

**THE PLANNING & ZONING ADVISORY COMMISSION
FOR THE TOWN OF DEWEY-HUMBOLDT
REGULAR MEETING NOTICE
Thursday, February 9, 2012 6:00 P.M.**

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

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

AGENDA

The issues that come before the Planning & Zoning Advisory Commission are often challenging and potentially divisive. In order to make sure we benefit from the diverse views to be presented, the Commission believes that the meeting be a safe place for people to speak. With this in mind, the Commission asks that everyone refrain from clapping, heckling and any other expressions of approval or disapproval. Agenda items may be taken out of order. Please turn off all cell phones. The Commission meeting may be broadcast via live streaming video on the internet in both audio and visual formats. A quorum of Council may be present. One or more members of the Commission may attend either in person or by telephone, video or internet conferencing. **NOTICE TO PARENTS:** Parents and legal guardians have the right to consent before the Town of Dewey-Humboldt makes a video or voice recording of a minor child. A.R.S. § 1-602.A.9. Dewey-Humboldt Council Meetings are recorded and may be viewed on the Dewey-Humboldt website. If you permit your child to participate in the Council Meeting, a recording will be made. You may exercise your right not to consent by not permitting your child to participate or by submitting your request to the Town Clerk that your child not be recorded.

1. **Call To Order.**
2. **Opening Ceremonies.**
 - 2.1. **Pledge of Allegiance.**
 - 2.2. **Oath of Office.**
3. **Roll Call.** Commissioners Arlene Alen, Glenn Allen, Chris Berry, Claire Clark, Andy Peters, Mel Scarbrough, and Chair Bob Bowman.
4. **Disclosure of Ex Parte Contacts.**
5. **Announcements Regarding Current Events.** Announcements of items brought to the attention of the Chair not requiring legal actions by the Commission.
6. **Consent Agenda.** All matters listed under the Consent Agenda are considered to be routine by the Commission and will be enacted by one motion. Any item may be removed from the Consent Agenda for separate consideration at a Commissioner's request. If a citizen desires separate consideration of an item, he or she should approach a Commissioner prior to the meeting and ask that the Commissioner request that the item be removed.
 - 6.1. **Minutes.** Minutes from the January 5, 2012 Meeting.
7. **Discussion Agenda – Unfinished Business.** Discussion and Possible Action on any issue which was not concluded, was postponed, or was tabled during a prior meeting.
 - 7.1. **Sign Code – Applicable Foot Notes (i): Maximum coverage.** Discussion and possible action on amending this section of the Sign code.
8. **Discussion Agenda – New Business.** Discussion and Possible Action on scheduling a joint meeting with Town Council to discuss future agenda items.
 - 8.1. **Priority List as established by Town Council in 2011 (1. Medical Marijuana, 2. Commercial license/permit waiver, 3. Commercial Design Review).** Discussion and

possible action on the priority list and/or whether to arrange a joint session with Council to reassess the list.

9. **Public Hearing Agenda.** Discussion and Possible Action on matters not previously presented to the Commission. None Scheduled.

THIS CONCLUDES THE LEGAL ACTION PORTION OF THE AGENDA.

10. **Commissioners' Forum.** Current Events and Future Agenda Requests. Members of the Commission may discuss **Planning and Zoning related items** in terms of past, present and future.

11. **Comments from the Public.** The Commission wishes to hear from Citizens at each meeting. Those wishing to address the Commission need not request permission or give notice in advance. For the official record, individuals are asked to state their name. Public comments may appear on any video or audio record of this meeting. Please direct your comments to the Commission. Comments are accepted regarding any services or individuals in Town government or about others doing business or who might do business with or for the Town. Topics can include all services the Town provides or could provide under State Law. At the conclusion of Comments from the Public, Commissioners may respond to criticism made by those who have addressed the public body, may ask Town staff to review a matter, or may ask that a matter be put on a future agenda; however, Commissioners are forbidden by law from discussing or taking legal action on matters raised during the Comments from the Public unless the matters are properly noticed for discussion and legal action. The total time for Comments from the Public is **20** minutes. No time limit is imposed on individuals within this total. The audience is asked to please be courteous and silent while others are speaking.

12. **Town Planner's Report.** Update on Current Events.

13. **Adjourn.**

For Your Information:

Next Town Council Work Session: Tuesday, February 14, 2012 at 2:00 p.m.

Next Town Council Meeting: Tuesday, February 21, 2012 at 6:30 p.m.

Next Planning & Zoning Commission Meeting: Thursday, March 8, 2012 at 6:00 p.m.

If you would like to receive Town Council agendas via email, please sign up at AgendaList@dhaz.gov and type Subscribe in the subject line, or call 928-632-7362 and speak with Judy Morgan, Town Clerk.

Certification of Posting

The undersigned hereby certifies that a copy of the attached notice was duly posted at the following locations: Dewey-Humboldt Town Hall, 2735 South Highway 69, Humboldt, Arizona, Chevron Station, 2735 South Highway 69, Humboldt, Arizona, Blue Ridge Market, Highway 69 and Kachina Drive, Dewey, Arizona, on the ____ day of _____, 2012, at ____ p.m. in accordance with the statement filed by the Town of Dewey-Humboldt with the Town Clerk, Town of Dewey-Humboldt.

By: _____, Town Clerk's Office.

Planning and Zoning Commission Regular Meeting Minutes, January 5, 2012
**TOWN OF DEWEY-HUMBOLDT
PLANNING & ZONING
REGULAR MEETING MINUTES
JANUARY 5, 2012, 6:00 P.M.**

A REGULAR MEETING OF THE DEWEY-HUMBOLDT PLANNING AND ZONING COMMISSION WAS HELD ON THURSDAY, JANUARY 5, 2012, AT TOWN HALL AT 2735 S. HIGHWAY 69, DEWEY-HUMBOLDT, ARIZONA. CHAIR BOB BOWMAN PRESIDED.

1. **Call To Order.** The meeting was called to order at 6:06 p.m. Vice Chair Bob Bowman presided.

2. **Opening Ceremonies.**

2.1. **Pledge of Allegiance.** Made.

2.2. **Oath of Office.** Swearing in of new and re-appointed Commissioners. (Claire Clark, Bob Bowman, Andy Peters and Mel Scarbrough)

Town Clerk, Judy Morgan swore in new commissioner Claire Clark, and re-appointed commissioners Bob Bowman and Mel Scarbrough. Andy Peters was not re-appointed to date by Council so was not sworn in.

3. **Roll Call.** Commissioners Arlene Alen, Glenn Allen, Chris Berry, Andy Peters (attended by phone), Mel Scarbrough, and Vice Chair Bob Bowman were present. Claire Clark was present but did not take her seat on the commission. Town Clerk, Judy Morgan explained that although Commissioner Claire Clark was sworn in she had not yet received and reviewed the Open Meeting Law material within 24-hours prior to the meeting so therefore would have to sit out this meeting.

4. **Disclosure of Ex Parte Contacts.** None.

5. **Announcements Regarding Current Events.** Announcements of items brought to the attention of the Chair not requiring legal actions by the Commission. None.

6. **Consent Agenda.**

6.1. **Minutes.** Minutes from the December 8, 2011 Meeting. Commissioner Arlene Alen made a motion to approve the minutes as presented, seconded by Commissioner Glenn Allen. The motion was approved unanimously.

Vice Chair Bob Bowman made a motion to move agenda item **9.1 Use Permit of Mortimer Farms-Public Hearing**, to this point before **7. Discussion Agenda**, seconded by Commissioner Mel Scarbrough. The motion passed unanimously.

9.1 Use Permit for Mortimer Farms. Public Hearing, Discussion and Possible Action on a request for a Conditional Use Permit by Mortimer Family Farms.

The Applicants, Gary and Sharla Mortimer were not in attendance at the start of this agenda item. Community Outreach Coordinator/Code Enforcement Officer, Gregory Arrington gave an overview on the application and a brief history on the property. He reviewed the staff report.

The Public hearing was opened at 6:21 p.m.

Lydia Chapman asked questions on the materials included in the packet. She made no other comments.

No other comments were received so the Public Hearing was closed at 6:22 p.m.

There were questions regarding current zoning; feedback from other involved agencies; handicapped parking spaces and locations; paved parking; timeframes for the projects and the length of use permit; and including the greenhouse proposal in with the Use Permit. Commissioners gave their response whether they were in support of this proposal. Gary and Sharla Mortimer arrived during these questions at 6:26 p.m.

Vice Chair Bowman reopened the public hearing at 6:33 p.m. Sharla Mortimer spoke to the commission on the use permit request, and explained they were asking for a waiver on the paved parking requirement at this time. She announced May 1st as the grand opening of the building/store. Gary Mortimer spoke on the grant proposal for the greenhouse project. Vice Chair Bowman asked about having more convenient and additional handicapped parking available. Ms. Mortimer stated they will make that effort. Public comment was closed at 6:41 p.m.

Commissioner Scarbrough made a motion to approve the Use Permit for Mortimer Farms as presented, seconded by Chris Berry. The motion passed unanimously.

7. Discussion Agenda – Unfinished Business. Discussion and Possible Action on any issue which was not concluded, was postponed, or was tabled during a prior meeting. None Scheduled.

7.1. Text amendment - Rewriting the Sign Code. - Town Code Sections 153.125 through 153.138. The Commission will continue to review the Sign Code.

Gregory Arrington gave an overview and reviewed the changes/additions made at the last meeting to ***Unlighted Sign Exemption***. All commissioners agreed it reflected accurately those changes.

7.1.1. Temporary Signage-Highway Frontage

Vice Chair Bowman made a motion to approve the Temporary Signage wording as presented, seconded by Commissioner Scarbrough. The motion passed unanimously.

7.1.2. Window Signs-Study of surrounding community's requirements.

Gregory Arrington reviewed the wording and spoke on his response from the Sheriff's office regarding this (no official comment). There was discussion.

Public comment was received on this item.

Len Marinaccio spoke in support of not regulating window signs.

Commissioner Berry made a motion to not regulate signage painted on windows of commercial properties at this time, seconded by Commissioner Scarbrough.

There was more discussion. More public comment was taken on this item. Len Marinaccio spoke on the Sheriff's office having blacked out windows, including a footnote to the Council on this discussion and hours of business related to this issue. Claire Clark spoke on fairly regulating and inconsistencies with buildings which would hamper fairness. There was discussion on ways that windows can be blacked out.

A vote was taken on the motion, which failed by a 3-3 vote, Commissioners Alen, Allen and Peters voting against.

7.1.3. Historical/Mural Signs-Study of surrounding community's requirements.

Gregory Arrington reviewed other municipalities' codes on murals and historical signage.

There was discussion.

Public comment was taken on this item. Lydia Chapman spoke on the P&Z Commission deciding, rather than looking to others; other art that isn't historic like graffiti. Len Marinaccio spoke on signage being part of the communities expression, finding a balance and considering an arts commission; historic designation challenges; and making a recommendation to council to appoint a committee for this function. Claire Clark spoke on looking at murals on a case-by-case basis as each is subjective. Nancy Wright spoke on art falling under the first amendment and concerns to not restrict free speech.

Councilmember Arlene Alen made a motion to table this particular item, looking at potential development of an historic district designation and/or a formation of an arts council, seconded by Commissioner Peters. The motion passed unanimously.

Commissioner Arlene Alen made a motion to take the sign code forward to the Council as amended, seconded by Commissioner Glenn Allen. The motion passed by a 5-1 vote, Commissioner Berry voting against.

8. Discussion Agenda – New Business. Discussion and Possible Action on matters not previously presented to the Commission. None Scheduled.

8.1. Discussion and possible action for selection of Planning and Zoning Commission Chair and Vice Chair for 2012.

Commissioner Berry made a motion to nominate Bob Bowman as Chair of the Commission, seconded by Commissioner Peters. Bob Bowman accepted the nomination. The motion passed by a 5-0 vote, Vice Chair Bowman abstaining from the vote.

There was discussion on the nomination for the vice chair position. There was consideration of appointing Commissioner Peters, but Mr. Peters wasn't sure he would be reappointed to the Commission by the Council.

Chairman Bowman made a motion to table the vice chair nomination until the next meeting, seconded by Commissioner Scarbrough. The motion passed unanimously.

9. Public Hearing Agenda. Discussion and Possible Action on matters not previously presented to the Commission. None Scheduled.

9.1. Use Permit for Mortimer Farms. Public Hearing, Discussion and Possible Action on a request for a Conditional Use Permit by Mortimer Family Farms.

Was held at the beginning of the agenda.

10. Commissioners' Forum. Current Events and Future Agenda Requests. Members of the Commission may discuss **Planning and Zoning related items in terms of past, present and future.**

Commissioner Berry requested revisiting the window signage for commercial properties at the next P&Z meeting.

11. Comments from the Public.

Len Marinaccio spoke on the job the P&Z commission is doing.

12. Town Planner's Report. Update on Current Events.

Gregory Arrington spoke on bringing forth to the Commission a variance for a side yard setback within the next couple of months.

13. Adjourn. The meeting was adjourned at 7:40 p.m.

Robert Bowman, Chairman

ATTEST:

Judy Morgan, Town Clerk

Applicable Foot Notes:

- (a) A name plate sign identifying the occupant, occupant's profession or title and the address of the dwelling.
- (b) May be indirectly illuminated by one light bulb or fluorescent tube not exceeding 150 watts.
- (c) Wall-mounted or under architectural projection.
- (d) Attached signs shall not extend horizontally a distance greater than fifty percent of the width of the building wall on which it is displayed, except for buildings containing multiple occupancies.
- (e) Attached signs shall be on the occupants building only.
- (f) The abstract ratio of a wall-mounted sign cannot exceed 2:1.
- (g) Freestanding pole signs are not permitted unless the support member is concealed by a decorative enclosure.
- (h) Wall mounted signs must use back-lighted sign panels, individual letters or a painted plaque.
- (i) Maximum of 30 percent window coverage is allowed, 70 percent of the window must be able to be seen through. **(Tabled pending research)**
- (j) Awning signs shall only be allowed on the ground floor of a building.
- (k) A Comprehensive Sign Permit shall be required for signs on upper level stories of buildings exceeding two stories.
- (l) Reader Panel Signs:
 - 1. Churches may use up to one-half of the allowed freestanding sign area for a reader panel which shall display manually changeable copy only.
 - 2. Gasoline service stations may use up to one-half of the allowed freestanding sign area for a reader panel only to identify the current price of fuel being sold. The maximum sign area used for the reader panel shall be 24 square feet which shall display manually changeable copy only.
 - 3. Theaters:
 - a. One wall, fascia, mansard, or parapet sign may contain a reader panel.
 - b. The area of the reader panel shall not exceed 75 square feet or the maximum wall sign area otherwise allowed, whichever is less and shall display manually changeable copy only.
 - c. The reader panel shall be used exclusively for the purpose of identifying entertainment, motion pictures, or special events which occur on the premises.
- (m) Menu Boards for Drive-Thru Restaurants:
 - 1. One menu board is allowed per business. Such signs may be free-standing or wall-mounted.
 - 2. The maximum aggregate area for a menu board shall not exceed 45 square feet.
 - 3. The maximum sign height shall not exceed six feet for free-standing signs.
 - 4. The sign should be located so as to not be readable from the public right-of-way.