

**THE PLANNING & ZONING ADVISORY COMMISSION
FOR THE TOWN OF DEWEY-HUMBOLDT
REGULAR MEETING NOTICE
Thursday, May 5, 2016 6:00 P.M.**

**P&Z MEETING
2735 S. HWY 69**

**COUNCIL CHAMBERS, TOWN HALL
DEWEY-HUMBOLDT, ARIZONA**

AGENDA SUMMARY

1. **Call To Order.** Meeting was called to order at 6:03 p.m. with Chair Barry Smylie presiding.
2. **Opening Ceremonies.**
 - 2.1. **Pledge of Allegiance.** Done
3. **Roll Call.** Commissioners Jeff Siereveld, Rich Schauwecker, Patrick McGill, and Vice Chair Victor Hambrick and Chair Barry Smylie were present. Commissioner Joe Garcia was absent.
4. **Informational Reports.** None
5. **Planner's Update on current events and activities.**

Community Planner (CP) Steven Brown gave an overview and update of the progress made on the Firewise Community Program. Central Yavapai Fire District completed an assessment of the two proposed neighborhoods, northeast Foothills Drive area and the Blue Hills Subdivision. The Foothills Drive area was assessed as a high hazard area, and the Blue Hills Subdivision is assessed as an extreme hazard area. Town Council will review the proposal for participation at the May 10, 2016, Work Session. If approved, staff will assist in forming a group of homeowners to volunteer to serve on the board or committee through mailings, email, community activities, events and meetings. Information will also be provided on the Town website and in the Town newsletter. Once a board or committee is formed, they will steer the efforts to get homeowners involved and to participate in achieving FireWise certification.

Commissioner Siereveld inquired if the program was mandatory.

CP Brown stated that participation is not mandatory. The program is educational and a way to share resources to get this done. However, advantages for property owners are that insurance companies may offer discounts to those that do participate.

Chair Smylie spoke on this being a good program, especially in light of the current wildfire in Alberta, Canada.

6. **Consent Agenda.**
 - 6.1. **Minutes.** Minutes from the April 7, 2016 Planning & Zoning Regular Meeting.

Motion was made by Commissioner Schauwecker to approve the April 7, 2016 P&Z regular meeting minutes, seconded by Commissioner Siereveld. The motion was approved unanimously.

7. **Discussion Agenda - New Business.** None.
8. **Discussion Agenda - Unfinished Business.**

8.1. Review and recommendation on proposed amendments to portions of Town Code Section 153 dealing with Animals, and especially a comparison of Animal Quotas for regional jurisdictions.

Chair Smylie reminded the commission that they were tasked with finding out how the community felt about Town Code Section 153. He asked each member to share their findings:

Commissioner McGill spoke on printing out the charts and the four options and asking the neighbors their opinion and to write it down. His four neighbors chose options similar to Chino Valley's ordinance.

Commissioner Schauwecker spoke to his neighborhood not having a large amount of farm animals, but after talking with neighbors and discussing options, they agreed that they moved to this area because they enjoy the way of life. The ordinances have been in effect for a very long time and seemed to fit them. Commissioner Schauwecker, along with his neighbors, would like to leave Ordinance 153.066 in place and not make any adjustments.

Commissioner Siereveld spoke to some people in and out of his neighborhood. No one in particular had cattle or a large amount of animals, just a horse or two, couple of goats. No one indicated an issue with the way things are. His end feeling was that if the situation is not broke, don't fix it.

Vice Chair Hambrick spoke to several people. There is a lot of confusion about the language barrier, most of what he experienced was the fear of "if it's not broke, don't fix it". Spoke to the confusion that can be encountered when you refer to a chart. The chart originally came from the county. Commissioner Hambrick's overall perception was that he wasn't aware of any problems with the existing code, but if you were to pick apart that code, there would be concerns regarding accessory use.

Chair Smylie spoke on taking a recommendation he received at the last meeting and visited residents in the Blue Hills area. About 50% of the people he talked to were veterans from the Vietnam era and had very strong views about laws, freedom and regulation. When it comes down to personal individual freedoms that's where they drew the line. They complied when they bought and built their properties, their horses and cattle were in compliance when the town incorporated. Chair Smylie concluded that the shared viewpoint is "it's not broken". Chair Smylie recommended sending a recommendation back to council that the laws, as they are when incorporated, are just fine.

Commissioner McGill spoke on his findings that his neighbors don't want the restrictions of the animal charts in the ordinance.

Chair Smylie spoke on the chart having been in place for the better part of 30 years or longer and not being any more restrictive than it was last year. The topic on the table is modification, that is why the commission was involved.

Commissioner Schauwecker spoke on the regulations and rules outlining that residents can have a certain amount (of animals) on their property with a complaint-driven system. Sees no reason to make changes. Didn't hear from any commissioners or staff that the system is in dire need of change and was in favor of leaving things as they are currently.

Commissioner Siereveld spoke on D-H adopting the county ordinances and believing that Chino Valley did the same thing, although they are a lot more spread out than D-H, which is quickly becoming more condensed. Commissioner Siereveld indicated, at this point in time, he'd like to

see it stay the same with the accessory issue removed.

Vice Chair Hambrick spoke on seeing it stay the same. The end result after discussion was for the committee to make a recommendation to go with the original policy with removing the accessory uses, making it more conducive to everybody by giving them their freedom and rights.

CP Brown spoke on some clarifying information to assist the Committee in the wording for their motion and there was discussion about use permits; accessory use; special use permits and variances.

Commissioner McGill spoke on accepting public comment at this time before a motion was made, as the members of the audience took time to attend the meeting.

Council discussed the adjustment to the agenda with Chair Smylie moving the opportunity for public comment forward in the agenda.

Public Comment: Victoria Wendt spoke to confusion regarding the wording for the “kennel” definition and recommended that the Town go back to using the Planning & Zoning Commission’s definition. Ms. Wendt also spoke to the definition of “household pet” containing the word “commercial”, and saw no reason for said word to be included in said definition. Ms. Wendt advised Commission to be careful when committees and the Commission are swapping language as it can lead to errors and misinterpretation.

There was further Committee discussion regarding the appropriate wording for the motion.

Public Comment: Al Kuhns spoke on a six-page anonymous letter that he received in the mail regarding animal nuisance, noises, and the complaint process. He inquired why Commission didn’t discuss the content of the newsletter and if they received it. Mr. Kuhns offered to submit a copy for Commission review.

Commissioner Hambrick acknowledged receiving the newsletter, which was mailed to his post office box with no return address, and spoke against the validity of the content.

No further public comment was received.

Commissioner Hambrick made a motion to leave, as is, Ordinance 153.066 (G) with the exception under the code “as accessory uses” and change that to “as permitted uses”. Commissioner Siereveld seconded the motion. The motion passed with a 4-1 vote, Commissioner McGill voting against.

Chair Smylie stated for the record, that once this is compiled he would like to present this to Town Council with Commissioner McGill, as Commissioner McGill still has some outstanding issues that did not pass. Chair Smylie felt Mr. McGill’s issues were valid, although he indicated they did not represent the vote or the will of the majority on the Commission.

CP Brown spoke on checking with the Town Clerk to find the best way to accomplish this request.

Chair Smylie spoke to the need of this happening before the next Planning & Zoning Meeting, wanting it on the record.

There was further Committee discussion regarding accessory use, as well as Committee clarification that when Commissioner McGill addressed the Town Council, it would be understood that he was speaking from a personal viewpoint, not representing the Commission.

8.2. General Plan Review. Review and discussion of the 2009 General Plan.

Chair Smylie spoke on this being on the agenda for the last couple meetings.

CP Brown noted that the next meeting agenda being light enough, that if the Commission desired it could be moved to that agenda.

Chair Smylie inquired when the General Plan would come up again.

CP Brown spoke on the General Plan having been adopted in 2009 and the State plan says you either update it or readopt it every ten years. If you are going to update, it is a process requiring at least two years lead time. CP Brown had students at NAU look at the plan resulting in a suggested methodology for evaluation that could be followed. CP Brown felt that could be a good first step, taking the NAU recommendation and trying to implement it, as well as taking a look at evaluating the General Plan, before deciding if there is anything to update. CP Brown indicated to the Commission that the General Plan may function as needed right now.

Commission consensus was to move this item to the next agenda on June 9, 2016.

9. Public Hearing Agenda. None.

10. Comments from the Public. This was moved forward in the agenda and discussed during item 8.1.

11. Adjourn. Meeting was adjourned at 6:50 p.m.