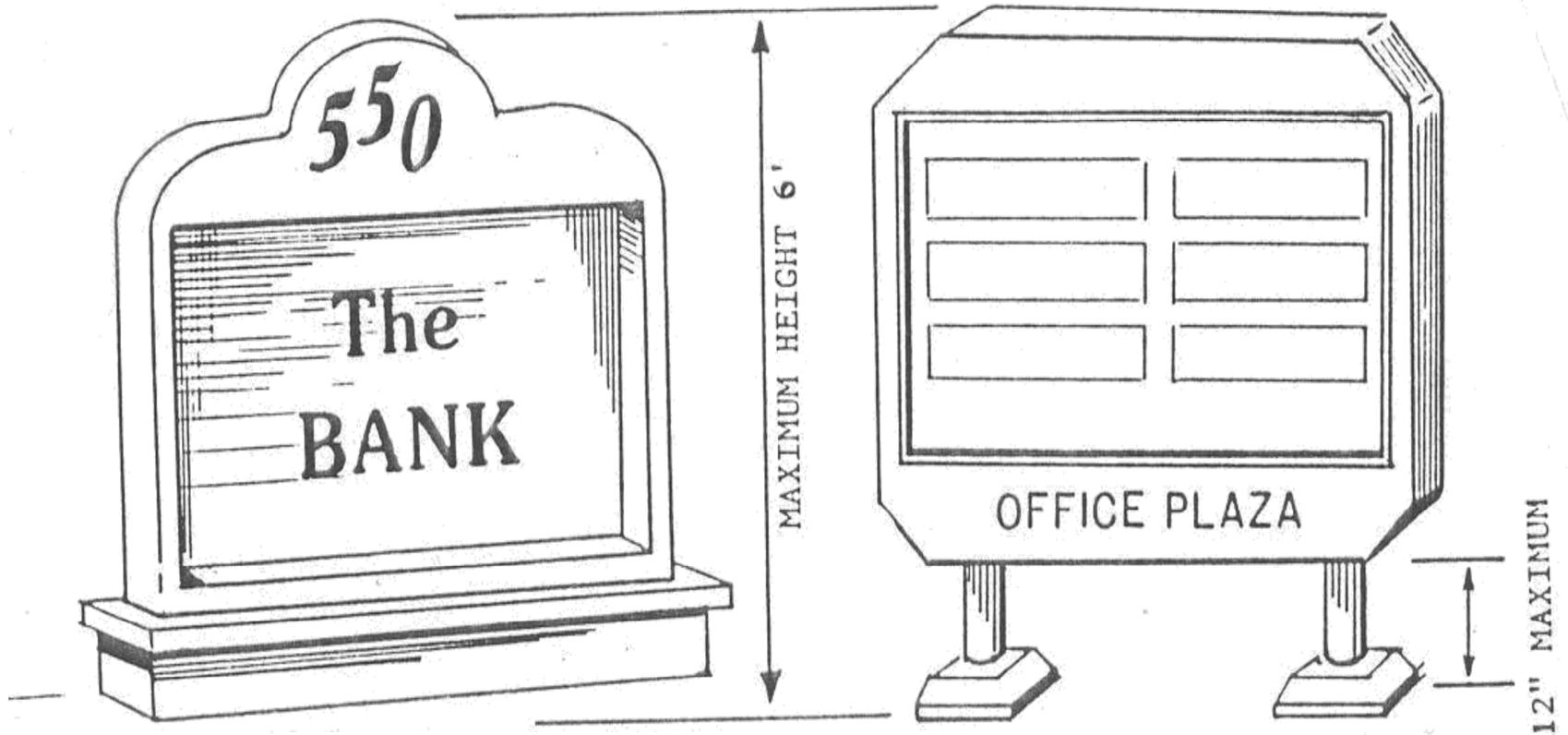


FIGURE 7: TYPICAL LANDSCAPE PLAN

ON SITE PLANS, THE TYPE, SIZE AND NUMBER OF PLANTS AND THE LOCATION AND DESIGN OF LANDSCAPED AREAS SHOULD BE SHOWN

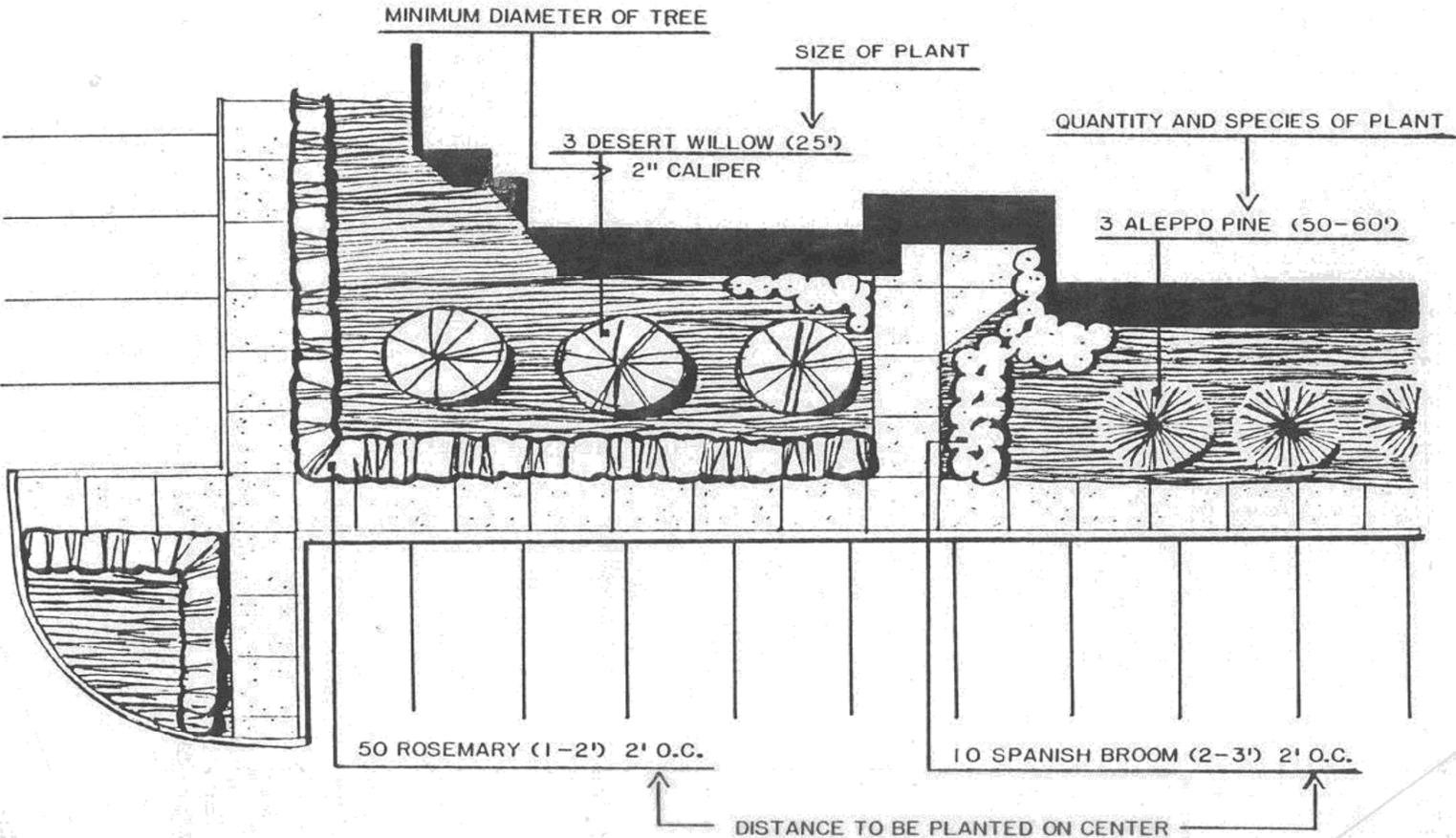


EXHIBIT 1
CITY OF KINGMAN
DESIGN REVIEW CHECKLIST
For the Kingman Crossing PDD

DATE: _____ APPLICANT: _____

PROJECT: _____

LEGAL DESCRIPTION: _____

REVIEWED BY: _____

APPROVED: _____ DISAPPROVED: _____

REQUIRES REVISIONS FOR APPROVAL: _____

<u>APPROVED</u>	<u>REVISIONS NEEDED</u>	<u>NOT APPLICABLE</u>	<u>SITE DEVELOPMENT</u>
			Minimum street setback twenty (20) feet or minimum of zoning district whichever is greater.
			Limited curb cuts on to street.
			Access to street is at street intersection.
			Project is designed to minimize traffic problems.
			Street grid responds to topography.
			Sidewalks with tree landscaping.
			Exterior lighting in accordance with subsection 18.500 LIGHTING.
			Site organization takes into account relation of buildings to street, landscaping, open spaces and adjacent sites.
			Proportion, scale, continuity and balance prevails.
			Project retains natural topography and is compatible with immediate environment. Damage to natural environment is minimized.
			Project designed to minimize interference with privacy, quiet and views of neighbors.
			Other:
			Comments:

<u>APPROVED</u>	<u>REVISIONS NEEDED</u>	<u>NOT APPLICABLE</u>	<u>BUILDINGS</u>
			Buildings are compatible with neighborhood character and with colors and textures of surrounding environment.
			Avoid all glass or all metal buildings. Highly reflective materials avoided.
			Other:
			Comments:

<u>APPROVED</u>	<u>REVISIONS NEEDED</u>	<u>NOT APPLICABLE</u>	<u>SIGNS</u>
			Signs fall within the allowable type, number, size, height and square footage.
			Signs are building signs and/or monument style freestanding sign.
			Signs reflect the architectural theme of the principal buildings.
			Other:
			Comments:

<u>APPROVED</u>	<u>REVISIONS NEEDED</u>	<u>NOT APPLICABLE</u>	<u>LANDSCAPING</u>
			Site plans include landscaping plan that shows type, size, number and location of plants, and irrigation systems.
			Recommended plants are used.
			Street property frontages landscaped with trees as the main landscaping element.
			Parking lot landscaped.
			Natural features incorporated into project's design.
			Pedestrian areas landscaped.
			Landscaped areas protected from automobile damage.
			Other:
			Comments:

<u>APPROVED</u>	<u>REVISIONS NEEDED</u>	<u>NOT APPLICABLE</u>	<u>SCREENING</u>
			Trash receptacles screened by a minimum six (6) foot screen.
			Trash areas easily accessible by garbage collection vehicles.
			Exterior mechanical and electrical equipment screened.
			Roof-mounted mechanical equipment screened in a manner architecturally compatible with building
			Utilities placed underground.
			Utility stations/substations screened.
			Other:
			Comments:



**CITY OF KINGMAN
COMMUNICATION TO COUNCIL**

TO: Honorable Mayor and Common Council

FROM: Lee Hocking, Assistant City Attorney

MEETING DATE: January 5, 2016

AGENDA SUBJECT: Adoption of Ordinance 1810: amendments to City Code Chapter 3, Article II, Section 3-22

SUMMARY:

On October 6, 2015, the City Council directed staff to amend the ordinance at the request of resident Amber Novak, to allow the livestock allowances on properly zoned property to be interchangeable. These changes have been made. For the sake of efficiency staff has also implemented further alterations to increase uniformity of language throughout the ordinance, as well as clarifying the ordinance in respond to enforcement issues that have been encountered by KPD with regards to bird allowances.

FISCAL IMPACT:

None.

STAFF RECOMMENDATION:

Staff recommends adopting Ordinance 1810.

ATTACHMENTS:

Description

Ordinance No. 1810

REVIEWERS:

Department	Reviewer	Action	Date
City Attorney	Cooper, Carl	Approved	12/23/2015 - 10:29 AM
City Attorney	Cooper, Carl	Approved	12/23/2015 - 10:30 AM
City Manager	Dougherty, John	Approved	12/28/2015 - 12:34 PM

CITY OF KINGMAN

ORDINANCE NO. 1810

AN ORDINANCE BY THE MAYOR AND COMMON COUNCIL OF THE CITY OF KINGMAN, ARIZONA, AMENDING CHAPTER 3 OF THE CITY OF KINGMAN CODE OF ORDINANCES BY PERMITTING SUBSTITUTION OF LIVESTOCK ALLOWANCES ON PROPERLY ZONED PROPERTIES, AND BY CLARIFYING PIG AND BIRD ALLOWANCES

WHEREAS, the Mayor and Common Council has determined that the public health, safety, and welfare will be promoted by modifying the following provision to the City of Kingman Code of Ordinances;

NOW THEREFORE, BE IT ORDAINED by the Mayor and Common Council of the City of Kingman, Arizona as follows:

SECTION 1 Chapter 3, Article II, Section 3-22 of the Code of Ordinances of the City of Kingman, is created by adding text to read as follows:

Sec. 3-22 Number of pets per residence.

(a) On residential lots under forty thousand (40,000) square feet, the number of dogs over the age of four (4) months shall be limited to three (3) per residence. The number of cats over the age of four (4) months shall be limited to three (3) per residence. The total number of dogs, cats, and pot-bellied pigs, **OR ANY COMBINATION THEREOF**, over the age of four (4) months shall not exceed three (3) per residence.

(b) On residential lots of forty thousand (40,000) square feet or greater, the number of dogs over the age of four (4) months shall be limited to four (4) per residence. The number of cats over the age of four (4) months shall be limited to four (4) per residence. The total number of dogs, cats and potbellied pigs, **OR ANY COMBINATION THEREOF**, over the age of four (4) months shall not exceed four (4) per residence.

(c) One (1) pot-bellied pig **OVER THE AGE OF FOUR (4) MONTHS** may be allowed on a residential lot **OF** at least five thousand (5,000) square feet. One (1) additional pot-bellied pig **OVER THE AGE OF FOUR (4) MONTHS** may be allowed for each additional five thousand (5,000) square feet of lot area, ~~not to exceed~~ **UP TO A LIMIT OF** three (3) pot-bellied pigs **OVER THE AGE OF FOUR (4) MONTHS**.

(d) On residential lots under forty thousand (40,000) square feet, the number of birds shall not exceed twelve (12); ~~poultry are prohibited~~. On residential ~~property~~ **LOTS** forty thousand (40,000) square feet or greater, the number of birds ~~or fowl~~ shall not exceed thirty-six (36). **THE FOLLOWING BIRDS ARE PROHIBITED REGARDLESS OF WHETHER THEY ARE BEING KEPT FOR MEAT, EGGS AND/OR AS PETS: ALL MEMBERS OF THE ORDER GALLIFORMES, INCLUDING BUT NOT LIMITED TO CHICKENS, PHEASANTS AND TURKEYS; ALL MEMBERS OF THE ORDER ANSERIFORMES, INCLUDING BUT NOT LIMITED TO DUCKS, SWANS AND GEESE; ALL MEMBERS OF THE ORDER CASUARIIFORMES, INCLUDING BUT NOT LIMITED TO EMUS; AND, ALL MEMBERS OF THE ORDER STRUTHIONIFORMES, INCLUDING BUT NOT LIMITED TO OSTRICHES.**

(e) On residential lots forty thousand (40,000) square feet or greater there may be one (1) horse permitted per every twenty thousand (20,000) square feet of lot area.

(f) On residential lots forty thousand (40,000) square feet or greater there may be one (1) cow, ~~goat~~ or other hoofed animal, other than a horse, **GOAT, SHEEP** or pot-bellied pig, for each forty thousand (40,000) square feet of lot area up to a maximum of four (4) such animals.

(G) ON RESIDENTIAL LOTS FORTY THOUSAND (40,000) SQUARE FEET OR GREATER, TWO (2) GOATS OR SHEEP, OR ANY COMBINATION THEREOF, MAY BE SUBSTITUTED FOR ONE (1) HORSE UP TO A LIMIT OF FOUR (4) GOATS OR SHEEP, OR ANY COMBINATION THEREOF, FOR EVERY FORTY THOUSAND (40,000) SQUARE FEET OF LOT AREA.

SECTION 2 Penalties for violation of Chapter shall be in accordance with Section 1-8 of the Code of Ordinances for the City of Kingman.

SECTION 3 If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions thereof.

PASSED AND ADOPTED by the Mayor and Common Council of the City of Kingman, Arizona, on the _____ day of _____, 2016.

ATTEST:

APPROVED:

Sydney Muhle, City Clerk

Richard Anderson, Mayor

APPROVED AS TO FORM:

Carl Cooper, City Attorney



**CITY OF KINGMAN
COMMUNICATION TO COUNCIL**

TO: Honorable Mayor and Common Council

FROM: John A. Dougherty

MEETING DATE: January 5, 2016

AGENDA SUBJECT: Discussion and possible decision on work session

SUMMARY:

The Council will discuss and possibly direct staff to set a date for a special works session to discuss the property tax levy, visioning, budget goals and annexation. Council must by the second meeting in January decide on how much the levy request for voters will be.

FISCAL IMPACT:

None

STAFF RECOMMENDATION:

Set date between January 7-15 to have special work session

REVIEWERS:

Department	Reviewer	Action	Date
City Manager	Dougherty, John	Approved	12/29/2015 - 2:14 PM
City Attorney	Cooper, Carl	Approved	12/29/2015 - 4:15 PM
City Manager	Dougherty, John	Approved	12/29/2015 - 2:14 PM



**CITY OF KINGMAN
COMMUNICATION TO COUNCIL**

TO: Honorable Mayor and Common Council

FROM: Stuart Yocum, Council Member

MEETING DATE: January 5, 2016

AGENDA SUBJECT: Presentation and funding request from Help Animals Lives Today (H.A.L.T.)

SUMMARY:

Lotti Benker of H.A.L.T. would like to address Council with a request for funding to be added to the 2016-17 fiscal budget. She would also like to propose that the City ban the sale of puppies within the city limits unless a business license has been granted and maintained.

FISCAL IMPACT:

Unknown at this time.

STAFF RECOMMENDATION:

While sympathetic to the lives of animals we have several adoption agencies in the area and would deny the funding request.

REVIEWERS:

Department	Reviewer	Action	Date
City Manager	Dougherty, John	Approved	12/29/2015 - 2:23 PM
City Attorney	Cooper, Carl	Approved	12/29/2015 - 4:14 PM
City Manager	Dougherty, John	Approved	12/29/2015 - 2:23 PM



CITY OF KINGMAN COMMUNICATION TO COUNCIL

TO: Honorable Mayor and Common Council

FROM: Gary Jeppson, Development Services Director

MEETING DATE: January 5, 2016

AGENDA SUBJECT: Consideration of waiving Subsection 2.2(8)(iv) of the Subdivision Ordinance to permit Kingman Crossing LLC to seek a preliminary plat extension on Kingman Crossing Plat 1993

SUMMARY:

Kingman Crossing Tract 1993 Preliminary Plat is a 1,154 lot subdivision located south of Airway Avenue, east of the Castle Rock alignment, west of Prospector Street, and north of the Hualapai Campus of the Kingman Regional Medical Center. The preliminary plat was approved August 2, 2004. Extensions granted in 2006, 2007, 2009, 2010, and 2012. This preliminary plat has 13 phases and two of the phases have progressed to a final plat stage. The latest two year preliminary plat extension expired on November 6, 2014.

The challenge with this preliminary plat is that it does not plat the 130-foot arterial street right-of-way necessary to extend Kingman Crossing Boulevard from I-40 to Airway Avenue. Granting an extension of the existing preliminary plat allows the owner to plat without the necessary right-of-way and then subsequently require the City to acquire the houses and property necessary to construct the Kingman Crossing Boulevard as identified in the Kingman Crossing Design Concept Report. Previously, the City Council has extended the preliminary plat with a development agreement stating that the applicant will redesign that portion of the subdivision that is necessary for the Kingman Crossing Boulevard right-of-way. Such an agreement appears to approve what cannot be done on the promise that a new preliminary plat will be submitted. In the past the applicant has claimed no involvement with the commercial aspect of the Kingman Crossing area north of I-40, but Kingman Crossing LLC was the applicant on the General Plan amendment to designate this area as "Regional Commercial" in 2004.

The significance of a preliminary plat is that it gives the subdivider, and subsequently the financial lenders, the assurance that if they design the subdivision in accordance to the preliminary plat, the City will approve the final plat that is an identical design of the preliminary plat. Approving a preliminary plat of what cannot be platted may cause serious legal issues.

FISCAL IMPACT:

Millions of dollars.

STAFF RECOMMENDATION:

Staff recommends not waiving Subsection 2.2 98)(iv) of the Subdivision Ordinance and thereby requiring the subdivider to apply for a new preliminary plat that includes the 130-foot wide right-of-way for Kingman

Crossing Boulevard.

ATTACHMENTS:

Description

Kingman Crossing Preliminary Plat 1993 Extension Request 5Jan2016

REVIEWERS:

Department	Reviewer	Action	Date
Development Services	Jeppson, Gary	Approved	12/17/2015 - 4:46 PM
City Attorney	Cooper, Carl	Approved	12/23/2015 - 10:32 AM
City Manager	Dougherty, John	Approved	12/28/2015 - 4:24 PM

Kingman Crossing LLC
11536 E Paradise Lane
Scottsdale AZ 85255

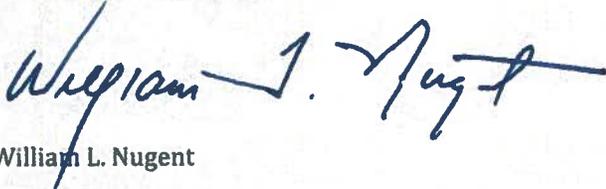
Gary Jeppson
Development services
City Of Kingman

DECEMBER 17, 2015

Subject: Extension Preliminary Plat 1993

Please let this letter act as our formal request to extend preliminary Plat 1993. As you are aware the developers have completed and recorded phases one and two. Paid one third of the costs of City of Kingman water storage tank to serve said map. Completed and constructed Santa Rosa Blvd. per said preliminary plat to new hospital. Contributed one million dollars towards the Airway Underpass and drainage project.

Respectfully Submitted



William L. Nugent

Member Kingman Crossing LLC

CC Pete Profit M.E.C

CITY OF KINGMAN RESOLUTION NO. 4817

A RESOLUTION BY THE MAYOR AND COMMON COUNCIL OF THE CITY OF KINGMAN, ARIZONA: APPROVING A TWO-YEAR TIME EXTENSION AND DEVELOPMENT AGREEMENT ON A PRELIMINARY PLAT FOR KINGMAN CROSSING, TRACT 1993.

WHEREAS, the preliminary plat for Kingman Crossing, Tract 1993, located on property described as a portion of the north half of Section 9, T.21N., R.16W., of the G&SRM, Mohave County, Arizona, was originally approved under Resolution No. 4009 in August, 2004 with the most recent two-year extension of time approved on September 7, 2010 under Resolution No. 4706, and

WHEREAS, said proposed subdivision is approximately 280.13 acres with 1,154 single family lots, and

WHEREAS, Mohave Engineering Associates, Inc., agent and project engineer, has requested on behalf of the property owner, Pioneer Title Agency as Trustee under Trust No. 9116, a two-year extension of time of said plat as shown in Exhibit "A", and

WHEREAS, two of 13 final plat phases of said subdivision containing 206 lots have been approved by the Kingman Common Council and recorded, and the project engineer has represented that additional phases will be processed in the future, and

WHEREAS, a Design Concept Report for the Kingman Crossing Interchange requires Kingman Crossing Boulevard to be realigned to accommodate a 45 mph design speed and widened to accommodate drainage, and

WHEREAS, the realignment of Kingman Crossing Boulevard consequently requires the redesign of a portion of the preliminary plat for Kingman Crossing, Tract 1993 as depicted as Alternative #2 in the Kingman Crossing Traffic Interchange Design Concept Report, June 2010 by URS Corporation; and

WHEREAS, in accordance with Section 2.2(8)b(iii) of the Kingman Subdivision Ordinance, if there has been major changes in the area affecting the preliminary plat or changes in development standards, the Common Council may extend the preliminary plat validity for an additional 95-days or greater to allow the subdivider to redesign the preliminary plat to include the necessary modifications and resubmit the modified preliminary plat for review by the Planning and Zoning Commission and subsequently by the City Council. The Council may then

determine whether to approve the modified preliminary plat or not extend the approval of the preliminary plat. The City Council may grant a greater than 95-day modification period at its discretion.

1. **NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Common Council of the City of Kingman, Arizona that the preliminary plat for Kingman Crossing, Tract 1993, as shown in Exhibit "A" is hereby approved for a two-year extension of time ending on November 6, 2014 with the same conditions and exceptions as originally stated in Resolution 4009 and with the development agreement attached as Exhibit "B".

PASSED AND ADOPTED by the Mayor and Common Council of the City of Kingman, Arizona this 6th day of November, 2012.

ATTEST:

APPROVED:

Deborah Francis, City Clerk

John Salem, Mayor

APPROVED AS TO FORM:

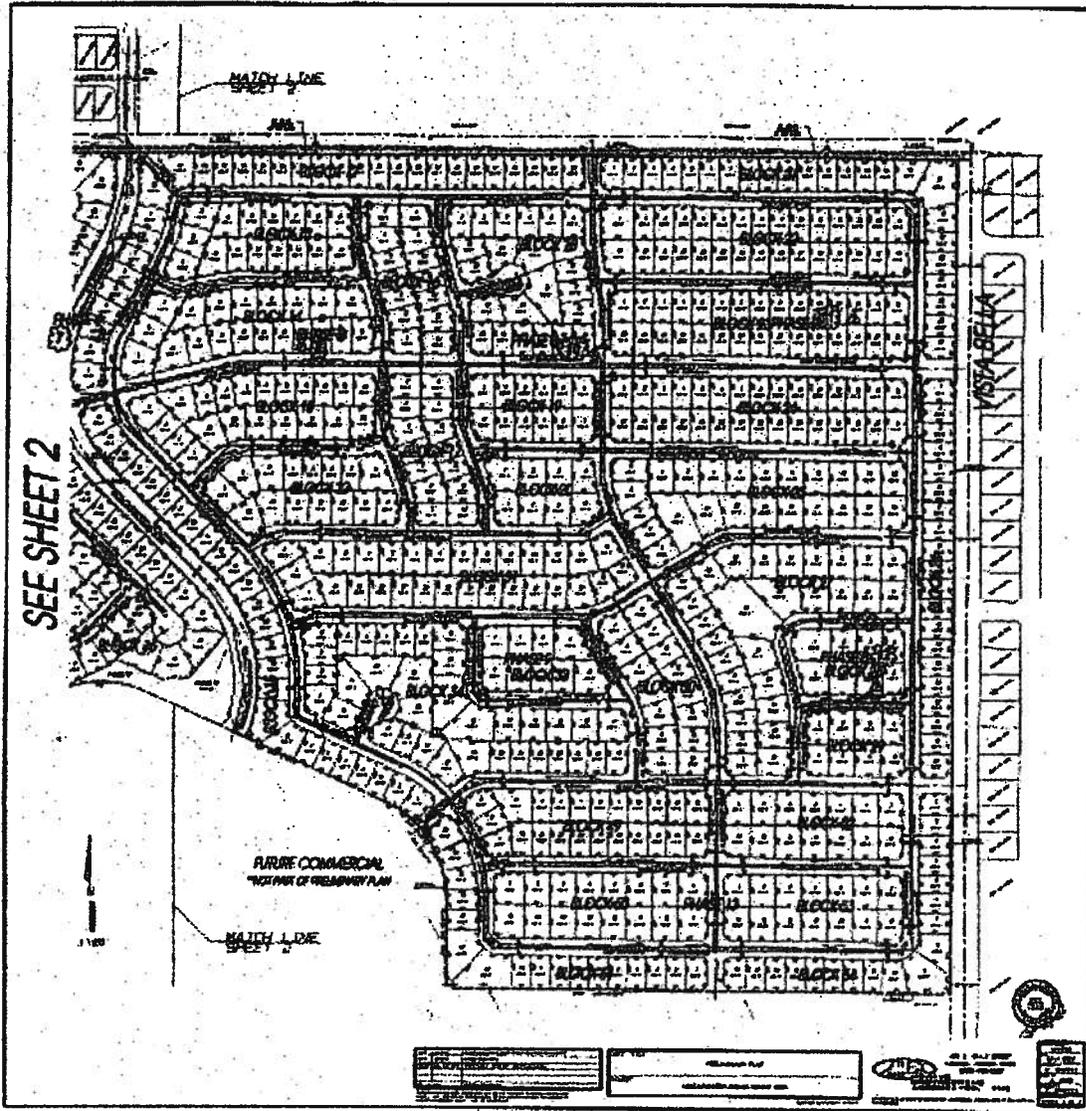
Carl Cooper, City Attorney

EXHIBIT "A"
West Half



SEE SHEET 3

EXHIBIT "A"
East Half



WHEN RECORDED HOLD FOR
KINGMAN CITY CLERK
310 N. 4th Street
Kingman, Arizona 86401

CONFORMED COPY _____
FEE # 2010056159
DATE 9-20-10
BOOK _____
PAGES N/A

**CITY OF KINGMAN
RESOLUTION NO. 4706**

A RESOLUTION BY THE MAYOR AND COMMON COUNCIL OF THE CITY OF KINGMAN, ARIZONA: APPROVING A TWO-YEAR TIME EXTENSION AND DEVELOPMENT AGREEMENT ON A. PRELIMINARY PLAT FOR KINGMAN CROSSING, TRACT 1993.

WHEREAS, the preliminary plat for Kingman Crossing, Tract 1993, located on property described as a portion of the north half of Section 9, T.21N., R.16W., of the G&SRM, Mohave County, Arizona, was originally approved under Resolution No. 4009 in August, 2004 with the most recent one-year extension of time approved on August 3, 2009 under Resolution No. 4621, and

WHEREAS, said proposed subdivision is approximately 280.13 acres with 1,154 single family lots, and

WHEREAS, Mohave Engineering Associates, Inc., agent and project engineer, has requested on behalf of the property owner, Kingman Crossings LLC, a two-year extension of time of said plat as shown in Exhibit "A", and

WHEREAS, two of 13 final plat phases of said subdivision, containing 206 lots, has been approved by the Kingman Common Council and recorded and the project engineer has represented that additional phases will be processed in the future, and

WHEREAS, a Design Concept Report for the Kingman Crossing Interchange requires Kingman Crossing Boulevard to be realigned to accommodate a 45 mph design speed and widened to accommodate drainage, and

WHEREAS, the realignment of Kingman Crossing Boulevard consequently requires the redesign of a portion of the preliminary plat for Kingman Crossing, Tract 1993 as depicted as Alternative #2 in the Kingman Crossing Traffic Interchange Design Concept Report, June 2010 by URS Corporation; and

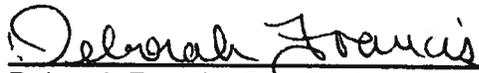
WHEREAS, in accordance with Section 2.2(8)b(iii) of the Kingman Subdivision Ordinance, if there has been major changes in the area affecting the preliminary plat or changes in development standards, the Common Council may extend the preliminary plat validity for an additional 95-days or greater to allow the subdivider to redesign the preliminary plat to include the necessary modifications and resubmit the modified preliminary plat for review by the Planning and Zoning Commission and subsequently by the City Council. The Council may then

determine whether to approve the modified preliminary plat or not extend the approval of the preliminary plat. The City Council may grant a greater than 95-day modification period at its discretion.

1. **NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Common Council of the City of Kingman, Arizona that the preliminary plat for Kingman Crossing, Tract 1993, shown in Exhibit "A" is hereby approved for an extension until August 4, 2012 with the same conditions and exceptions as originally stated and the execution of a development agreement attached as Exhibit "B".

PASSED AND ADOPTED by the Mayor and Common Council of the City of Kingman, Arizona this seventh day of September, 2010.

ATTEST:


Deborah Francis, City Clerk

APPROVED:


John Salem, Mayor

APPROVED AS TO FORM:

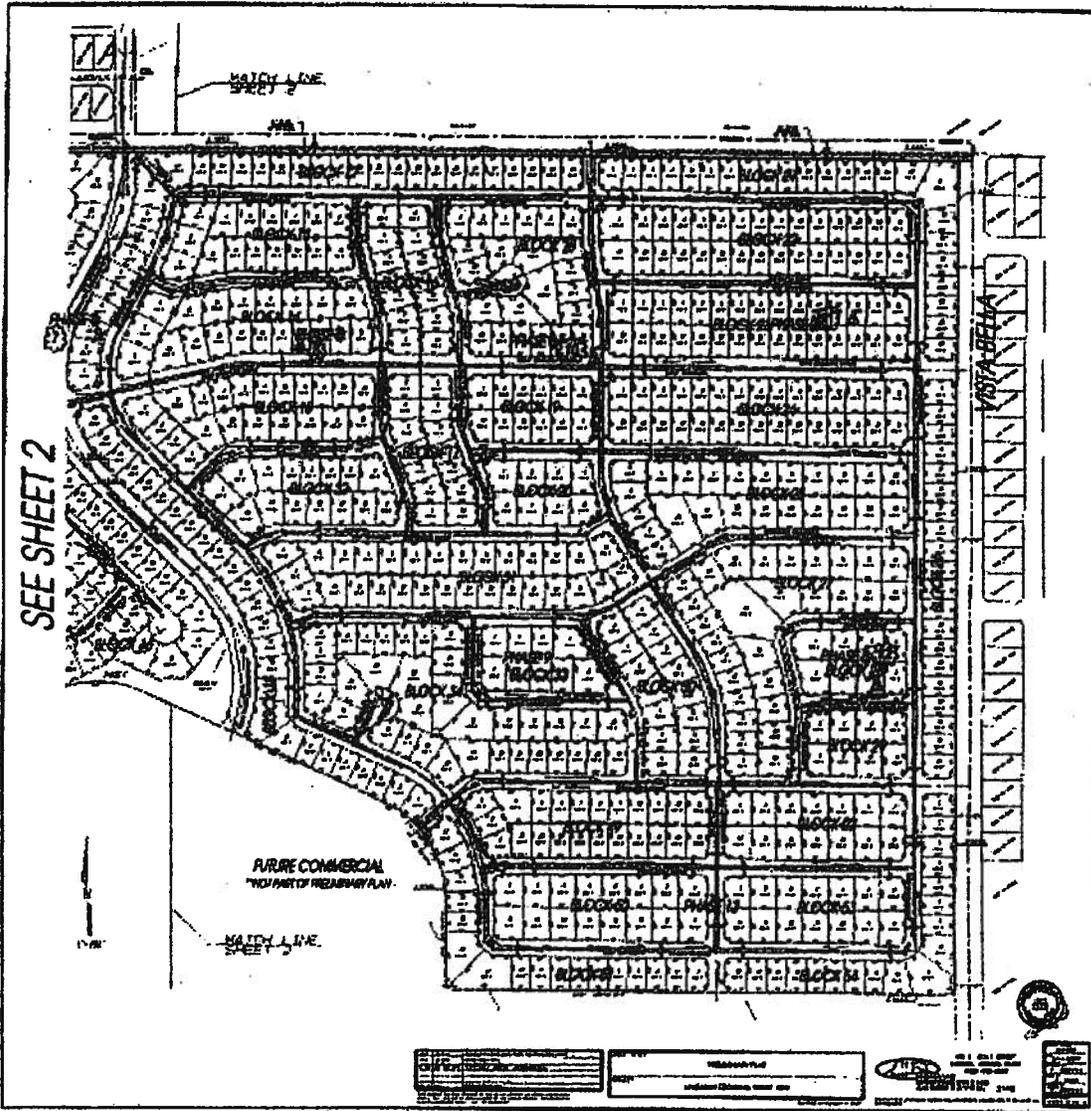

Carl Cooper, City Attorney



EXHIBIT "A"
West Half



EXHIBIT "A"
East Half



WHEN RECORDED HOLD FOR
KINGMAN CITY CLERK
310 N. 4th Street
Kingman, Arizona 86401

DEVELOPMENT AGREEMENT

A DEVELOPMENT AGREEMENT BETWEEN THE CITY OF KINGMAN, MOHAVE COUNTY, ARIZONA (CITY), A MUNICIPAL CORPORATION OF ARIZONA AND KINGMAN CROSSINGS LLC (THE SUBDIVIDER) A LIMITED LIABILITY COMPANY IN THE STATE OF ARIZONA, FOR THE TWO-YEAR EXTENSION OF THE PRELIMINARY PLAT KNOWN AS KINGMAN CROSSING, TRACT 1993, LOCATED IN THE NORTH HALF OF SECTION 9, T21N., R16W., OF THE GILA AND SALT RIVER MERIDIAN, MOHAVE COUNTY, ARIZONA AND LIMITED THE PROGRESSION OF A PORTION OF THE PRELIMINARY PLAT TO A FINAL PLAT STAGE FOR THE DURATION OF THIS AGREEMENT.

This AGREEMENT, made as of the 7th day of September, 2010, by and between the City of Kingman, a municipal corporation of Arizona, (hereinafter "CITY") and Kingman Crossings, LLC, (hereafter "The Subdivider") a limited liability company in the State of Arizona.

WITNESSETH

Kingman Crossings LLC is a subdivider of a 280.13 acres, 1,154 lots located in the north half of Section 9, T21N., R16W., of the Gila and Salt River Meridian, Mohave County, Arizona, (commonly referred to as the area south of Airway Avenue, east of the Castle Rock Road alignment and west of Prospector Street), known as "Kingman Crossing, Tract 1993"; and

Kingman Crossing, Tract 1993 was granted a preliminary plat approval on August 2, 2004, with the adoption of Resolution #4009; and

The City has granted Kingman Crossings LLC four one-year extensions of the Kingman Crossing, Tract 1993 preliminary plat; and

Two phases, Phase "1" and "2", of the Kingman Crossing, Tract 1993 preliminary plat have progressed to the final plat stage. Nine phases, containing 948-lots remain to be platted; and

Kingman Crossings LLC has requested a two-year extension of time of said plat as shown in Exhibit "A"; and

A Design Concept Report for the Kingman Crossing Interchange, dated June 2010, requires Kingman Crossing Boulevard to be realigned to accommodate a 45 mph design speed and widened to accommodate drainage, and

The realignment of Kingman Crossing Boulevard consequently requires the redesign of a portion of the preliminary plat for Kingman Crossing, Tract 1993 as depicted on Alternative #2 in the Design Concept Report, dated June, 2010; and

In accordance with Section 2.2(8)b(iii) of the Kingman Subdivision Ordinance, if there has been major changes in the area affecting the preliminary plat or changes in development standards, the Common Council may extend the preliminary plat validity for an additional 95-days to allow the Subdivider to redesign the preliminary plat to include the necessary modifications and resubmit the modified preliminary plat for review by the Planning and Zoning Commission and subsequently by the City Council. The Council may then determine whether to approve the modified preliminary plat or not extend the approval of the preliminary plat. The City Council may grant a greater than 95-day modification period at its discretion.

Kingman Crossings LLC agrees not to proceed with final plats for Phases 5 through 13 for the duration of this development agreement.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Common Council of the City of Kingman, Arizona that the Kingman Crossing LLC, Tract 1993 preliminary plat is extended until August 4, 2012 with the following stipulations:

1. Phases 3 and 4 as shown in Exhibit "A" may proceed to final plats before August 4, 2012.
2. Phases 5 through 13 as shown in Exhibit "A" will not progress to final plat stage until after August 4, 2012.

This AGREEMENT shall be binding upon the heirs, successors-in-interest and assigns of parties hereto.

IN WITNESS WHEREOF, the parties have executed this AGREEMENT as of the date first written above.

FOR THE CITY OF KINGMAN,
ARIZONA, a municipal
corporation in the State of Arizona

BY: John Salem
John Salem, Mayor

KINGMAN CROSSINGS LLC,
a limited liability company in
the State of Arizona

BY: William L. Nugent
William L. Nugent

ATTEST:

Deborah Francis
Deborah Francis, City Clerk

ATTEST:

Gray W. Seddon
Print Name: Gray W. Seddon



BY: Harry Robert Grounds
Harry Robert Grounds

ATTEST:

Gray W. Seddon
Print Name: Gray W. Seddon

BY: Tommie Lyndle Upton
Tommie Lyndle Upton

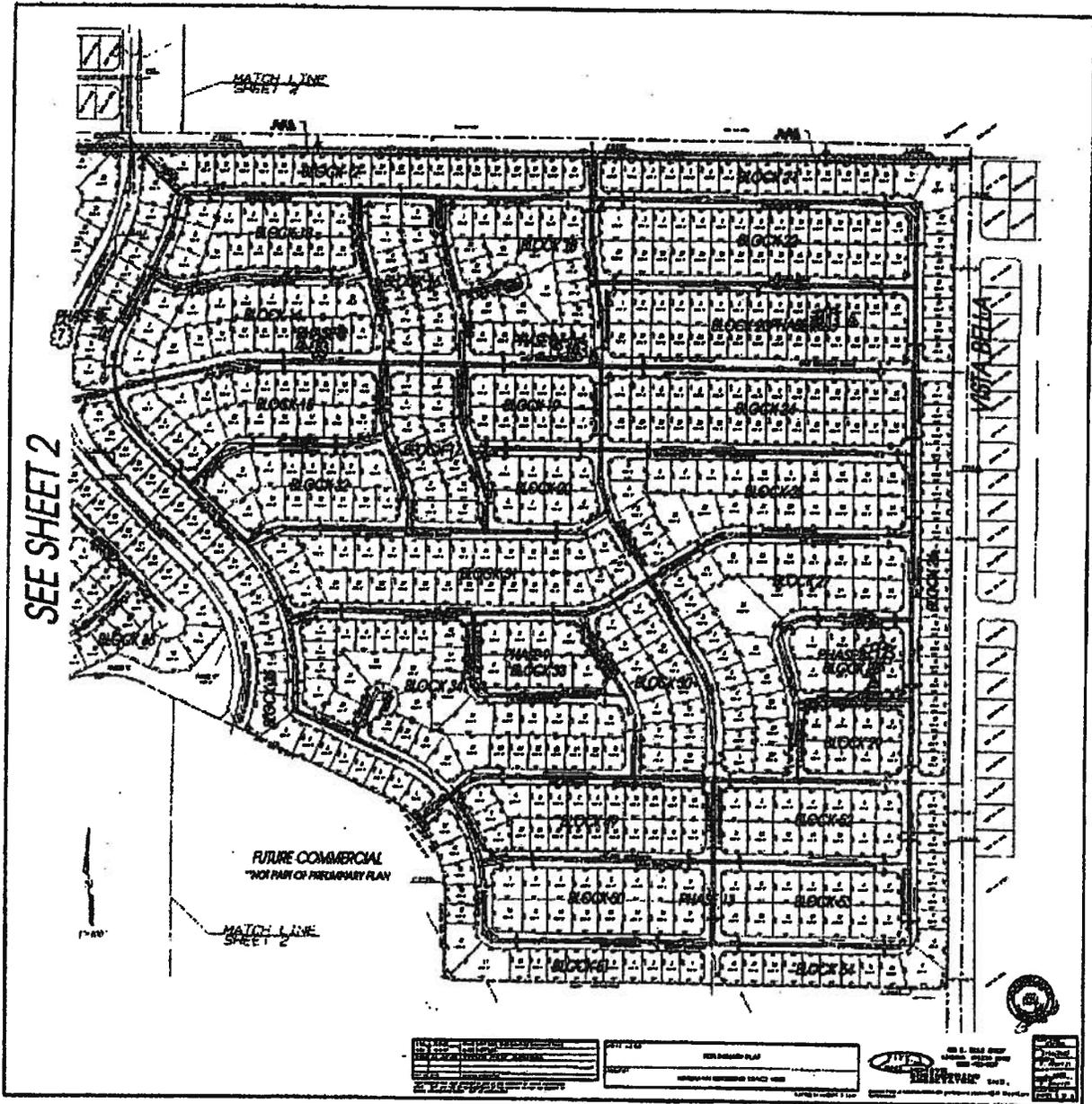
ATTEST:

Gray W. Seddon
Print Name: Gray W. Seddon

EXHIBIT "A"



EXHIBIT "A" Continued



CITY OF KINGMAN COMMUNICATION TO COUNCIL



TO: Honorable Mayor and Council Members

FROM: Development Services Department

MEETING DATE: August 16, 2010

AGENDA SUBJECT: Resolution No. 4706 approving a 95-day extension of time for the preliminary plat for Kingman Crossing, Tract 1993

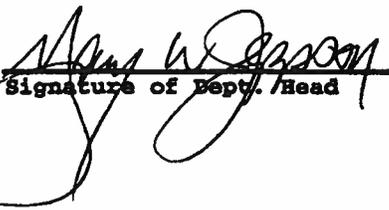
SUMMARY: A request from Mohave Engineering Associates, Inc., agent and project engineer for Kingman Crossings, LLC, property owner, for an extension of time on a preliminary plat for Kingman Crossing, Tr. 1993. The subject property is located along the south side of Airway, east of Castle Rock and west of Prospector. The subdivision has 1,154 lots and is on 280.13 acres. Two of 13 phases with 206 lots have received final plat approval. The remaining 11 phases with 948 lots have not been final platted. The last phase was recorded in March, 2007 but has not been developed. All the improvements in the first phase have not been completed. Four previous one-year extensions of time were granted to this preliminary plat with the last in August, 2009.

A Change of Access Report for the Kingman Crossing Interchange requires Kingman Crossing Boulevard to be realigned to accommodate a 45 mph speed and widened to 130 feet to accommodate drainage through the area. The consequence is that the plat needs to be redesigned to accommodate the roadway. Section 2.2(8)b(iii) of the Kingman Subdivision Regulations was recently amended to state that if there has been major changes in the area affecting the preliminary plat or changes in the development standards, the Common Council may extend the preliminary plat validity for an additional 95-days to allow the subdivider to redesign the preliminary plat to include the necessary modifications and resubmit the modified preliminary plat for review by the Planning and Zoning Commission and subsequently by the City Council. The Council may then determine whether to approve the modified preliminary plat or not extend the approval of the preliminary plat. The City Council may grant a greater than 95-day modification period at its discretion. Comments from the City Engineering Department are included in the staff report and in the conditions of approval in the resolution as well.

ATTACHMENT: Proposed Resolution No. 4706, staff report.

FISCAL IMPACT: None expected at this time.

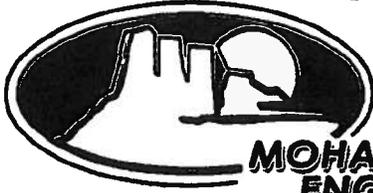
RECOMMENDATION: Staff recommends approval of Resolution No. 4706 granting a 95-day extension of time in accordance with Section 2.2(8)b(iii) of the Subdivision Ordinance.


Signature of Dept. Head

City Attorney
Approved as to form

City Manager's Review

AGENDA ITEM:



**MOHAVE
ENGINEERING
ASSOCIATES, INC.**

CIVIL ENGINEERING • LAND SURVEYING

Friday, August 13, 2010

The Hon. Mayor John Salem and Members of the Kingman City Council

Dear Mayor Salem and Council Members,

The message is in response to the staff report to council regarding **SB10-006: Extension of Time on Preliminary Plat for Kingman Crossing, Tract 1993**. It does seem unusual that the staff recommendation is only to allow for a 95 day extension. This subdivision has been substantially impacted by surrounding development and plans for future development that are completely out of control of the property owners. A summary of the impacts:

- The mandated right of way width for Kingman Crossing Blvd of 130' vs. the approved 84' will consume approximately 2 acres of additional property. At 6,000 SF each this can be approximated to 15 lots at least.
- The revised alignment of Kingman Crossing Blvd will require a redesign of a significant portion of the approved layout. It is a tremendous impact that warrants an analysis of the entire interior traffic circulation system.
- The drainage system proposed for the future I-40 offramp is a deviation from the system proposed with the original subdivision. This fact coupled with this issue of the road realignment will require a reconsideration of the drainage conveyance for a majority of the subdivision.

This is a major subdivision - to my knowledge the largest in Kingman. This subdivision has been a driver to open up the east bench of Kingman and I am aware that the owners have put a considerable amount of time and money into the development of infrastructure for the area - to the benefit of subsequent development. The redesign of 100+ lots to accommodate these changes discussed is a major undertaking. It seems unfair that the property owner could be forced to pay for a significant redesign when their plan was approved prior to any commercial development or plans for a freeway off-ramp. This issue is especially poignant given the current condition of the economy.

I urge you to consider at least a two year extension of time for this preliminary plan. Aside from the two phases already recorded, which are largely vacant, there are two additional phases (3 and 4) along Santa Rosa that can be developed per the approved plan. These phases are along Santa Rosa Drive and will not be affected by any redesign triggered by Kingman Crossing Boulevard. Given the current state of the economy it is unlikely that these phases will be developed within two years. This would allow the Council to re-evaluate the situation when we come before you again in 2012 for another Preliminary Plan Extension.

Sincerely,

Peter Proffit, PE

2153 Gordon Drive • Suite I • Kingman, AZ 86409

TEL 928-753-2627 • FAX 928-753-9118 • www.mohave-engineering.com

Rich Ruggles

From: William Nugent [wnugent48@yahoo.com]
Sent: Thursday, August 12, 2010 8:18 AM
To: Rich Ruggles
Cc: Pete Proffit
Subject: SB10-006 Extension preliminary plat 1993

Mayor and Council Members:

August 12, 2010

Please let this email be the formal response by Kingman Crossing LLC to the recommendations from staff regarding proposed resolution 4706.

The recommendations of staff outlined in the 8/16/2010 communication to council from staff is not acceptable.

Kingman Crossing LLC has since the original approval of Preliminary Plat 1993 worked and invested diligently in implementing and constructing the improvements encompassed in that plan and its drainage plan. Staff has changed over the years and Council Members have changed but the pursuit by the members of Kingman Crossing LLC to move forward with the plan has not.

I put forward the argument for the extension with the following historical facts:

1. Kingman Crossing LLC members were the initiating force behind the City of Kingman request to bring private investment into the construction of the Airway Underpass, with the Kingman Crossing LLC ownership contributing over one million dollars toward said underpass and drainage construction.
2. Kingman Crossing LLC members participated with the City of Kingman to construct the water storage tank to serve the pressure zone for preliminary plat 1993 with a investment of \$300,000 .
3. Kingman Crossing LLC members engineered and constructed a 12" water main from said storage tank to the lands of Preliminary Plat 1993 with a water service agreement for all of the lots in plat 1993.
4. Kingman Crossing LLC has final platted the first two phase of Preliminary Plat 1993, these recorded tracts mirror exactly the preliminary plat lot and street layout.
5. Santa Rosa Blvd has been designed and constructed to the exact layout as depicted in plat 1993, including all sewer, water, and future street intersections that mirror exactly the original plat 1993 design.
6. Airway Ave has been constructed to the design criteria as depicted plat 1993.

The facts are Kingman Crossing Plat 1993 has been the catalyst for the growth of the area in the northeast quadrant, with a new hospital and two new schools as well as providing a tremendous improvement in traffic circulation and drainage that came with the funding and construction of

8/12/2010

the Airway underpass.

Plat 1993 was in place and being constructed prior to the to the construction of the airway underpass, prior to the URS study of the interchange, and prior to the building of the hospital, in fact neither of these three events could have happened without the advent of plat 1993.

To demand that Kingman Crossing LLC members re engineer the preliminary plat and construct a 130 foot major highway and re engineer the entire drainage plan is not fair. There exists no nexus between the City's request and the impact of preliminary plat 1993.

The existing 84 foot right of way for Kingman Crossing Blvd and its alignment meet all city of kingman subdivision ordinances and traffic impacts and was approved by ordinance along with the zoning to R-1-6 of the entire lands of said plat.

To my knowledge this council nor any past council has formally in writing committed to the interchange nor has this council or any past council acquired any of the lands south of I40 for a similar artery to the south or for that matter acquired any of the necessary lands for the on and off ramps for said interchange. This venture is simply a City of Kingman thought that has resulted in a impass and tremendous damaging consequences to the private developer who has put millions of dollars into the implementation of Preliminary Plat 1993.

Kingman Crossing LLC members are willing to discuss with the city in a fair and balanced venue its' future needs if and when the interchange is funded and designed. The existing planned 84 foot right of way and the improvements thereon depicted in plat 1993 can be quantified and put in a development agreement, with the city providing the additional engineering and improvements for the increased right of way to 130 feet and the expanded improvements.

I request that the council step back and put themselves in the private ownership side of this debate and try and understand that it is not fair to destroy the investment of time and capital that has been extended by the members of Kingman Crossing LLC by the Councils action of not extending the Preliminary Plat 1993, especially in these difficult economic times.

Respectfully Submitted,
William L. Nugent
member Kingman Crossing LLC



CITY OF KINGMAN
Development Services Department
SB10-007: Extension of Time
Preliminary Plat for Kingman Crossing, Tract 1993
Staff Report

Summary of Request: A request for approval of a two-year extension of time of a preliminary plat for Kingman Crossing, Tract 1993. The subdivision has 1,154 lots and is on 280.13 acres. Two of 13 phases of this subdivision with 206 lots on 51.08 acres have received final plat approval. 11 phases consisting of a total of 948 lots on 157.05 acres has not yet received final plat approval. The subject property is located south of Airway Avenue, east of Castle Rock Road and north of the Hualapai Mountain Medical Center.

GENERAL INFORMATION

Agent for owner: Mohave Engineering Associates, Inc., project engineer.
P.O. Box 6547, Kingman, AZ 86402
Peter J. Proffit, P.E. (928)753-2627

Property Owner: Kingman Crossings LLC, 1921 Motor Avenue, Suite A,
Kingman, AZ 86401

RECOMMENDATION

Subsection of 2.2(8)b(iii) of the City Kingman Subdivision Regulations, states that if there has been major changes in the area affecting the preliminary plat or changes in development standards, the Common Council may extend the preliminary plat validity for an additional 95-days to allow the subdivider to redesign the preliminary plat to include the necessary modifications and resubmit the modified preliminary plat for review by the Planning and Zoning Commission and subsequently by the City Council. The Council may then determine whether to approve the modified preliminary plat or not extend the approval of the preliminary plat. The City Council may grant a greater than 95-day modification period at its discretion.

A major change has taken place with the need to redesign Kingman Crossing Boulevard to a 130-foot wide roadway through this preliminary plat. The City Council, in their adoption of Resolutions #4455 (August 6, 2007), #4549 (September 2, 2008), and #4621 (August 3, 2009) which previously extended this preliminary plat in one-year increments, required the final plat(s) to show the redesign of a 130-foot wide right-of-way for Kingman Crossing Boulevard. **Therefore planning staff recommends that in accord with Section 2.2(8)b(iii) that a 95-day extension**

of time be granted to this preliminary plat to allow the subdivider's engineer to redesign the preliminary plat for Kingman Crossing to accommodate the realignment and redesign of Kingman Crossing Boulevard.

STANDARDS FOR REVIEW:

CITY OF KINGMAN GENERAL PLAN 2020

- Land Use Categories per Chapter 2, §2.2, Projected Land Use Map.

CITY OF KINGMAN ZONING ORDINANCE

- Section 3.000: Residential, Single Family

CITY OF KINGMAN SUBDIVISION ORDINANCE

- Section 2.000: Subdivision Application Procedure and Approval Process
- Section 4.000: Requirements for Improvements, Reservations and Design

CITY OF KINGMAN STREETS AND SIDEWALK DEVELOPMENT RULES AND REGULATIONS

- Division 1, Section 1-10. Cross Section, Table Two Design Criteria and Notes

FINDINGS OF FACT:

Location and Size: Kingman Crossing, Tract 1993 is an approved preliminary subdivision plat consisting of 1,154 single family lots on a 280.13 acre property. The subject property is located along the south side of Airway Avenue, east of Castle Rock Road and west of Prospector Street.

Legal Description: A portion of the north half of Section 9, T.21N., R16W. of the G&SRM, Mohave County, AZ.

General Plan Land Use Designation: Medium Density Residential, 3 to 8 dwelling units per acre. The subdivision has 4.1 dwelling units per acre and is, therefore, in accord with the Kingman General Plan 2020 land use projections.

Existing Land Use and Zoning:

- Zoned R-1-6: Residential, Single Family, 6,000 square foot lot minimum.
- Phase I of the subdivision, Tract 1993-A, is partially developed with single family homes.
- Phase II of the subdivision, Tract 1993-B has been graded, but is otherwise unimproved at this point.
- The remaining portions of this subdivision have not received final plat approval are undeveloped at this point.

Surrounding Land Use and Zoning:

- North of Airway Avenue is property zoned R-1-6-PDD: Residential Single Family, 6,000 square foot lot minimum, Planned Development District zoning. This is the Villas subdivision with single family homes. To the north is the Castle Rock Village development.

- East of Prospector Street is property zoned R-1-10: Residential Single Family, 10,000 square foot lot minimum zoning. This is the Valle del Sole (Vista Bella) subdivision with single family homes.
- South of the subdivision is property zoned C-3-PDD: Commercial, Service Business, Planned Development District and HMMC-PDD: Hualapai Mountain Medical Center, Planned Development District. The C-3-PDD area is vacant and is intended to be development in the future in a large shopping center associated with the proposed Kingman Crossing interchange. The HMMC-PDD area includes the Hualapai Mountain Medical Center.
- West of a utility easement is R-1-6 zoned property. This is the Greater Kingman Addition subdivision is located and is developed with single family homes.

Development History:

- The subject property was annexed into the City of Kingman in January, 1992 and zoned R-R: Rural Residential.
- The subject property was rezoned from R-R to R-1-6 in August, 2004.
- The preliminary plat for Kingman Crossing, Tract 1993 was originally approved by the Kingman Common Council with certain conditions and exceptions on August 2, 2004 under Resolution No. 4009.
- Two final plat phases have been recorded with a total of 206 lots on 51.08 acres. 11 phases consisting of a total of 948 lots on 157.05 acres has not yet received final plat approval.
- The first phase, Tract 1993-A, was recorded on February 10, 2005. It is partially developed at this point with single family homes. All of the sidewalks in this subdivision have not been completed west of Santa Rosa Drive. East of Santa Rosa all required street improvements and other utilities have not yet been completed.
- The second phase, Tract 1993-B, recorded on March 29, 2007, has not yet been developed and has only been rough graded.
- Four previous one year extensions of time on this preliminary plat were approved in 2006, 2007, 2008 and 2009.

Physical Characteristics:

- The subject property experiences slopes of 2-4% in most areas with the elevation falling from southeast to northwest.
- Elevations range from about 3,457 feet near the northwest corner of the property at Airway and Castle Rock to about 3,542 feet where the mid section line of the north half of Section 9 intersects with Prospector Street.
- The 1981 FEMA map indicates most of the subject property is in Zone "C", which is an area of minimal flooding. However, there is an "A" Zone which extends into the northwestern portion of Section 9. The "A" zone is an area of 100 year flooding; however base elevations and flood hazard factors are not determined.

Public Utilities:

- City water lines in the area include 12" lines in Airway Avenue and Prospector Street.
- An 8" sewer line is located in Heather Avenue a block north of Airway between Castle Rock and Lyons Road. The sewer extends down Castle Rock between Heather and Airway and then runs west on Airway.

- Water and sewer lines have been extended within the first phase, Tract 1993-A, of the subdivision.

Transportation:

- The subject property is accessible from Airway Avenue, Prospector Street, and Santa Rosa Drive.
- Airway, Prospector, and Santa Rosa all have 84 foot wide dedicated rights-of-way.
- An additional 16 feet of right-of-way is being dedicated with each adjacent phase of Kingman Crossing along the south side of Airway Avenue to make the street a 100' wide major arterial street.
- Improvements to Airway, including an additional lane of paving, and curb, gutter, and sidewalk, are to be added with each phase of this development.

Departmental and Agency Comments:

- *City Engineering Department:*
 1. Drainage for the Kingman Crossing, Tract 1993 subdivision will need to be coordinated with the drainage for the Hualapai Mountain Medical Center, Tract 6038 subdivision.
 2. All other previous plan and time extension conditions, including realignment and additional dedication for Kingman Crossing Boulevard, should be included with this extension request.
 3. The final plat, final improvement plans and final drainage report will need to be reviewed and revised to accommodate and match with adjacent improvements including water lines, sewer lines, streets and drainage that have been constructed since the approval of the initial preliminary plat.
- *City Fire Department:* Approved for an extension by this department.

ANALYSIS:

Preliminary plats are valid for 24 months from the date of Council action. Section 2.2(8)b.(iv) of the Kingman Subdivision Ordinance states: *"If the subdivider does not process the final subdivision plat or phase thereof within the 24 month time frame, or asked for and received an extension of time, then all proceedings relating to the plat are terminated."*

A written request has been received from Mohave Engineering Associates, Inc., the project engineer and agent for the owner, Kingman Crossings, LLC. The request is for a two-year extension of time on the remaining phases of the preliminary plat. This would be the fifth request for an extension of time. Recently Section 2.2(8)b(iii) of the Kingman Subdivision Ordinance was amended by Ordinances 1660 and 1666. These changes allow extensions of time to be requested for up to two years and allow these requests to go directly to the City Council for approval rather than require Planning and Zoning Commission recommendations. The section states as follows:

"Preliminary plat approval may, upon written application to the Development Services Department by the subdivider, be considered for an extension of time. The Planning and Zoning Commission and/or Council may extend the preliminary plat

approval two-years if there is no change in conditions within or adjoining the preliminary plat that would warrant a revision in the design of the original preliminary plat. If there have been major changes in the area affecting the preliminary plat or changes in development standards, the Common Council may extend the preliminary plat validity for an additional 95-days to allow the subdivider to redesign the preliminary plat to include the necessary modifications and resubmit the modified preliminary plat for review by the Planning and Zoning Commission and subsequently by the City Council. The City Council may then determine whether to approve the modified preliminary plat or not extend the approval of the preliminary plat. The City Council may grant a greater than 95-day modification period at its discretion."

The developer has not made any changes to the preliminary plat compared to the approvals given in 2004, with the exception of some street name changes that were required conditions of approval and some phasing of the subdivision. However, the City Council, as a result of the Change of Access Report for the Kingman Crossing Interchange, has required Kingman Crossing Boulevard which bisects Kingman Crossing, Tract 1993 to be realigned and widened to 130-feet. The final plat for the Hualapai Mountain Medical Center immediately south of this property reflects the revised design and realignment of Kingman Crossing Boulevard.

The result is that the subdivision plat will need to be significantly modified to accommodate the realignment of Kingman Crossing Boulevard. In 2007, 2008 and 2009 the Council approved one-year extensions of time for Kingman Crossing with a condition that the final plat(s) shall be designed to show a realigned 130 foot wide right-of-way for Kingman Crossing Boulevard that is consistent with Alternative #2 developed by URS. Since the last extension of time action, the Subdivision Ordinance has been amended to require that in the event of major changes in the area affecting the preliminary plat, the Common Council may extend a preliminary plat's validity for an additional 95-days to allow the subdivider to redesign the preliminary plat to include the necessary modifications and resubmit the modified preliminary plat for review by the Planning and Zoning Commission and subsequently by the City Council. The City Council may then determine whether to approve the modified preliminary plat or not extend the approval of the preliminary plat. The City Council may grant a greater than 95-day extension at its discretion.

RECOMMENDATION

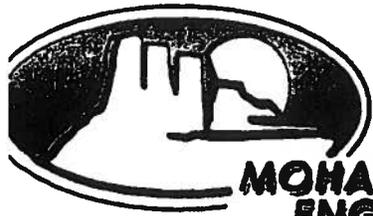
Planning staff recommends that in accord with Section 2.2(8)b(iii) a 95-day extension of time be granted for Kingman Crossing, Tract 1993 with the following conditions:

1. The subdivider's engineer shall redesign the preliminary plat for Kingman Crossing, Tract 1993 to accommodate the realignment and redesign of Kingman Crossing Boulevard consistent with the location depicted on Alternative #2 developed by URS (attached).
2. Drainage for the subject subdivision shall be coordinated with the Hualapai Mountain Medical Center, Tract 6038 subdivision.
3. The final plat, final improvement plans and final drainage report will need to be reviewed and revised to accommodate and match with adjacent improvements including water

lines, sewer lines, streets and drainage that have been constructed since the approval of the initial preliminary plat.

ATTACHMENTS

1. Extension of Time Request
2. Aerial Map of Kingman Crossing Area
3. Preliminary Plat Map
4. Alternative #2 for Kingman Crossing Blvd.
5. Department and Agency Comments



**MOHAVE
ENGINEERING
ASSOCIATES, INC.**

CIVIL ENGINEERING • LAND SURVEYING

July 07, 2010

Mr. Rich Ruggles, AICP
Principal Planner
City of Kingman
310 North 4th Street
Kingman, Arizona 86401

Re: Preliminary Plan, Kingman Crossing, Tract 1993
Extension of Time

Dear Mr. Ruggles,

We, Mohave Engineering Associates, Inc., would like to request an extension of time for the Preliminary Plat for Kingman Crossing, Tract 1993.

The original Preliminary Plan for Kingman Crossing Tract 1993 was approved via Resolution #4009 in August, 2004. Since that time Phases A and B have been recorded. The first one year extension, Resolution #4326, August 7, 2006 was requested to continue the plans and Final Plats for phases 4-6 which were in progress.

The 2nd extension was approved, Resolution #4455 in August 2007 and the 3rd extension approved by Resolution #4549 in September 2008. With the 2007 and 2008 extension approval, there was a condition placed on the project that the new alignment of Kingman Crossing Boulevard be incorporated into the Preliminary Plan. This requirement constitutes a significant re-design of nearly all remaining phases. This required re-design is still in progress. With the 2009 extension approval, Resolution #4621 added some additional conditions which are also in progress.

Thank you for your consideration of this request.

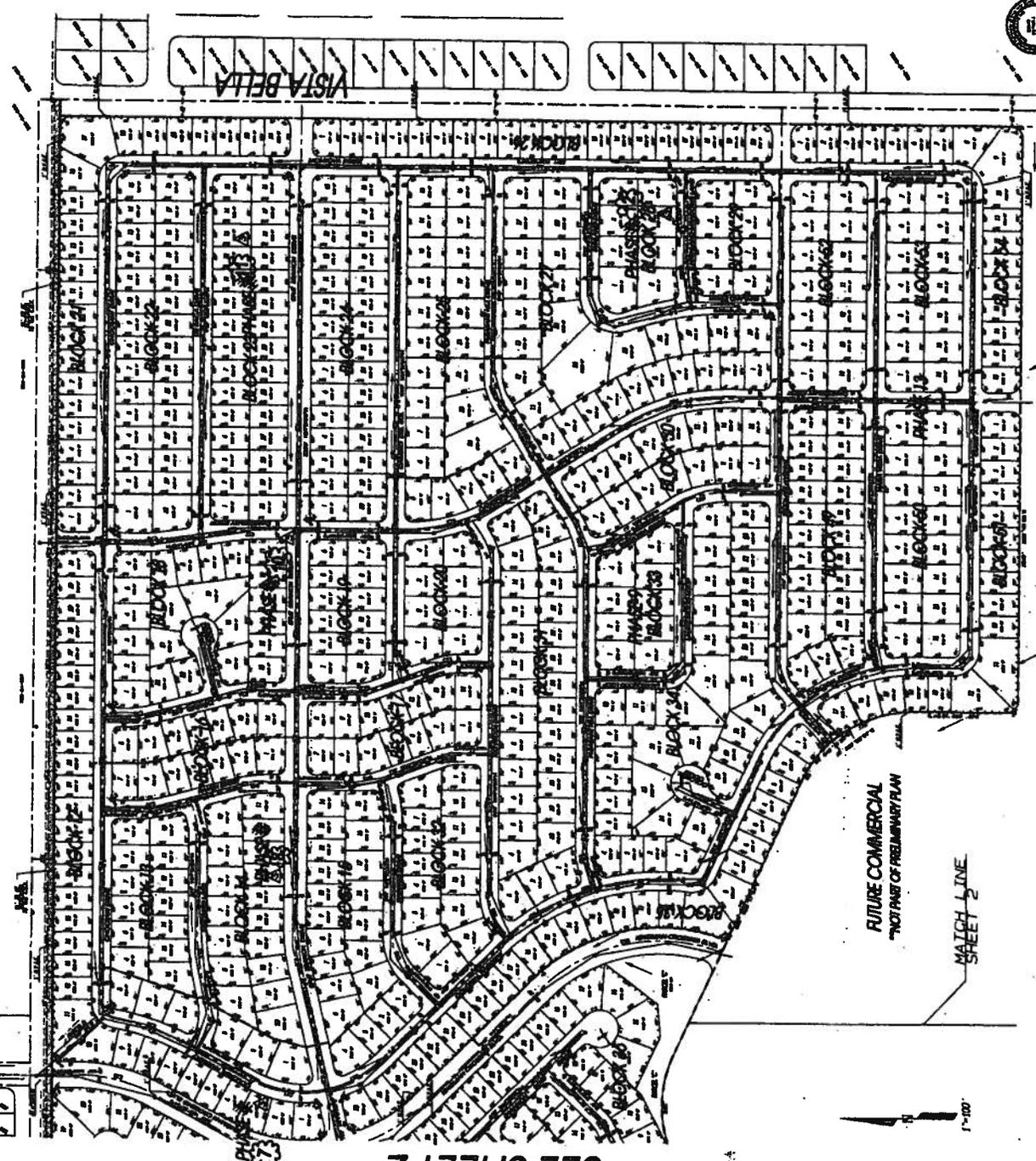
Respectfully,


Peter J. Proffit, P.E.
President, MEAI

Encl.

cc: file
PJP/cc

J:\2004\04-203\DOCUMENTS\Preliminary Plan extension of time request 2010-07-07.doc



SEE SHEET 2

MATCH LINE
SHEET 2

FUTURE COMMERCIAL
NOT PART OF PRELIMINARY PLAN

MATCH LINE
SHEET 2



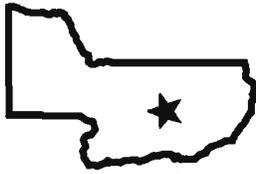
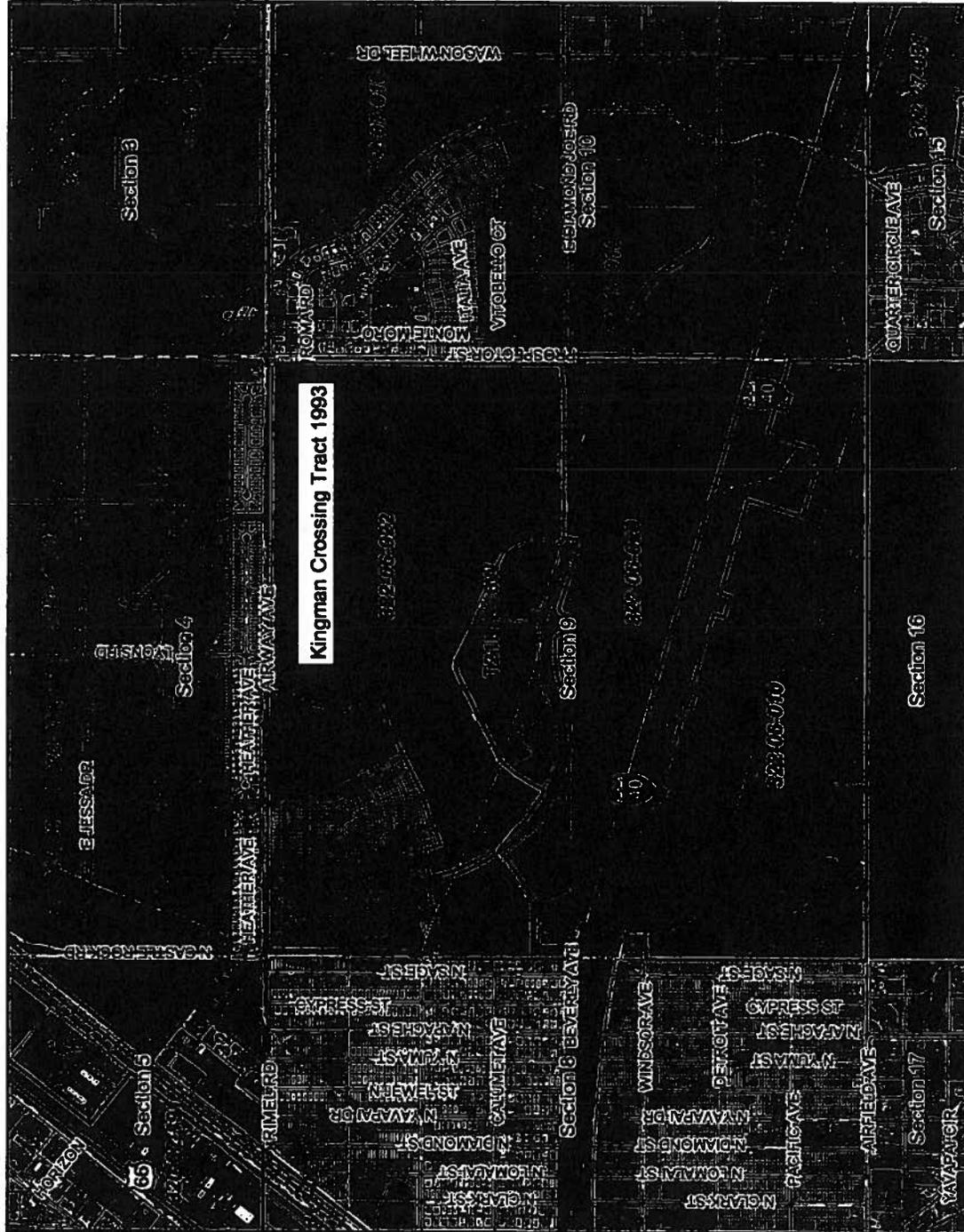
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BY	J. J. [unreadable]
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PROJECT	[unreadable]
DATE	11/11/11



PRELIMINARY PLAN
 PRELIMINARY DEVELOPMENT PLAN
 [unreadable]

DATE	11/11/11
BY	J. J. [unreadable]
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PROJECT	[unreadable]
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AERIAL MAP OF KINGMAN CROSSING, TRACT 1993



- Populated Places
- Incorporated Cities
- Centerline
- Railroads
- Tax Parcels
- 2
- 0
- Township/ Range
- Sections
- Federal Lands
- Indian Reservations BIA
- National Monument NP/BLM
- National Park NPS
- National Recreation Area NPS
- Wilderness Area BLM
- Wilderness Study Area NPS
- Land Ownership
- Arizona Game and Fish
- AZ State Trust Land
- Bureau of Land Management
- Bureau of Reclamation
- National Wildlife Refuge
- Indian Allotments
- National Forest
- Military Reservation
- Parks and Recreation
- National Monument
- Waterbodies
- 2007 0.4-ft Mohave Channel
- 2007 0.4-ft Valle Vista
- 2005 1-ft (Lake Havasu City Area)
- 2005 0.2-ft (Lake Havasu City)

Scale: 1:17,272



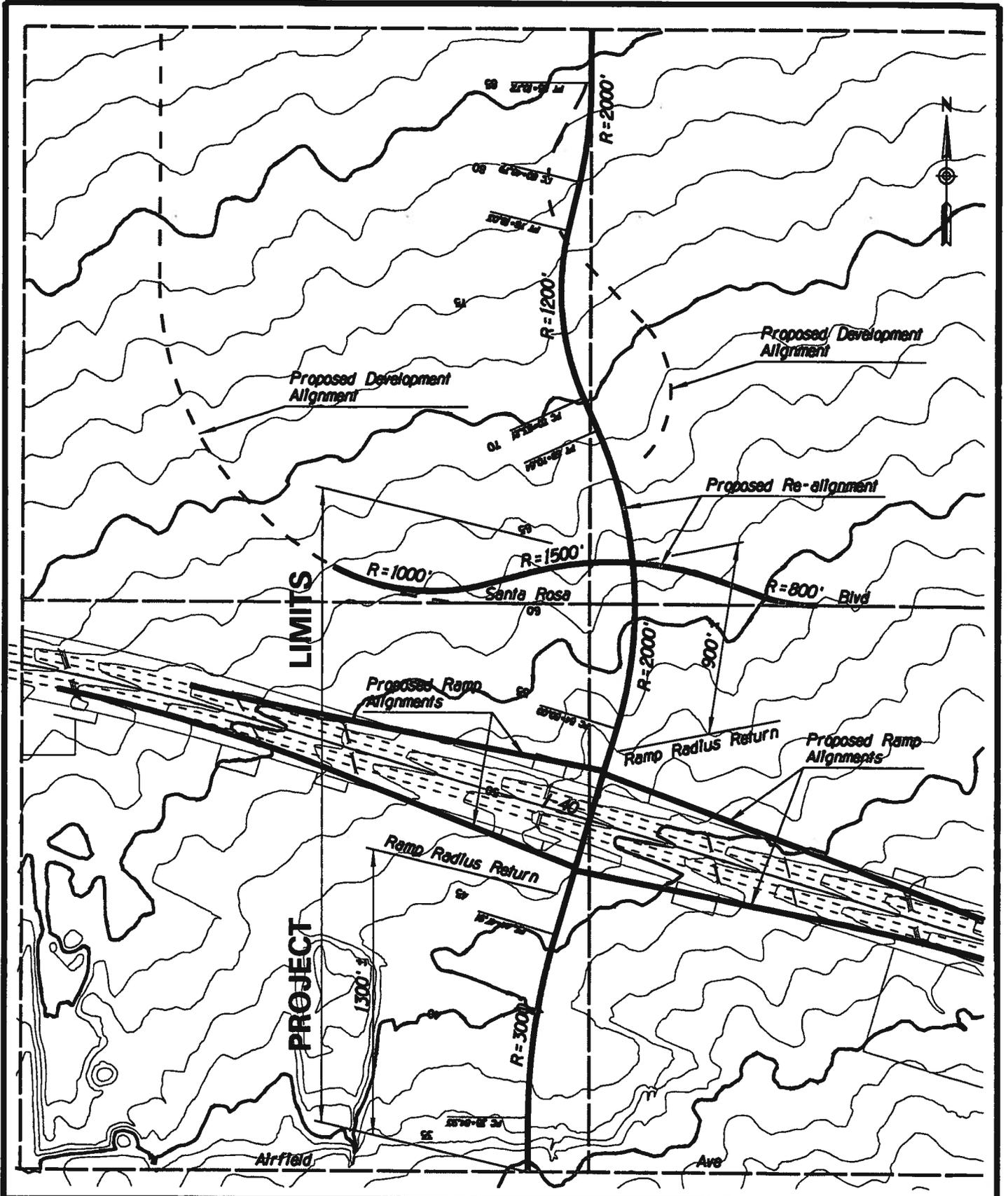
Map center: 35° 13' 10" N, 113° 59' 2" W

Map created on: Jul 6, 2009

2800 ft.

1400

This map is a user generated static output from Mohave County Interactive Map Viewer and is for general reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable. THIS MAP IS NOT TO BE USED AS A LEGAL DOCUMENT, FOR PROPERTY DESCRIPTIONS, OR DETERMINATION OF LEGAL TITLE, AND SHOULD NEVER BE SUBSTITUTED FOR SURVEY OR DEED INFORMATION. The user agrees to comply with the Limitation of Use, and Assumption of Risk as stated in the full disclaimer at http://mohave.co.mohave.az.us/inf/sites/moh_test/isp/launch.jsp



**Kingman Crossing TI
Preliminary Cross Road Alignments**



URS

I-40, Kingman Crossing Traffic Interchange
Design Concept Report and Environmental Study

January 10, 2007

5

WHEN RECORDED HOLD FOR
KINGMAN CITY CLERK
310 N. 4th Street
Kingman, Arizona 86401

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PAGE: 1 of 5 FEE # 2009049278

B: 7559 P: 530

OFFICIAL RECORDS
OF MOHAVE COUNTY
CAROL MEIER
COUNTY RECORDER



08/12/2009 10:17 AM Fee \$12.00
DOC TYPE: GRES
PAID BY: CITY OF KINGMAN

PAGE 1 OF 5

**CITY OF KINGMAN
RESOLUTION NO. 4621**

A RESOLUTION BY THE MAYOR AND COMMON COUNCIL OF THE CITY OF KINGMAN, ARIZONA: APPROVING AN EXTENSION OF TIME FOR A PRELIMINARY FOR KINGMAN CROSSING, TRACT 1993.

WHEREAS, the preliminary plat for Kingman Crossing, Tract 1993, located on property described as a portion of the north half of Section 9, T.21N., R.16W., of the G&SRM, Mohave County, Arizona, was originally approved under Resolution No. 4009 in August, 2004 and with the most recent one year extension approved on September 2, 2008 under Resolution No. 4549, and

WHEREAS, said proposed subdivision is approximately 280.13 acres with 1,154 single family lots, and

WHEREAS, Mohave Engineering Associates, Inc., agent, has requested on behalf of the applicant and property owner, FATCO Trust 9116, applicant and property owner, a one year extension of time of said plat as shown in Exhibit "A", and

WHEREAS, two of 13 final plat phases of said subdivision, containing 206 lots, has been approved by the Kingman Common Council and recorded and the project engineer has represented that additional phases will be processed in the future, and

WHEREAS, a Change of Access Report for the Kingman Crossing Interchange requires Kingman Crossing Boulevard to be realigned to accommodate a 45 mph design speed and widened to 130 feet to accommodate drainage, and

WHEREAS, in accordance with Section 2.2(8)b(iii) of the Kingman Subdivision Ordinance, the Kingman Common Council may extend the preliminary plat in one-year increments, and if there have been major changes in the area affecting the subdivision plan, the Council may require modifications to be incorporated into the final plat.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Common Council of the City of Kingman, Arizona: That upon the recommendation of the Planning and Zoning Commission, the preliminary plat for Kingman Crossing, Tract 1993, shown in Exhibit "A" is hereby approved for a one year extension of time with the same conditions and exceptions as originally stated with the following additional conditions:

1. The final plat(s) shall be designed to show a realigned 130 foot wide right-of-way for Kingman Crossing Boulevard consistent with the location depicted on Alternative #2 developed by URS as shown in Exhibit "B".

531

2. The project shall comply with current grading and drainage requirements including soils reports, drainage design and elevations for finished lot grades.
3. Drainage for the subject subdivision shall be coordinated with the Hualapai Mountain Medical Center, Tract 6038 subdivision.

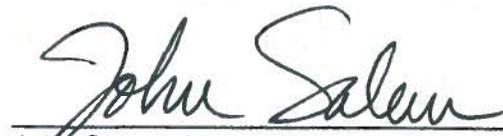
PASSED AND ADOPTED by the Mayor and Common Council of the City of Kingman, Arizona this 3rd day of August, 2009.

ATTEST:

APPROVED:



Deborah Francis, City Clerk



John Salem, Mayor

APPROVED AS TO FORM:

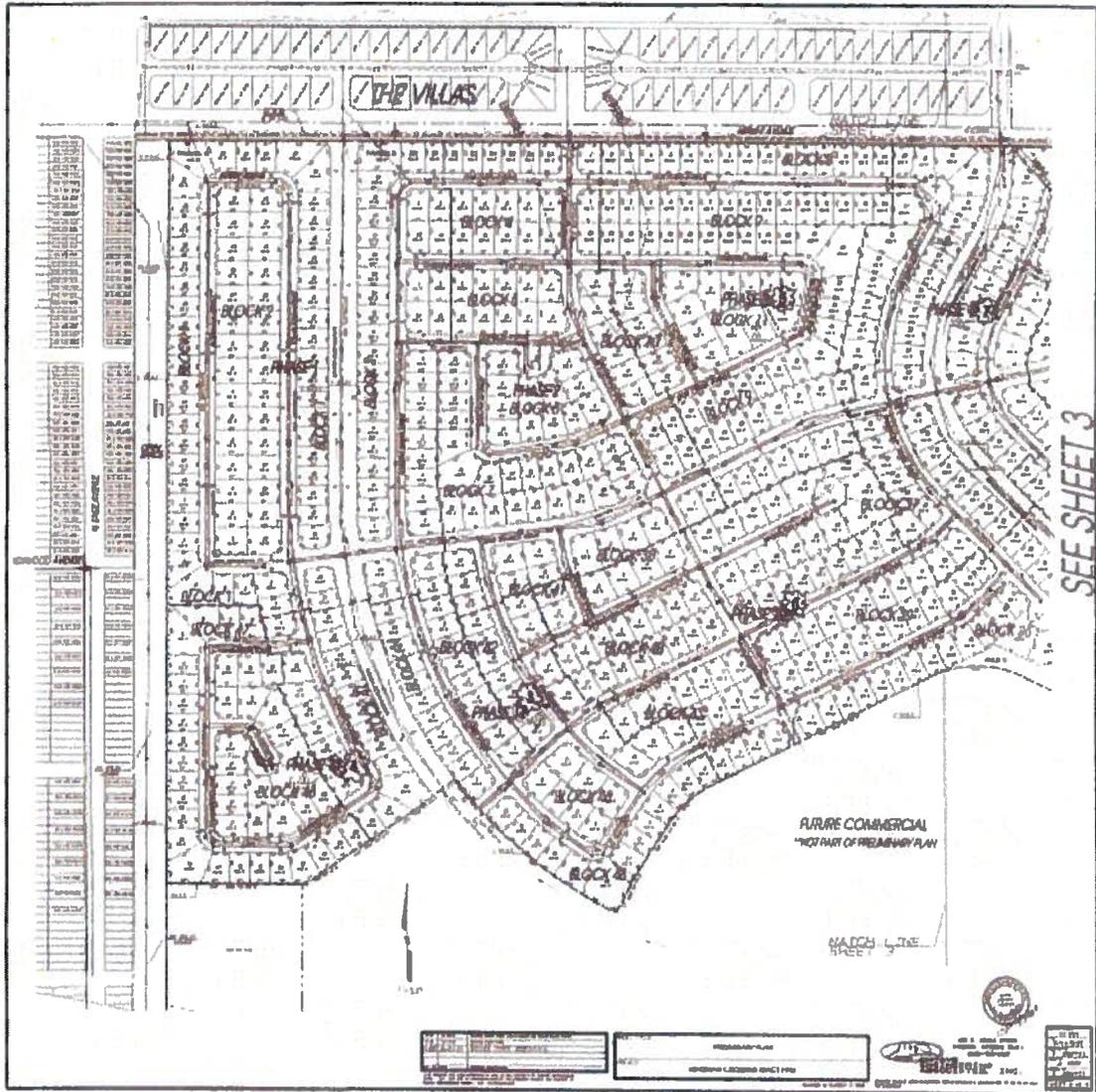


Carl Cooper, City Attorney



532

EXHIBIT "A"
West Half



SEE SHEET 3

<p>DATE: 10/15/10</p> <p>PROJECT: THE VILLAS</p> <p>SCALE: AS SHOWN</p> <p>BY: [Signature]</p>	<p>REGISTERED PROFESSIONAL ENGINEER</p> <p>NO. 12345</p> <p>STATE OF CALIFORNIA</p>	<p>REGISTERED PROFESSIONAL ARCHITECT</p> <p>NO. 67890</p> <p>STATE OF CALIFORNIA</p>
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533

EXHIBIT "A"
East Half



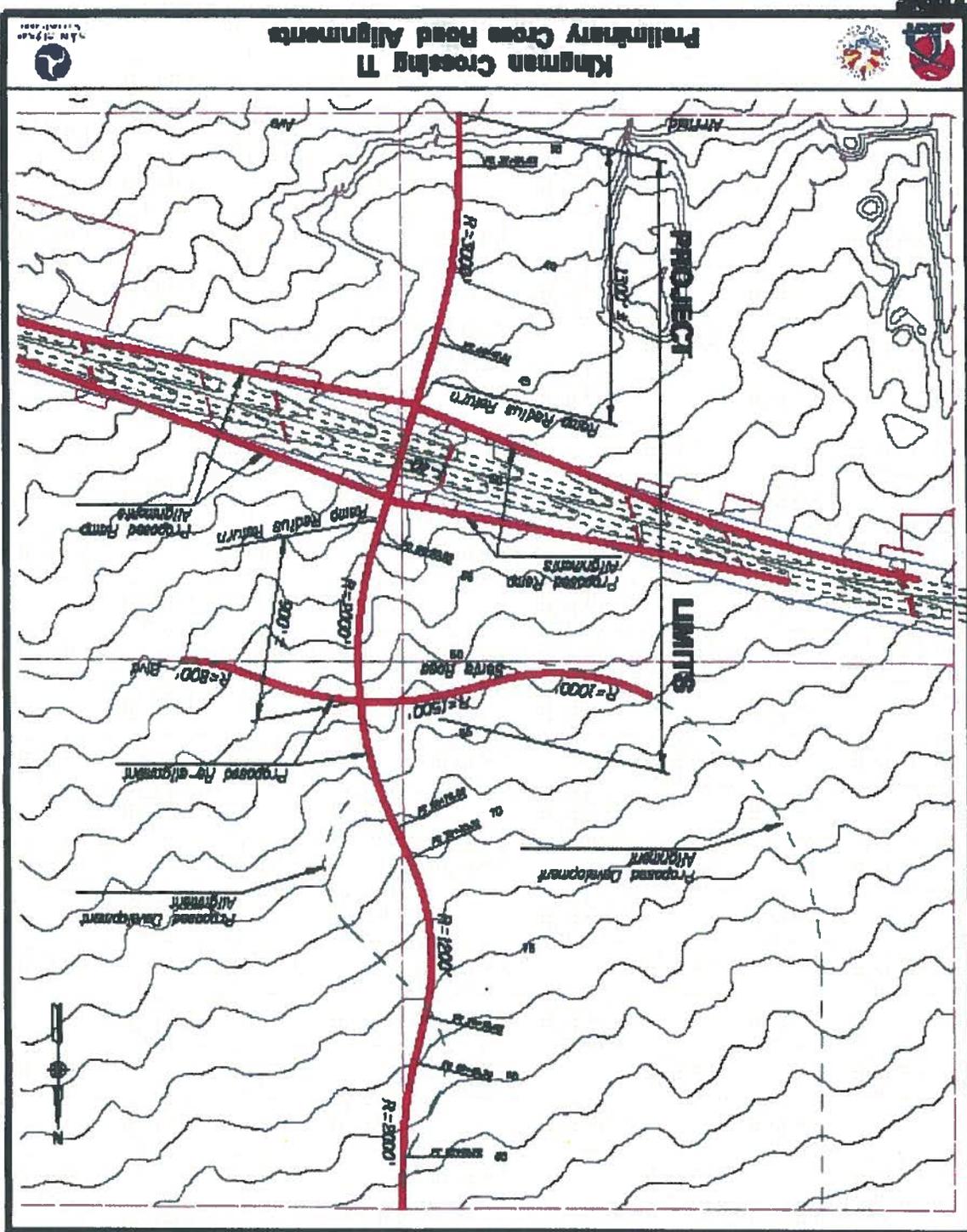


EXHIBIT "B"

534

Gary Jeppson

From: Rich Ruggles
Sent: Monday, July 13, 2009 8:09 AM
To: Tom Duranceau; Gary Jeppson; Kyle Taylor; Sandi Fellows
Subject: FW: July 14 p and z meeting/kingman crossing preliminary plat

Rich Ruggles, Principal Planner
Planning and Zoning Division
City of Kingman Development Services Dept.
Phone: (928) 753-8160
E-mail: rruggles@cityofkingman.gov

From: William Nugent [<mailto:wlnugent48@yahoo.com>]
Sent: Sunday, July 12, 2009 11:47 AM
To: Rich Ruggles
Cc: Pete Proffit
Subject: July 14 p and z meeting/kingman crossing preliminary plat

Mayor and Common Council:

Please accept this communique as Kingman Crossing LLC's formal response to the City of Kingman Staffs report on SB09-009 Extension of Time request for Preliminary Plat 1993.

The Council and Staff are and have been in a on going effort to bring to fruition the Kingman Crossing Interchange project. These efforts have resulted in ADOT requesting that the existing design of Kingman Crossing Blvd. be modified to fit ADOT'S demand for a highway with speeds of 45 miles an hour and increased traffic generated from said proposed interchange. There was and still is no "nexus" created that would force the owner of the Kingman Crossing lands to be forced into granting additional lands and or building a road to ADOT highway specifications. The impact of the landowners future development rights of record in no way demand those upgraded needs. If that were the case when I40 was built thru Kingman and the lands were "purchased" by the government those same landowners would also have had to pay to construct the freeway and off ramps and the 1500 feet of r/w that ADOT maintains on the city streets at the bottom of the ramps. Kingman Crossing Blvd. as designed meets all present City of Kingman Subdivision Ordinances as it pertains to the traffic impact of the approved preliminary plat 1993.

Kingman Crossing LLC has in the past and will in the future work with Staff and this Council and future Councils to facilitate well planned growth in our City. Please take into your deliberations the following facts that emulate that position:

- 1, Kingman Crosssing LLC took the lead role in working with the City to construct the Airway Underpass and its funding, we provided over 1 plus million dollars of the 6 million for said improvement, of which almost 2 million went to drainage infrastructure for all of the existing development the city had previously allowed.
2. Kingman Crossing LLC worked closely with the city engineering department in the funding and construction of the new city water storage tank contributing \$335,000.00.
3. Kingman Crossing LLC. co-operated with the city public works and engineering staff to design and construct a 12" main water line from said tank to the corner of Prospector and Santa Rosa Blvd adding fire protection and water flows to a large area of the city's water service area, with a contribution of \$250,000.
4. The final Platting of Tract 1993 A paid for the widening of Airway Ave to its present full width from Castle

Rock East along Airway Ave...

5., Said final Platting of 1993 A also extended road improvements on Santa Rosa Blvd southeast to the new Med Cath hospital including sewer, water and electrical to same.

6. Kingman Crossing LLC dedicated the road alignment on the extension of Santa Rosa Blvd to make possible the new Hospital.

7. Is there any doubt that the new school being constructed on Airway Ave would have been selected if the Airway Underpass Project hadn't been constructed with 75 % funded by private monies?

In closing, since the approval of Kingman Crossing Preliminary Plat 1993 in 2004, Kingman Crossing LLC has repeatedly and methodically contributed its resources into the Kingman economy in the form of jobs and infrastructure. It has worked diligently with Staff and Councils to move Kingman's future forward with its funding of infrastructure and the related quality of life of the residents and non residents who use and depend on that infrastructure.

William L. Nugent
Kingman Crossing LLC.

5
WHEN RECORDED HOLD FOR
KINGMAN CITY CLERK
310 N. 4th Street
Kingman, Arizona 86401

1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30 31 32 33 34 35 36 37 38 39 40 41 42 43 44 45 46 47 48 49 50 51 52 53 54 55 56 57 58 59 60 61 62 63 64 65 66 67 68 69 70 71 72 73 74 75 76 77 78 79 80 81 82 83 84 85 86 87 88 89 90 91 92 93 94 95 96 97 98 99 100
PAGE: 1 of 5 FEE # 2008060016

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OFFICIAL RECORDS
OF MOHAVE COUNTY
JOAN MCCALL,
COUNTY RECORDER



09/05/2008 02:27 PM Fee: \$12.00
DOC TYPE: GRES
PAID BY: CITY OF KINGMAN

PAGE 1 OF 5

**CITY OF KINGMAN
RESOLUTION NO. 4549**

**A RESOLUTION BY THE MAYOR AND COMMON COUNCIL OF THE CITY OF
KINGMAN, ARIZONA: APPROVING AN EXTENSION OF TIME FOR A PRELIMINARY
FOR KINGMAN CROSSING, TRACT 1993.**

WHEREAS, the preliminary plat for Kingman Crossing, Tract 1993, located on property described as a portion of the north half of Section 9, T.21N., R.16W., of the G&SRM, Mohave County, Arizona, was originally approved under Resolution No. 4009 in August, 2004 with a one year extension of time approved on August 7, 2006 under Resolution No. 4326, and a second extension of time conditionally approved on August 6, 2007 under Resolution No. 4455, and

WHEREAS, said proposed subdivision is approximately 280.13 acres with 1,154 single family lots, and

WHEREAS, Mohave Engineering Associates, Inc., applicant, has requested on behalf of the property owner, William L. Nugent, a one year extension of time of said plat as shown in Exhibit "A", and

WHEREAS, two of 13 final plat phases of said subdivision, containing 206 lots, has been approved by the Kingman Common Council and recorded and the project engineer has represented that additional phases will be processed in the future, and

WHEREAS, in meetings with ADOT it has been indicated that the FHWA will require an arterial roadway with a 45 mph design speed from the future Kingman Crossing interchange south of the subject property to Airway Avenue, and

WHEREAS, the city's consultant, URS, has developed a plan for a 130 foot wide roadway with six lanes and drainage areas to serve as the connector roadway from the Kingman Crossing interchange to I-40, and

WHEREAS, Kingman Crossing Boulevard, which would serve as the proposed connector street is shown as only 70 feet in width and is not designed to allow a 45 mph speed on the preliminary plat for Kingman Crossing, Tract 1993, and

WHEREAS, in accordance with Section 2.2(8)b(iii) of the Kingman Subdivision Ordinance, the Kingman Common Council may extend the preliminary plat in one-year increments, and if there have been major changes in the area affecting the subdivision plan, the Council may require modifications to be incorporated into the final plat.

104

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Common Council of the City of Kingman, Arizona: That upon the recommendation of the Planning and Zoning Commission, the preliminary plat for Kingman Crossing, Tract 1993, shown in Exhibit "A" is hereby approved for a one year extension of time with the same conditions and exceptions as originally stated including the following condition stated in the previously approved extension of time:

- 1. The final plat(s) shall be designed to show a realigned 130 foot wide right-of-way for Kingman Crossing Boulevard consistent with the location depicted on Alternative #2 developed by URS as shown in Exhibit "B".

PASSED AND ADOPTED by the Mayor and Common Council of the City of Kingman, Arizona this 2nd day of September, 2008.

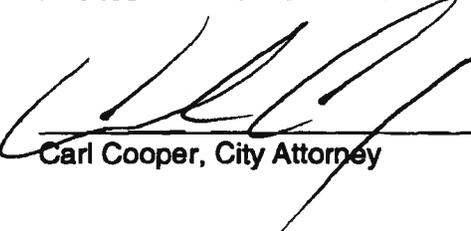
ATTEST:

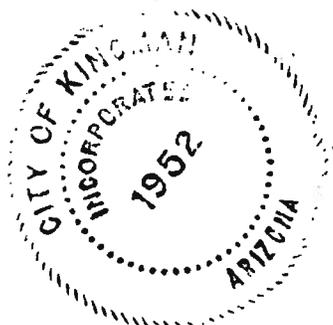
APPROVED:


Deborah Francis, City Clerk


John Salem, Mayor

APPROVED AS TO FORM:


Carl Cooper, City Attorney



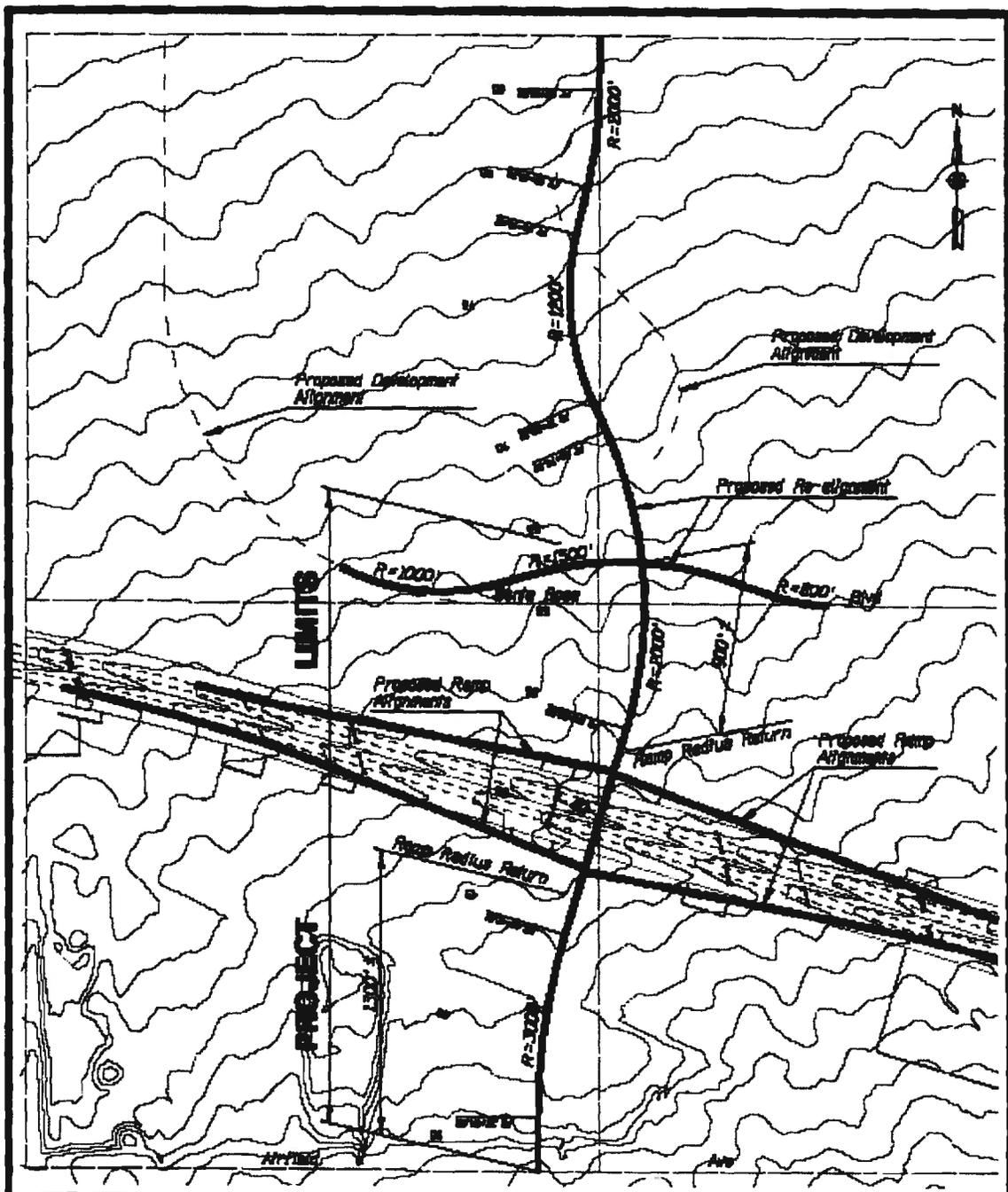
105

EXHIBIT "A"
West Half



147

EXHIBIT "B"



**Kingman Crossing TI
Preliminary Cross Road Alignments**



L-45, Kingman Crossing Traffic Interchange
Design Concept Report and Environmental Study



January 18, 2000



City of Kingman

310 NORTH FOURTH STREET • KINGMAN • ARIZONA • 86401 • 928 • 753-5561
www.ci.kingman.az.us

September 4, 2008

Mr. Todd Steinberger, E.I.T.
Mohave Engineering Associates, Inc.
2202 Stockton Hill Road, Suite A
Kingman, AZ 86401

RE: SB08-008: Extension of Time on Preliminary Plat for Kingman Crossing, Tract 1993

Dear Mr. Steinberger:

On September 2, 2008 the Kingman Common Council passed Resolution No. 4549 which approved an extension of time on the preliminary plat for Kingman Crossing, Tract 1993. The extension of time is effective for one year ending on September 2, 2009. It will be necessary to apply for an additional extension of time request if the remainder of Kingman Crossing, Tract 1993 has not received final plat approval by that date.

I have enclosed an unsigned copy of this resolution for your records. If a signed copy is required, please let me know and I will send it to you as soon as it becomes available.

If you should have any questions, please contact me at 753-8130 or you may e-mail me at ruggles@cityofkingman.gov. Thank you.

Sincerely,

Rich Ruggles
Principal Planner
Planning & Zoning Division
City of Kingman Development Services Department

c: file

CITY OF KINGMAN COMMUNICATION TO COUNCIL



TO: Honorable Mayor and Council Members

FROM: Development Services Department

MEETING DATE: September 2, 2008

AGENDA SUBJECT: Public hearing and consideration of Resolution No. 4549 to approve an extension of time for the preliminary plat for Kingman Crossing, Tract 1993

SUMMARY: A request from Mohave Engineering Associates, Inc., project engineer, and William L. Nugent, property owner, for an extension of time on a preliminary plat for Kingman Crossing, Tr. 1993. The subject property is located along the south side of Airway, east of Castle Rock and west of Prospector.

Under the Kingman Subdivision Ordinance, the Council has the authority to conditionally approve a 1 year extension of time on a preliminary plat if there have been major changes in the area affecting the subdivision plan by requiring the changes to be incorporated into the final plat. In 2007 meetings were held with ADOT and the FHWA that concluded that an arterial roadway with a minimum of a 130 foot wide right-of-way will be required between Airway and the proposed Kingman Crossing interchange at I-40. The width is necessary to accommodate six lanes of traffic south of Santa Rosa Drive and four lanes will be required north of Santa Rosa to Airway plus a median and areas for drainage. The proposed Kingman Crossing Blvd, which would provide the most direct route, is only designed to be 70 feet in width and would not allow for a 45 mph speed which is also a requirement. As a result, the previous extension of time was approved by the City Council with the condition that the final plat(s) be redesigned to accommodate a roadway consistent with Alternative #2 proposed by the city's consultant, URS.

The Planning and Zoning Commission met on August 12, 2008 to consider this request. Commissioner Schoeff made a motion to recommend approval of the extension of time with the previously approved condition regarding the redesign of Kingman Crossing Blvd. Commissioner Adams seconded the motion. The vote was 7-0 to approve the motion.

ATTACHMENT: Proposed Resolution No. 4549, staff report, Alternative #2

FISCAL IMPACT: None expected at this time.

STAFF RECOMMENDATION: Approve Resolution No. 4549.

Signature of Dept. Head

City Attorney
Approved as to form

City Manager's Review

AGENDA ITEM:

Rich Ruggles

From: Gary Jeppson
Sent: Thursday, July 10, 2008 9:28 AM
To: Pete Proffit; Rich Ruggles
Cc: Cindy Childress; Todd Steinberger
Subject: RE: Phases C-M of Kingman Crossing, Tract 1993

Pete,

Staff is willing to take the extension of preliminary plat request to the Council without having the realignment of Kingman Crossing Boulevard redesigned.

Gary

From: pete.proffit@gmail.com [mailto:pete.proffit@gmail.com] **On Behalf Of** Pete Proffit
Sent: Wednesday, July 09, 2008 10:38 AM
To: Rich Ruggles; Gary Jeppson
Cc: Cindy Childress; Todd Steinberger
Subject: Phases C-M of Kingman Crossing, Tract 1993

Good morning - is staff going to allow a submittal for another extension of this subdivision without the completion of the re-design that was established as a condition of the previous extension?

Thanks

--

Pete Proffit, P.E.
Mohave Engineering Associates, Inc.
2202 Stockton Hill Road
Kingman, Az. 86401
PH: (928) 753-2627
FAX: (928) 753-9118

7/10/2008

Rich Ruggles

From: Rich Ruggles
Sent: Wednesday, July 09, 2008 10:19 AM
To: 'Cindy Childress'
Subject: RE: Kingman Crossing, Tract 1993
Attachments: kingmancrossingextimeres.doc

OK, thanks Cindy. By the way I was just looking at our subdivision spreadsheet again. Another preliminary subdivision plat is about to expire.

Phases C-M of Kingman Crossing, Tract 1993 is scheduled to expire on August 6, 2008 unless a request for an extension of time is submitted before the deadline. Some redesign work for this subdivision is required per the Condition 1 of Resolution 4455 (attached). Our next submittal deadline for the August P&Z meeting is July 11th.

Todd Steinberger was the engineer handling this project at Mohave Engineering last time—maybe you can forward this information to him and/or Pete. Thanks.

Rich Ruggles, Principal Planner
Planning and Zoning Division
City of Kingman Development Services Department
Phone: (928) 753-8160
E-mail: rruggles@cityofkingman.gov

From: Cindy Childress [<mailto:cchildress@mohave-engineering.com>]
Sent: Wednesday, July 09, 2008 9:52 AM
To: Rich Ruggles
Subject: RE: Shangri-La Estates III, Tract 1971-D

Rich,
Thanks so much, I'll send the courier for it today.

Cindy Childress, Submittal Coordinator
Mohave Engineering Assoc., Inc
2202 Stockton Hill Rd. Suite A
Kingman, AZ 86401
928-753-2627 X 246
928-753-9118 Fax



From: Rich Ruggles [<mailto:rruggles@cityofkingman.gov>]
Sent: Wednesday, July 09, 2008 9:46 AM
To: Cindy Childress

7/9/2008

Subject: Shangri-La Estates III, Tract 1971-D

Cindy:

The final plat for the above named subdivision has been recorded. A mylar copy of the recorded final plat is available to be picked up from our office at your convenience. Thanks.

Rich Ruggles, Principal Planner
Planning and Zoning Division
City of Kingman Development Services Department
Phone: (928) 753-8160
E-mail: rruggles@cityofkingman.gov

7/9/2008

5

WHEN RECORDED HOLD FOR
KINGMAN CITY CLERK
310 N. 4th Street
Kingman, Arizona 86401



PAGE: 1 of 5 FEE # 2007074732

B: 6930 P: 401

OFFICIAL RECORDS
OF MOHAVE COUNTY
JOAN MCCALL,
COUNTY RECORDER



08/22/2007 10:04 AM Fee: \$12.00
DOC TYPE: GRES
PAID BY: CITY CLERK

PAGE 1 OF 5

**CITY OF KINGMAN
RESOLUTION NO. 4455**

**A RESOLUTION BY THE MAYOR AND COMMON COUNCIL OF THE CITY OF
KINGMAN, ARIZONA: APPROVING AN EXTENSION OF TIME FOR A PRELIMINARY
FOR KINGMAN CROSSING, TRACT 1993.**

WHEREAS, the preliminary plat for Kingman Crossing, Tract 1993, located on property described as a portion of the north half of Section 9, T.21N., R.16W., of the G&SRM, Mohave County, Arizona, was originally approved under Resolution No. 4009 in August, 2004 with a subsequent one year extension of time approved on August 7, 2006 under Resolution No. 4326, and

WHEREAS, said proposed subdivision is approximately 280.13 acres in size with 1,154 single family lots, and

WHEREAS, Mohave Engineering Associates, Inc., applicant, has requested on behalf of the property owner, Kingman Crossings, LLC a one year extension of time of said plat as shown in Exhibit "A", and

WHEREAS, two of 13 final plat phases of said subdivision, containing 206 lots, has been approved by the Kingman Common Council and recorded and the project engineer has represented that additional phases will be processed in the future, and

WHEREAS, in meetings with ADOT it has been indicated that the FHWA will require an arterial roadway with a 45 mph design speed from the future Kingman Crossing interchange south of the subject property to Airway Avenue, and

WHEREAS, the city's consultant, URS, has developed a plan for a 130 foot wide roadway with six lanes and drainage areas to serve as the connector roadway from the Kingman Crossing interchange to I-40, and

WHEREAS, Kingman Crossing Boulevard, which would serve as the proposed connector street is shown as only 70 feet in width and is not designed to allow a 45 mph speed on the preliminary plat for Kingman Crossing, Tract 1993, and

WHEREAS, in accordance with Section 2.2(8)b(iii) of the Kingman Subdivision Ordinance, the Kingman Common Council may extend the preliminary plat in one-year increments, and if there have been major changes in the area affecting the subdivision plan, the Council may require modifications to be incorporated into the final plat.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Common Council of the City of Kingman, Arizona: That upon the recommendation of the Planning and Zoning Commission, the preliminary plat for Kingman Crossing, Tract 1993, shown in Exhibit "A" is hereby approved for a one year extension of time with the same conditions and exceptions as originally stated and adding the following condition:

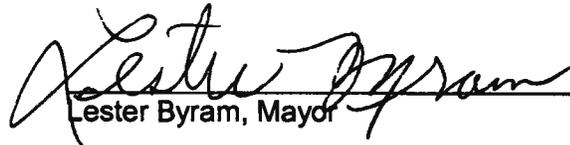
1. The final plat(s) shall be designed to show a realigned 130 foot wide right-of-way for Kingman Crossing Boulevard consistent with the location depicted on Alternative #2 developed by URS as shown in Exhibit "B".

PASSED AND ADOPTED by the Mayor and Common Council of the City of Kingman, Arizona this 6th day of August, 2007.

ATTEST:

APPROVED:


Deborah Francis, City Clerk


Lester Byram, Mayor

APPROVED AS TO FORM:

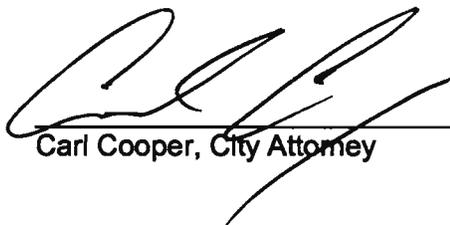

Carl Cooper, City Attorney

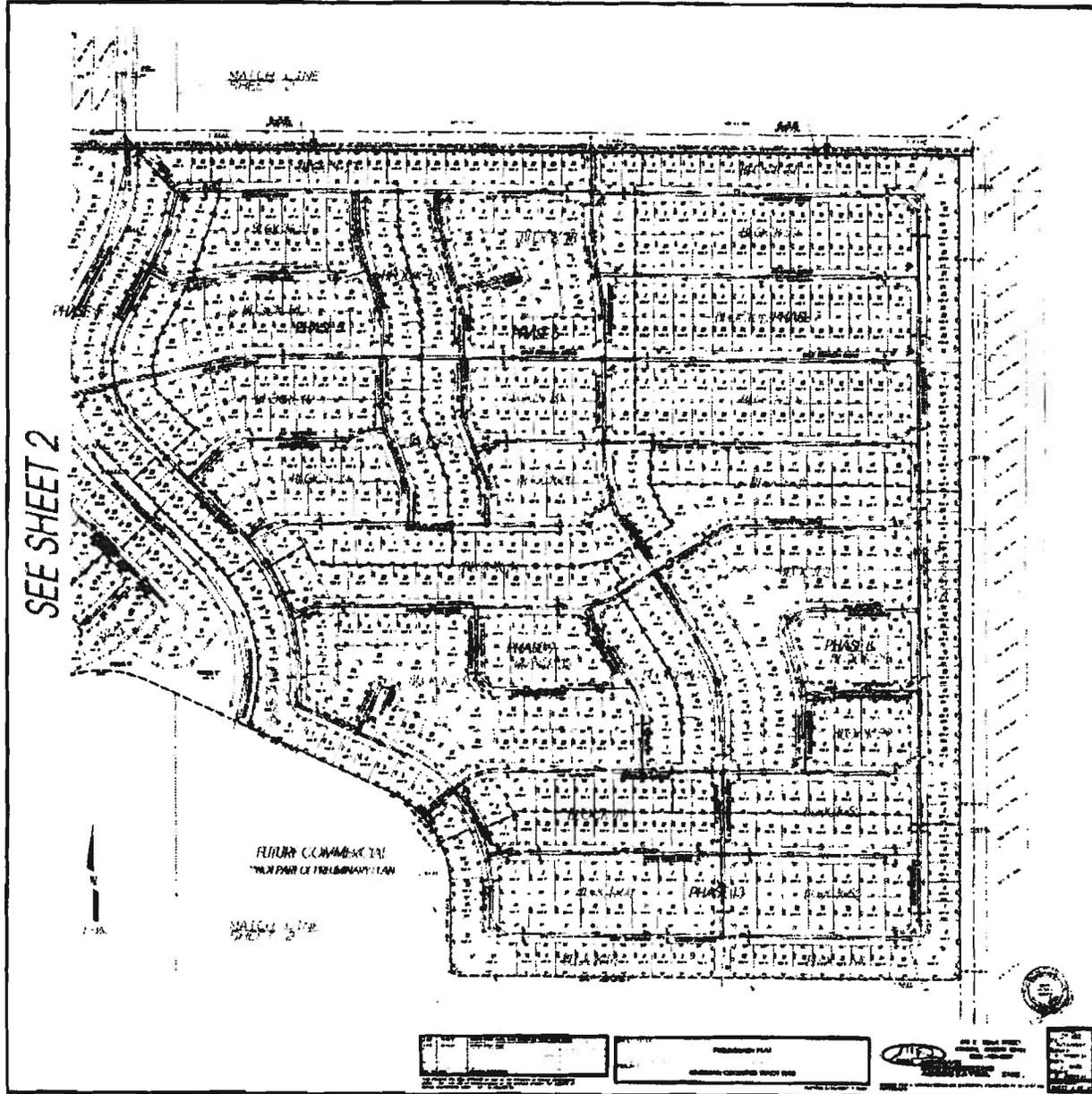


EXHIBIT "A"
West Half



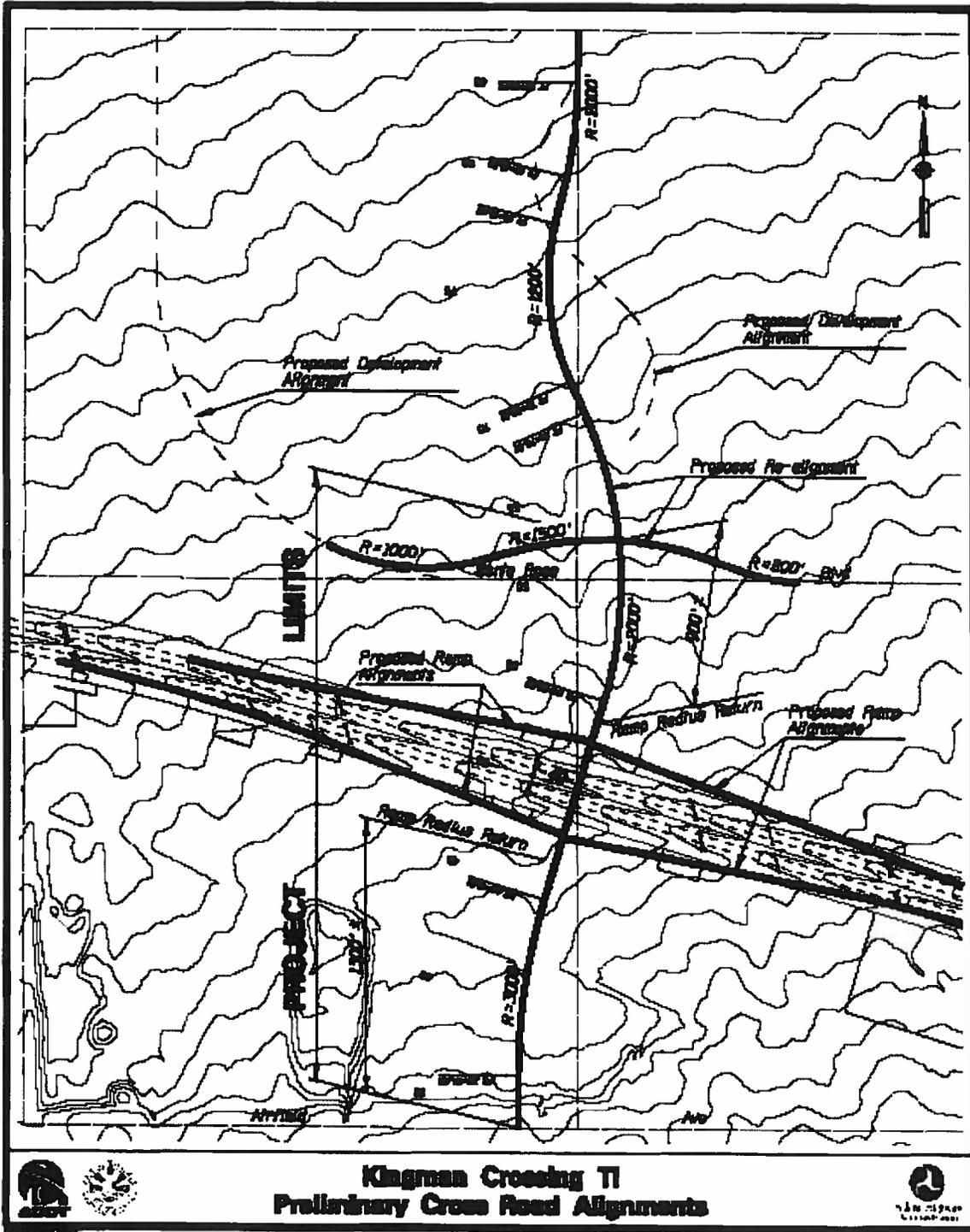
**RECORDER'S MEMO: Legibility
Questionable For Good Reproduction**

EXHIBIT "A"
East Half



RECORDER'S MEMO: Legibility
Questionable For Good Reproduction

EXHIBIT "B"



RECORDER'S MEMO: Legibility
Questionable For Good Reproduction



**CITY OF KINGMAN
RESOLUTION NO. 4009**

A RESOLUTION BY THE MAYOR AND COMMON COUNCIL OF THE CITY OF KINGMAN, ARIZONA: APPROVING A PRELIMINARY SUBDIVISION PLAT FOR KINGMANCROSSING, TRACT 1993.

WHEREAS, Mohave Engineering Associates, Inc., project engineer and Kingman Crossing, LLC, property owner, has requested the approval of a preliminary plat of a residential subdivision, to be known as Kingman Crossing, Tract 1993, located on property described as a portion of the North Half of Section 9, T.21N., R.16W., of the G. & S.R.M., Mohave County, Arizona, as shown in the attached Exhibits "A", "B", and "C" and

WHEREAS, a preliminary plat and drainage report were prepared by Mohave Engineering Associates, Inc., a licensed engineering firm in the State of Arizona, and

WHEREAS, said proposed subdivision is approximately 280 acres in size with 1,153 single family lots, and

WHEREAS, the proposed preliminary plat and preliminary drainage report has been reviewed by the City Engineer and Planning Director and other concerned agencies, and were found to be in compliance with the Subdivision Ordinance, the Zoning Ordinance, and other applicable regulations, and

WHEREAS, the preliminary plat, preliminary drainage report, and exception requests were reviewed and recommended for approval with certain conditions by the Planning and Zoning Commission at the regular meeting on July 13, 2004 by a 4-1 vote, and

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Common Council of the City of Kingman, Arizona: That upon the recommendation of the Planning and Zoning Commission, the preliminary plat for Kingman Crossing, Tract 1993, as shown in Exhibits "A", "B" and "C" and generally described as a portion of the North Half of Section 9, T.21N., R.16W., of the G. & S.R.M., Mohave County, Arizona, is hereby approved, with the following conditions:

- on* A. Approve request for exception to allow certain blocks to contain only one tier of lots which is in violation of Section 4.3(1) of the Subdivision Ordinance.
- on* B. Approve request for exception to allow double fronting lots on certain blocks which is in violation of Section 4.4(5) of the Subdivision Ordinance.
- on* C. Approve request for exception to allow certain blocks to exceed 1,320 feet in length or be less than 400 feet in length which is a violation of Section 4.3(2) of the Subdivision Ordinance.
- on* D. Approve request for an exception to allow a street to have an inverted crown with 3% cross slope which is in violation of Section 4.6(3) of the Subdivision Ordinance.
- Needs correct* E. Correct the lot numbering sequence in Block 3 which is missing Lot 21 and the lot numbering sequence in Block 31 by renumbering Lot 723 as Lot 13.

N/A F. Revise the number of the block surrounded by Raintree Drive, Rio Pecos Drive, Colonial Parkway and Raven Street as there is already a Block 2 elsewhere in the plat.

OK G. Revise the dimension of Lot 25, Block 1 along Rosewood Street.

N/A H. Do not use the following names as these may be confused with all or part of the existing street names: "Diamond Head Avenue", "Pineway Drive", and "Ranchvale Avenue".

N/A I. Do not use the name "Wheatland Court" as it is an extension of "Wheatland Avenue."

N/A J. Add the name "Lyons Road" to the preliminary plat where the proposed street aligns with this existing street.

N/A K. Rename "Santa Rosa Loop" and "Santa Rosa Court" as these streets do not directly connect to "Santa Rosa Drive".

N/A L. Rename "Cloverland Way" as this street does not directly connect to "Cloverland Lane".

Northern one OK shown. M. Rename one segment of "Corrales Street" as this name is used on two streets that do not align with each other.

N/A N. Rename one leg of "Carolina Street" as this street loops back on itself crossing two other streets, "McClintock Street" and "Cloverland Lane" twice.

O.K. O. Approve request for an exception to allow the distance at certain adjacent intersections to be less than 200 feet which is a violation of Section 4.6(4)g of the Subdivision Ordinance.

we need to make word to read on plat. *OK* P. Add curb-return radii to Lots 9 & 10, Block 7; Lot 35, Block 33; and Lot 7, Block 43.

Boundary with? OK *N/A* *OK* Q. Modify the street sections for Airway Avenue, Prospector Street and Santa Rosa Drive to have five foot wide sidewalks in accord with the arterial street standards.

N/A R. Include on the final plat the recommended minimum floor elevations for lots within the "A" Flood Zone.

See Engineering Comments S. Address the City Engineer's comments dated July 22, 2004 regarding the revised engineer's design report with regard to water supplies, pressure zones, water and sewer line locations and flows, and the revised drainage report concerning flows and detention areas, and the need for an engineering analysis and soil investigations for the pavement sections on Airway Avenue, Prospector Street and Santa Rosa Drive.

N/A T. Address in further detail how Parcel "C" and Parcel "E" will be developed, utilized and maintained. *NO information - assume no info.*

PASSED AND ADOPTED by the Mayor and Common Council of the City of Kingman, Arizona this 2nd day of August, 2004.

ATTEST:

APPROVED:

Toni Weddle

Toni Weddle, City Clerk

Monica Gates

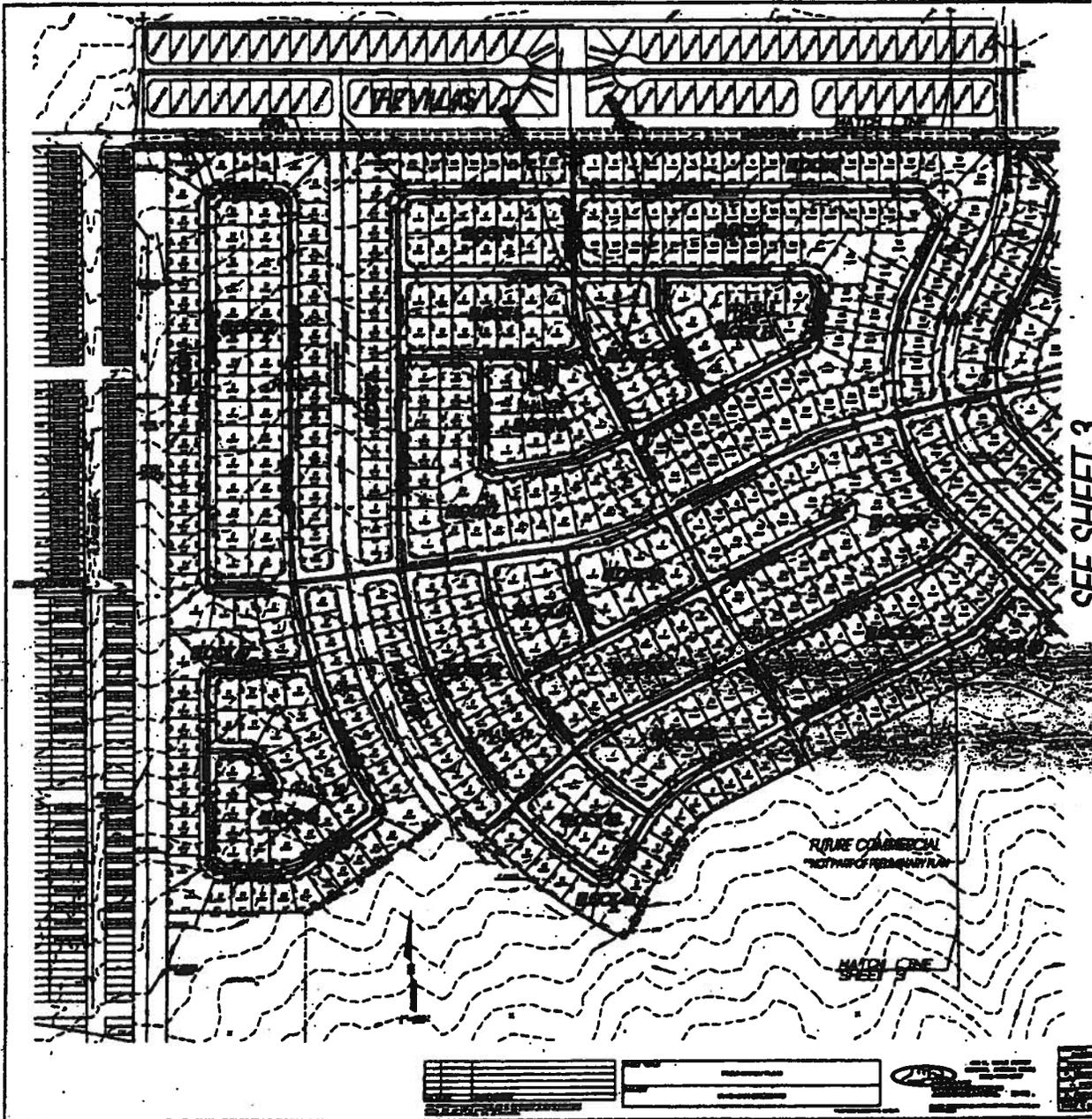
Monica Gates, Mayor

APPROVED AS TO FORM:

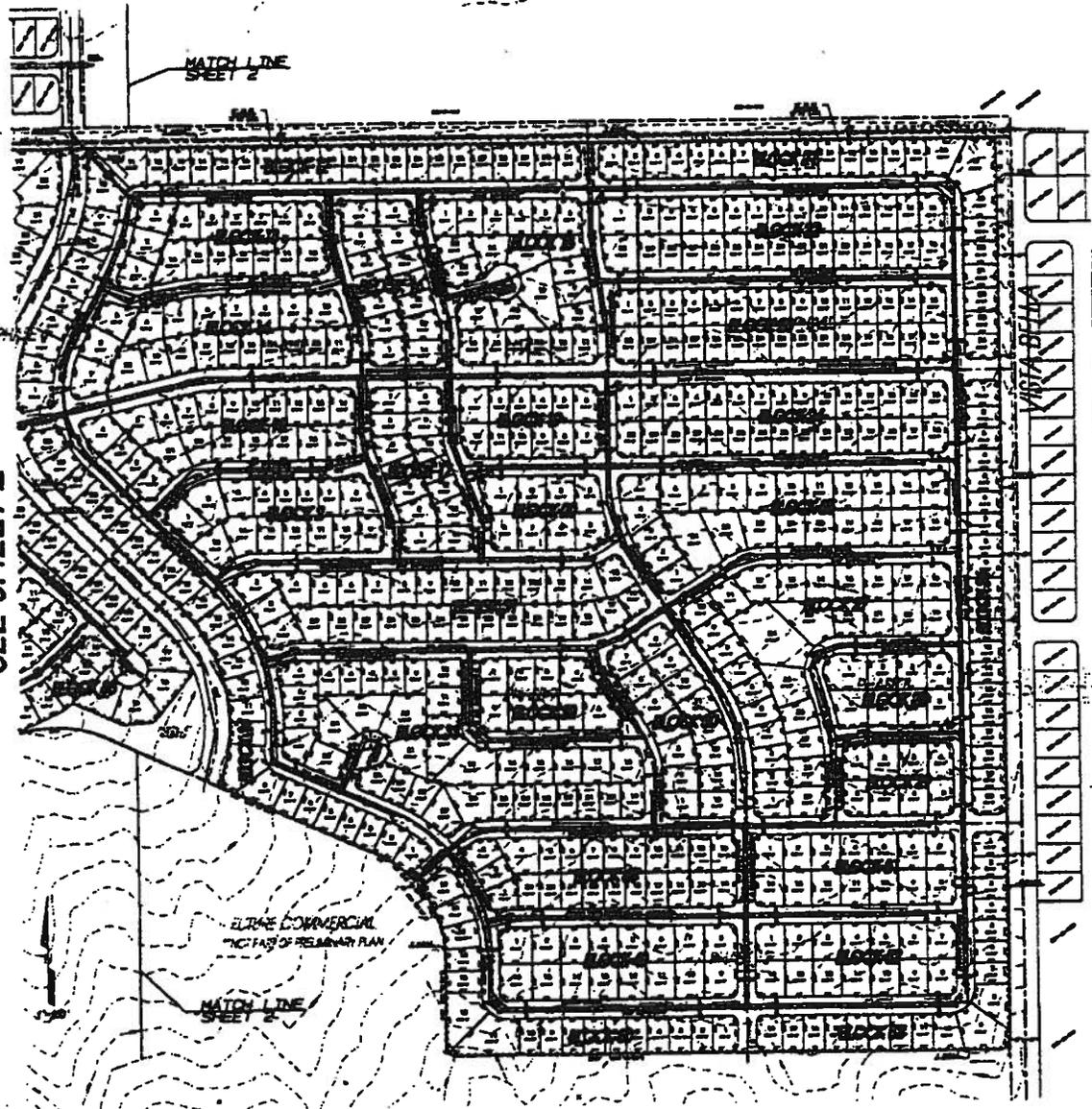
Robert A. Taylor

Robert Taylor, City Attorney





SEE SHEET 2



DATE	
DESIGNER	
CHECKED	

Professional Engineer Seal and License Information

STATE OF TEXAS
Professional Engineer
No.

RES. NO. 4009

**CITY OF KINGMAN
RESOLUTION NO. 4046-REVISED**

A RESOLUTION BY THE MAYOR AND COMMON COUNCIL OF THE CITY OF KINGMAN, ARIZONA; APPROVING A MAJOR AMENDMENT TO THE CITY OF KINGMAN GENERAL PLAN 2020 BY CHANGING THE PROJECTED LAND USE OF CERTAIN PROPERTY TO 124 ACRES OF REGIONAL COMMERCIAL.

WHEREAS, Mohave Engineering Associates, Inc., has requested on behalf of the property owner, Kingman Crossing, LLC, a major amendment to the Kingman General Plan 2020, concerning certain property described as a 124 acre portion of Section 9, T.21N., R.16W., Mohave County, Arizona located along the north side of I-40 east of Sage Street and west of Prospector Street south of Airway Avenue, and

WHEREAS, the subject property is currently designated with a mixture of Community Commercial, Intermediate Density Residential 9-16 du/ac, Medium Density Residential 3-8 du/ac, and Public/Quasi-Public land uses in accord with the Kingman General Plan 2020 land use projections, and

WHEREAS, the projected land use of the subject property was proposed to be changed to 71.6 acres of Highway Service Commercial and 52.4 acres of Regional Commercial, and

WHEREAS, the Kingman Common Council and the Kingman Planning and Zoning Commission monitor, evaluate, and recommend updates to the Kingman General Plan and Elements to adjust to the changing needs of the citizens of Kingman, and

WHEREAS, on October 12, 2004, the Kingman Planning and Zoning Commission held a public hearing to obtain public comment and consider possible change to the General Plan land use designation specifically for the above described property, and

WHEREAS, in accord with the policies of the Kingman General Plan 2020, the Kingman Planning and Zoning Commission made findings that the proposed amendment is consistent with the policies and objectives of the rest of the general plan; that the amendment furthers the public health, safety and general welfare of the citizens of Kingman; and that the proposed change will be compatible with other land uses, existing or planned in the vicinity, and

WHEREAS, the Kingman Planning and Zoning Commission recommended changing the land use designation of above described property to 71.6 acres of Highway Service Commercial and 52.4 acres of Regional Commercial with certain conditions, including no truck oriented businesses in the area to be designated Highway Service Commercial, and

WHEREAS, the Kingman Common Council elected not to change any of the land use designation to Highway Service Commercial as the uses that would be allowed in the Highway Service designation could occur within the Regional Commercial designation as well.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Common Council of the City of Kingman, Arizona that the City of Kingman General Plan 2020 be amended by applying a Regional Commercial land use designation to property described as a 124 acre portion of Section 9, T.21N., R.16W., Mohave County, Arizona located along the north side of I-40 east of Sage Street and west of Prospector Street south of Airway Avenue, and shown in Exhibit "A" attached, with the following conditions:

- A. Before any property is rezoned for commercial purposes within the subject site there shall be an overall plan developed for the expansion of the necessary water and sewer infrastructure to serve development in the area.
- B. A schedule for the completion of the interchange as well as improvements of neighboring streets shall be known before any commercial zoning is applied to the subject site.
- C. The interchange construction or the Airway underpass shall be substantially completed before any commercial development occurs on the subject property.
- D. Truck-oriented businesses shall not be allowed in any areas within the subject site.

PASSED AND ADOPTED by the Mayor and Common Council of the City of Kingman, Arizona this 1st day of November, 2004.

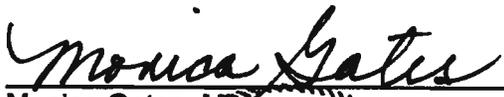
ATTEST:

APPROVED:



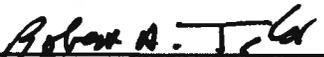
Toni Weddle, City Clerk

(ANGELA GRAY)
DEPUTY CITY CLERK



Monica Gates, Mayor

APPROVED AS TO FORM:



Robert Taylor, City Attorney

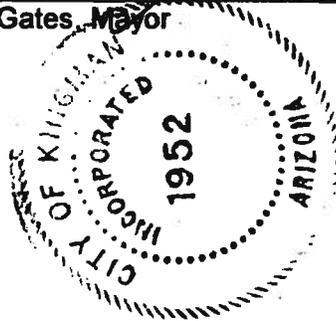
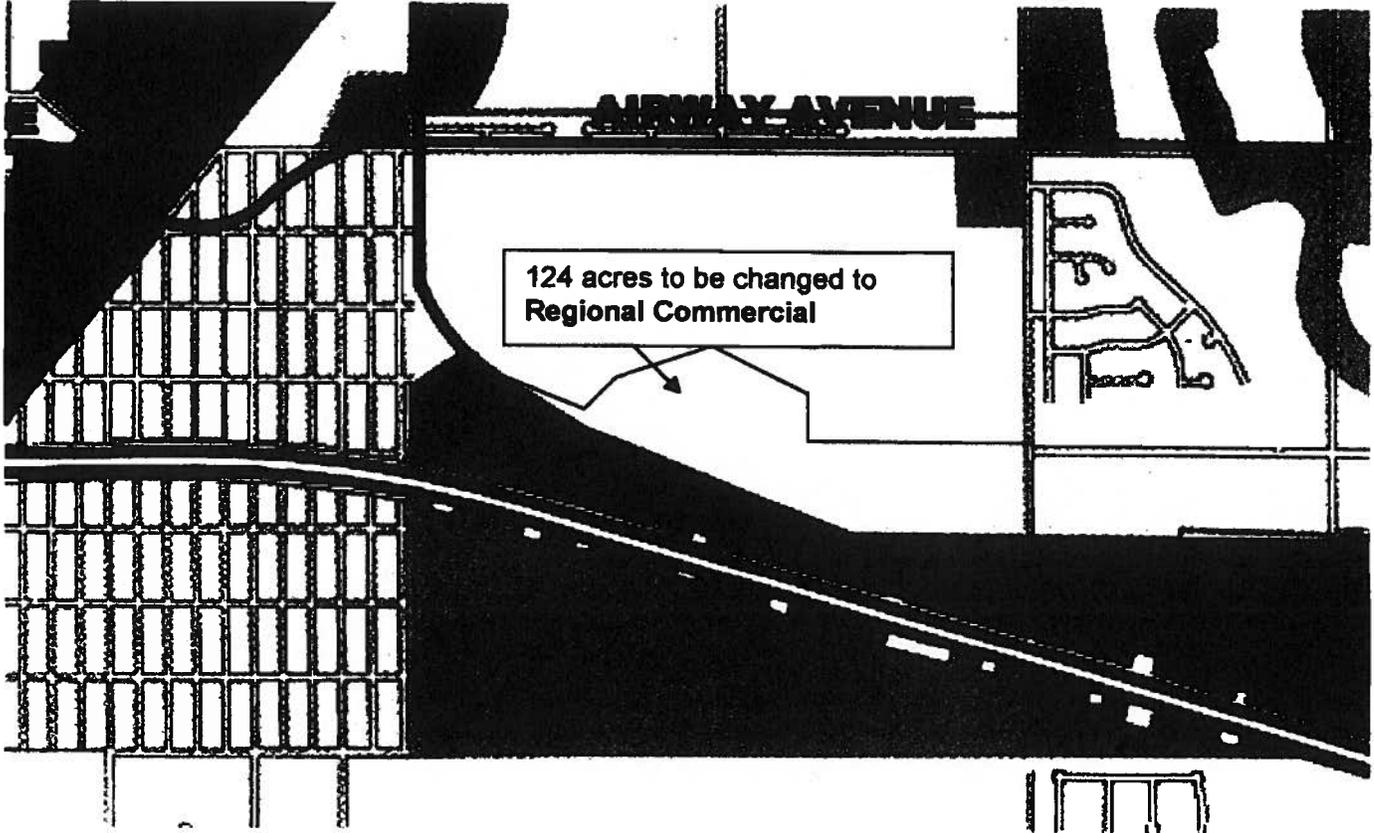


EXHIBIT "A"





CITY OF KINGMAN COMMUNICATION TO COUNCIL

TO: Honorable Mayor and Common Council

FROM: Rich Ruggles, Principal Planner

MEETING DATE: January 5, 2016

AGENDA SUBJECT: Public hearing and consideration of Resolution 4987: approval of a one-year renewal of a conditional use permit (CUP) approved under Resolution 4860 to expand a mini-storage complex at 3442 Hualapai Mountain Road

SUMMARY:

Robert E. & Judith Bennett, applicants and property owners, have requested approval of a one-year renewal of a conditional use permit (CUP) originally approved on October 15, 2013 by the City Council under Resolution No. 4860 to expand a mini-storage complex at 3442 Hualapai Mountain Road on property zoned C-2-HMR: Hualapai Mountain Road Design Overlay District.

The CUP was approved to allow approximately 210 mini-storage units of varying sizes as well as an office, a manager's residence, and a garage as an addition to the existing Hualapai Mountain Mini Storage complex.

Under Section 29.410(1) of the Kingman Zoning Ordinance, it is required that a building permit be issued within one year of the effective date of the use permit and substantial construction shall have occurred. Because a building permit was not obtained within one year, the applicant requested and received a one-year renewal of the CUP from the Council which passed Resolution No. 4924 on December 2, 2014 with direction to Mr. Bennett that he must begin construction in one-year.

On October 20, 2015, the city issued a grading permit for the subject site; however, a building permit has not yet been obtained and no grading has taken place. The property owner requested another one-year renewal of the CUP. The Planning and Zoning Commission met on December 8, 2015 and held a public hearing on this request. There was no public opposition to this request for renewal. The Commission voted 3-2 to recommend approval of the request for the one-year renewal of the Conditional Use Permit.

FISCAL IMPACT:

None expected at this time.

STAFF RECOMMENDATION:

P&Z Commission voted 3-2 to recommend approval of the one-year extension of time.

ATTACHMENTS:

Description

Resolution No. 4987

P&Z Commission Report

REVIEWERS:

Department	Reviewer	Action	Date
Development Services	Jeppson, Gary	Approved	12/22/2015 - 5:44 PM
City Attorney	Cooper, Carl	Approved	12/23/2015 - 10:33 AM
City Manager	Dougherty, John	Approved	12/29/2015 - 2:21 PM

CITY OF KINGMAN RESOLUTION NO. 4987

A RESOLUTION BY THE MAYOR AND COMMON COUNCIL OF THE CITY OF KINGMAN, ARIZONA: AUTHORIZING A ONE-YEAR RENEWAL OF A CONDITIONAL USE PERMIT, ORIGINALLY APPROVED UNDER RESOLUTION NO. 4860, TO EXPAND A MINI-STORAGE COMPLEX LOCATED AT 3442 HUALAPAI MOUNTAIN ROAD.

WHEREAS, on October 15, 2013 the City of Kingman Common Council passed Resolution No. 4860 which approved a conditional use permit to allow the expansion of an existing mini-storage complex located at 3442 Hualapai Mountain Road, further described as: A Portion of the NE 1/4, NE 1/4 of Section 29, T.21N., R.16W. of the G&SRM, Mohave County, Arizona, as shown on a Parcel Plat recorded 3/17/98 at Fee No. 98-15094; and

WHEREAS, on December 2, 2014 the City of Kingman Common Council passed Resolution No. 4924 which approved a one-year extension of time for the conditional use permit (CUP) at the request of the property owners; and

WHEREAS, Robert E. and Judith D. Bennett, applicants and property owners, have requested an additional one-year extension of time for the conditional use permit (CUP) to allow the expansion of a mini-storage complex on property located at 3442 Hualapai Mountain Road; and

WHEREAS, the City of Kingman Planning and Zoning Commission held a public hearing on December 8, 2015, to consider this request for a renewal of the CUP for a period of one-year and voted 3-2 in favor of granting the extension of time request; and

WHEREAS, the City of Kingman Common Council has the authority to approve a one-year renewal of the CUP pursuant to Section 29.500: Conditional Use Permits of the Kingman Zoning Ordinance.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Common Council of the City of Kingman, Arizona: That a Conditional Use Permit (CUP) is granted for a one-year renewal of a CUP to expand a mini-storage complex located at 3442 Hualapai Mountain Road on property described as a Portion of the NE 1/4, NE 1/4 of Section 29, T.21N., R.16W. of the G&SRM, Mohave County, Arizona, as shown on a Parcel Plat recorded 3/17/98 at Fee No. 98-15094, with the conditions of Resolution No. 4860 reiterated as follows:

1. Street improvements are required at the time of development along Hualapai Mountain Road and Rosslynn Drive per the Streets and Sidewalks Development Rules and Regulations.
2. Grading and drainage plans will be required at the time of development. Drainage retention is required in accordance with the Kingman Area Master Drainage Plan.

3. New water service to this unsubdivided parcel will need to be reviewed and approved by MUC and the City Council per Article 3.3(E) of the Municipal Utility Regulations.
4. A fire hydrant shall be installed on Rossllynn Drive at the proposed entrance to meet the required fire flow and fire hydrant spacing.
5. No storage unit doors shall directly face Hualapai Mountain Road or Rossllynn Drive.
6. Parapets for the buildings shall be varied in height. Any walls longer than 25 feet which face the streets and other properties shall have architectural features such as columns at least every 25 feet with contrasting but complimentary colors.
7. All structures shall be setback a minimum of a 20-foot setback from Hualapai Mountain Road and Rossllynn Drive, and a 10-foot setback will be required where the property abuts a residentially zoned property to the south. No structures shall be constructed within any existing utility easements.
8. Parking shall be in accordance with the requirements of Section 22.000: Off-Street Parking and Loading.
9. Access to the proposed mini-storage units shall be from one new driveway off of Rossllynn Drive. Vehicular access from Hualapai Mountain Road shall not be permitted.
10. Landscaping and screening shall adhere to the requirements of Sections 10.000 and 14.000 of the Kingman Zoning Ordinance.
11. The new and existing buildings will be constructed to comply with the general performance standards of the Section 35.000 Overlay District: Design Review Manual for the Hualapai Mountain Road Area Plan of the Zoning Ordinance of the City of Kingman.

PASSED AND ADOPTED by the Mayor and Common Council of the City of Kingman, Arizona this 5th day of January, 2016.

ATTEST:

APPROVED:

Sydney Muhle, City Clerk

Richard Anderson, Mayor

APPROVED AS TO FORM:

Carl Cooper, City Attorney

PLANNING AND ZONING COMMISSION REPORT

Conditional Use Permit Case: CUP15-003

SUMMARY OF REQUEST

A request from Robert E. and Judith D. Bennett, applicants and property owners, for a one-year renewal of a Conditional Use Permit (CUP) allowing the expansion of a mini-storage complex at 3442 Hualapai Mountain Road on property zoned C-2-HMR: Hualapai Mountain Road Design Overlay District.

The subject property is approximately 5 acres and is located along the south side of Hualapai Mountain Road east of Rosslynn Drive at 3442 Hualapai Mountain Road. The subject property is described as A Portion of the NE ¼, NE ¼ of Section 29, T.21N., R.16W. of the G&SRM, Mohave County, AZ.

FINDINGS OF FACT

- On October 15, 2013, the Mayor and the Common Council of the City of Kingman approved Resolution No. 4860, which approved a conditional use permit to allow the expansion of an existing mini-storage complex located at 3442 Hualapai Mountain Road on property zoned C-2-HMR: Hualapai Mountain Road Design Overlay District. (CUP13-002)
- On December 2, 2014 Resolution No. 4924 was passed by the Council granting a one-year extension of time for the Conditional Use Permit at the request of the property owners, Robert E. and Judith D. Bennett. (CUP14-004)
- Section 29.410(1) of the Zoning Ordinance of the City of Kingman states that "If a building permit is necessary to implement the use permit, a building permit shall have been issued within one (1) year of the effective date of the use permit, and substantial construction occurred" or the use permit can be considered automatically void.
- Section 29.500 of the Zoning Ordinance states "In the event that the use for which a Conditional Use Permit is not achieved within the aforementioned time frames, the permit may be renewed for an additional one (1) year period."
- On October 20, 2015 the City of Kingman issued a grading permit for the subject site. However, a building permit has not been obtained by the owner for the expansion of the mini storage units.
- In accordance with Section 29.500(1) of the Zoning Ordinance, the property owners have submitted an application requesting the renewal of the Conditional Use Permit.

Public Notification and Expected Comment

- The site was posted with a zoning notice on November 20, 2015.
- A public notice was published in the Kingman Daily Miner on November 22, 2015.
- Surrounding property owners within 150 feet were sent a notice of the request via first class mail on November 18, 2015. The list of property owners was generated using information provided by the Mohave County Assessor's Office.
- One comment from a neighboring property owner was received in favor of the CUP extension request. No other comments were received as of when this report was completed on December 22, 2015.

Department and Agency Comments

- City Building Official: Approved.
- City Engineering: No issues with CUP.
- Frontier Communications: No conflicts with the extension request.

ANALYSIS

The subject property owners, Robert E. and Judith D. Bennett, have requested a one-year renewal of a Conditional Use Permit (CUP) allowing the expansion of a mini-storage complex at 3442 Hualapai Mountain Road on property zoned C-2-HMR: Hualapai Mountain Road Design Overlay District.

On October 20, 2015, the property owners obtained a grading permit from the City of Kingman to allow their property to be graded. However at this time no grading has taken place. According to the owner, the civil engineer and architect for the project are still in the process of preparing the building plans for the expansion of the mini-storage units. A site plan is attached to the report which indicates the current building and phasing plan.

An additional one-year extension of time is sought to allow time to obtain a building permit so that substantial construction may begin on the project as required by the CUP process. During the Council hearing on the previous extension request on December 2, 2014 there was extensive discussion regarding the delays in this project. This included a comment from the Mayor that the applicant had one year to pull the building permit and that there would not be another chance. A copy of the minutes is attached to this report.

No objections to this request have been received by any departments or agencies. No objections from the public have been received.

RECOMMENDATION

The Planning and Zoning Commission voted 3-2 in favor of a motion to recommend to the Council the approval of a one (1) year extension of time for the Conditional Use Permit for the expansion of the mini storage units located at 3442 Hualapai Mountain Road. It is further recommended that all conditions of the original conditional use permit be attached to the one-year extension request (See Resolution Nos. 4860 and 4924).

ATTACHMENTS

1. Application for 1 year renewal of Conditional Use Permit
2. Site Plan for Grading Permit
3. Comments
4. Resolution No. 4860 and Resolution No. 4924
5. Minutes from Council meeting of December 2, 2014
6. Original Planning and Zoning Commission report for CUP13-002



CITY OF KINGMAN
PLANNING & ZONING

OCT 22 2015

RCY'D
TIME

S. Jellard
3:20 PM

CITY OF KINGMAN
CONDITIONAL USE PERMIT APPLICATION FORM
CASE # CU *P15-003*

Application Date: *10-20-15*

I (we) the undersigned property owner(s) request that the area described below receive a conditional use permit (PROVIDE COMPLETE LEGAL DESCRIPTION):

PARCEL 321-12-008

Property Address: *3442 Hualapai Mountain Road*

Proposed Conditional Use Permit Request to allow:

Addition to EXISTING STORAGE

Property Zoning:

Mohave County Tax Parcel Number(s):

Size of Parcel:

OWNER'S NAME:

ROBERT E ANN JUDITH D BENNETT

Mailing Address:

P.O. BOX 3442

City/State/Zip:

KINGMAN AZ

Phone Number:

928-486-1619

Email: *ROBERTANNJUDITHBENNETT@GMAIL.COM*

Signature:

Robert Bennett

G. West L. Co.

APPLICANT NAME: (OR AGENT/REPRESENTATIVE); IF THE OWNER DOES NOT SIGN THIS APPLICATION A WRITTEN LETTER OF CONSENT MUST ACCOMPANY THIS APPLICATION.)

Mailing Address:

Robert Bennett

City/State/Zip:

P.O. BOX 3442 KINGMAN AZ

Phone Number:

928-486-1619

Email: *robertannjudithbennett@gmail.com*

Signature:

Robert Bennett

ITEMS FROM THE "CONDITIONAL USE PERMIT CHECKLIST" SHALL BE SUBMITTED WITH THIS APPLICATION.

Rich Ruggles

From: Wiegiersma, Brenda <brenda.wiegiersma@ftr.com>
Sent: Wednesday, November 18, 2015 2:01 PM
To: Rich Ruggles
Cc: Pebley, Stephen; Loreque, Marc
Subject: FW: Request for comments for CUP15-003
Attachments: CUP15-003 ac.doc; 14-092 RS.pdf; 14-092 SGD and Offsite IP 2015-04-26.pdf

Rich,

Frontier Communications has no conflicts with the extension request for the mini-storage units at 3442 Hualapai Mountain Road.

Please contact me if you require additional information.

Brenda Wiegiersma
Network Engineer
3405 E Northern Ave
Kingman, AZ 86409
Brenda.Wiegiersma@FTR.com
928-757-0240 (o)
928-716-6624 (c)
928-681-2349 (f)

From: Pebley, Stephen
Sent: Wednesday, November 18, 2015 11:36 AM
To: Loreque, Marc; Wiegiersma, Brenda
Subject: FW: Request for comments for CUP15-003

Please review for response.

From: Rich Ruggles [<mailto:rruggles@cityofkingman.gov>]
Sent: Wednesday, November 18, 2015 11:26 AM
To: Pebley, Stephen <Stephen.Pebley@FTR.com>; mgibelyou@uesaz.com; jfield@uesaz.com;
Jeremy.rodriquez2@suddenlink.com
Subject: Request for comments for CUP15-003

Good morning:

I have attached a memo; a survey, and site/grading plan in regards to a Conditional Use Permit extension request for mini-storage units at 3442 Hualapai Mountain Road. Please review and let me know if you have any comments by December 1st. Thanks.

Rich Ruggles
Principal Planner

Rich Ruggles

From: Vearl Haynes Jr <vhaynes@missionbankaz.com>
Sent: Wednesday, November 25, 2015 1:33 PM
To: Rich Ruggles
Subject: Conditional Use Case #15-003

Dear Mr. Ruggles,

With regard to the above-cationed case and it's underlying request:

At this time Mission Bank, as a recorded owner within 150 feet, has no objection to the requested conditional use permit.

Should we reconsider our position regarding this matter we will correspond or attend the associated hearing to let Planning and Zoning Commission know of that change.

Sincerely,

Vearl L. Haynes, Jr.,

Sr. V.P./Chief Financial Officer
Community Bancshares, Inc./Mission Bank
2439 Hualapai Mtn. Rd.
Kingman, AZ 86401
(928) 718-5524 (Direct)
(928) 718-5516 (fax)

WHEN RECORDED HOLD FOR
KINGMAN CITY CLERK
310 N. 4th Street
Kingman, Arizona 86401


FEE# 2013062426

OFFICIAL RECORDS
OF MOHAVE COUNTY
CAROL MEIER,
COUNTY RECORDER



12/16/2013 10:30 AM Fee: \$8.00

PAGE: 1 of 1

CITY OF KINGMAN RESOLUTION NO. 4860

A RESOLUTION BY THE MAYOR AND COMMON COUNCIL OF THE CITY OF KINGMAN, ARIZONA: AUTHORIZING A CONDITIONAL USE PERMIT TO EXPAND A MINI-STORAGE COMPLEX LOCATED AT 3442 HUALAPAI MOUNTAIN ROAD

WHEREAS, Robert E. and Judith Bennett, applicants and property owners, have requested a conditional use permit to allow the expansion of a mini-storage complex on property located at 3442 Hualapai Mountain Road, and

WHEREAS, the subject property is located along the south side of Hualapai Mountain Road east of Rossllynn Drive further described as: A Portion of the NE 1/4, NE 1/4 of Section 29, T.21N., R.16W. of the G&SRM, Mohave County, Arizona, as shown on a Parcel Plat recorded 3/17/98 at Fee No. 98-15094, and

WHEREAS, the subject property is zoned C-2-HMR: Hualapai Mountain Road Overlay District, and

WHEREAS, mini-storage facilities may be permitted by Conditional Use Permit in the C-2-HMR zoning district in accordance with the requirements of Section 14.700 as amended by Ordinance 1766, and

WHEREAS, this CUP request was reviewed by the Kingman Planning and Zoning Commission on September 10, 2013 and was recommended for approval by a vote of 3-1, and

WHEREAS, the Kingman Common Council held a public hearing on October 15, 2013 on the Robert E. and Judith Bennett's request for develop mini-storage facilities at 3442 Hualapai Mountain Road and has the authority to approve a Conditional Use Permit, pursuant to Section 29.000: Conditional Use Permits of the *Zoning Ordinance of the City of Kingman*.

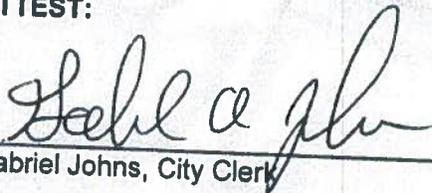
NOW, THEREFORE, BE IT RESOLVED by the Mayor and Common Council of the City of Kingman, Arizona: That a Conditional Use Permit (CUP) is granted to expand a mini-storage complex located at 3442 Hualapai Mountain Road on property described as a Portion of the NE 1/4, NE 1/4 of Section 29, T.21N., R.16W. of the G&SRM, Mohave County, Arizona, as shown on a Parcel Plat recorded 3/17/98 at Fee No. 98-15094, with the following conditions:

1. Street improvements will be required at the time of development along Hualapai Mountain Road and Rossllynn Drive per the Streets and Sidewalks Development Rules and Regulations.

2. Grading and drainage plans will be required at the time of development. Drainage retention is required in accordance with the Kingman Area Master Drainage Plan.
3. New water service to this unsubdivided parcel will need to be reviewed and approved by MUC and the City Council per Article 3.3(E) of the Municipal Utility Regulations.
4. A fire hydrant shall be installed on Rosslynn Drive at the proposed entrance to meet the required fire flow and fire hydrant spacing.
5. No storage unit doors shall directly face Hualapai Mountain Road or Rosslynn Drive.
6. Parapets for the buildings shall be varied in height. Any walls longer than 25 feet which face the streets and other properties shall have architectural features such as columns at least every 25 feet with contrasting but complimentary colors.
7. All structures shall be setback a minimum of a 20-foot setback from Hualapai Mountain Road and Rosslynn Drive, and a 10-foot setback will be required where the property abuts a residentially zoned property to the south. No structures shall be constructed within any existing utility easements.
8. Parking shall be in accordance with the requirements of Section 22.000: Off-Street Parking and Loading.
9. Access to the proposed mini-storage units shall be from one new driveway off of Rosslynn Drive. Vehicular access from Hualapai Mountain Road shall not be permitted.
10. Landscaping and screening shall adhere to the requirements of Sections 10.000 and 14.000 of the Kingman Zoning Ordinance.
11. The new and existing buildings will be constructed to comply with the general performance standards of the **Section 35.000 Overlay District: Design Review Manual for the Hualapai Mountain Road Area Plan** of the *Zoning Ordinance of the City of Kingman*.

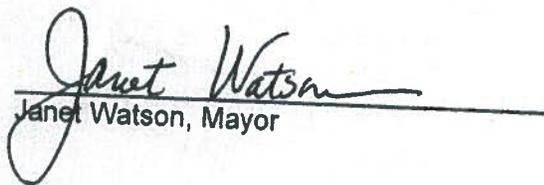
PASSED AND ADOPTED by the Mayor and Common Council of the City of Kingman, Arizona this 15th day of October, 2013.

ATTEST:



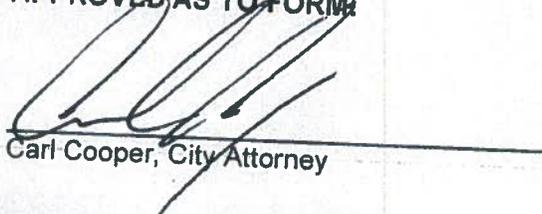
Gabriel Johns, City Clerk

APPROVED:



Janet Watson, Mayor

APPROVED AS TO FORM:



Carl Cooper, City Attorney



CITY OF KINGMAN RESOLUTION NO. 4924

A RESOLUTION BY THE MAYOR AND COMMON COUNCIL OF THE CITY OF KINGMAN, ARIZONA: AUTHORIZING A ONE-YEAR RENEWAL OF A CONDITIONAL USE PERMIT APPROVED UNDER RESOLUTION 4860 BY THE CITY COUNCIL ON OCTOBER 15, 2013 TO EXPAND A MINI-STORAGE COMPLEX LOCATED AT 3442 HUALAPAI MOUNTAIN ROAD.

WHEREAS, Robert E. and Judith Bennett, applicants and property owners, have requested a one-year renewal of a conditional use permit (CUP) to allow the expansion of a mini-storage complex on property located at 3442 Hualapai Mountain Road, and

WHEREAS, the subject property is located along the south side of Hualapai Mountain Road east of Rosslynn Drive further described as: A Portion of the NE 1/4, NE 1/4 of Section 29, T.21N., R.16W. of the G&SRM, Mohave County, Arizona, as shown on a Parcel Plat recorded 3/17/98 at Fee No. 98-15094, and

WHEREAS, the subject property is zoned C-2-HMR: Hualapai Mountain Road Overlay District, and

WHEREAS, mini-storage facilities may be permitted by Conditional Use Permit in the C-2-HMR zoning district in accordance with the requirements of Section 14.700 as amended by Ordinance 1766, and

WHEREAS, this one year renewal request was reviewed by the Kingman Planning and Zoning Commission on November 12, 2014 and was recommended for denial by a vote of 5-2, and

WHEREAS, the Kingman Common Council held a public hearing on December 2, 2014, on Robert E. and Judith Bennett's request for a one-year renewal of a CUP to expand the mini-storage facilities at 3442 Hualapai Mountain Road and has the authority to approve a one-time one-year renewal pursuant to Section 29.000: Conditional Use Permits of the *Zoning Ordinance of the City of Kingman*.

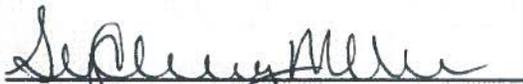
NOW, THEREFORE, BE IT RESOLVED by the Mayor and Common Council of the City of Kingman, Arizona: That a Conditional Use Permit (CUP) is granted for a one-year renewal of a CUP to expand a mini-storage complex located at 3442 Hualapai Mountain Road on property described as a Portion of the NE 1/4, NE 1/4 of Section 29, T.21N., R.16W. of the G&SRM, Mohave County, Arizona, as shown on a Parcel Plat recorded 3/17/98 at Fee No. 98-15094, with the following conditions:

1. Street improvements will be required at the time of development along Hualapai Mountain Road and Rosslynn Drive per the Streets and Sidewalks Development Rules and Regulations.

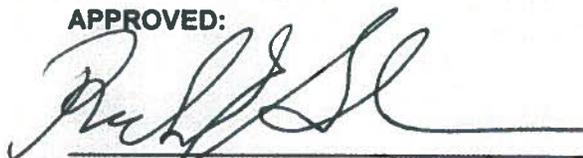
2. Grading and drainage plans will be required at the time of development. Drainage retention is required in accordance with the Kingman Area Master Drainage Plan.
3. New water service to this unsubdivided parcel will need to be reviewed and approved by MUC and the City Council per Article 3.3(E) of the Municipal Utility Regulations.
4. A fire hydrant shall be installed on Rosslynn Drive at the proposed entrance to meet the required fire flow and fire hydrant spacing.
5. No storage unit doors shall directly face Hualapai Mountain Road or Rosslynn Drive.
6. Parapets for the buildings shall be varied in height. Any walls longer than 25 feet which face the streets and other properties shall have architectural features such as columns at least every 25 feet with contrasting but complimentary colors.
7. All structures shall be setback a minimum of a 20-foot setback from Hualapai Mountain Road and Rosslynn Drive, and a 10-foot setback will be required where the property abuts a residentially zoned property to the south. No structures shall be constructed within any existing utility easements.
8. Parking shall be in accordance with the requirements of Section 22.000: Off-Street Parking and Loading.
9. Access to the proposed mini-storage units shall be from one new driveway off of Rosslynn Drive. Vehicular access from Hualapai Mountain Road shall not be permitted.
10. Landscaping and screening shall adhere to the requirements of Sections 10.000 and 14.000 of the Kingman Zoning Ordinance.
11. The new and existing buildings will be constructed to comply with the general performance standards of the Section 35.000 Overlay District: Design Review Manual for the Hualapai Mountain Road Area Plan of the *Zoning Ordinance of the City of Kingman*.

PASSED AND ADOPTED by the Mayor and Common Council of the City of Kingman, Arizona this 2nd day of December 2014.

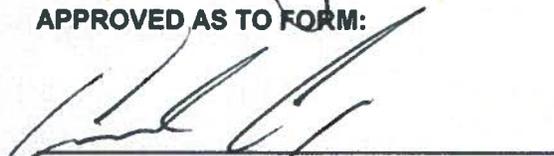
ATTEST:


Sydney Muhle, City Clerk

APPROVED:


Richard Anderson, Mayor

APPROVED AS TO FORM:


Carl Cooper, City Attorney



would take up space that we could be using to promote the City and tourism. In addition access to the boxes is a concern, along with security. We would be accepting additional liability for little to no compensation on the part of the USPS.

Mr. Dougherty said that when he received his formal education he was taught that government does the things businesses cannot. He said that the current post office has been making a profit and believes the anchor should be kept in Downtown where it can do the most good.

Vice Mayor Young said that she knows the City should not be competing with business, though pointed out that the Kingman Area Regional Transit system does. She said that in this case she does not see a benefit to the City or its residents.

Councilmember Wimpee Sr. made a MOTION to DENY the proposal from the United States Postal Service (USPS) and authorize the Mayor and City Attorney to write a letter to the state concerning this. Councilmember Yocum SECONDED.

Mayor Anderson asked for a correction to make the letter from him and the City Manager.

Councilmember Miles asked for clarification on whom this letter would be sent to.

Mayor Anderson said that this item will formally reject the proposal from the USPS.

Councilmember Miles asked for clarification that this letter would be sent to the USPS.

Mayor Anderson said that this was correct and that several other officials would receive copies.

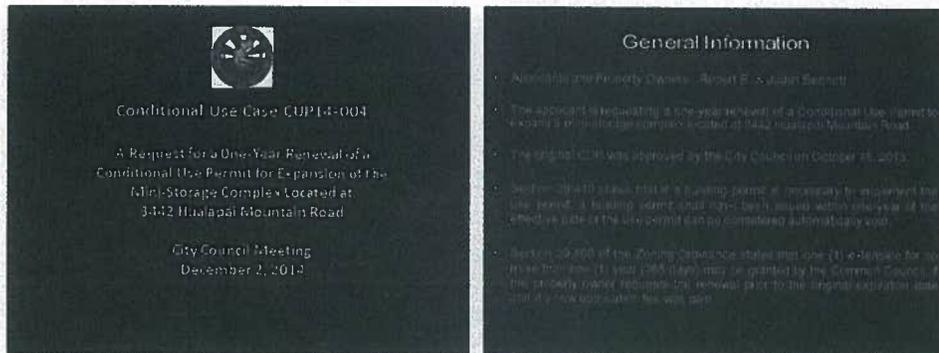
The MODIFIED MOTION stood with the same MOTION and SECOND. The MOTION was APPROVED by a vote of 6-0.

c. Public hearing and consideration of Resolution No. 4924 for the approval of a one-year renewal of a conditional use permit (CUP) approved under Resolution 4860 to extend a mini-storage complex at 3442 Hualapai Mountain Road

Robert E. & Judith Bennett, applicants and property owners, have requested approval of a one-year renewal of a conditional use permit (CUP) approved by the City Council under Resolution No. 4860 to expand a mini-storage complex at 3442 Hualapai Mountain Road on property zoned C-2-HMR: Hualapai Mountain Road Design Overlay District. The CUP was approved to allow approximately 210 mini-storage units of varying sizes as well as an office, a manager's residence, and a garage to the existing Hualapai Mountain Mini Storage complex. The developer signed a Proposition 207 waiver and the City Council approved Resolution 4860 on October 15, 2013. The developer was required to obtain a building permit within one year from the date that the resolution was approved and did not. The Planning and Zoning Commission met on November 12, 2014, and held a public hearing on this request. The Commission voted 5-2 to recommend denial of the request for the one-year renewal of the CUP. There were several neighboring property owners that attended the meeting opposing this request and opposition letters were received. P&Z Commission voted 5-2 to recommend denial of the one-year extension. Staff recommended approval of the one-year renewal.

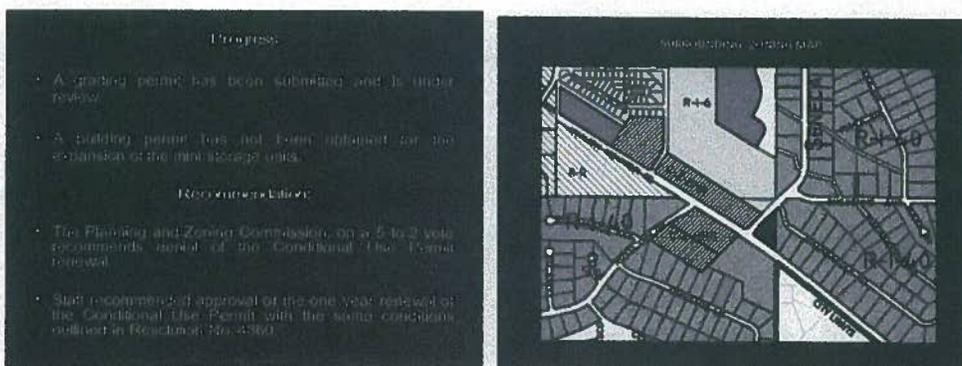
Mayor Anderson briefly went over the public hearing process.

Development Services Director Gary Jeppson gave a PowerPoint presentation.



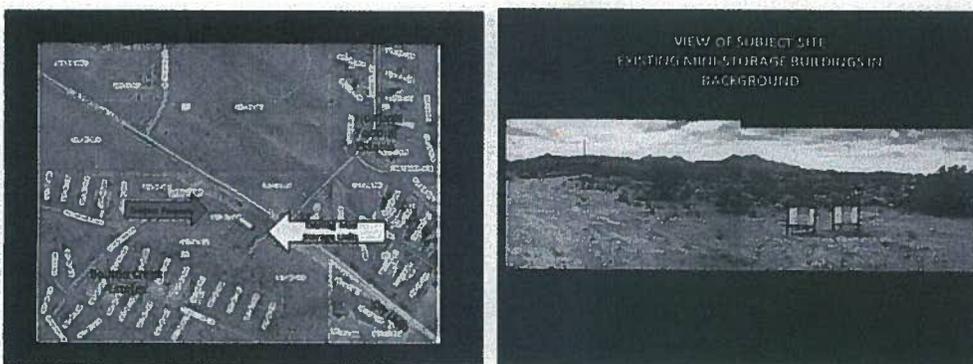
Slide 1 – This was an introductory slide.

Slide 2 – Mr. Jeppson gave a synopsis of this slide. He said that the ordinance requires that building permits be secured within one year of the Conditional Use Permit (CUP) being approved.



Slide 3 – Mr. Jeppson gave a synopsis of this slide.

Slide 4 – This slide showed a zoning map of the area.



Slide 5 – This slide showed an aerial photo of the property.

Slide 6 – This slide showed a photo of the property.



Slide 7 – This slide showed the existing facility.

Slide 8 – This slide showed the proposed site map of the project.

Vice Mayor Young asked what the County's original zoning of the property was and if the storage facility was permitted under that zoning.

Mr. Jeppson said that he does not know what the County's zoning of the property was when the facility was built, but assumed the facility was allowed as it was built. He said that storage facilities were not allowed under the City's zoning of that area when it was annexed. He said that Council approved a change to the zoning to allow the mini storage facility under a CUP.

Vice Mayor Young asked if the City was informed of the intended expansion when the property was annexed.

Mr. Jeppson said that there is not written proof, but the applicant says it was.

Mayor Anderson asked if there is a general policy or tendency with this type of request.

Mr. Jeppson said that when he came to the City there were several extensions granted; however, this is a new Council.

Councilmember Miles asked if a handout provided to each Council member was given to the Planning and Zoning Commission. A copy of this handout has been attached to these minutes.

Mr. Jeppson said that this handout was provided by the applicant to Council for this meeting.

Applicant Robert Bennett addressed the Council and apologized for not getting the permits in time. He said that it has been a nightmare trying to get everything in order and the drawings completed. He said that the engineering process has slowed them down as the first engineer quit the project and the change to Mohave Engineering Associates has taken a lot of time. He said that the plans for the building could not be done until the elevation was set due to the slope of the

property. He said that work was delayed because of engineering. He said that he believes this is still a viable project for the City as he has paid more than \$25,000 in sales tax to the City since 2004. He said that he believes the expansion will result in \$700 to \$800 per month in City sales tax revenue. He also said that he believes it will lower property taxes in the area because commercial properties are charged higher property taxes. He again apologized for the delay.

Mayor Anderson asked if Finance Director Coral Loyd could validate if the City receives sales tax from this type of operation.

Ms. Loyd said that she is not permitted by law to do so.

Mayor Anderson asked when each engineering firm was contracted.

Mr. Bennett said that the original firm was contracted in 2013 and had several delays due to staffing issues. He said that Mohave Engineering was contracted in January of 2014. He said that the site plans are done, but they took a while and listed the time table for each step. He said that he knows Mohave Engineering has been busy.

Mayor Anderson asked what Mr. Bennett's financial costs for this have been.

Mr. Bennett said that he has already put out over \$23,000 for this project. He said that he has signed contracts for an additional \$7,200. He said that he has made a substantial investment already, but this is in the City's best interest due to the income the expansion will bring.

Mayor Young asked if Mr. Bennett completes Transaction Privilege Tax (TPT) forms for the state, which Mr. Bennett said that he does.

Councilmember Abram said that he was concerned about the degradation of value of the surrounding neighborhood if the expansion is completed.

Mr. Bennett referred to the site plan and gave specifics for the property. He said that he intends to landscape the property as well as possibly adding retention ponds. He said that he likes the idea of adding trees to the property. He said that he owns an additional five acres and plans to build a house there which would provide an additional buffer for the surrounding neighborhood.

Mayor Anderson asked Mr. Cooper if he remembered if there was a discussion about land values when the initial application was submitted.

Mr. Cooper asked if Mayor Anderson was referring to Proposition 207 which does not apply in this situation. He said that Mr. Bennett did sign the waiver concerning this and the CUP increases the value of the property. He said that this does not apply to neighboring properties.

Mayor Anderson then asked Mr. Jeppson about the land values discussion.

Mr. Jeppson said that at the time of the original application staff recommended denial of the application as Mr. Bennett refused to sign the waiver. He said that Mr. Bennett has since signed the waiver as a condition of the CUP.

Mayor Anderson opened the public hearing at 7:22 P.M.

Citizen Joe Fisk addressed the Council and said that he is building a home in Boulder Creek Estates. He said he was not too concerned about the storage units when he purchased his property as they were five acres away from his. He said that he noticed the zoning sign and spoke to Mr. Jeppson about it. He said that Rosslyn Drive is the only entrance to the subdivision. He said that he did not live in the area when this project was initially heard and asked the Council to listen to the citizens in the area. He said that he was speaking on behalf of several others who could not attend this meeting. He said that he has also provided several letters to the City from residents speaking against this. He said that the property is in disrepair. He said that with several large homes in the area and numerous police reports at the facility he did not feel this would be a good addition to the neighborhood. He also said that property values would be affected as people coming to look at houses in the area will not like the extension. He said that the property creates a lighting issue and traffic patterns will be affected. He said that there are a lot of children in the area and the property has had a lot of vandalism and theft. He said that the letters provided to Council before the meeting were from neighbors who could not attend.

Mayor Anderson asked about the construction traffic in the area as there is a contractors dumping ground in the area.

Mr. Fisk said that there is a lot of construction traffic in the area; however, that was there already. He also said that there are several discarded mattresses on the property.

Mayor Anderson asked Chief of Police Robert J. DeVries about the number of police reports at this location.

Chief DeVries said that he is aware of several larceny reports at this location, but would not know exact numbers without some research.

Citizen Steven Redmond addressed the Council and said that his concerns were similar to Mr. Fisk's. He said that he bought his home in March of this year and moved in in October. He said that there is only one access road and he noticed the facility was there when he moved in. He said that the first time he learned about the expansion was when he saw the zoning sign on the property. He said that he has yet to see an artist rendering of the building or landscaping and the site plan is the only thing available. He said that he is concerned about property values and access on Rosslyn Drive. He said that he is also concerned about lights shining into the neighborhood and is sure others are as well. He said that these facilities are usually in business parks and he is concerned what people will think when they see this facility. He said that there is a lot of money invested in the homes in the neighborhood.

Councilmember Miles asked about the five acre parcel between the property and the surrounding neighborhood.

Mr. Redmond said that this parcel slopes down.

Councilmember Miles asked where the picture of mattresses was taken.

Mr. Fisk said that the storage units are about 250 feet from the first house.

Vice Mayor Young asked if there are walls surrounding the properties in the area with children.

Mr. Fisk said that majority of people in the area want to maintain the natural Arizona beauty on their properties and do not have walls.

Councilmember Abram asked Mr. Jeppson, based on the zoning, what else can be built on the property if the storage units do not go through.

Mr. Jeppson said that there are a lot of options that include much of what is already on Hualapai Mountain Road.

Councilmember Abram asked if extension of the CUP guarantees a building permit or if this is dependent on the final drawings.

Mr. Jeppson said that this allows an application for a building permit within one year or the applicant would have to start the process again.

Councilmember Yocum asked Mr. Bennett what he would do with the parcel if the CUP is not extended.

Mr. Bennett said that he does not have any specific plans if the CUP is not approved, though a lot of other things could go there that are not cost efficient. He said that the potential list does not include anything that he would want to put on the property. He said that he feels the storage units are beneficial and only see approximately 12 cars per day there. He said that the property is clean and quiet and the break-ins at the facility have been prosecuted. He said that they have also had a problem with graffiti on the property. He said that he would rather see the storage units broken into than an occupied home. He said that criminals are going to break in somewhere and that cannot be controlled. He said that every storage facility is targeted and he was able to get each of the break-ins on camera and the suspects were caught.

Vice Mayor Young said that she lives in the area and Mr. Bennett has taken steps to beautify the facility a bit. She said that she initially voted against this CUP due to the safety concerns with the traffic and lighting. She said that the Council was assured that there would not be lighting on the residential area.

Mr. Bennett said that all lighting in the area would be inside the area except at the entrance. He said that he is looking at front lights, but no large lights would be on the property. He said that he would not object to putting landscaping in and he wants to work with the neighbors. He said that he does not want to live next to somewhere he is not proud of either and feels the facility is better than other things that could go in there.

Vice Mayor Young asked if there is anything that can be done to limit the traffic in the evenings.

Mr. Bennett said that he would have no problem limiting access at night as it creates more security. He said that the units are full and this has not been a problem. He also said that it is better for people to break into the facility than into an occupied house.

Mayor Anderson asked if there were any other public comments.

Citizen Jake Oldman addressed the Council and said that he lives in the area. He said that this area is a really beautiful part of town and the current facility is an eyesore. He said that he has no expectations that the expansion will look any different. He said that he agrees that it is better a crime be committed against the storage facility than a home, but he feels this facility draws the opportunity to the homes which are considered a softer target. He said that he is concerned for his family and the surrounding community.

Citizen Tom Carter addressed the Council and said that he was on the City Council when the annexation of this property was approved. He said that there were a lot of discussions prior to annexation and many citizens expressed concerns about the facility which already existed. He said that there were recommendations a wall and low density lighting, which were followed. He said that there was no discussion of expansion of the facility at that time.

Citizen Tom Ulitisky (spelling unknown) addressed the Council and explained why he and his wife chose to move to Kingman. He said that Boulder Creek Estates stood out with the natural terrain and lack of block walls. He said that they built their home there and became aware of the construction pit at the end of the road. They said that they have since adapted to this and the storage units are off at a distance. He said that he believes the addition will be the beginning of a warehouse district and there is not enough of a buffer for the community and access to it. He said that he is concerned and opposes the addition.

Jaimini Utadhyaya with Mohave Engineering said that his firm has prepared the plans for the property and submitted them to the City for review. He said that one of the items addressed was widening the street and adding a sidewalk. He said that the street will be improved to City of Kingman standards and wanted to bring this to the Council's attention. He said that they are making progress to keep the project alive.

Councilmember Abram asked what the offset is of the nearest building.

Mr. Utadhyaya said that the minimum is 20 feet and the offset here is 30 feet.

Mr. Bennett said that all plans for the CUP must be approved by the Development Services Division and the set back is 40 feet.

Councilmember Miles asked for clarification on what the closest building would be.

Mr. Bennett said that his intention is 80 feet at the closest corner. He said that the building will be 40 feet from Rosslyn Drive.

Mayor Anderson closed the public hearing at 7:50 P.M.

Mayor Anderson said that it would be good for the Council to discuss this before rushing to a motion.

Councilmember Wimpee Sr. asked if it is a condition of the CUP to put in curbs, gutters and sidewalks.

Mr. Jeppson said that it was in condition one of the CUP.

Councilmember Miles asked if these improvements enhance the safety of the vehicular traffic or increase the street's capacity.

Mr. Jeppson said that they enhance it.

Councilmember Miles said that her first reaction is to question what has changed since this was approved a year ago. She said that Council did approve it at the time and the thing that has changed is the growing awareness in the community. She said that people moved into the area not knowing that this was already approved. She said that she feels the hesitation caused a loss and now the community is aware and has the opportunity to object. She said that she sees the different points of view from the Planning and Zoning Commission and the staff. She said there has been a shift in the community.

Vice Mayor Young said that she lives on Seneca Street. She said that the main issue is that a CUP is granted for one year then is reviewed. She said that she does not believe this should be granted as it manipulates the zoning system.

Mayor Anderson said that the CUP can only be renewed one time and asked for clarification on the CUP review.

Mr. Jeppson said that the annual review has been changed to review each permit as needed.

Councilmember Wimpee Sr. said that he was for this initially and not many people were living there at the time. He said that there are more people in the area now and the Council needs to consider both sides as well as the letters received.

Councilmember Abram said that he is conflicted on this item as well. He said that the Council cannot see what the total outcome is. He said that he has seen these facilities be very attractive and noted that there has not been an artist rendering of the proposal. He also said that there is not a lot of a buffer. He said that this is a beautiful area and doesn't know how the extension will look.

Councilmember Yocum said that he hears the community opposition and that this is not desired by residents in the area.

Mayor Anderson said that this came before the Council over a year ago and was approved. He said that the applicant had one year to get the building permit approved. He said that the applicant has entered into contracts and has made a substantial investment in the project. He said that the average is that when an extension has come up in the past it has been granted and there is a pattern that exists for this. He said that at the Council can vote against this. He said that the applicant has taken action to try to comply with the requirements and has invested money in the project. He said that in the discussions for the initial CUP it was brought up that, being in the C-2-HMR zoning district, there can be other commercial businesses that can go in there. He said that a lot of those things may be worse than the expansion. He asked the Council to consider both sides.

Councilmember Miles said that she was considering the precedence that has been set, that there have been no technical changes to the plan, that there has been a \$30,000 investment from the applicant, and that there have been engineering delays on the project.

Councilmember Miles made a MOTION to APPROVE Resolution 4924. Mayor Anderson SECONDED.

Mayor Anderson asked for a Roll Call Vote.

The MOTION was APPROVED by a vote of 4-2 with Vice Mayor Young and Councilmember Wimpee Sr. voting NAY.

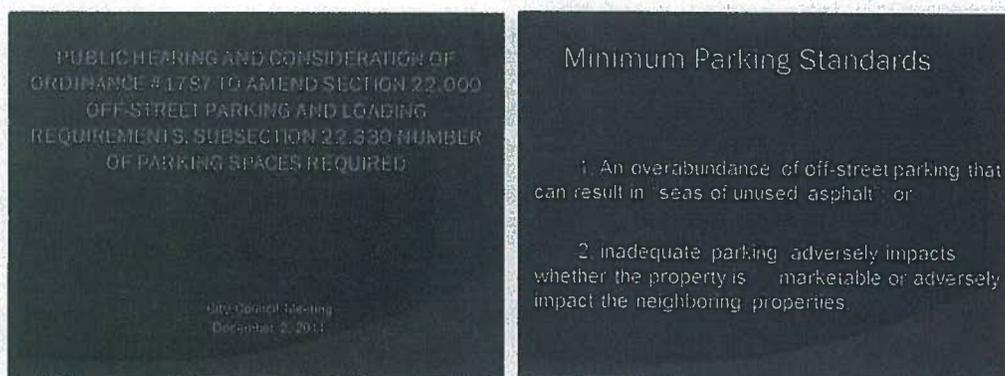
Mayor Anderson said that he wanted to reiterate that there is a one year requirement to pull the building permit and there will not be another chance.

8. **NEW BUSINESS**

- a. **Public Hearing and Consideration of Ordinance #1787, to Amend Section 22.000 OFF-STREET PARKING AND LOADING REQUIREMENTS, Subsection 22.330 NUMBER OF PARKING SPACES REQUIRED of the Zoning Ordinance of the City of Kingman to establish a new minimum parking regulations for a judicial center at one parking space for each 350 square feet of building and to reformat the placement of the minimum parking regulations for arcades and roller rinks**

The Planning and Zoning Commission has examined the minimum parking standards for offices, in particular courthouses. After reviewing the minimum parking requirements for courthouses, the Commission initiated amendments to the off-street parking regulations in the Zoning Ordinance and is recommending that the term "Judicial Center" be defined and the that the minimum parking requirements for a Judicial Center be one parking space for every 350 square feet of building area. The Commission is also recommending that the minimum parking requirements for "Arcade" and "Roller Rink" be formatted so these uses are in alphabetical order of the list of uses. **The Planning and Zoning Commission and staff recommend approval of Ordinance #1787.**

Mr. Jeppson gave a PowerPoint presentation.



Slide 1 – This was an introductory slide.



CITY OF KINGMAN
Development Services Department
Conditional Use Permit Case: CUP13-002
Revised Staff Report

Summary of Request: This is a request for the approval of a conditional use permit to expand a mini-storage complex at 3442 Hualapai Mountain Road on property zoned C-2-HMR: Hualapai Mountain Road Design Overlay District.

GENERAL INFORMATION:

Property Owner: Robert E. & Judith Bennett
2169 Swanson #1
Lake Havasu City, AZ 86403
(928) 855-7368

Applicant: Same as above

RECOMMENDATION

If the Planning and Zoning Commission recommends approval of the conditional use permit as requested under CUP13-002, staff would recommend including Conditions A-J in Option 1 based on the Goals and Objectives of the Kingman General Plan 2020, the Standards for Review, Findings of Fact, and Findings of a Conditional Use Permit and Analysis contained in this report.

STANDARDS FOR REVIEW

APPLICABLE GOALS, OBJECTIVES AND POLICIES OF THE KINGMAN GENERAL PLAN 2020:

- Chapter 2: Land Use Element, §2-2.2. Land Use Categories
 - Community Commercial
 - Projected Land Use Map
- Chapter 3: Growth Area Element, §3-4 Goals, Objectives and Policies
 - Policy 3.8: Follow Overlay District standards where appropriate to ensure new development fits within existing neighborhoods in terms of scale, design, circulation, etc.

APPLICABLE SECTIONS OF THE CITY OF KINGMAN ZONING ORDINANCE:

- Section 14.000: C-2-HMR Hualapai Mountain Road Overlay District as amended by Ordinance No. 1766
- Section 29.000: Conditional Use Permits

FINDINGS OF FACT

Location and Size: The subject site is 5 acres and is located along the south side of Hualapai Mountain Road east of Rosslynn Drive at 3442 Hualapai Mountain Road.

Legal Description: The subject property is described as A Portion of the NE ¼, NE ¼ of Section 29, T.21N., R.16W. of the G&SRM, Mohave County, AZ as shown on a Parcel Plat recorded 3/17/1998 (Fee No. 98-15094). The current Mohave County Assessor Parcel No. is 321-12-008.

Existing Zoning and Existing Land Use: The subject property is currently zoned C-2-HMR: Hualapai Mountain Road Overlay District. The easterly portion of the property is developed with a mini-storage complex while the remainder of the property is undeveloped.

Projected Land Use: The Kingman General Plan 2020 indicates that the property is designated as Community Commercial.

Surrounding Land Use and Zoning:

- **North:** Across Hualapai Mountain Road is vacant land zoned C-2-HMR.
- **Northeast:** Across the intersection with Hualapai Mountain Road and Seneca Street is an office zoned C-1: Commercial, Neighborhood Convenience.
- **East:** is vacant land zoned R-1-40: Residential, Single Family, 40,000 square foot lot minimum, beyond which are several single family homes located outside of the city limits.
- **South:** is a vacant parcel (APN 321-12-012) is zoned R-1-40. It should be noted that the Official Zoning Map is in error as it shows the parcel as being zoned C-2-HMR. The map will be corrected. Further south is a 1-acre lot single family subdivision, Boulder Creek Estates, zoned R-1-40. This area has scattered homes and many vacant lots.
- **West:** Across Rosslynn Drive is a parking area and a undeveloped portion of Boulder Creek Estates zoned R-1-40.

Zoning and Development History:

- Under Mohave County's jurisdiction the subject property was rezoned to C-2H: Commercial Highway to allow the development of several mini-storage buildings around the year 2000.
- The subject property was part of an annexation by the City of Kingman of a portion of Section 29 on April 19, 2004 under Ordinance 1423. At that time, Rural Residential zoning was applied to all of the annexed areas for up to one year. Construction of the mini-storage buildings was allowed to be completed under the Mohave County building permit during this time.

- Beginning in August, 2004 the city initiated a rezoning request to consider applying conforming city zoning classifications to the annexed land. C-2 zoning was under consideration for the subject property. On October 18, 2004 the Council passed Ordinance No. 1444-R which rezoned portions of the annexed area to R-1-40. The ordinance also extended the Hualapai Mountain Road Design Review Corridor, to include the subject property. The 300-foot wide Design Review Corridor defines the area along Hualapai Mountain Road where the site development standards contained in Section 35.000: Design Review Manual for the Hualapai Mountain Road Area Plan are applied. However, action on rezoning the subject property from R-R to C-2 was postponed by the City Council pending further review as the area was being studied for possible inclusion in the newly proposed C-2-HMR zoning district.
- On December 6, 2004 the Kingman Common Council passed Ordinance 1454 which added Section 14.000: C-2-HMR within the Kingman Zoning Ordinance. This text amendment established the uses allowed by right and by Conditional Use Permit (CUP) within the C-2-HMR zoning district. It also enhanced the development standards already contained in the existing Section 35.000: Design Review Manual for the Hualapai Mountain Area Plan.
- On February 7, 2005 the Kingman Common Council passed Ordinance No. 1471 which rezoned all commercially zoned and commercially developed properties along Hualapai Mountain Road between the BN&SF Railroad Tracks and the Seneca Street to C-2-HMR. This rezoning included the subject property.
- On July 9, 2013 the Kingman Planning and Zoning Commission heard a request to rezone 5 acres located at the corner of Hualapai Mountain Road and Roslynn Drive from C-2-HMR to C-2: Commercial, Community Business. Along with the rezoning request was a Conditional Use Permit request to allow an expansion of the existing mini-storage development on this site. The rezoning to C-2 would be necessary to allow the mini-storage expansion to occur because the C-2-HMR district did not permit mini-storages by right or by CUP, while mini-storages may be permitted by CUP in the C-2 district. The Planning and Zoning Commission tabled action on the rezoning and CUP requests. They initiated a text amendment to consider adding "Mini-Storage" as a Use Permitted by Conditional Use Permit in the C-2-HMR zoning district as an alternative to rezoning the property.
- On August 13, 2013 the Planning and Zoning Commission recommended the denial of the rezoning request to C-2. Also a motion to recommend approval of the text amendment to allow mini-storages by CUP in C-2-HMR was defeated by a tied vote of 3-3.
- On September 3, 2013 the Kingman Common Council approved Ordinance No. 1766 which approved the text amendment as requested and denied the rezoning request.

Physical Characteristics:

- The subject site slopes gradually from the southeast down to the northwest. No hillsides or other significant geology exist on the site.

- The property lies within Flood Zone "X", according to the FEMA panel map dated November 18, 2009. Zone "X" are areas of 0.2% annual chance flood; areas of 1% annual chance flood with average depths of less than 1 foot or with drainage areas less than 1 square mile' and areas protected by levees from 1% annual chance flood.

Public Utilities:

- There are existing water lines in Hualapai Mountain Road and Rossllynn Drive.
- No sewer lines are located in the area. Because the site is more than 500-feet away from the nearest sewer line a sewer extension will not be a requirement of future development on the site.
- Several utility easements are located on the subject property. One is a 50-foot wide Transwestern Pipeline Easement which runs parallel to Hualapai Mountain Road. The other is a 125-foot wide electric transmission easement which cuts across the northwest corner of the property at the intersection with Hualapai Mountain Road and Rossllynn Drive.

Transportation:

- The subject site is accessible from Hualapai Mountain Road which has a 100 foot wide right-of-way. The roadway is paved with curb, gutter or sidewalk adjacent to the existing mini-storage buildings. There are no curb, gutter and sidewalks adjacent to the undeveloped portion of the property.
- The site is also accessible from Rossllynn Drive which has an 84-foot wide right-of-way. This street is paved with no curb, gutter, or sidewalk.

Public Notification and Expected Comment:

- The site was posted with a zoning notice on June 21, 2013.
- An initial public notice was published in the Kingman Daily Miner on June 23, 2013. Subsequent notices were also published July 28, 2013 and August 25, 2013.
- Eight surrounding property owners within 300 feet were sent a notice of the public hearing via first class mail on June 19, 2013. The list of property owners was generated using information provided by the Mohave County Assessor's Office.
- One phone call from the public in favor the request has been received as of July 2, 2013 when this report was completed. There was also a letter received in favor of the CUP request.

Department and Agency Comments:

- City Engineering Department: Street improvements will be required at the time of development along Hualapai Mountain Road and Rossllynn Drive per the Streets and Sidewalks Development Rules and Regulations. Improvements include but are not limited to the installation of curb, gutter, sidewalk and asphalt pavement. Grading and drainage plans will be required at the time of development. Drainage retention is required in accordance with the Kingman Area Master Drainage Plan. Water service to this unsubdivided parcel will need to be reviewed and approved by MUC and City Council per Article 3.3(E) of the Utility Regulations.

- **City Fire Department:** The Fire Department requires that a fire hydrant be installed on Rosslynn Drive at the proposed entrance to meet the required fire flow and fire hydrant spacing.
- **City Building Department:** No objections to request. Applicants, however, will need to follow all city requirements for grading and building permits.
- **Mohave County Flood Control District:** It has been determined that the project is not within a FEMA designated Special Flood Hazard Areas. Flood Control has no objection to the continued processing of this project.
- **UniSource Energy Services:** We have no objections to the further processing of the proposal.

ANALYSIS

This is a request for the approval of a conditional use permit to expand a mini-storage complex at 3442 Hualapai Mountain Road. The CUP request is dependent on the approval of a proposed rezoning from C-2-HMR: Hualapai Mountain Road Design Overlay District to C-2: Commercial, Community Business.

Currently the site contains 132 mini-storage units located on the eastern half of the property. Construction of these mini-storage units began under Mohave County's jurisdiction around the year 2000. All buildings were completed shortly after the city annexed the subject property in April, 2004. C-2-HMR zoning was applied to the property in February, 2005.

The applicant is proposing to expand the mini-storage development onto the western half of the property. A conceptual site plan submitted with the application shows four new buildings with approximately 210 mini-storage units of varying sizes between 10' x 10' and 15' x 40.' The site plan also shows an office, a manager's residence, and garage. Access is proposed from Rosslynn Drive via a new driveway.

With the passage of Ordinance No. 1766 on September 3, 2013, mini-storages will be able to be permitted by CUP in the C-2-HMR zoning district. However, the effective date of this ordinance is 30 days after passage by the City Council or October 3, 2013. Therefore, any recommendation for approval of this CUP is dependent on this ordinance taking effect. Because CUPs take effect immediately, the City Council will not be able to hear this request until the Council meeting of October 15, 2013.

The following is an analysis of the required findings for this conditional use permit request:

SECTION 29.310: REQUIRED FINDINGS FOR CONDITIONAL USE PERMIT

In order to make recommendations on a Conditional Use Permit (CUP), the Planning and Zoning Commission should make findings on the following elements as applies to this particular case:

Applicable Regulations: *Those conditions necessary to assure compatibility of the development of the land in question will be consistent with the purpose of the Zoning Ordinance, the City of Kingman General Plan, other statutes, and any ordinance or policies that may be applicable.*

- The Kingman General Plan 2020 identifies the property as being designated for Community Commercial land uses. This land use designation is in conformance with several zoning districts including C-2, C-3 and C-2-HMR. The property is zoned C-2-HMR and therefore is compatible with the General Plan.
- Under the Kingman Zoning Ordinance as amended by Ordinance No. 1766 mini-storages may be permitted by conditional use permit (CUP) within the C-2-HMR zoning districts. Therefore, the CUP request will be compatible with the Zoning Ordinance 30 days after the date of the passage of this ordinance.

Bulk Regulations: *The site is adequate in size and topography to accommodate: proposed use, density, building height, lot coverage, setbacks, spaces, landscaping, fences, parking and loading. That these elements are compatible with the general character of development in the vicinity of the proposed conditional use and are adequate to properly relate the proposed use with the existing land uses in the vicinity.*

- The site is approximately 5 acres and is partly developed with 132 mini-storage units. It appears an additional 210 mini-storage units could be accommodated on the site based on the conceptual site plan.
- The height of the parapet wall is proposed to be 24 feet. The maximum building height permitted in the C-2-HMR zoning district is 30 feet.
- Colors and textures of the buildings will need to be compatible with the surrounding environment. It is staff's recommendation that all storage unit doors face inward into the property and shall not face either Hualapai Mountain Road or Rosslenn Drive for aesthetic reasons. There is several additional site development features required in the C-2-HMR zoning district which will need to be followed as part of the CUP conditions. First, parapets for the buildings shall not be one continuous height, but should be varied in height. The existing mini-storage buildings have varied parapets. Second, in order to reduce the apparent size and mass of the buildings and to avoid long blank walls, the portion of the buildings which face the streets and neighboring properties shall have architectural features such as columns with contrasting but complimentary colors at minimum of every 25 feet.
- Section 14.800(6) will require a 20 foot setback from Hualapai Mountain Road and Rosslenn Drive. The conceptual site plan shows a much greater setback along Hualapai Mountain Road due to the presence of a 50-foot wide Transwestern Pipeline Easement which runs parallel to the road. Also, a 10-foot setback is required where the property abuts a residentially zoned property. APN 321-12-012 to the south of the subject property is incorrectly labeled as C-2-HMR. This property was actually zoned R-1-40 under Ordinance 1444-R and was not included in Ordinance 1471 which rezoned multiple commercial properties on Hualapai Mountain Road to C-2-HMR. Therefore, a 10-foot setback shall be required along the common property line with the subject property.

- Mini-storages are considered warehousing for purposes of determining the number of required parking spaces. One parking space will be required for every 1,000 square feet of floor area within the mini-storages and one parking space will be required for each vehicle in connection with the use. The conceptual site plan indicates four designated parking spaces for the mini-storages and the manager's residence and garage. A final determination regarding the number of parking spaces will need to be made at the time of development in accordance with the requirements of Section 22.000: Off-Street Parking and Loading. This will include at least one ADA accessible parking space.
- Section 14.1000 will limit signs to building signs and monument style signs no greater than six (6) feet in height and thirty-five (35) square feet in area.

Performance: *That the location, design and operation characteristics of the proposed use are such that, it will have minimal adverse impact on: the livability, public health, safety, welfare, or convenience on persons residing or working in the vicinity, to adjacent property, to the neighborhood, or to the public welfare in general.*

- It doesn't appear that the location, design or operation of the mini-storage units would have an adverse impact on the area.

Traffic Patterns: *The provisions for ingress and egress, public streets and traffic circulation are adequate, or can be upgraded through street improvements as a condition for approval.*

- The proposed mini-storage units are to be accessed from a new driveway from Rosslynn Drive. This driveway will need to be located a minimum of one-hundred (100) feet from the intersection with Hualapai Mountain Road per Section 14.800(7)a. No access is proposed from Hualapai Mountain Road which is in accordance with Section 14.800(7)b.
- Street improvements will be required at the time of development along Hualapai Mountain Road and Rosslynn Drive per the City of Kingman Streets and Sidewalks Development Rules and Regulations. Improvements include but are not limited to the installation of curb, gutter, sidewalk and asphalt pavement.
- According to the 7th Edition of Trip Generation by ITE, the average rate of vehicle trips for mini-storage units on a weekend would be 0.28 trips per storage unit. With approximately 210 units proposed this development would be expected to generate about 59 trips on a weekday. The number of trips on a weekend would be similar to the weekday rate.
- No recent traffic counts have been made on Hualapai Mountain Road in the vicinity of this site. Although in 2003 3,440 average daily vehicle trips (ADT) were recorded near the intersection with Rosslynn Drive. No traffic counts have been made on Rosslynn. Hualapai Mountain Road would be classified as a major arterial street according to Table Two of the City's Streets and Sidewalks Development Rules and Regulations. Rosslynn would be classified as a minor arterial, although in reality it functions more like a collector street. Hualapai Mountain Road would be expected to handle over 7,500 ADT while Rosslynn

would be expected to handle around 1,000 ADT. It appears the proposed use would have minor traffic impacts on both streets.

Landscaping Buffer: *Landscaping and/or fencing of the proposed development assures that the site development will be compatible with adjoining areas.*

- A minimum of 10% of the site will need to be landscaped per Section 10.000. Additionally, Section 14.11000 will require a landscaping theme and pedestrian areas will need to be shaded.
- Additional screening requirements of Section 14.1200 will need to be adhered to. This includes the screening of trash receptacles, and exterior and roof-mounted mechanical and electrical equipment.

Nuisance: *That the proposed use will not create a hazard to persons and property from possible explosion, contamination, fire or flood. That the use will not create a nuisance arising from, but not limited to: noise, smoke, odors, dust, vibration, or illumination.*

- The proposed use should not cause a nuisance to the surrounding owners.

DECISION OPTIONS

1. Recommend approval of the request for a conditional use permit to expand a mini-storage complex located at 3442 Hualapai Mountain Road, and described as a Portion of the NE ¼, NE ¼ of Section 29, T.21N., R.16W. of the G&SRM, Mohave County, AZ as shown on a Parcel Plat recorded 3/17/1998 (Fee No. 98-15094) with the following conditions:
 - a. Street improvements will be required at the time of development along Hualapai Mountain Road and Rosslynn Drive per the Streets and Sidewalks Development Rules and Regulations.
 - b. Grading and drainage plans will be required at the time of development. Drainage retention is required in accordance with the Kingman Area Master Drainage Plan.
 - c. New water service to this unsubdivided parcel will need to be reviewed and approved by MUC and the City Council per Article 3.3(E) of the Municipal Utility Regulations.
 - d. A fire hydrant shall be installed on Rosslynn Drive at the proposed entrance to meet the required fire flow and fire hydrant spacing.
 - e. No storage unit doors shall directly face Hualapai Mountain Road or Rosslynn Drive.
 - f. Parapets for the buildings shall be varied in height. Any walls longer than 25 feet which face the streets and other properties shall have architectural features such as columns at least every 25 feet with contrasting but complimentary colors.

WHEN RECORDED HOLD FOR
KINGMAN CITY CLERK
310 N. 4th Street
Kingman, Arizona 86401

CITY OF KINGMAN ORDINANCE NO. 1766

AN ORDINANCE BY THE MAYOR AND COMMON COUNCIL OF THE CITY OF KINGMAN, ARIZONA AMENDING SUBSECTION 14.700: USES WHICH MAY BE PERMITTED BY CONDITIONAL USE PERMIT OF SECTION 14.000: C-2-HMR OVERLAY DISTRICT OF THE ZONING ORDINANCE OF THE CITY OF KINGMAN, ARIZONA, REGARDING MINI-STORAGE FACILITIES

WHEREAS, on July 9, 2013, the City of Kingman Planning and Zoning Commission initiated a text amendment to amend Subsection 14.700: Uses Which May Be Permitted by Conditional Use Permit of Section 14.000: C-2-HMR OVERLAY DISTRICT of the *Zoning Ordinance of the City of Kingman* to consider allowing mini-storage facilities by Conditional Use Permit as shown in Attachment "A"; and

WHEREAS, the attached text amendment was being considered as an alternative to a request to rezone certain property from C-2-HMR to C-2 in order to allow a Conditional Use Permit for a mini-storage facility to be expanded, and

WHEREAS, on August 13, 2013 the City of Kingman Planning and Zoning Commission held a public hearing to consider the attached text amendment, and

WHEREAS, the City of Kingman Planning and Zoning Commission voted 3-3 which defeated a motion to approve the proposed text amendment, and

WHEREAS, on September 3, 2013 the City of Kingman Common Council held a public hearing to consider the attached text amendment per Section 31.000 of the Kingman Zoning Ordinance.

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Common Council of the City of Kingman, Arizona as follows:

SECTION 1. Section 14.000: C-2HMR OVERLAY DISTRICT of the *Zoning Ordinance of the City of Kingman* is hereby amended as shown in Attachment "A" with the bold underline text to show the text additions.

SECTION 2. Penalties for violations of these sections shall be in accordance with Section 1-8 of the Code of Ordinances of the City of Kingman, Arizona.

SECTION 3. If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions thereof.

PASSED AND ADOPTED by the Mayor and Common Council of the City of Kingman, Arizona this 3rd day of September, 2013.

ATTEST:

APPROVED:

Deborah Francis, City Clerk

Janet Watson, Mayor

APPROVED AS TO FORM:

Carl Cooper, City Attorney

ATTACHMENT "A"

14.000 C-2: HMR OVERLAY DISTRICT: DISTRICT REVIEW MANUAL FOR THE HUALAPAI MOUNTAIN ROAD AREA

14.700 USES WHICH MAY BE PERMITTED BY CONDITIONAL USE PERMIT

Convenience stores including gasoline sales, and food stores, but not including car washes

Day care, nursery or pre-schools, which are not accessories to existing churches

Federal, State, and Local Government offices or public service facilities

Hotels and motels

Mini-Storage

Public, private, charter, instructional, or trade schools of any nature

Public utility or public service substations, pumping stations, telephone transmission facilities, communication towers of any type over thirty (30) feet in height

- g. All structures shall be setback a minimum of a 20-foot setback from Hualapai Mountain Road and Rosslenn Drive, and a 10-foot setback will be required where the property abuts a residentially zoned property to the south. No structures shall be constructed within any existing utility easements.
 - h. Parking shall be in accordance with the requirements of Section 22.000: Off-Street Parking and Loading.
 - i. Access to the proposed mini-storage units shall be from one new driveway off of Rosslenn Drive. Vehicular access from Hualapai Mountain Road shall not be permitted.
 - j. Landscaping and screening shall adhere to the requirements of Sections 10.000 and 14.000 of the Kingman Zoning Ordinance.
2. Recommend approval of the request for a Conditional Use Permit to expand a mini-storage complex located at 3442 Hualapai Mountain Road, and described as a Portion of the NE ¼, NE ¼ of Section 29, T.21N., R.16W. of the G&SRM, Mohave County, AZ as shown on a Parcel Plat recorded 3/17/1998 (Fee No. 98-15094) with any commission generated conditions.
 3. Recommend denial of the Conditional Use Permit request.

RECOMMENDATION

If the Planning and Zoning Commission recommends approval of the conditional use permit as requested under CUP13-002, staff would recommend including Conditions A-J in Option 1 based on the Goals and Objectives of the Kingman General Plan 2020, the Standards for Review, Findings of Fact, and Findings of a Conditional Use Permit and Analysis contained in this report.

ATTACHMENTS

1. Section 14.000 of the Kingman Zoning Ordinance and Ordinance No. 1766
2. Section 29.000 of the Kingman Zoning Ordinance
3. CUP Application
4. Zoning Map, Aerial Map
5. Conceptual Site Plan
6. Department Comments

14.000 C-2: HMR OVERLAY DISTRICT: DISTRICT REVIEW MANUAL FOR THE HUALAPAI MOUNTAIN ROAD AREA

14.100 INTENT AND PURPOSE

This Design Review Manual is established to provide general development, design, and performance standards and use and conditional uses for the study areas covered by the Hualapai Mountain Road Area Plan. These standards are intended and designed to aid in the implementation of the General Plan; to encourage sound design principles; to assure the compatibility of uses; to encourage attractive appearances; to prevent blight; and to promote and enhance the health, safety and general welfare of the residents in the community.

This manual establishes minimum standards. The City encourages developers and landowners to exceed these minimums whenever possible. Design standards and uses regulations herein shall be applied as shown in the Hualapai Mountain Road Exhibit map.

14.200 INTRODUCTION

The 1988 Hualapai Mountain Road Area Plan required the development of a Design Review Manual to be used in conjunction with the Area Plan. This was reinforced by the adoption of the Kingman General Plan 2020. The City suggests designing within a broad range of southwestern architectural styles and requires high quality and creative developments that are architecturally compatible with surrounding buildings and the colors and textures of the surrounding environment.

During the design review process, the City will be looking at more than just a building's design. A project's layout, its relationship to the immediate neighborhood and its relationship to the entire study areas will also be examined. Special considerations are given to sign, landscaping, screening and setback requirements which are more specific than other City of Kingman Zoning districts. It should be understood that the City Staff can make suggestions on how to solve design problems for the applicant, but the applicant should also consult their design professional.

The design review guidelines have been placed under general headings to facilitate their uses.

14.300 APPLICABILITY

The standards set forth in this Manual shall apply to:

1. Hualapai Mountain Road, and Mission Boulevard, a minimum of three-hundred (300) feet either side of the roads and all properties as outlined in the Map exhibit attached herein.
2. All commercial and multiple-family developments, within the specified corridor.

14.400 PROCEDURE

The initial design review will be done in house by the City Planning Staff. Currently the Planning Staff reviews all preliminary and final subdivision plats, parcel plats, site plans/building permits, sign permits, variance requests, rezoning requests, conditional use permit requests, business license applications, and general plan/area plan amendment requests. The Mohave County Planning Department refers certain development proposals for land adjacent to the City limits to the City Planning Staff for review, in accord with the Kingman General Plan 2020 policies. For Section 16: State Urban Land, the State Land Department will refer all development proposals to the City Staff for their review and comment. In this

manner, City Planning Staff will be able to check development in the study areas for their adherence to the design review guidelines.

A checklist or required design review elements (see Exhibit A in the back of this section) shall be filled out and attached to all project reviews that are subject to these guidelines. This in-house procedure should minimize extra paperwork and any time delays for project reviews. Any decision or finding made on any element in Exhibit A (in the back of this section) shall be given to the applicant in writing with reasons for such decision or finding.

All developments within the City limits must comply with all other applicable provisions of Zoning Ordinance, Subdivision Ordinance and all other relevant City regulations. Where conflicts occur, the more restrictive regulations will be applied. All developments outside of the City limits must adhere to the applicable Mohave County regulations. This Design Review Manual, along with the Hualapai Mountain Road Area Plan, gives City Staff, the Planning and Zoning Commission and the City Common Council a basis upon which to make policy and procedural recommendations to Mohave County and the State Land Department for the lands which are included in the Area Plan, but which lie outside of the City limits, in accord with the Kingman General Plan 2020 policies.

It is recommended that anyone who is considering a development project within the study areas should make an appointment with City Planning Staff for preliminary discussions and review. This pre-development conference can help reduce errors and omissions and can alleviate potential problems before final plan are drawn up.

14.500 APPEALS

Appeals from any decision made during the in-house administrative design review only shall be made to the City Planning and Zoning Commission. Such appeal shall be in writing and shall state such reasons why the applicant feels the decision was in error. The Commission will then forward their recommendation to the City Common Council. Final action shall be taken by the City Council. Uses are not subject to appeal in accord with ARS 9-466.06 H(1), but would be reviewed via text amendment process only.

14.600 PERMITTED USES

The following are permitted uses within the areas covered by the Hualapai Mountain design review corridor:

- Antique Shops
- Art galleries and Art supplies, retail, and picture framing shops
- Beauty and barbershops
- Banks and Financial institutions
- Bookstores and stationery stores
- Camera and photographic equipment stores
- Contractor offices only, no construction equipment or material storage
- China, Glassware, and home decorating stores
- Delicatessen or sandwich shop
- Dry Cleaning Stores
- Men's, Women's and Children's Clothing and shoe stores, and costume rentals
- Social, private, religious and fraternal clubs, lodges and meetinghouses
- Coin and philatelic stores
- Department, grocery and food stores or general retail including office supplies, (but not including automotive related retail) permitted by right.
- Engineering and architectural consulting offices, including GIS labs
- Electrical appliances and household electronic appliances store, including computers.
- Family, group or commercial day care

Florist shops and interior design facilities, but not including building material or carpet warehouses
 Funeral parlors or related accessories, but not including outdoor monument sales, or cemeteries, mausoleums and related uses
 Furniture stores, permitted by right
 General offices, including health care, dental, optical and medical related
 Gift shops
 Health clubs
 Hobby shops, including stamp and coins
 Interior Design studio
 Jewelry stores
 Leather goods and luggage stores
 Internet café
 Multiple-family residential projects, not greater than nineteen (19) units per acre
 Museums, art and artifacts, historical, photographic
 Music and dance studio
 Musical instrument sales and repair
 Parks and playgrounds
 Public Assembly-Indoor, Entertainment
 Public Assembly-Indoor, General
 Radio and broadcast studio and music productions, but broadcast antennas and dishes subject to CUP
 Real estate and title offices
 Recreational buildings
 Restaurants, bars and/or taverns, including entertainment, only in an enclosed building, with minor outdoor seating opportunities; Drive-in only restaurants not permitted.
 Restricted production facilities, limited to art, clothing, jewelry or needlework
 Sewing machine sales and service
 Toy stores
 Travel agencies

14.700 USES WHICH MAY BE PERMITTED BY CONDITIONAL USE PERMIT

Hotels and motels
 Public, private, charter, instructional, or trade schools of any nature
 Day care, nursery or pre-schools, which are not accessories to existing churches
 Public utility or public service substations, pumping stations, telephone transmission facilities, communication towers of any type over thirty (30) feet in height
 Convenience stores including gasoline sales, and food stores, but not including car washes
 Federal, State, and Local Government offices or public service facilities

14.800 SITE DEVELOPMENT

1. A project shall be developed to be compatible with the immediate environment of the site and to be sensitive to the surrounding neighborhood. Damage to the natural environment should be minimized. Clear grading of lots, especially large lots, should be avoided.
2. Projects shall be designed to minimize interference with the privacy, quiet and views of neighbors.
3. Projects shall be designed to minimize traffic problems.
4. Projects shall be designed to retain a site's natural topography whenever possible. The project should be planned to fit the site's natural conditions rather than altering the site to accommodate the project. Excessive cuts and fills should be avoided.

5. The street grid should respond to topography. Curvilinear streets may have to be used in some instances.
6. All developments shall have the buildings setback a minimum of twenty (20) feet from the property line along Hualapai Mountain Road and the Parkway/collector street, or the minimum distance required in the particular zoning district, whichever is greatest.
7. Curb cuts on to Hualapai Mountain Road and Mission Blvd. and collector streets shall be limited. The guidelines for access onto arterial and collector streets as follows:
 - a. No driveway onto an arterial street or collector street shall be located closer than one-hundred (100) feet to the nearest intersecting curb line.
 - b. Access to and from Hualapai Mountain Road and Mission Blvd. and collector streets should be limited to street intersections. Properties with frontage on these streets should have access by a parallel road or a side street when this option is available. One (1) driveway will be permitted on side streets when the frontage is less than two-hundred (200) feet. Two (2) driveways will be permitted on side streets when the frontage is three-hundred (300) to six-hundred (600) feet.
 - c. The use of shared driveways between adjacent parcels on arterials is required when appropriate.
 - d. Adjacent driveways should be no closer than sixty (60) feet.
 - e. Driveways on opposite sides of a street should not be offset less than one-hundred-fifty (150) feet.
8. A main driveway into a site should have adequate space for stacking of vehicles. If over forty (40) parking spaces are required by the use and building size, fifty percent (50%) of the required parking spaces should be located to the side or rear of the proposed building.
9. Access to and from Hualapai Mountain Road and the Parkway/collector street should be limited to street intersections. Properties with frontage on these streets should have access by a parallel road or a side street when this option is available.
10. Sidewalks and tree landscaping (property irrigated and maintained by the property owner) shall be required as properties develop along Hualapai Mountain Road and the Parkway/collector street.
11. Exterior lighting, when used, shall adhere to Section 34.000: OUTDOOR LIGHTING CODE, of the City Zoning Ordinance.
12. There should be a pleasant transition from the street to the buildings. This can be accomplished by the use of sidewalks and landscaping.
13. The site organization of a project should take into consideration the arrangement of building in relation to open spaces, landscaping and the elements of adjacent sites.
14. Proportion, scale, continuity and balance should prevail in all aspects of a project.

14.900 BUILDINGS

1. The maximum height for all buildings shall be thirty (30) feet.

2. The intent of the design review is to create architectural design quality, based on a common set of principles which include consideration of the unique environment, climate, and context of the Hualapai Mountain Road and Mission Blvd. area and its natural setting in the City of Kingman. A broad Southwestern theme, is the appropriate and desired architectural style in the Hualapai Mountain Road, Mission Blvd. context, however this theme is not intended to limit architectural innovation within the general styles below. These styles include: Southwestern Traditional, Arizona Territorial, Pueblo, and Spanish Colonial.
3. Buildings shall be compatible with the neighborhood character.
4. Buildings shall be compatible with the colors and textures of the surrounding environment. Warm earth tone colors shall be used. This would not exclude the ability of a user to express a corporate logo or color as a minor element in the overall design.
5. Highly reflective materials that create glare shall not be used. Preferred exterior materials shall be stucco, brick, adobe, natural stone, textured concrete, or textured and split face concrete masonry units. Materials such as pre-fabricated metal wall panels and smooth faced concrete shall not be used.
6. All glass or all metal buildings, including accessory buildings and structures visible from any street shall be avoided.
7. Reduce the apparent size and mass of buildings. Break up the mass of large buildings by dividing into basic geometric components with intersecting wall planes. Long blank walls, even with appropriate colors, are not permitted. Walls shall not have runs of greater than twenty-five (25) linear feet without an architectural feature breaking up the expanse. These features could be columns with contrasting but complimentary colors, pilasters, tile contrasts, varied facades or parapets.
8. Any exposed roof to street view shall use complimentary colored ceramic tile, or a method compatible with the themes and intents above.
9. Mechanical equipment, to the extent possible, should be located on the ground, with screening.
10. Any Mechanical equipment, that has to be on the roof, shall be screened, with architecturally compatible features.
11. Parapets shall not be one (1) continuous height, but should be varied in height. Parapet caps shall contrast with the prime color of the building with contrasting but complimentary colors. Exposed metal strips should not be used.
12. Varied window and door openings shall be required.
13. Entryways shall not be flush with the building wall, but should be recessed at least one (1) foot, or shall be covered, with human scale overhangs, or trellis.
14. Service features, such as electric or telephone boxes, irrigation boxes, any exposed communication equipment etc., shall be shown on the site plan and shall be screened, or designed with compatible colors and materials.
15. All building elevation (sides) shall be shown in submitted plans and design elements required shall be expressed on all sides of the building.
16. Storage or shipping containers, as accessory uses, are prohibited.

14.1000 SIGNS

1. Signs shall compliment and reflect the architectural theme of the principal buildings.
2. No off-premise signs (billboards) are permitted.
3. No roof signs are permitted.
4. No pole type freestanding signs are permitted.
5. Only building signs and monument style freestanding signs are permitted.
6. The area of building signs is that permitted in Section 25.000: SIGN CODE, of the City Zoning Ordinance.
7. Where freestanding signs are permitted, the freestanding sign shall be a monument style sign. There shall be only one (1) monument style sign allowed per property.
8. The monument style sign shall not be greater than six (6) feet in height. The total sign area shall not exceed thirty-five (35) square feet.

14.1100 LANDSCAPING

1. Natural features, such as rock out-cropping and watercourses, should be incorporated into the project's design whenever possible.
2. Landscaped areas shall be protected from damage from automobiles by the use of bumper guards, etc.
3. Pedestrian areas should be shaded with landscaping whenever possible.
4. A coherent, logical landscaping design should be utilized. Landscaping plans shall exhibit an organized concept, not just an arrangement of plants with appropriate irrigation.
5. On site plans, the type, size and number of plants, and the location and design of landscaped areas should be shown, along with the irrigation systems. The Kingman Landscape Ordinance standards are the minimum required in the corridor.

14.1200 SCREENING

1. Trash receptacles shall be screened. The screening shall be designed so that garbage collection vehicles can easily service these areas.
2. Exterior mechanical and electrical equipment, such as meter boxes, electrical and gas connections, solar devices, etc., shall be screened.
3. Screening can be accomplished by using site obstructing vegetation or site obstructing fences which are made of materials that are architecturally compatible with the principal buildings.
4. Screening for trash receptacles should be a minimum of six (6) feet in height.

5. If roof-mounted mechanical equipment is used it shall be screened in a manner architecturally compatible with the building whenever possible.
6. All utility stations and substations shall be screened with landscaping or a site-obstructing fence.
7. All utilities should be placed underground whenever feasible.
8. All commercial and multiple family areas shall be screened from adjoining residential areas, even if a street or alley intervenes. Split face block, stucco, or compatible wrought iron, fences, of architecturally compatible wood or mimic material shall be used, in conjunction with landscaping. Chain link, barbed wire, razor wired, etc., are prohibited.

29.000 CONDITIONAL USE PERMITS

29.100 PURPOSE AND INTENT

Pursuant to Arizona Revised Statutes (A.R.S) Article 6.1, Section 9-462.01, within individual zones, there may be uses permitted on a conditional basis under which additional requirements for development must be met. The purpose of the Conditional Use Permit is to allow integration of uses into the community, which may only be suitable in specific locations, or because of unusual operational or physical characteristics that require special consideration, or only if such uses are designed, or developed to assure maximum compatibility with adjoining uses.

Conditions may be applied to the issuance of the permit such that the proposed land use would not be detrimental to persons residing or working in the vicinity, to adjacent property, to the neighborhood or to the public welfare in general. Under no circumstances shall any of the conditions of development be reduced below the minimum standards that are imposed upon any permitted land use within a given zoning district. A Conditional Use Permit may be granted only for those land uses expressly listed as such, and only after the Planning Commission has made a recommendation and the Common Council has authorized such use as evidenced by resolution.

29.200 AUTHORITY

The City of Kingman Common Council as the City's governing body retains final authority to approve, deny, approve with conditions or modified conditions, all applications for a Conditional Use Permit.

29.300 PROCEDURE

1. **Application:** Prior to making a formal application for a Conditional Use Permit, the applicant or agent is encouraged to review their proposal with a member of the Planning Staff. Application for a Conditional Use Permit shall be made by the property owner, or their authorized agent, on a form, available from the City Planning Department. Application shall include: a site plan, a list of the names and addresses of all property owners within one-hundred-fifty (150) feet of the proposed conditional use and a non-refundable application fee.
2. **Public Hearing Required:** Two (2) public hearings shall be held on all Conditional Use Permit cases. The first hearing will be held before the Planning and Zoning Commission. The second hearing shall be held before the Mayor and the Common Council. Notice of the time and place of the hearing, including a general explanation and the general location of the matter to be considered, shall be given at least fifteen (15) days before the hearing in the following manner:
 - a. The public notice display advertisement of not less than two inches by three inches (2" x 3") in size shall be published at least once in a newspaper of general circulation in the City of Kingman and surrounding area. The public notice will provide information about the date, time and place of the proposed Planning and Zoning Commission and City Council hearings. A public notice poster shall be posted on the property in question in at least one (1) location. If the property is less than one (1) acre. If the subject property is greater than one (1) acre, a minimum of two (2) notices will be posted. Posted notices will be placed in such location as to afford the public the best opportunity to see the notice. In some cases, the location affording the best opportunity for public view may be in front of or beyond the actual boundaries of the property being proposed for a conditional use. The notice shall include the present zoning classification, the proposed use and the date and time of the Planning and Zoning Commission and Common Council public hearings, as well as a location and phone number from which additional information can be received.

- b. In proceedings involving Conditional Use Permit applications, which abut other municipalities or unincorporated areas, or combinations thereof, copies of the notice of public hearing, shall be transmitted to the planning agency of such governmental unit. Additionally, the City shall send a written notice by United States Postal Service mail, notifying those property owners of record according to the most recent Mohave County Assessors rolls within one-hundred-fifty (150) feet of any point of the property on which the proposed conditional use might occur. The notice will describe the proposed conditional use, will include a map, and will state that public comment is encouraged during the public hearing.
 - c. In the case of Conditional Use Permits that are not initiated by the property owner, notice by first class mail shall be sent to each property owner of record in the manner described above, within three-hundred (300) feet of any point of the property on which the proposed conditional use might occur.
 - d. Notwithstanding the notice, requirements set forth herein, the failure of any person or entity to receive notice shall not constitute grounds for any court to invalidate the actions of a municipality for which notice was given.
3. **Planning Commission Public Hearing and Action:** The Planning Commission shall review a written report presented by staff concerning the conditional use request. The applicant, or designated representative, should be present to explain the conditional use request. Adjacent landowners and all other potentially affected citizens will be provided an opportunity to express an opinion on any issue or concern they may have with the proposed conditional use prior to the hearing or during the hearing. Such persons may submit oral or written comments or testimony that can be presented to the Commission. The Planning Commission will discuss the conditional use proposal and, based on the evidence submitted and its own study and knowledge of the circumstances involved may recommend approval of the conditional use request with specified conditions or may recommend denial. After the hearing, the Planning Commission shall present a written recommendation to the Common Council. The Commission's written recommendation to approve or deny shall contain the reasons or findings upon which its decision is based.
4. **Council Public Hearing and Action:** The Common Council shall hold a second, separate public hearing from the Planning Commission. The Council may take testimony and may consider matters not necessarily heard by the Commission. The Common Council may adopt, modify, or reject the Commission recommendation based upon the information they receive at the public hearing. The Council may also return the request to the Planning Commission for further consideration of issues as directed by the Council. The Common Council may sustain a Planning Commission recommendation of denial of a conditional use request. If the Council wishes to approve a conditional use request recommended for denial by the Commission, the Council may direct the preparation of a Resolution for consideration at the next Council meeting. The Council shall not change the requested conditional use to another conditional use without public notice and another hearing in accord with the procedures in this section. The Council may not increase the area of the conditional use request without additional public notice.
5. **Council Decision:** The decision of the City Council on the Conditional Use Permit shall be final and shall become effective by resolution immediately. Notice of the decision shall be mailed to the property owner and/or applicant at the address shown on the application. No conditional use case that is the same or substantially the same (in site size, intensity or text) as a request that has been denied shall be filed within one (1) year of the date of the Planning Commission decision.

29.310 REQUIRED FINDINGS

In order to make recommendations on a Conditional Use Permit, the Planning Commission should make findings based on the following elements as applies to that particular case:

1. **Applicable Regulations:** Those conditions necessary to assure compatibility of the development of the land in question will be consistent with the purpose of the Zoning Ordinance, City of Kingman General Plan, other statutes, and any ordinance or policies that may be applicable.
2. **Bulk Regulations:** The site is adequate in size and topography to accommodate proposed use, density, building height, lot coverage, setbacks, spaces, landscaping, fences, parking and loading. That these elements are compatible with the general character of development in the vicinity of the proposed conditional use and are adequate to properly relate the proposed use with the existing land uses in the vicinity.
3. **Performance:** That the location, design and operation characteristics of the proposed use are such that, it will have minimal adverse impact on the livability, public health, safety, welfare, or convenience on persons residing or working in the vicinity, to adjacent property, to the neighborhood or to the public welfare in general.
4. **Traffic Patterns:** The provisions for ingress and egress, public streets and traffic circulation are adequate or can be upgraded through street improvements as a condition of approval.
5. **Landscaping Buffer:** Landscaping and/or fencing of the proposed development assures that the site development will be compatible with adjoining areas.
6. **Nuisance:** That the proposed use will not create a hazard to persons and property from possible explosion, contamination, fire or flood. That the use will not create a nuisance arising from, but not limited to noise, smoke, odors, dust, vibration or illumination.

29.320 REQUIRED CONDITIONS FOR A USE PERMITTED BY CONDITIONAL USE PERMIT

In the event that the conditional use requires that the applicant and/or developer obtain a building permit, all buildings, and any development of the property for which a Conditional Use Permit was sought, shall meet minimum requirements of all ordinances, restrictions, regulations, and policies of the City of Kingman that are in effect at the time of issuance of the Conditional Use Permit. Compliance with same is a condition of the use permit, including but are *not* limited to:

1. Water service improvements;
2. Sanitary sewer service improvements;
3. Street and/or sidewalk improvements;
4. Fire protection measures;
5. Utility service improvements;
6. Amount, type and location of outdoor lighting;
7. Parking area, aisles and access drives shall be designed and constructed so as to provide a durable, dustless surface of:
 - a. Asphaltic concrete,



CITY OF KINGMAN
CONDITIONAL USE PERMIT APPLICATION FORM
CASE # CUP-13-102

Application Date: 4-18-13

I (We) the undersigned property owner(s) request that the area described below receive a Conditional Use Permit (PROVIDE COMPLETE LEGAL DESCRIPTION):

PORTION NE4 NE4 DESC AS: COMM AT THE NE COR OF SEC 29, TH S83 DEG 38'22 W 980.34' TO INTER ELY R/W LN ROSSLYNN DR & SLY R/W LINE HUALAPAI MTN RD AS SHOWN ON R/W PLAN REC 12/18/92 92-69560 & TPOB; TH S57 DEG 46'11 E ALONG SAID SLY R/W 623.07'; TH S43 DEG 49

21-N, 16 W, 29

Property Address: 3442 HUALAPAI MT RD KINGMAN AZ

Proposed Conditional Use Permit Request to allow:

STORAGE COMPLEX

Property Zoning: C-2

Mohave County Tax Parcel Number(s): 321-12-008

Size of Parcel: 5AC

Property Owner's Name(s): ROBERT AND JUDITH BENNETT

Mailing Address: 2169 SWANSON #1

City: LAKE HAVASU CITY

State: Arizona

Zip: 96403

Phone Number: 928-855-7368 office

Email:

BOBANDJUDYBENNETT@GMAIL.COM

Signature: [Handwritten Signature]

Applicant Name: (OR AGENT/REPRESENTATIVE); IF THE OWNER DOES NOT SIGN THIS APPLICATION, A WRITTEN LETTER OF CONSENT MUST ACCOMPANY THIS APPLICATION.

Mailing Address: _____

City: _____

State: Arizona

Zip: _____

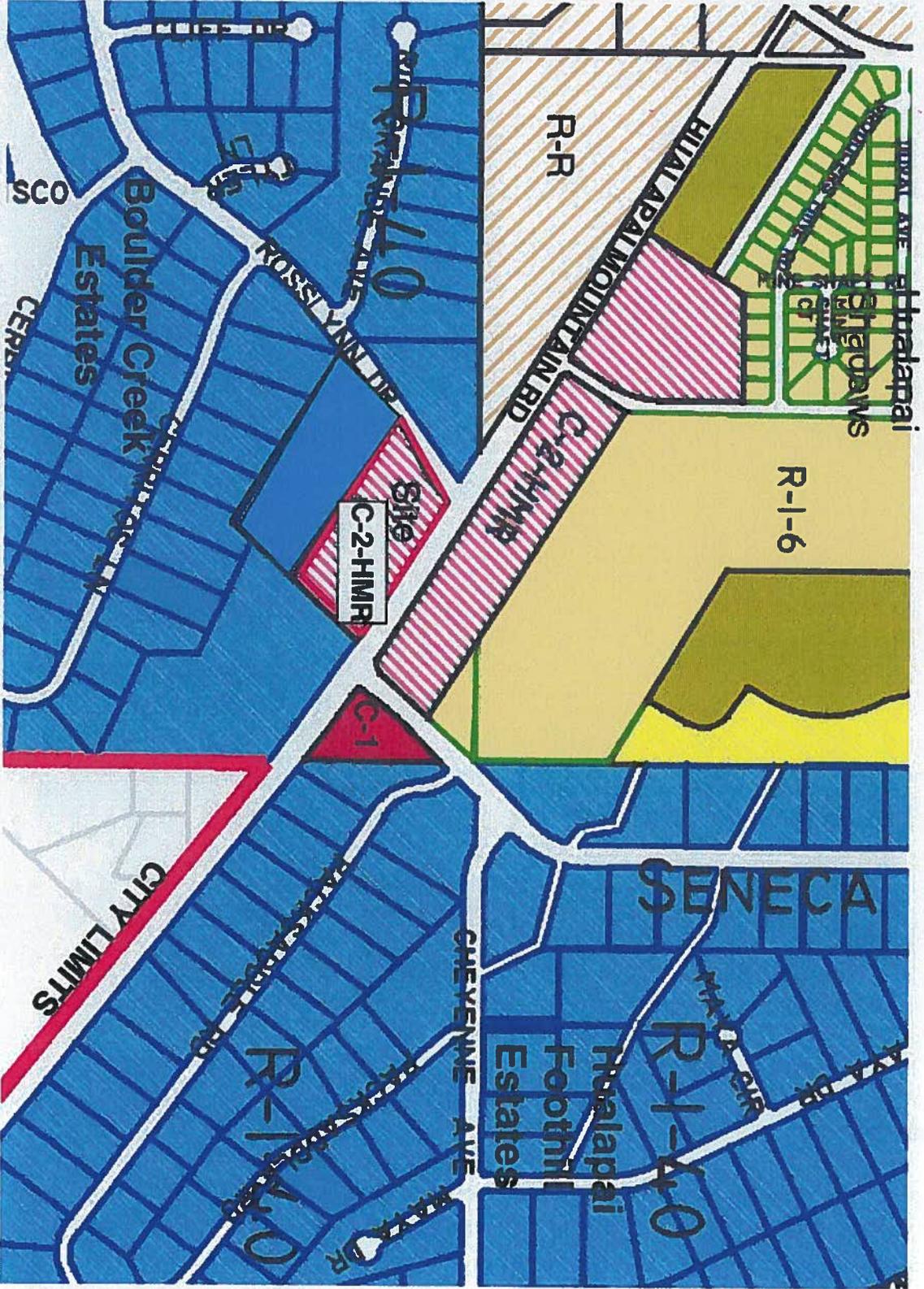
Phone Number: _____

Email: _____

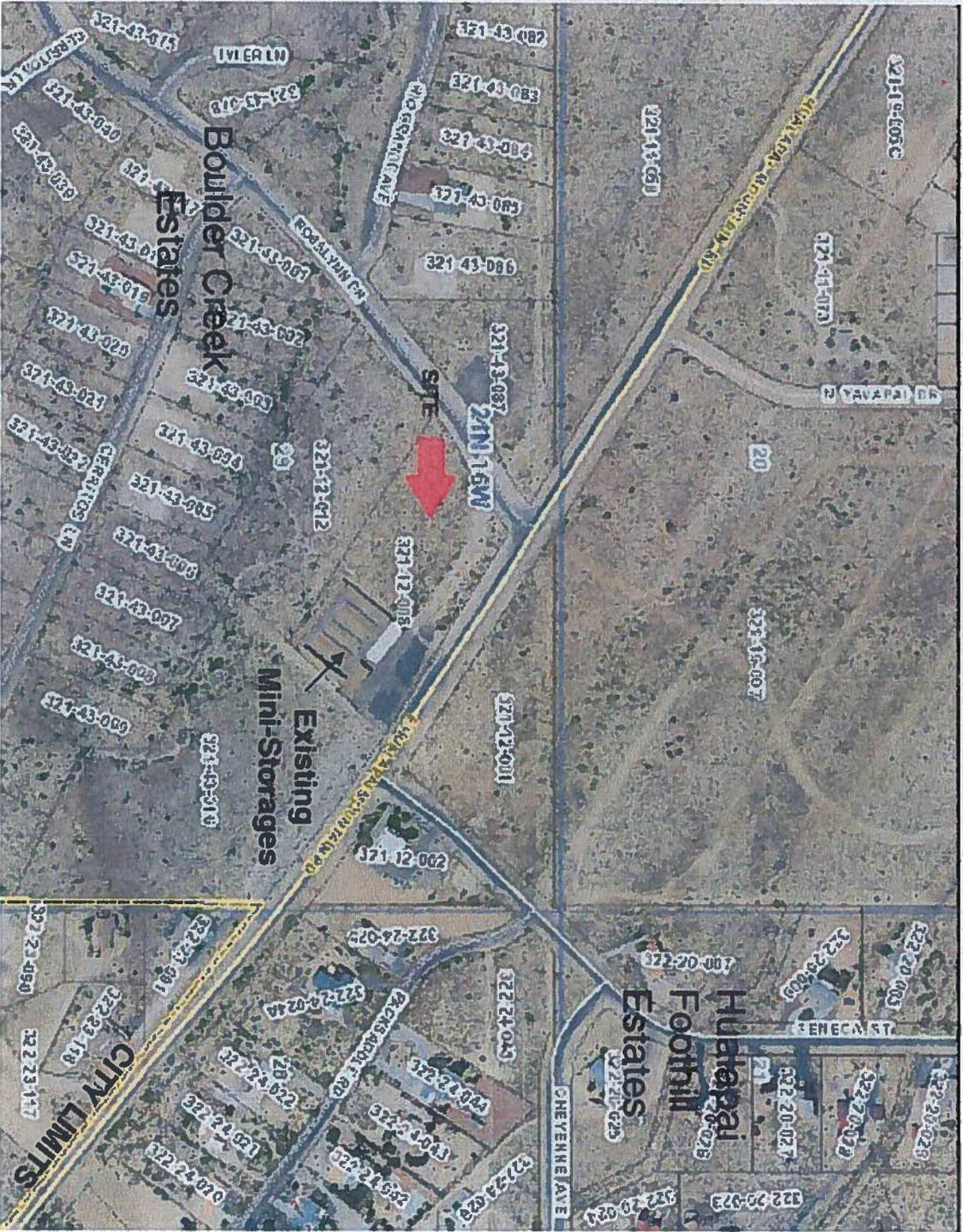
Signature: _____

ITEMS FROM THE "CONDITIONAL USE PERMIT CHECKLIST" SHALL BE SUBMITTED WITH THIS APPLICATION.

SURROUNDING ZONING MAP

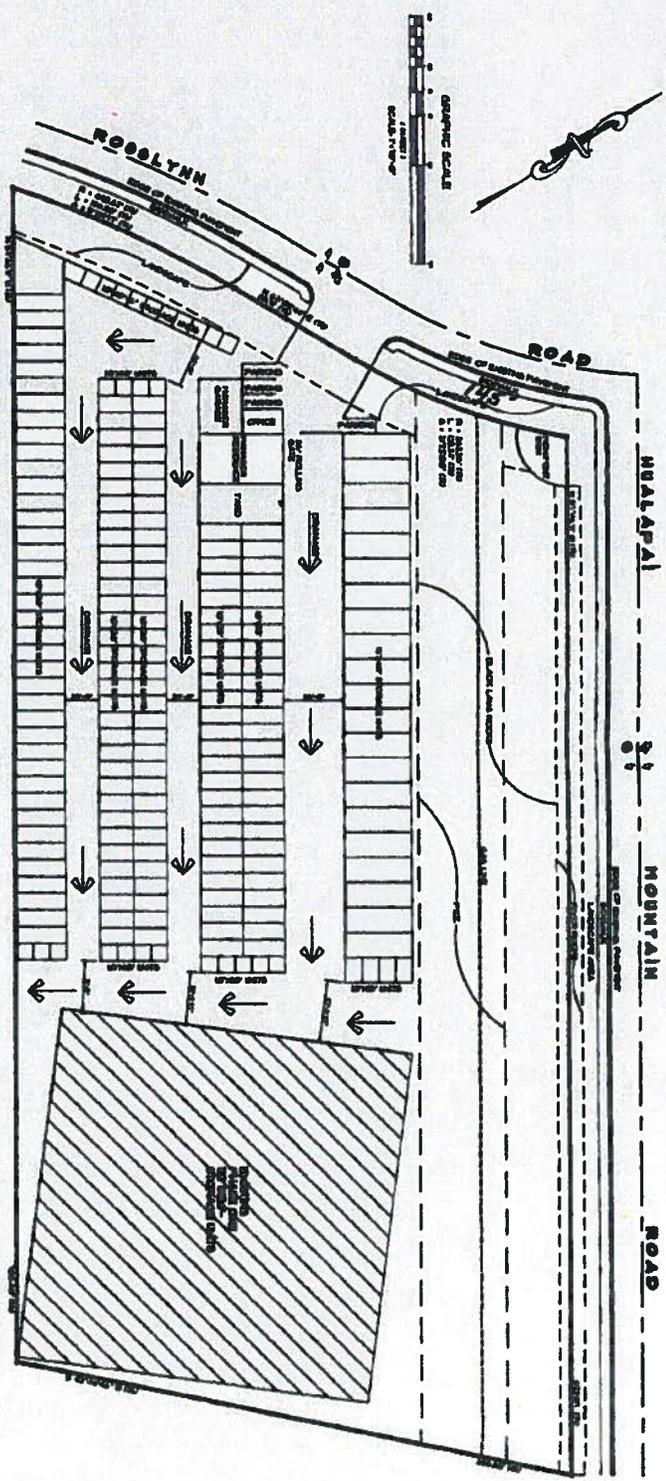


AERIAL MAP



Parcel Information (Click for Tax Information)
 2013 (Click for Current Tax Bill)
 321-03-003 (Click for Improvement Information)
 3442 E HUALAPAI MOUNT. RD., KINGMAN
 BENNETT ROBERT & JUDITH TRUSTEES
 5 Acres
 214, 1046, 29
 PORTION NE1/4 NE1/4 SEC 36, T14N, R30E, S12E, 114
 DEED 3224 W/1/4 TO INTER EBY ROW LN ROOSELYN DR & EBY ROW LINE
 HUALAPAI MOUNT RD AS SHOWN ON ROW PLAN REC 1271802 02-05-90 &

SITEPLAN
A.D.N. 321-12-003
KINGMAN, ARIZONA
3442 HUALAPAI MOUNTAIN ROAD



GENERAL NOTES
 1. THE PROPERTY IS TO BE DEVELOPED AS A SINGLE-FAMILY RESIDENTIAL TRACT.
 2. THE DEVELOPER SHALL MAINTAIN THE EXISTING CURB AND GUTTER.
 3. THE DEVELOPER SHALL MAINTAIN THE EXISTING SIDEWALK.
 4. THE DEVELOPER SHALL MAINTAIN THE EXISTING UTILITY LINES.
 5. THE DEVELOPER SHALL MAINTAIN THE EXISTING TREES AND LANDSCAPING.
 6. THE DEVELOPER SHALL MAINTAIN THE EXISTING FENCES AND WALLS.
 7. THE DEVELOPER SHALL MAINTAIN THE EXISTING DRIVEWAYS AND PATHS.
 8. THE DEVELOPER SHALL MAINTAIN THE EXISTING SIGNAGE AND MARKINGS.
 9. THE DEVELOPER SHALL MAINTAIN THE EXISTING UTILITIES AND SERVICES.
 10. THE DEVELOPER SHALL MAINTAIN THE EXISTING EASEMENTS AND RIGHTS-OF-WAY.
 11. THE DEVELOPER SHALL MAINTAIN THE EXISTING ZONING AND REGULATIONS.
 12. THE DEVELOPER SHALL MAINTAIN THE EXISTING ENVIRONMENTAL FEATURES.
 13. THE DEVELOPER SHALL MAINTAIN THE EXISTING HISTORICAL AND CULTURAL RESOURCES.
 14. THE DEVELOPER SHALL MAINTAIN THE EXISTING ARCHITECTURAL AND DESIGN FEATURES.
 15. THE DEVELOPER SHALL MAINTAIN THE EXISTING COMMUNITY AND SOCIAL FEATURES.
 16. THE DEVELOPER SHALL MAINTAIN THE EXISTING ECONOMIC AND BUSINESS FEATURES.
 17. THE DEVELOPER SHALL MAINTAIN THE EXISTING POLITICAL AND GOVERNMENT FEATURES.
 18. THE DEVELOPER SHALL MAINTAIN THE EXISTING EDUCATIONAL AND RECREATIONAL FEATURES.
 19. THE DEVELOPER SHALL MAINTAIN THE EXISTING HEALTH AND SAFETY FEATURES.
 20. THE DEVELOPER SHALL MAINTAIN THE EXISTING ENERGY AND ENVIRONMENTAL FEATURES.

NOTES
 1. THE PROPERTY IS TO BE DEVELOPED AS A SINGLE-FAMILY RESIDENTIAL TRACT.
 2. THE DEVELOPER SHALL MAINTAIN THE EXISTING CURB AND GUTTER.
 3. THE DEVELOPER SHALL MAINTAIN THE EXISTING SIDEWALK.
 4. THE DEVELOPER SHALL MAINTAIN THE EXISTING UTILITY LINES.
 5. THE DEVELOPER SHALL MAINTAIN THE EXISTING TREES AND LANDSCAPING.
 6. THE DEVELOPER SHALL MAINTAIN THE EXISTING FENCES AND WALLS.
 7. THE DEVELOPER SHALL MAINTAIN THE EXISTING DRIVEWAYS AND PATHS.
 8. THE DEVELOPER SHALL MAINTAIN THE EXISTING SIGNAGE AND MARKINGS.
 9. THE DEVELOPER SHALL MAINTAIN THE EXISTING UTILITIES AND SERVICES.
 10. THE DEVELOPER SHALL MAINTAIN THE EXISTING EASEMENTS AND RIGHTS-OF-WAY.
 11. THE DEVELOPER SHALL MAINTAIN THE EXISTING ZONING AND REGULATIONS.
 12. THE DEVELOPER SHALL MAINTAIN THE EXISTING ENVIRONMENTAL FEATURES.
 13. THE DEVELOPER SHALL MAINTAIN THE EXISTING HISTORICAL AND CULTURAL RESOURCES.
 14. THE DEVELOPER SHALL MAINTAIN THE EXISTING ARCHITECTURAL AND DESIGN FEATURES.
 15. THE DEVELOPER SHALL MAINTAIN THE EXISTING COMMUNITY AND SOCIAL FEATURES.
 16. THE DEVELOPER SHALL MAINTAIN THE EXISTING ECONOMIC AND BUSINESS FEATURES.
 17. THE DEVELOPER SHALL MAINTAIN THE EXISTING POLITICAL AND GOVERNMENT FEATURES.
 18. THE DEVELOPER SHALL MAINTAIN THE EXISTING EDUCATIONAL AND RECREATIONAL FEATURES.
 19. THE DEVELOPER SHALL MAINTAIN THE EXISTING HEALTH AND SAFETY FEATURES.
 20. THE DEVELOPER SHALL MAINTAIN THE EXISTING ENERGY AND ENVIRONMENTAL FEATURES.

ROBERT AND JUDITH BENNETT
 PO BOX 15
 LAKE HAVASU CITY, AZ 86403
 928-486-9031
 CURRENT ZONING C-2 HMR
 HEIGHT OF PARAPET WALL 24 FEET

5 Acres
 217,800 sq ft

(928)753 8579 FAX
(928)753 8136 PHONE
jmcerlean@cityofkingman.gov

E-Mail / Fax



City of Kingman
Development Services
Building Department

To: Rich Ruggles – COK Principal Planner

From: Jim McErlean – Plans Examiner

Fax: [FAX]

Pages: 1

Phone: 753-8160

Date: 6/19/2013

Re: RZ13-002 & CUP13-002

CC: Dave Hattrick – Building Official

Urgent

For Review

Please Comment

Please Reply

Please Recycle

Comments:

The COK Building Department has no objections to approving either of the cases noted above. However, approval of the Rezoning &/or Conditional Use Permit does not give tacit or implied approval for Grading or Construction of the apparent proposed addition to the Mini-Storage facility. We do wish to advise the applicants of the following requirements to apply for a Grading &/or Building Permit:

1. A Geotechnical Report will be required.
2. Grading Plans prepared per the '06 IBC Chpt. 18, Appendix J & the City of Kingman "Grading Excavation Earthwork Construction Policy".
3. Complete Building Plans prepared by an AZ Registrant will be required.
4. Please see the COK website for current adopted codes and engineering design parameters.
5. A copy of the "Arizona Boundary Survey" prepared to the minimum standards set by the Arizona Professional Land Surveyors Association - <http://www.azpls.org/>
6. The completed document "Submittal Checklist" [Ⓞ]
7. The document "Special Inspection Certificate" [Ⓞ] needs to be completed with original signatures.
8. Once a General contractor is selected the COK will need the following prior to issuing the permit:
 - A completed Contractor Information Sheet (form is available on the COK website)
 - Copy of the GCs Arizona Dept. Revenue Bond Exemption Certificate [call (802)716 6056]
 - GCs City of Kingman Business License Number [Contact City Clerk (928)753 5561]
 - All Fees Paid

This permit application expires 180 days from the filing date. It is the applicant's responsibility to see to it that the permit document requirements are completed prior to the application expiration date. Please allow 15 working days for staff review time for each submittal. '06 IBC 105.3.2

Application Date: 6/19/2013

Ⓞ These documents may be downloaded from the City of Kingman web site – Building Department
See the section Downloadable Forms & Documents. <http://cityofkingman.gov/pages/depts/building/>

Memo



Engineering Department

To: Rich Ruggles
From: Greg Henry
CC: File
Date: July 1, 2013
Re: Proposed Mini-Storage Rezone & CUP
3442 Hualapai Mountain Road
File RZ13-002 & CUP13-002

We have reviewed the subject rezone/CUP request and have no objection to its continued processing. The following comments are provided:

1. Street improvements to both Hualapai Mountain Road and Rossiynn Drive will be required at the time of development for this project, as per the Streets and Sidewalks Development Regulations. Improvements include but are not limited to the installation of curb, gutter, sidewalk and asphalt pavement.
2. Grading and drainage plans and analysis will be required at the time of development. Drainage retention is required in accordance with the Kingman Area Master Drainage Plan.
3. Water service to this unsubdivided parcel will need to be reviewed & approved by the Municipal Utility Commission and City Council, as per Article 3.3(E) of the Utility Regulations.



**MOHAVE COUNTY
FLOOD CONTROL DISTRICT
DEPARTMENT OF DEVELOPMENT SERVICES**

P. O. Box 7000, Kingman, Arizona 86402-7000 3250 E. Kino Ave, Kingman Telephone (928) 757-0925 FAX (928) 757-0912

www.co.mohave.az.us

Nicholas S. Hont, P.E.
Department Director

Michael P. Hendrix, P.E.
County Administrator

Date: June 21, 2013

To: Rich Ruggles, Planning & Zoning Division, City of Kingman Development Services Department

From: Derle Walker, RLS, CFM-Engineering Technician Senior

Thru: Shannon Summers, CFM-Technical Programs Manager

Re: Rezoning Case RZ13-002 and Conditional Use Permit Case CUP13-002, APN 321-12-008

It has been determined that this project is not within a FEMA designated Special Flood Hazard Area. This project therefore is not subject to the requirements of the Mohave County Flood Control Ordinance-2000. Flood Control has no objections to the continued processing of this Project.

2498 Airway Avenue
P.O. Box 3099
Kingman, Arizona 86402-3099
928.681.8913



June 25, 2013

Mr. Rich Ruggles, Principal Planner
City of Kingman
Development Services
310 North Fourth Street
Kingman, AZ 86401

Dear Mr. Ruggles:

RE: RZ13-002, rezoning of portion of NE $\frac{1}{4}$ NE $\frac{1}{4}$ Section 28, T21N, R16W.
CUP13-002, expansion of existing storage unit facility

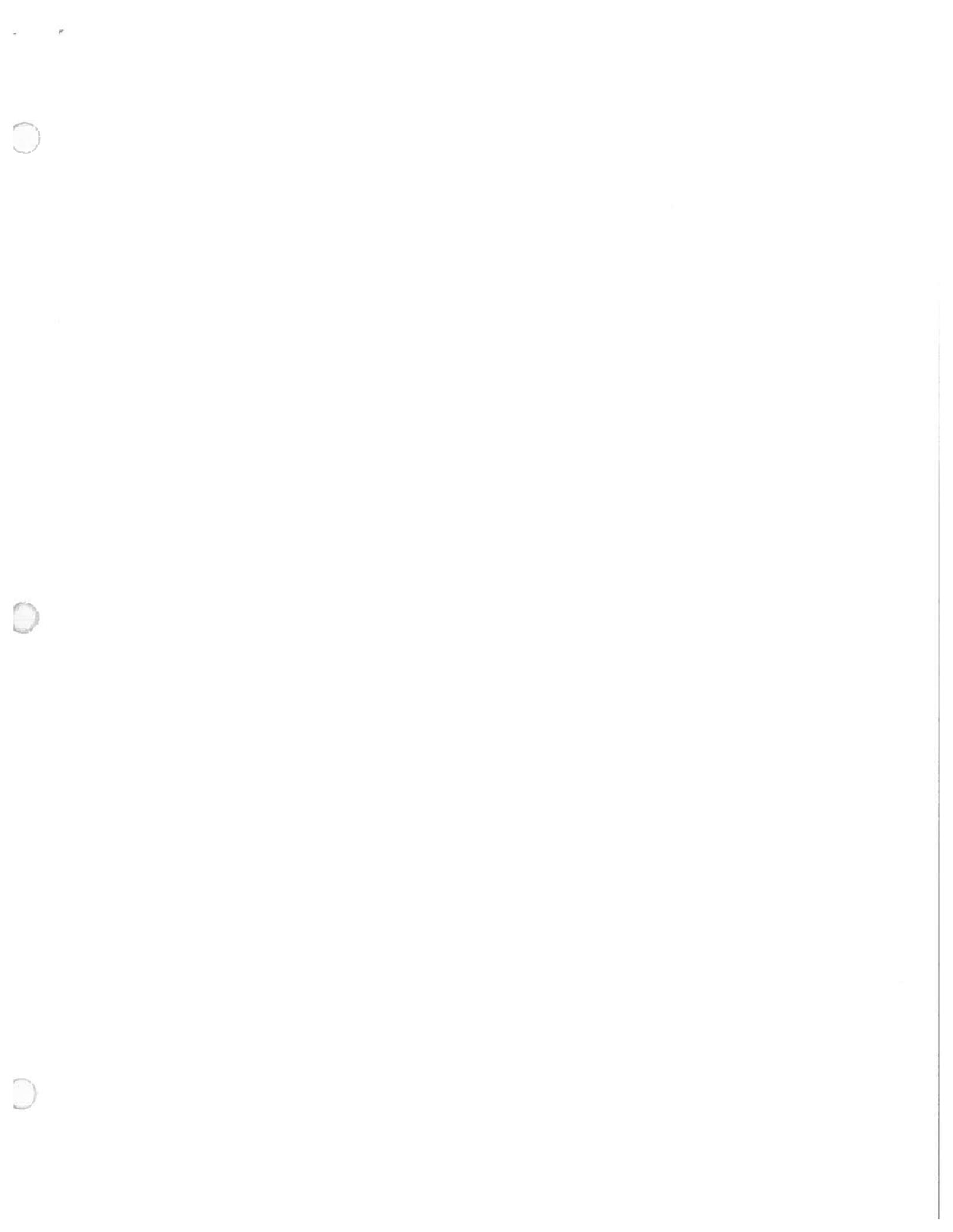
I have received an informational packet for the above captioned proposal. UNS Electric, Inc. [UNSE] has reviewed the proposal. with the following comment being submitted.

We have no objections to the further processing of the proposal. If you have any questions or need more information please call me at (928) 681-8923 or mgibelyou@uesaz.com. Thank you.

Sincerely,

A handwritten signature in black ink, appearing to read 'Michael L. Gibelyou'.

Michael L. Gibelyou, SR/WA
Senior Right of Way Agent





**CITY OF KINGMAN
COMMUNICATION TO COUNCIL**

TO: Honorable Mayor and Common Council

FROM: Jack Plaunty-Street Department

MEETING DATE: January 5, 2016

AGENDA SUBJECT: Pavement management study

SUMMARY:

The Street Department would like approval to hire The Barnhardt Group, a pavement management consultant, to conduct a pavement management study. This will include a Pavement Management Study as outlined in the attachment. Asphalt treated roads within the City Limits will be inspected and rated with a PCI (pavement condition index). The quantity center line miles of asphalt will also be established. This information will be used with a software program to outline which roads need maintenance work. We can then decide what treatment will be used based on the PCI. The software can also be used to establish projected costs for asphalt preservation for a given outcome. The outcome could be to maintain our current PCI average, increase our PCI over a given time period or other target driven scenarios. This will help budget for asphalt preservation and ensure the correct treatment is provided at the right time.

FISCAL IMPACT:

The fiscal impact of the contract will be \$50,860 which will be paid from the pavement preservation line item.

STAFF RECOMMENDATION:

Staff recommends approving the Pavement Management Study.

ATTACHMENTS:

Description
Proposal and Contract

REVIEWERS:

Department	Reviewer	Action	Date
Public Works	Owen, Rob	Approved	12/30/2015 - 6:31 PM
City Attorney	Cooper, Carl	Approved	12/31/2015 - 12:09 PM
City Manager	Dougherty, John	Approved	12/30/2015 - 7:04 PM

**AGREEMENT FOR
FOR CONSULTANTING SERVICES FOR A
PAVEMENT MANAGEMENT SURVEY**

THIS AGREEMENT is made and entered into this 29th day of December, 2015, by and between the City of Kingman, an Arizona municipal corporation, hereinafter called "CITY" and The Barnhardt Group, LLC, hereinafter called "CONSULTANT".

WITNESSETH

WHEREAS, the CITY wishes to obtain consulting services for pavement management survey, training and network implementation; and

WHEREAS, CONSULTANT submitted a Detailed Scope of Services dated December 21, 2015, attached hereto and made a part hereof as Exhibit A, offering to complete a Network Level Pavement Management Program; and

WHEREAS, CONSULTANT has agreed to complete the work for a fee not to exceed \$50,860.00 as detailed in Exhibit A; and

WHEREAS, it has been determined that CONSULTANT is qualified and ready to perform the services as required by this Agreement;

NOW THEREFORE, it is mutually agreed as follows:

I. CONSULTANT'S DUTIES

- A. CONSULTANT shall provide all labor, materials and equipment and complete all tasks necessary for the completion of the Pavement Management System as outlined in Exhibit A.
- B. CONSULTANT shall provide electronic and, as applicable, hard copies of all reports, models, plans, drawings and other materials prepared under this Agreement. The City shall own all information related to the project.

II. CITY DUTIES

The CITY agrees to provide information and make payment for the work covered under this Agreement in accordance with the following:

- A. The CITY shall provide CONSULTANT with copies of plans, reports, drawings or other information of record applicable to this project.
- B. The CITY shall pay CONSULTANT for the work performed on a monthly basis, upon receipt of a progress report that coincides with the hours completed for a given phase of

work during the preceding month. The final payment will be paid after the project is complete and the work is accepted by the City Council.

III. GENERAL COVENANTS

It is further agreed by the CITY and CONSULTANT as follows:

- A. **TERMINATION OF CONTRACT FOR CAUSE.** If through any cause, and after reasonable opportunity to commence a remedy, CONSULTANT shall fail to fulfill in a timely and proper manner the obligations under the Agreement, or if CONSULTANT shall violate any of the covenants, agreements, or stipulations of this Agreement, the CITY shall thereupon have the right to terminate this Agreement by giving written notice to CONSULTANT of such termination and specifying the effective date thereof, at least five days before the effective date of such termination. In such event, all finished or unfinished documents, data, studies, surveys, drawings, maps, models, photographs and reports prepared by CONSULTANT under this Agreement shall at the option of the CITY, become its property and CONSULTANT shall be entitled to receive compensation for any work satisfactorily completed on the date of termination.

Notwithstanding the above, CONSULTANT shall not be relieved of liability to the CITY for damages sustained by the CITY by virtue of any breach of the Agreement by CONSULTANT.

- B. **CHANGES.** The CITY may, from time to time, request changes in the scope of the services of CONSULTANT to be performed hereunder. Such changes, including any increase or decrease in the amount of CONSULTANT compensation, which are mutually agreed upon by and between the CITY and CONSULTANT, shall be incorporated in written amendments to this Agreement.
- C. **PERSONNEL.** CONSULTANT represents that he has or will secure at his expense, all personnel required in performing the services under this Agreement. Such personnel shall not be employees of or have contractual relationship with the CITY. All personnel engaged in the work shall be fully qualified and shall be authorized or permitted under State and Local law to perform such services.
- D. **ASSIGNABILITY.** Neither party shall assign, subcontract or transfer their interests, rights or obligations in this Agreement without prior written consent of the other party.
- E. **RECORDS AND AUDITS (Maintenance and Retention).** CONSULTANT shall maintain accounts and records, including personnel, property and financial records, adequate to identify and account for all costs pertaining to the Agreement to assure proper accounting for all project funds. A monthly summary of these records will be maintained by CONSULTANT at the completion of the Agreement for retention for five years. Said records shall be made available for Inspection at CONSULTANT'S offices during normal business hours, upon request, to the CITY and any other body authorized in writing by the CITY.

F. **FINDINGS CONFIDENTIAL.** All of the reports, data, information, etc., prepared or assembled by CONSULTANT under this Agreement are confidential and shall not be made available to any individual or organization without the prior written approval of the CITY, with the exception of any recording of survey information required by law and with respect to information that:

- 1) becomes generally available to the public other than as a result of disclosure by CONSULTANT or its agents or employees;
- 2) was available to CONSULTANT on a non-confidential basis prior to its disclosure by City;
- 3) becomes available to CONSULTANT from a third party who is not, to the knowledge of CONSULTANT, bound to retain such information in confidence.

In the event CONSULTANT is compelled by subpoena, court order, or administrative order to disclose any confidential information, CONSULTANT shall promptly notify CITY and shall cooperate with CITY prior disclosure so that CITY may take necessary actions to protect such confidential information from disclosure.

G. **COPYRIGHT.** No report, maps, or other documents produced in whole or in part under this Agreement shall be the subject of an application for copyright by or on behalf of CONSULTANT.

H. **DELAYS.** CONSULTANT shall not be responsible for damages or be deemed to be in default by reason of delays in performance by reason of strikes, lockouts, accidents, acts of God, shortages of materials, delays caused by failure of CITY or CITY's agents to furnish information or to approve or disapprove work promptly or any other event beyond the control of CONSULTANT. In the case of the happening of any such cause of delay, the time of completion shall be extended accordingly.

I. **CONFLICT OR DISPUTE.** In the event of a conflict or dispute as to the interpretation, application or implementation of this Agreement, either party shall have the right to submit the conflict or dispute to mediation in accordance with the rules of the American Arbitration Association then in effect. Any disputes arising from this Agreement in any way and involving an amount of less than \$50,000 shall be settled by arbitration.

J. **STANDARD OF CARE – PROFESSIONAL SERVICES.** Subject to limitations inherent in the agreed scope of work as to the degree of care, amount of time and expenses to be incurred, and subject to any other limitations contained in this Agreement, CONSULTANT shall perform its services in accordance with generally accepted standards and practices customarily utilized by competent consulting firms in effect at the time CONSULTANT'S services are rendered.

K. **RELIANCE UPON INFORMATION PROVIDED BY OTHERS.** If CONSULTANT'S performance of services hereunder requires CONSULTANT to rely on information provided by other parties (excepting CONSULTANT'S subcontractors) CONSULTANT shall not independently verify the validity, completeness, or accuracy of such information unless expressly engaged to do so by CITY.

- L. **SEPARABILITY**. In the event any term or provision of this Agreement is held to be invalid and unenforceable, the validity of the other provisions shall not be affected, and this Agreement shall be construed and enforced as if it did not contain the particular term or provision that is invalid or unenforceable.
- M. **COMPLETION TIME**. The CONSULTANT shall have one hundred and twenty (120) days from the Notice to Proceed to complete all work related to this contract.
- N. **INDEMNIFICATION**. To the fullest extent permitted by law, the CONSULTANT shall defend, indemnify and hold harmless the City, its agents, representatives, officers, directors, officials and employees from and against all claims, damages, losses and expenses (including but not limited to reasonable attorney fees, court costs, and the cost of appellate proceedings) to the extent arising out of, or alleged to have resulted from the CONSULTANT'S negligent acts, errors, mistakes or omissions relating to professional work or services in the performance of this Contract. CONSULTANT'S duty to defend, hold harmless and indemnify the City, its agents, representatives, officers, directors, officials and employees shall arise in connection with any claim, damages, loss or expense that is attributable to bodily injury, sickness, disease or death, or injury to, impairment, or destruction of property caused by any negligent acts, errors, mistakes or omissions related to professional services in the performance of this Contract, including any person for whose acts, errors, mistakes or omissions the CONSULTANT may be held legally responsible and liable for under the law.
- O. **INSURANCE REQUIREMENTS**. The CONSULTANT warrants that, at its own expense, it shall procure and maintain the following minimum insurance coverage for the duration of the contract with companies duly licensed to do business in the State of Arizona, possessing a current A.M. Best, Inc. Rating of A- or better. General liability policy shall be written on an occurrence basis form.
- The CONSULTANT's insurance shall be primary insurance, and any insurance or self-insurance maintained by the City shall not contribute to it.
 - The CONSULTANT shall be solely responsible for deductibles and/or self-insured retention.
 - The City reserves the right to request and to receive, within 10 working days, certified copies of any or all of the required insurance policies. The City shall not be obligated, however, to review same or to advise CONSULTANT of any deficiencies in such policies and endorsements, and such receipt shall not relieve the CONSULTANT from, or be deemed a waiver of, the City's right to insist on strict fulfillment of the CONSULTANT's obligations outlined herein.
 - Before starting any work or services under this Agreement, CONSULTANT must furnish City with Certificates of Insurance and policy endorsements required by this Agreement. The Commercial General Liability insurance policy shall be endorsed to name the City, its agents, officers, officials and employees as Additional Insured's and provide a policy endorsement to effect such change to the actual liability policy.

Policy Limits shall include and shall not be less than:

1. Commercial General Liability insurance with a limit of \$1,000,000 for each occurrence and \$2,000,000 General Aggregate Limit. The policy shall include coverage for bodily injury, contractual liability, broad form property damage, personal injury, and products/completed operations.
2. Professional Liability Insurance covering errors and omissions arising out of the work or services performed by CONSULTANT, or anyone employed by CONSULTANT, or anyone for whose acts, mistakes, errors and omissions CONSULTANT is legally liable, with a liability insurance limit of not less than \$1,000,000 each claim.
3. Commercial/Business Automobile Liability Insurance with a combined single limit for bodily injury and property damage of not less than \$1,000,000 each occurrence with respect to the CONSULTANT's owned, hired and non-owned vehicles assigned to or used in the performance of the CONSULTANT's work.
4. Worker's Compensation insurance to cover obligations imposed by Arizona state statutes, and any applicable federal statute.

The amount and type of insurance coverage as required herein will in no way be construed as limiting the scope of the indemnity outlined in this Agreement.

- P. **Contract Term and Renewal.** The term of the contract shall commence upon award and shall remain in effect for a period of (1) year, unless terminated, canceled or extended as otherwise provided herein. The Consultant agrees that the City of Kingman shall have the right, at its sole option, to renew the contract for two (2) additional one-year periods. In the event that the City exercises such right, all terms, conditions and provisions of the original contract shall remain the same and apply during the renewal period.
- Q. **COOPERATIVE PURCHASING AGREEMENT.** This solicitation is being prepared by the City of Kingman. While this solicitation is for the City of Kingman, other public agencies may have an interest in utilizing the resulting contract. After an award, this solicitation may be utilized by eligible public entities. Individual public entities would negotiate service with the Successful Vendor using the bid pricing quoted herein. No Volume is implied or guaranteed.
- R. **COMPLIANCE WITH FEDERAL AND STATE LAWS.** The Consultant understands and acknowledges the applicability to it of the American with Disabilities Act, the Immigration Reform and Control Act of 1986 and the Drug Free Workplace Act of 1989. The Consultant must also comply with A.R.S. § 34-301, "Employment of Aliens on Public Works Prohibited", and A.R.S. § 34-302, as amended, "Residence Requirements for Employees".

Under the provisions of A.R.S. §41-4401, Consultant hereby warrants to the City that the Consultant and each of its sub consultants ("Sub consultants") will comply with, and are contractually obligated to comply with, all Federal Immigration laws and regulations that relate to their employees and A.R.S. §23-214(A) (hereinafter "Consultant Immigration Warranty").

A breach of the Consultant Immigration Warranty shall constitute a material breach of this

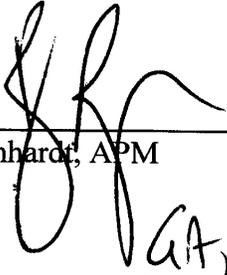
Contract and shall subject the Consultant to penalties up to and including termination of this Contract at the sole discretion of the City.

The City retains the legal right to inspect the papers of any Consultant or Sub consultant's employee who works on this Contract to ensure that the Consultant or Sub consultant is complying with the Consultant Immigration Warranty. The City may, at its sole discretion, conduct random verification of the employment records of the Consultant and any of Sub consultants to ensure compliance with Consultant's Immigration Warranty. Consultant agrees to assist the City in regard to any such inspections. The Consultant and its Sub consultants warrant to keep the papers and records open for random inspection during normal business hours by the City. The Consultant and its Sub consultants shall cooperate with the City's random inspections including granting the City entry rights onto its property to perform the random inspections and waiving their respective rights to keep such papers and records confidential.

Neither the Consultant nor any of Sub consultants shall be deemed to have materially breached the Consultant Immigration Warranty if the Consultant or Sub consultant establishes that it has complied with the employment verification provisions prescribed by sections 274A and 274B of the Federal Immigration and Nationality Act and the E-Verify requirements prescribed by A.R.S. §23-214, Subsection A.

IN WITNESS WHEREOF, we have set our hands and seal the day, month and year first above written.

THE BARNHARDT GROUP, LLC.



Blair Barnhardt, APM
CEO

State of GA

County of Cobb)ss.
)



Subscribed and Sworn to
Before Me This 29th day of
December, 2015.


Notary Public

My Commission Expires: 11-09-19

.....
CITY OF KINGMAN, ARIZONA

RICHARD ANDERSON, MAYOR

Attest:

SYDNEY MUHLE, CITY CLERK

EXHIBIT
“A”





The Barnhardt Group, LLC
 Atlantic Division Office
 1635 Old Hwy 41, STE 112-248
 Kennesaw, GA 30152
 Phone (404) 316-9792
 Fax (678) 224-4651
blair@thebarnhardtgroup.com
www.thebarnhardtgroup.com

November 30, 2015
 Revised December 21, 2015

Letter of Transmittal

ATTN: Jack Plaunty
 Public Works Supervisor
 City of Kingman Engineering Department

RE: Pavement Management Survey, Training and Network Level Implementation

Mr. Plaunty,

Thank you for the opportunity to conduct business with the City of Kingman. We are proud to submit this response for your opportunity as consultant for all your pavement management surveying and training. We are on high alert and ready to answer any questions you have regarding our submittal for the pavement management of your City. I will be the person with contractual responsibility with Kingman.

The Barnhardt Group (TBG) will provide expert-level service at very competitive prices combined with world-class customer service. Our proven methodologies will ensure the program is successful and supported by the community. The creative and experienced TBG team has a reputation for saving agencies hundreds of millions of dollars by following a systematic approach to asset management and maintenance and classroom training. Our team always will act in the best interest of your ratepayers!

Our team includes some of the brightest minds in the business: operations analysts, pavement managers, IT experts, GIS gurus, snow clearing gurus, storm water engineers, traffic and street lighting techs, and sustainability professionals. By following our innovative and patent pending TBG5 Analytics System™ our team will Assess, Evaluate, Report, Train and Implement.

The TBG team of expert consultants and their aggregate years of experience:

Area of Expertise	Experience
Local Agency	56
Implementation of PAVER, StreetSaver, Micro	17
Consulting	81
Project Management	52
Pavement	60
IT/GIS	22

10

Please note we have a complete repertoire of successful references from our decades of pavement management experience. Further, several of the team members have designed and implemented comprehensive online training and software programs; therefore, their cost-saving models can be successfully replicated for years to follow with little or no on-going consulting assistance after the **Three Legged Stool System™ of Pavement Management training** implementation is completed. We specifically train local agencies, MPOs, US Armed Forces, Gated Communities and State DOTs on how to use MicroPAVER™ and StreetSaver® Software as they are the worlds two most popular publically available software programs. Every day we train agency engineers just like the ones in your local agency to do more roads for LESS MONEY and LESS CARBON FOOTPRINT!

Note that we have performed similar management services across the country very effectively and have a track record for saving folks like you millions of dollars!!! This proposal and pricing shall remain valid for a period of not less than 120 days from the date of submittal.

Because we love working in Arizona, we have taken a very aggressive stance on this response with our pricing structure. This is something that we typically never do since most of our work comes in the form of word of mouth referrals or qualifications based selection. However, we know how much money our clients save by learning how to do pavement management with eco efficient in place recycling and preservation! We teach agencies how to do more with less with less carbon footprint everyday! Click here to see breaking news from Sedgwick County, KS as an example <https://ipma-1.wistia.com/medias/cqvlyqqw54>. For this reason, we have taken deep discounts across the board in order that we may serve the City's Pavement Management Program and help the learners to go on and do MORE ROADS for LESS MONEY and LESS CARBON FOOTPRINT!

We are confident our proposal meets – or exceeds – all requirements. We hope the selection committee will agree. By signature below I Blair Barnhardt attest that all information submitted with this proposal is true and correct and I am authorized to bind The Barnhardt Group to the terms of the proposal enclosed. Our team has a lifetime of experience not only teaching pavement management but also DOING pavement management! We have also assembled 70 hours of online pavement management certification (Accredited Pavement Manager or APM™ with IPMA™ Academy <http://www.ipmaacademy.com>) as well as the world's largest repository of pavement management training videos at www.pavementmanager.club.

On the consulting side of our business where we actually perform the pavement management we use StreetSaver® and MicroPAVER™ interchangeably on a routine basis. Further we have done this on thousands of miles of roadways and parking lots across the nation. But, there is a distinct difference here: unlike most large consulting firms who send interns out to survey the distressed roads, our firm sends ME, the owner! Why is that important you may ask?

The Barnhardt Group – Atlantic Division – 1635 Old Hwy 41 Ste. 112-248, Kennesaw, GA 30152
- Pacific Division – 815 1st Avenue, Ste. 70 Seattle, WA 98104
www.thebarnhardtdgroup.com

Do you want interns doing this? Or worse than that, having interns training your folks how to do it? Moreover, we are one of the few firms that have the expertise on what treatments to use once the roads are actually surveyed and put into the computer software. The DECISION TREE SET UP is likely the MOST IMPORTANT ASSET that your agency owns. It can MAKE YOU or BREAK YOU!!! Very few consultants or academia have the knowledge in this arena!

Note that we meet or exceed all of the qualifications you are requesting including being licensed StreetSaver® Consultants as well as part of their technical training staff.

The learners from our training events and programs will learn how to use the MicroPAVER™ and StreetSaver® software inside and out. They will better understand how to develop a long-term budget based on the 20 different distresses that we will be physically collecting with their boots on the ground distress survey training per ASTM 6433.

We will run three budget scenarios, needs based (unconstrained), budget (their dollar amount per year for rehabilitation and preservation), and target driven (how to reach a specific goal over time). You will better understand needs using the Decision Tree. The biggest benefit that your local agencies will receive in working with our firm is that we are way out in front of the curve in terms of expertise with the eco efficient and green in place recycling and preservation treatments. We have a track record based on our years of developing academic curriculum for technical training of being leaders in the pioneering of these treatments.

Moreover Lori Miles has organized dozens of the IPMA™ Academy Live Training Sessions across this nation (including one which we did in the Caltrans District 8 Office for Basem Muallem). Here is a sample of what Lori has done in the past:

Click here to see a sample of IPMA™ Academy LIVE notification in California <http://ipma.co/ipma-academy-live-southern-california/>. Here is another sample of a recent IPMA™ Academy Lunch and Learn in Kansas <https://www.megaphoneapp.com/pages/97215/>. In the graphic below you can see what one of our IPMA™ Academy Learners just said to me the other day in our private Facebook user group:

The Barnhardt Group – Atlantic Division – 1635 Old Hwy 41 Ste. 112-248, Kennesaw, GA 30152
- Pacific Division – 815 1st Avenue, Ste. 70 Seattle, WA 98104
www.thebarnhardtgroup.com



Abe-Kristi Langston

August 10 at 12:34am

I recently watched Blair Barnhardt's video in Kansas where he showed a HIP job with a HA5 High Density Mineral Bond wearing course. I had never heard of HA5 but was interested to learn more. The more I learned the more excited I became about possibly trying HA5 in west Texas. Anyway, I ended up speaking with Mike Payne with Andale. In our conversation, he hinted that there were folks out there experimenting with HA5 as a surface treatment on some higher volume roads (perhaps collectors or even arterials?). My question is has anyone tried HA5 on a higher volume road than a residential street? Is there any reason why it would not be a good surface treatment choice on a collector or even an arterial?

👍 Like 💬 Comment

Adelina Lowry likes this.

✓ Seen by 17



Abe-Kristi Langston Thanks Blair for making good on your promise to keep us on the cutting edge. When I called the emulsion providers in Texas and asked them about HA5 High Density Mineral Bond, they had never heard of it.
August 11 at 12:45am · Unlike · 👍 1



Mark Beatty Abe, HA5 High Density Mineral Bond has a track record of performance over 13 years now. It's availability now spans the majority of the U.S. with Approved HA5 Installation Contractors such as Andale Construction in the Midwest. The first installations ... See More
August 12 at 10:25pm · Unlike · 👍 1

While there will be much more detailed information throughout our response, suffice to say that very few if any firms will be able to offer the expert testing package that we are offering at a price that is lower than your anticipated budget!

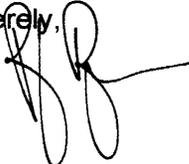
Mr. Plaunty, we have a proven track record of performing similar pavement management for local agencies. Further we have done the implementation of MicroPAVER™ and StreetSaver® pavement management software on thousands of miles of roadway and millions of square feet of parking lots from local agencies to US Army Corp of Engineers.

We are licensed StreetSaver® consultants, as well as on the Technical Training Team with MTC. I will personally be in the City with my RV providing the bulk of the testing and will be there through to the end of the project to ensure incredible deliverables that will be easy for your staff to understand and implement! Be prepared for your agency to save millions doing more roads for less money and less carbon footprint!

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By signing this response I am also attesting that all information submitted with the proposal and its requisite appendices is true and correct.

Sincerely,



Blair Barnhardt, APM
Barnhardt Group LLC, CEO



Dec 29/15



1. *Statement of Qualifications of Principal and Team*

The Barnhardt Group was founded in November 2009 in response to a growing demand for quality pavement management services and the associated online learning and certification of pavement managers. Our Atlantic Division address is 1635 Old Hwy. 41, STE 112, Kennesaw, GA 30152. I can be reached anytime (as I am the designated Project Manager) at 404-316-9792 or blair@thebarnhardtgroupp.com. We have upwards of 4 to 5 people working for us, along with 3 full time staff, myself, Lori Miles, Jason Spencer and Joy Barnhardt.

We are one of the most highly respected pavement management firms in the nation, having helped agencies set up thousands of miles of the pavement networks in StreetSaver® and MicroPAVER™. We have also built the world's most comprehensive online learning certification program for pavement managers at IPMA™ Academy <http://www.ipmaacademy.com/> and the largest repository of pavement management training videos over at <http://www.pavementmanager.club/>. I have put over 128,000 miles on my RV in the past two years training local agencies how to do more with less money and less carbon footprint as well as written an Amazon #1 Best Seller *The Book on Better Roads, Saving YOUR Crumbling Roadways with Practical Pavement Management!*

The firm is an LLC with offices in Kennesaw, Georgia, and Seattle, Washington. We are a rapidly growing family-owned business with a world of expertise in highway maintenance, pavement rehabilitation, restoration, resurfacing, reconstruction, routine maintenance, street operations, preventative maintenance, resource sharing, standardization, management and administration, pavement management, in-place asphalt recycling, soil stabilization and pavement preservation.

Blair Barnhardt is the CEO and Joy Barnhardt is the CFO. Blair Barnhardt has three decades of roads and street department experience. He is best known for heading up the public works department for the largest privatized city in America – City of Sandy Springs. He is also a nationwide expert witness for state and federal litigation claims.

TBG has key field personnel with agency background and the discipline required for field and classroom training. We have an entire fleet of vehicles, including a 23-foot and a 45-foot RV, tandem trailers and ATVs. Our team is fully equipped to travel wherever we are needed in North America. In fact, we have put more than 128,000 miles on our RV in just over two years. Our staff is growing to accommodate the specific requirements that our clients need. We are specialists in providing comprehensive local agency training across all divisions and helping to provide collaborative and flexible sustainable solutions.

Our teams are also APM™ Certified (Accredited Pavement Manager) or APM™ Master Certified through the International Pavement Management Association's IPMA™ Academy. This is 70 hours of online certificate training on all things pavement management, in place recycling and pavement preservation training.

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The consulting side of our business sees us getting work based on qualifications rather than low bid so our profit margins are good, but not out of line with similar consulting models. Our online training side of the business has steady growth with higher profit margins and little if any overhead outside of our fancy state of the art software that we use (Infusionsoft) to manage the delivery of curriculum.

Blair Barnhardt, CEO of The Barnhardt Group, is an internationally recognized expert in pavement management, in-place asphalt recycling, pavement preservation, pavement routine maintenance, street operations, restoration, resurfacing, structural overlays, functional overlays, recycling, reconstruction, preventative maintenance and sustainable practices.

He will personally be providing all high-level senior project management for this project for its duration. In addition, he will be overseeing all pavement management, recommendations and technical training for the City. He is a graduate of Mohawk College with Honors. He later went on to become a professor at this Mohawk in its civil engineering department. You may have already seen one of his pavement management or in-place recycling/soil stabilization webinars at UC Berkeley ITS Department!

With respect to Streets O&M Management and Practice, Mr. Barnhardt led the public works department for the largest privatized city in America – The City of Sandy Springs, GA – for several years. In this capacity, he was responsible for the day-to-day operations of a staff of 21. His responsibilities included asphalt routine and preventive maintenance, street lighting, storm water, waterworks, sidewalks, ADA clarifications from DOJ and FHWA, capital budgets, major reconstruction and rehabilitation, snow and ice clearing, flooding, sinkholes, resurfacing, in-place asphalt recycling, pavement management, preservation and sustainability. It was at Sandy Springs that The Three Legged Stool™ System of Pavement Management was originally conceived. Mr. Barnhardt had to quickly figure out methods to do more roads for less money because Sandy Springs had no tax revenue for the first year of operation as it had annexed out of Fulton County.

Mr. Barnhardt is one of only a few individuals with an academia, consultant and contractor background. He is one of a select few experts that actually has directed the forces of all three of the disciplines in outlined in the BARM, the Basic Asphalt Recycling Manual that he helped co-author for FHWA and ARRA. He also is the author of Amazon #1 Best Seller, *The Book on Better Roads*, and a 400-page guide on How to Save YOUR Crumbling Roads with Practical Pavement Management. In addition to all things pavement management, recycling and preservation, he also knows how to professionally audit current practices, evaluate, train, make recommendations, prepare specifications and bid documents. He will serve as an on-going subject matter expert for the Transit Authority to ensure that your staff and ratepayers are getting the most eco-efficient preservation and cost saving in-place asphalt rehabilitation methods possible. Mr. Barnhardt has also designed and delivered online and instructor-led training for IPMA™ Academy, NWETC, TTAP, LTAP, APWA, KU, Auburn and UC Berkeley ITS Department. He is already prequalified to work for OCTA, a Strategic Software Development Partner and Technical Trainer for MTC StreetSaver® and a licensed StreetSaver® consultant.

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Specific Project Experience

Strength of References

TBG has a solid reputation for saving approximately \$1,000,000.00 per 250-500 centerline miles. Since most agencies we set up pay approximately 3 cents per square yard and go on to save upwards of \$10.00 per square yard by selecting the right treatment on the right road at the right time with the right contractor for the right reason, this works out to be a 925 percent return on investment. In fact, if 50 cities and or counties in 50 states were to implement such a program we would save our country \$2.5 billion per year. Note that this is solely focusing on only pavement management. Another way of looking at this is that we could easily offset the costs of our consulting with one or two small areas of savings per year.

With the TBG5™ Analytics System and a little help from the MicroPAVER™/StreetSaver® Software, Three Legged Stool System™ of pavement management as outlined in our book, and with a collaborative approach between all parties we can save the City saving millions each year based on our track record!

Please refer to the brief list below of testimonials from some of our TBG customers. We also have included a few of the testimonials that our TBG team members have received, so the selection committee can get a feel for their level of expertise.

At a recent presentation to his County Commission at Rockdale County, GA, Miguel Valentin, PE, APM states, *"Before we had Blair and his team come in here and do our pavement management implementation, we spent \$20 million treating 111 miles of roadway. Now, after the implementation of the Three Legged Stool™ System of Pavement Management, we have already treated over 129 miles of roadway with only 10 million dollars. We are doing twice as many roads for the same budget!"*

Miguel is doing twice as many roads for the same budget by following The Three Legged Stool™ System of Pavement Management. Note that the framework for this System is covered in detail in the online training at <http://www.ipmaacademy.com/> by clicking on the link SYLLABUS.

In Heard County, GA, Darold Wiggins, APM emphatically states, *"We get a million dollars a year to spend on roadways. Since implementing the Three Legged Stool™ System of pavement management I figure I will save our County \$1.2 million this year and \$1.4 million next year!"*

In Arapahoe County, CO, Jon Heese, APM states, *"We've got the entire network, about 350 center line miles in the StreetSaver (by Metropolitan Transportation Commission an MPO under FHWA) software. Thumbs up if you ever get a chance to work with The Barnhardt Group, I'd recommend it!"*

To see a video testimonial from Jon Heese, APM that we filmed shortly after wrapping up the Arapahoe County StreetSaver® Pavement Management Implementation click here <https://ipma-1.wistia.com/medias/yv7a57o3j2> . To see a video with Jeremy Jones from City of Wellington and I explain the process for the local TV station and the residents click here <https://ipma-1.wistia.com/medias/32gs5ghka7> .

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Basem Muallem, PE Former Director, District 8, Caltrans (from the foreword he wrote for The Book on Better Roads), *"I am writing this foreword to acknowledge first and foremost the contribution of Blair Barnhardt to the field of pavement preservation and preventive maintenance. Blair's efforts described in this book (The Book on Better Roads) clearly articulate this vision."*

Dr. Gary Hicks has this to say about The Barnhardt Group while at California Pavement Preservation Center: *"I worked with Blair on a Federal Highways Administration (FHWA) training course on asphalt pavement recycling. Blair was easy to work with, very knowledgeable and a good presenter."*

Howard Shieh, PE, APM emphatically states, *"Blair's episodes and book really inspire me. His experience and enthusiasm with pavement management is remarkable!"*

Peter Grass, Executive Director of the Asphalt Institute says, *"Blair worked for the Asphalt Institute as a Contract Instructor in many areas. Always a professional – never hesitate to contact Blair and review what he can do for you"*

James Roberts, Chairman of the Board of NAPA (National Asphalt Pavement Association) states, *"On behalf of the National Offices, Board of Directors and Members of NAPA I again want to express our appreciation to you for your service, and we look forward to your continued support in the*

References

Government Agency References

Firm/Government Agency Name: Rockdale County, GA	
Contact Person: Miguel Valentin, PE, APM	Phone: 770-278-7200
Title: Director of Transportation	Fax:
Address: 2570 Old Covington Highway Conyers, GA 30012	E-Mail Address: miguel.valentin@rockdalecounty.org
	Reason for Selecting as Reference: The County is the model template to save the US 2.5 Billion per year.
Project Date, Size, Complexity, Scope and Duration: 2013-2014 (2 Phases) Complete implementation of a brand new pavement management system following the TBG5 Analytic System. Over 500 miles were surveyed with the automated/manual survey method. The County is now doing twice as many roads with the same budget amount each year by following the Three-Legged Stool System of Pavement Management.	
Firm/Government Agency Name: Arapahoe County, CO	
Contact Person: Jon Heese, APM	Phone: 720-874-6500
Title: Maintenance Project Coordinator	Fax:
Address: 7600 S. Peoria St. Centennial, CO 80112	E-Mail Address: JHeese@arapahoe.gov
	Reason for Selecting as Reference: The County is a model of implementation of the TBG5 Analytic System.
Project Date, Size, Complexity, Scope and Duration: 2014-2015, Over 300 Miles surveyed using the automated/manual survey method.	
Firm/Government Agency Name: City of Monroe Public Works	
Contact Person: Jeremiah Still	Phone: 770-267-6933
Title: Director of Streets & Transportation	Fax:
Address: 215 N Broad St, Monroe, GA	E-Mail Address: jstill@MonroeGA.gov
	Reason for as Reference: The City is the model template to save the US 2.5 Billion per year.
Project Date, Size, Complexity, Scope and Duration: July 2012, Over 82 Miles surveyed. This was a brand new pavement management implementation (as are most of our projects). Projects of this size take approximately 60-90 days to complete. What made this project unique is that this City does a lot of preservation and management "in-house".	

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References

Firm/Government Agency Name: C Martin Company (GC for US Army Corp. - Dugway Proving Grounds)	
Contact Person: Gavin Whiting	Phone: (801) 440-8732 or (435) 831-2414
Title: Director (Previous)	Fax:
Address: Previous: 5466 Stark Rd, Dugway, UT 84022 Current for reference: DOD/ALEUT 5520 Tech Center Dr #200 Colorado Springs, CO 80919	E-Mail Address: gwhit67@yahoo.com
	Reason for Selecting as Reference: One of our most "high-profile" Level 5 security projects for MicroPAVER.
Project Date, Size, Complexity, Scope and Duration: June 2012, 4 Weeks of surveying a military base. It was 285 miles and 2 million square feet of pavement management spread out over thousands of miles of high-desert conditions. Network level coring was performed, as always to expedite the selection of the most appropriate type of pavement preservation and management for the Army Corp. Negotiations are underway for re-inspection after 3 years have passed.	
Firm/Government Agency Name: Heard County	
Contact Person: Darold Wiggins, APM	Phone: (706) 675-3821 or (706) 594-0374
Title:	Fax:
Address: 215 East Court Square Franklin, GA 30217	E-Mail Address: dwiggins@heardcountyga.com
	Reason for Selecting as Reference: First County implementation as The Barnhardt Group.
Project Date, Size, Complexity, Scope and Duration: May 2010. When we first set Darold up, we mutually agreed on MicroPAVER to do his 225 miles implementation. We later migrated him into StreetSaver for ease of operation. We currently perform 1/3 of his network each year. He is doing twice as many roads with the same budget. This year he is poised to save 1.4 million dollars for his County.	

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Success of Similar Projects

TBG

has a long list of satisfied clients. One our most prestigious projects is Dugway Proving Ground for the U.S. Army Corps of Engineers – 275 miles of roadway and 2 million SF of parking lot pavement distress evaluation, pavement management and training for the Army staff in Utah. This location is often referred to as “Area 52”, and is one of our military’s most top secret and most important installations.

Following is a brief list of asset management projects completed to date (this list is not meant to be all inclusive)

Location	Work Performed
Arapahoe County, CO	330 miles of pavement management 2015
Arapahoe County, CO	2,000,000 SF of facility parking lot pavement management
Rockdale County, GA	550 miles of pavement management implementation, 2013- 2014 in two stages; potential for re-inspection one-third each year beginning in 2015 or 2016
Heard County, GA	On-going, 225 miles of pavement management in 2012; one- third each year; re-inspection every year thereafter
City of Duluth, GA	75 miles of pavement management in 2012; one-third each year; re-inspection every year thereafter
Village of Wheeling, IL	70 miles, recently migrated them from MicroPAVER™ to StreetSaver®; performed QC/QA on last consulting firm’s work, audit and budget recommendations 2015
City of Winder, GA	94 miles, pavement management implementation, recommendations 2014
St. Ives CC HOA	10 miles, pavement management implementation and re- inspection 2013 and 2015; high-end gated community (private sector)
Dugway Proving Ground	275 miles of roadway and 2 million SF of asphalt and concrete parking lots; pavement management, MicroPAVER™ for U.S. Army Corps of Engineers via their General Contractor 2012 (negotiating re-inspection) currently for 2015)

Work Plan

Examples of Project Manager Lead Role on Similar Projects With Proposed Team

TBG strives to continue to illuminate the path for new and improved methods with its consulting services to cities and counties across the United States. The company is consistently reinvesting profits from the firm back into improved CRM, software, hardware, vehicles, and training its team. For example, most every team member involved with pavement management has gone through 70 hours of online pavement management training and has been certified by IPMA™ Academy as Accredited Pavement Managers. Some, such as Blair Barnhardt and Jason Spencer, have received their Master Accredited Pavement Manager designation.

In the last project we did with the core personnel from this proposed team, we worked for months with Arapahoe County, CO, staff to refine and streamline what we call Automated Manual Pavement Management. Historically there have been three categories, Automated, Semi-Automated and the Manual Method of Pavement Distress Survey Inspection. The fourth category, which we have just created with the coloration between Team TBG and Arapahoe County, involves us using GIS, GPS, Go iPave software, KML files, iPads, iPad minis, Go Formz Dropdown fillable PDF forms and Drop Box. While this response does not allow the room to fully detail this process, suffice to say that we have basically invented the most accurate method of pavement inspection ever, and it is totally paperless!

We call this comprehensive fourth generation of accurate pavement distress survey the "Automated Manual Method"!

With respect to the current team we are proposing for this RFP, we have spent more than 12 hours as a group deliberating our response to the City. We have carefully discerned what we felt was the call to action for our response, and have recorded each and every session for later review. Our team of experts is dedicated to providing the City with amazing results for many years to follow. We will be employing and utilizing all of the most modern communication techniques available to lead the project effectively and on schedule. We can discuss the exact details during our interview.

The Barnhardt Group has assembled a well-rounded team of experts to fulfill every requirement in the RFP. Many of our team members are subject matter experts in several different genres with respect to local agency governments and their infrastructure.

To date, we have had several team meetings amongst ourselves leading up to the delivery of this proposal. The TBG team fully understands the work requested by the City of Kingman. We look forward to the challenges that lie ahead in this collaborative and flexible journey we are about to embark on should we be selected as the top ranked consultant. If the past is any predictor of what is about to take place over the next several years with your Agency and our team we are well on our way to saving millions of dollars! We have a solid reputation of saving local agencies millions of dollars. See below for a snapshot of one of our agency clients, Miguel Valentin, PE, APM who is now doing twice as many roads for the same amount of money by implementing the Three Legged Stool™ System of

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Overall Approach

Our team has local, national and international experience with a wealth of experience diversity in private sector, tribal, local agency, state DOT and FHWA. Further, many of us are trainers who actually work at what we teach. Our synergistic approach involves brilliant team members who display a strong desire and ability to work together to provide excellent results for the City. In this collaborative approach, the sum is greater than the parts. Our members have not only written training programs, they also deliver them. Our members have not only studied for decades, they also have written the books, the NHI Training for FHWA, and acted as subject matter experts for governments and academia worldwide. With the knowledge and background present on this team, we can assess, report and make recommendations and can further deliver design and assist with the actual implementation.

We will design and present an incremental implementation process and assist as necessary at every step. Consulting and training without implementation of desirables is worthless. Our team will take the Agency to the finish line and be there for many years thereafter. We plan to fully assist with implementation to avoid the pitfall of failure to implement. We plan to do this as seamless as possible following our patent pending 5-step process we call the TBG5™ Analytics System (see below).



While our main focus will be on the scope of work you have outlined in your RFP if applicable, we will also perform a complete audit and review of best practices to date that your agency is employing in terms of pavement management, in place recycling and preservation. We will also look at previously used software, vehicles, stockpiles, yard locations, in house materials and/or equipment being used for rehabilitation and preservation. Most of our clients retain our services indefinitely so that we can survey and update a third of their network each year in compliance with GASB 34.

We will make recommendations on new or upgrades as necessary. Recommendations will always come with necessary support for the customer. If we need additional team members to fill in any voids in our expertise, we will quickly assemble the appropriate additional members. Other agencies and academia institutions have devised and implemented a similar plan as ours. For example you can visit this site to see what UC Berkeley has done:
<http://oe.berkeley.edu/resources/project-management-tools>.

We can help with bid preparation and sourcing the most appropriate solutions to fit our collaborative decisions on new and improved methods. Conversely, our team is fully capable of doing much of the ancillary work in-house: i.e. pavement management implementation training. Our team of experts will perform this work on a full-scale implementation or on a trial basis, whatever is best suited for the needs of the Agency. Of course, recommendations will always come with necessary support for the customer. Our team prides itself on having an abundance of expertise and diversity. We harness these traits to provide our nationwide clients with economically sound and eco-efficient green

solutions. We have a proven track record of helping agencies do more with less money and less carbon footprint. Whether it is water quality (ground water/surface), roadway maintenance, air quality or general eutrophication, our team is ready to take the your Agency to an all time new level.

Mr. Barnhardt is a member of ARRA, ISSA, AAPT, APWA, PRRC, ASCE and IPMA™. He is also Founder and Executive Director of the International Pavement Management Association (IPMA™) and IPMA™ Academy. He has countless certificates for basic and advanced training in MicroPAVER™ and StreetSaver® software. Moreover, he has similar certificates from other industry standards such as APWA, ISSA and Asphalt Institute.

Blair Barnhardt, APM

- Author of Amazon #1 Best Seller The Book on Better Roads
- Pavement Management Expert, APM™ Master Designation from IPMA™ Academy
- Over 35 years of experience with roadway operations and management
- Honors graduate from Civil Engineering at Mohawk College, Canada
- As seen on NBC, CBS, ABC, FOX and CNN
- Award winning trainer and subject matter expert for National Highway Institute (NHI) for FHWA
- Pavement Management Expert, APM™ Master Designation from IPMA™ Academy
- CEO of TBG, Founder of IPMA™ and IPMA™ Academy
- Has a vision and a plan to save this country \$2.5 Billion annually
- Has a proven track record of saving local agencies millions of dollars
- Host of Driving America for Better Roads video podcast and Better Roads Radio audio podcast
- Keynote speaker and Award Winning National Highway Institute Trainer for FHWA
- Contributing Author to the Basic Asphalt Recycling Manual (both versions) for Federal Highways Administration (FHWA) and Asphalt Recycling and Reclamation Association
- Proven track record of saving local agencies millions each year
- Former Core Chairman (Committee on Recycling Education) for Board of Directors at ARRA
- Managed over 600 million dollars of in-place asphalt recycling work over his career
- Helps local agencies manage their 1 to 2 Billion Dollars worth of roadway assets annually

Dave Baker

- Expert database developer and administrator with 20 years of software design and development experience
- Holds multiple certifications in Microsoft SQL Server and Microsoft Visual Studio
- Has been the lead designer on several large software projects that include: State of Oregon's Bond System, Oregon Community College D4A System, and multiple versions of Metropolitan Transportation Commission's StreetSaver software

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- DevMecca has been providing all IT services for StreetSaver® since 2005, and he is responsible for all data conversions to StreetSaver® from other Pavement Management software platforms such as Hansen, Cartegraph®, Chec, Centerline, MicroPAVER™, PaverPro, Stantec, and many more. His company is a full-service IT marketplace

Joy Barnhardt

- Company's Chief Financial Officer and Blair's business and life partner
- Over 27 years experience in management roles and is skilled in operations and leadership
- Oversees all billings to payables and makes prompt and accurate payments
- Oversee all of the insurance and other similar items to ensure that the City have all of our paperwork and invoices in hand in a timely manner

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Lori Miles

- Contract Manager for all things The Barnhardt Group
- Will be ensuring that the contracts stay on schedule and act as the main liaison between the between TBG and The City of Kingman
- Currently enrolled in IPMA™ Academy and also works for IPMA™ and IPMA™ Academy

Jason Spencer, APM

- Solid history of managing the pavements for their agencies, with Jason running the City of Oakwood
- Was the first StreetSaver® user in Georgia and has been an early adapter of in-place asphalt recycling taking full advantage of The Three Legged Stool System™
- Spent several hundreds of hours in the field with Blair and the field crews evaluating pavement distress for his city and several other agencies including Dugway Proving Ground in UT, Heard County, GA, and Arapahoe County, CO
- Pavement Management Expert, APM™ Master Designation from IPMA™ Academy
- Expert at all things data, StreetSaver®, Mobile Rater, iPads, Google Drive Maps etc.

Tom Rocca

- An association expert, has been an active board member of the American Teleservices Association (ATA), now PACE Association, www.paceassociation.com, since 1987 and is a Past National Chairman
- International Pavement Management Association (IPMA™), www.ipma.co Executive Advisory Board / 2010-Present
- Specializing in creation of business plans and implementation
- Field trained and has worked on and supervised many field inspections.
- Pavement expertise through education, technical training and workshops

Brian Frix, PE, APM

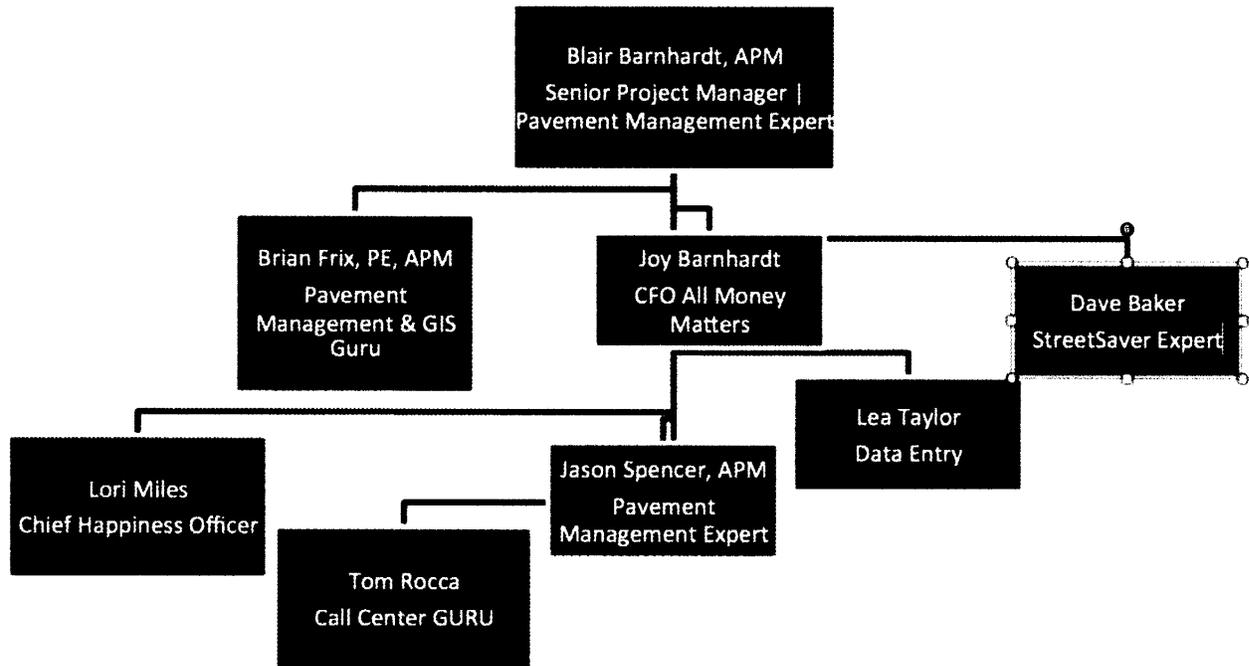
- In addition to being a full-time pavement manager for one of the foremost thinking counties in the Southeast, and serving on the IPMA™ Advisory Board, Brian will take care of all things GIS integration and final report editing as part of the partnership with TBG and The City of Kingman
- Recently completed his masters with University of Tennessee and has successfully passed his examination for Professional Engineer in Georgia in October of 2014
- IPMA™ Advisory Board Member

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Organizational Chart



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Strength of Proposal

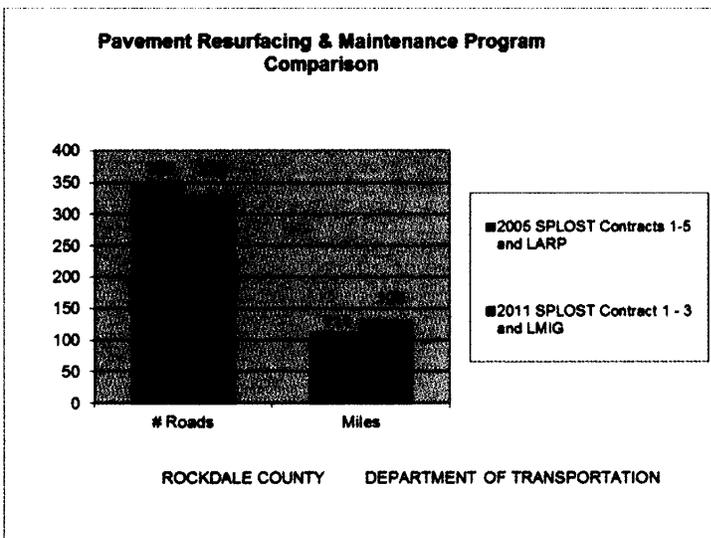
Description of Major Elements of the Project and Process Including Means by Which Current Conditions will be Assessed

The Barnhardt Group has assembled a well-rounded team of experts to fulfill every requirement in the RFP. Many of our team members are subject matter experts in several different genres with respect to local agency governments and their infrastructure.

To date, we have had several team meetings amongst ourselves leading up to the delivery of this proposal. The TBG team fully understands the work requested by the City. We look forward to the challenges that lie ahead in this collaborative and flexible journey we are about to embark on should we be selected as the top ranked consultant. If the past is any predictor of what is about to take place over the next several years with your City and our team we are well on our way to saving millions of dollars! We have a solid reputation of saving local agencies millions of dollars. See below for a snapshot of one of our agency clients, Miguel Valentin, PE, APM who is now doing twice as many roads for the same amount of money by implementing the Three Legged Stool™ System of Pavement Management.



Pavement Management Program



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2. Project Schedule

Please refer to the project timeline below. We will schedule this project to begin upon receipt of the official Notice to Proceed:

Deliverable	Timeframe
1. Kick Off Meeting	Two Weeks After NTP is Awarded
2. Conduct Monthly Meeting w/Progress Reports	As Required Each Month of Project
3. Perform Survey & Provide Draft Review	16 - 18 Weeks After Start of Survey
4. Provide Executive Summary for the PMS	One Week After End of Survey Above
5. Provide link for PMS to City's GIS	One Week After End of Survey Above
6. Provide Final Report	One Week After End of Survey Above
7. Provide Full Training for City Staff	3 Days of Live Training City Decides When
8. IPMA™ Academy On Line Training	Concurrent with Project Schedule Above
9. Presentations	City and Consultant Decide Best Time(s)

The project delivery from NTP to completion can be done in approximately 120 working days. When our team is out of town working on a project like this we often work 6-7 days a week to get it done quickly. After the third week we may fly back to spend a few days with family, then come back out for 3 more straight weeks of work.

3. SCOPE OF SERVICES

Please find below a sample version of the scope of work to be performed. We would more than happy to negotiate this Scope of Work for the City once we are awarded the work:

PRELIMINARY SCOPE OF WORK

The Scope of Work may include, but will not be limited to the following items listed below. The consultant should revise and/or expand on this scope in accordance with their expertise. Note: this can be re-worded to meet the needs of your agency.

Task I Data Gathering

1. Kick Off Meeting

The consultant will meet with the City to finalize the schedule and initiate the project. The City will provide a copy of the current Excel (or other brand) database. During the meeting the Consultant will spend several hours going over their Standard Operating Procedures for data collection and their overall pavement management strategy. At this time the Consultant will verify which steps to take if they find that the original data collected is erroneous in any way. A good amount of time will also be spent during this meeting to correlate and cross check items such as overall areas, square yardages etc. i.e. for residential neighbor hoods, does the pavement in the decal and acceleration lanes 'belong' to the main road or the neighborhood?

Other items for discussion maybe how and how often will the '**TBG Top 10 List**' be transmitted to the City staff. At this time we also like to get a one-page letter on City letterhead that explains what our TBG crews are doing in the field. This way if anyone asks what we are doing, we can quickly and efficiently hand the person asking a copy of your City letter so we are delivering a consistent message to the residents. We would also ask that you inform the local police department of our presence and perhaps let us know of any dangerous areas of your City that we should be aware of.

Task I Data Gathering (cont'd)

2. As-built Research

The consultant shall research and obtain as-builts for all street repair and maintenance projects that the City has performed since the last update to the City's database.

The Consultant will spend a good amount of time investigating with the City staff to obtain this information. Where this information is not available the TBG staff can obtain it by back calculation in the field based on their pavement management and heavy civil construction expertise. While the original construction date is always important, nothing is more important than an accurate depiction of the last M & R (Major Rehabilitation) date. The TBG crews routinely capture this information on foot during their surveys by back calculation from the date printed on the fire hydrants and determining if the road has been sequentially overlaid or inlaid since it's original back calculated construction date. Often the network level coring plays an important role in the last M & R determination.

Task II Field Inspection

1. Field Review

For Cities and Counties that have already an established pavement management plan or brand of software, the consultant shall field review the various streets and street segments in the database during their own field distress survey to check for erroneous data entry and reporting from previous parties. After they have performed their own survey, they shall prepare a Pavement Condition Index (PCI) for each segment inspected. The Consultant may elect to perform slightly less sampling if the pavement section has been recently covered with a fresh layer of hot mixed asphalt pavement.

The Consultant (TBG) shall perform ASTM 6433 pavement distress survey on the entire network of approximately **250 center lane miles** of roadway for the City. If the actual center lane miles are slightly more no additional charges will be incurred. If the center lane miles are considerably more than what has been reported in conversation, the answers to the questions on the City website or in their RFP, then a pro rated amount of time can be applied to compensate the Consultant. In order for TBG to provide the most value in this response and contract, it is imperative that each and every street be surveyed for pavement distress, lengths, widths and areas will be verified for accuracy, and PCI

Ratings will be calculated for each segment. The City and TBG may decide to group multiple sections together into larger sections for the ease of managing their pavement at this time. However, this would be decided only through collaboration and agreement by both parties that this is mutually beneficial to both.

The Consultant shall obtain accurate distances using a Distance Measuring Device (DMI) such as the Jamar RAC 100 or similar that is calibrated and hooked into the drive mechanism of the vehicle hosting the apparatus. Widths shall be accurately calibrated as well. On roads with multiple and various widths and odd sizes (i.e. roundabouts) the Consultant shall perform an accurate digital take off using a software such as www.goipave.com to obtain the overall square yardages required for the field survey.

At this time the Consultant shall also employ network level coring where the pavement section thickness is not apparent from visual inspection. This core drill to be used will be a Hilti DD 130 or equivalent. Where the depth of pavement is visible or the Consultant is certain of its make up and structure without coring, that shall be sufficient in lieu of physical coring. Note that the network level coring is not part of ASTM 6433 and is used to accurately align the proper rehabilitation techniques at the project level. The network level coring is not meant to be a replacement for project level coring. The coring may be waived by the Agency if not required by them. No deduction in payment will be required by the Consultant should the Agency decide to forgo network level coring.

The Consultant shall survey and collect all of the 20 distresses from the MicroPAVER™ Distress Identification Manual for Asphalt Roads and Parking Lots and all 19 of the distresses for the MicroPAVER™ Distress Identification Manual for Concrete Roads and Parking Lots. TBG may elect to use the StreetSaver® 8 distress booklet in lieu of the PAVER® booklets.

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Should the quantities of center lane miles vary by more than 3% of the original estimate of center lane miles given by the Agency at the time of the RFP, the Agency and Consultant will mutually agree on a prorated amount of money for the additional work required if this project is awarded based on a unit price per center lane mile. This condition would be waived in a time plus materials based contract. The Consultant may also elect to charge a small surcharge for PCC pavements if they were not made aware of their presence in the RFP stages.

2. Field Data Report

The consultant shall prepare a report of the field inspection data. The Consultant will also provide a live meeting to explain their findings from the Field Review above. During this meeting the City will be apprised of how accurate their original data is in terms of quantities of pavement area etc.

Task III Update Data Base

1. Data Entry

The consultant shall enter the results of the field inspection into the StreetSaver® Database. The consultant shall compare the new data with the existing data to determine if any street segments appear to be subject to accelerated deterioration. The Consultant will also determine if there was any erroneous data entry from the previous surveys at this time based on the correlation between the most recent Field Review and their pavement management expertise.

2. Analysis

The consultant shall prepare the StreetSaver® analysis and provide a report indicating the Pavement Condition Index for the individual segments. The consultant shall compare the StreetSaver® output with the Field Data Report to insure that the resulting PCIs accurately reflect the existing pavement condition.

The Consultant will also update unit prices and desired treatments that the City is or wishes to use in the future in order that accurate budget forecasting can be delivered. The Consultant will also advise and make recommendations on all treatments that are currently available in the region of work and provide guidance on to what benefits and what drawbacks are associated with the various preservation and rehabilitation treatments available. Additional information on soil stabilization will also be provided where applicable.

Task IV Prioritization

1. Priority Projects

The consultant shall review the citywide data and make recommendations for repair projects on streets where unusual or accelerated pavement damage has occurred or for other pavement conditions that may adversely effect public safety. The Consultant will also explain the benefits of not treating all of the worst first roads with their limited budget. This can be accomplished by a combination of optional

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live classroom training and online pavement management training through IPMA™ Academy (2 scholarships are available as part of this proposed scope of work).

2. Ten-Year Management and Financial Plan

The consultant shall develop a Ten-Year Pavement Management Plan. The plan shall seek to maximize the life and condition of city streets given a limited pavement maintenance budget. The management plan shall include estimated costs for the work in each year. The Ten-Year Management and Financial Plan shall have a minimum of two different scenarios to reflect possible funding levels.

The Consultant may also elect to perform an unconstrained budget to determine the overall amount that is actually required to get the network to optimum over a fixed period of time. In the case of data migration from a previous software, the costs would be additional to the local agency for all migration and time delays from errors that may arise from the data migration.

3. Alternative Scenarios

In addition to the Ten-Year Management and Financial Plan, the consultant shall also prepare two additional scenarios. Although not defined at this time, one possible scenario could to increase the PCI to a certain level. In order to prepare the proposal, assume that the effort level for the two alternative scenarios would be similar to preparing an alternate funding level for the Ten-Year Management and Financial Plan.

The Consultant will work in collaboration with the City to find the best-case alternate scenarios. Often target based scenarios work well to highlight deficiencies in budgets, and the associated 'what if' scenarios that take place hypothetically when funding levels change. With Target driven scenarios the politicians can quickly see how much extra funding will be required to get to a desired level of service with their roadway network based on a specific PCI rating.

Task V Final Report

1. Final Report

The consultant shall prepare a final report containing: a description of the methodology used in the analysis, the priority project listing, the two Ten-Year Management and Financial Plans, the PCI output listing and the two alternative scenarios.

The Consultant will also provide a non-technical video (10-15 minutes) upon request (optional) that gives the City a good understanding of their current condition of roadway network and the funding required for maintaining it or improving it. The Consultant will also supply a dry erase calendar style roll up whiteboard with a complete listing of all the roadways and their current PCI index. A sample of this type of final report video is available at this link: <https://ipma-1.wistia.com/medias/9gus5nnh31>

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StreetSaver® Software Program Licensing & Purchase

The consultant shall specify if the proposal includes the cost of upgrading to StreetSaver® 9 Software. StreetSaver® shall be licensed to the City and the program disk and or login credentials shall be given to the City with the Final Report. The City would be responsible for any and all fees after the first year of subscription to StreetSaver®.

The Consultant will work with a licensed version of the newest StreetSaver® software for this project. That cost is included in the fee schedule as additional costs by your Agency. The Agency will be required to pay for the annual subscription fee directly to MTC (Metropolitan Transportation Commission) for StreetSaver®.

Also, additional Distress Identification Manual sets for concrete and pavement inspection may be ordered directly by the Agency from APWA or Colorado State University for MicroPAVER™ and MTC for StreetSaver®. The Consultant will provide order information to the Agency upon request. Note that there will be a one-time fee for the GIS upload into StreetSaver® payable to MTC for their services. The TBG GIS integration of the StreetSaver® Data Base is an additional and optional fee outlined in our proposal herein.

OPTIONAL TASKS

The following tasks may be included in the scope of services in the contract and shall be included separately in the proposal.

Optional Task Annual Updates

The consultant will update the StreetSaver® database for Work History accomplished by your City annually based on completed pavement maintenance projects for up to 4 years. Consultant is also willing to reinspect distresses every third year for a small nominal additional fee outside of what is proposed in this response optional item. The updates as laid out in the existing Scope of Work are simply to update the work history as the City performs completed pavement maintenance projects.

Optional Task Lifetime Support

The Consultant will provide a lifetime of phone and email support. Further, if a presentation or photos need to be shared the Consultant will provide www.gotowebinar.com platform or similar to host presentations and updates. The Consultant will also provide technical assistance for bid preparation via email and phone support upon request with no additional charges to the Agency.

Optional Task Annual Computer Software Work History Updates

Upon request we can provide the City with expert StreetSaver annual database Work History updates based on completed pavement maintenance projects for up to the next four years. Further we will always make ourselves available for a live annual meeting as well as unlimited phone and email support to keep your network operating at optimum! We also have a strong history of not only sourcing the most cost effective in-place recycling and preservation treatments, but we also can provide assistance with putting rehabilitation and preservation bid documents together.

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Wrap-Up

Approach to Meeting Project Goals Such as Establishing Benchmarks, Optimizing Work Programs Given Fiscal Constraints, Interagency Coordination Opportunities

Our team has literally spent decades either doing more with less or teaching others how to do more with less. Ironically now we have to do “less with less!” We have all walked in your shoes so to speak. Fortunately what sets our team apart from the masses of consultants out there that walk around saying “it depends” and sending you an invoice; we actually **KNOW WHAT TO DO WHEN IT DEPENDS!** Again, I want to reiterate, we will be using all of the most recent technology, software, hardware, all things possible to deliver this project in a professional and expeditious manner.

In addition to providing the most comprehensive pavement management survey and training on earth, we will also respond to any and all questions or concerns very quickly. Our team of experts has spent tens of thousands of dollars being trained on the latest technology, social media and software platforms. We will offer phone support, email support, online support, Go to Meetings, conference calls, online training, live interviews and live training.

Further we will give up to 2 full scholarships to IPMA™ Academy, the world's most comprehensive online training program ever built to certify Pavement Managers (\$4,000 value) and offer upwards of 5 copies of *The Book on Better Roads, Saving YOUR Crumbling Roads with Practical Pavement Management* (\$250 value).

Creativity, Innovation and Problem Solving in Tailoring Best Practices or Adoption Strategies to Local Environmental, Climate, Work Culture and Other Conditions

We have assembled a team of experts in every area that is outlined and requested in your scope of work in the RFP. Our team members have traveled the globe teaching and learning, all leading up to helping cities and counties in every corner of this great country.

We are aware of the unique conditions that the Kingman climate presents along with the traffic conditions. We are aware of the challenges of trying to maintain multiple priorities, managing pavements with little or no funding, and balancing your budget.

We are prepared to conquer all pavement management challenges on this project, because we do one thing better than every other consultant out there. How do I know this? Because it has been recently brought to my attention by someone who is in a position to see what all pavement management-consulting firms are doing across U.S. – and the world for that matter.

The one thing that we do at TBG that is better than any other firm in the nation, ‘WE CARE ABOUT OUR CLIENT’. There I said it, you see no one cares about how much we know until they know about how much we care for them. You see all these years I have taken this for granted, as naive as that may sound; I thought that every business in America cared about their clients.

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However, according to my source, this is always not the case. In fact, according to my trusted source, most firms are content to send out a bunch of interns and bill local agencies for PhD rates. Moreover, they love to hit their agency clients over the proverbial head with change order after change order, not always delivering any of that which they originally promised without additional funds.

Here is our promise to the City. Yes, there may be some hidden agenda here, like I would love to say that we have an award winning Arizona Project doing more roads with less money, to get more roads done with less carbon footprint... you get the picture...

You see I get to hear all the success stories on a weekly basis, not just from our clients at TBG, but also from the Association side at The International Pavement Management Association (IPMA™). We don't have to have crumbling roads in America any longer, and our journey together will start by simply calling us in for our interview so we can get this contract under way!

We have gathered a Team of the brightest, most experienced folks from all walks of life and we are "chomping at the bit" to start helping the City. I will make permanent residency at the KOA Campground (just a few miles from your office) for as long as I need to as we bring our team in to fulfill your wish list as outlined in the RFP and for the long haul.

To everyone involved with the selection committee, thank you for your consideration.

Mr. Plaunty, we have a copy of The Book on Better Roads on the way to you that is full of valuable information on our approach to Practical Pavement Management across this great country! Check out our website <http://www.blairbarnhardt.com> which has tons of resources for you to get acquainted with our approach. Whether you listen to one of our podcasts, or read the book, or watch a few of our videos, it should become apparent to you rather quickly that we not only talk the talk, we also walk the walk and are committed to providing you with excellent over the top service!

PS: Note that if we do the contract enclosed, a \$700.00 credit will be given back to the City to offset the cost you have paid for the bundle during the Secret Sale campaign in November 2015 as promised.

FEE PROPOSAL

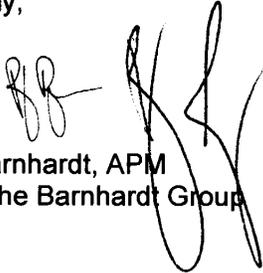
Note that any and all other local agencies in Arizona will be able to utilize this fee proposal under the Arizona State Purchasing Cooperative Agreement however only the City of Kingman will receive the discounted prices as depicted below. (TBG may elect to provide a small discount to other cooperative purchasing agencies that follow the full and normal unit prices as depicted below but that agreement would be separate from any special discounted prices offered to the City of Kingman).

Please find enclosed our not to exceed fee proposal based on up to 250 miles of pavement distress evaluation and updating in your StreetSaver® software system. Note that if additional miles are surveyed or parking lots etc. are added to the scope, we can mutually agree on a pro rated unit price and cost for the additional work. Per discussions with Jack, we will assume 250 center lane miles for this Fee Proposal below:

Task I – Mobilization (1 way) & Set Up (1,870 mi.)	\$1,870.00
Task II – Pavement Survey (PCC 0 CL mi. @ \$475.00/mi.)	\$0.00
Task III – Pavement Survey (HMA 250 CL mi. @\$325.00/mi.)	\$82,350.00
Task IV – Budgetary Analysis and Reports	Included
Task V – Training (2 free scholarships to IPMA™ Academy)	Included
Task VI – Presentation	Included
Task VII – GIS Linking by TBG (\$40 per mile & optional)	\$10,000.00
<u>Task VIII – Live Training at Kingman (2.5 days)</u>	<u>\$7,500.00</u>
Total Normal Price Based on 250 Center Lane Miles	\$401,720.00
Secret Sale 50% discount	- \$50,860.00
Actual Price for this contract	\$50,860.00 (2015 Contract Executed)

Note, it is recommended that the City continue to do a third of the network each year thereafter to comply with GASB 34 audits starting in 2017. City of Kingman will have to pay the MTC StreetSaver subscription annually of @ \$1,500.00 Also, there will be nominal fees for GIS mapping updates if you wish to have that. (One time fees depending on if you use the US Tiger file or your own shape file @\$500.00 OR @ \$1,500.00 fee to MTC plus a nominal fee to TBG if you chose to have us do the auto linking.) Jack, we will credit your bundle price from Secret Sale of \$709.00 as well). To everyone involved with the selection committee, thank you for your consideration. NOTE: The half price offer only applies to City of Kingman. All cooperative bids associated with this Fee Proposal will be based on the Normal Unit Prices (TBG may elect to provide cooperatives with a small discount).

Sincerely,


Blair Barnhardt, APM
CEO, The Barnhardt Group

Dec 29/15
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**CITY OF KINGMAN
COMMUNICATION TO COUNCIL**

TO: Honorable Mayor and Common Council

FROM: Carl Cooper, City Attorney

MEETING DATE: January 5, 2016

AGENDA SUBJECT: Executive Session

SUMMARY:

Pursuant to ARS 38-431.03(A)(4), the City Attorney requests that the Council go into executive session to discuss a Notice of Claim filed by the Central Christian Church regarding the City's denial of a Conditional Use Permit.

FISCAL IMPACT:

STAFF RECOMMENDATION:

ATTACHMENTS:

Description
Notice of Claim

REVIEWERS:

Department	Reviewer	Action	Date
City Attorney	Cooper, Carl	Approved	12/31/2015 - 12:07 PM
City Attorney	Cooper, Carl	Approved	12/31/2015 - 12:08 PM
City Manager	Dougherty, John	Approved	12/31/2015 - 12:59 PM