

SPECIAL STUDY SESSION MEETING NOTICE
TOWN COUNCIL OF DEWEY-HUMBOLDT
Tuesday, March 12, 2013, 2:00 P.M.

COUNCIL SPECIAL STUDY SESSION MEETING
2735 S. HWY 69

COUNCIL CHAMBERS, TOWN HALL
DEWEY-HUMBOLDT, ARIZONA

AGENDA

The issues that come before the Town Council are often challenging and potentially divisive. In order to make sure we benefit from the diverse views to be presented, the Council believes that the meeting be a safe place for people to speak. With this in mind, the Council asks that everyone refrain from clapping, heckling and any other expressions of approval or disapproval. Council may vote to go into Executive Session for legal advice regarding any matter on the open agenda pursuant to A.R.S. 38-431.03 (A) (3), which will be held immediately after the vote and will not be open to the public. Upon completion of Executive Session, the Council may resume the meeting, open to the public, to address the remaining items on the agenda. Agenda items may be taken out of order. Please turn off all cell phones. The Council meeting may be broadcast via live streaming video on the internet in both audio and visual formats. One or more members of the Council 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. Roll Call.

2.1. Town Council. Town Council Members Arlene Alen, David Hiles, Mark McBrady, Denise Rogers, Nancy Wright; Vice Mayor Dennis Repan; and Mayor Terry Nolan.

3. Study Agenda. No legal action to be taken.

3.1. Provide direction to OSAT Committee. Bring OSAT committee to meeting for Council direction on next project. [CAARF Request by Mayor Nolan]

3.2. Town Finance Report for the first half of FY 2012-13 (July 1 to December 31, 2012).

3.3. Preliminary Budget Discussion.

4. Special Session. Legal Action can be taken.

4.1. Discussion and direction on whether to pursue a Traffic Light at the intersection of Main Street and Highway 69.

4.2. Discussion and possible action on the renewal of the Conditional Use Permit for Mortimer's Family Farm. [CAARF Request by CM Wright]

5. Comments from the Public. The Council wishes to hear from Citizens at each meeting. Those wishing to address the Council 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 Council. Individuals may address the Council on any issue within its jurisdiction. At the conclusion of Comments from the Public, Council members 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, Council members 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

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and legal action. The total time for Public Comment is **3** minutes per person. The audience is asked to please be courteous and silent while others are speaking.

6. Adjourn.

For Your Information:

Next Town Council Meeting: Tuesday, March 19, 2013, at 6:30 p.m.

Next Planning & Zoning Commission Meeting: Thursday, April 4, 2013, at 6:00 p.m.

Next Town Council Work Session: Tuesday, April 9, 2013, at 2:00 p.m.

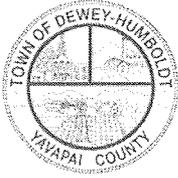
If you would like to receive Town Council agendas via email, please sign up at AgendaList@dhaz.gov and type Subscribe in the subject line, or call 928-632-7362 and speak with Judy Morgan, Town Clerk.

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 _____, 2013, 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.

Persons with a disability may request reasonable accommodations by contacting the Town Hall at 632-7362 at least 24 hours in advance of the meeting.



TOWN OF DEWEY-HUMBOLDT
P.O. BOX 69
HUMBOLDT, AZ 86329
Phone 928-632-8562 • Fax 928-632-7365

COUNCIL AGENDA ACTION REQUEST FORM

Meeting Type: Regular Special Work Session

Meeting Date: Feb 12 or Mar 12

Date of Request: 1/8/12

Type of Action: Routine/Consent Regular

Requesting: Action Report Only

Agenda Item Text (a brief description for placement on the agenda; please be exact):

Bring OSAT Committee to meeting for council direction on West project.

Purpose and Background Information (Detail of requested action). _____

Staff Recommendation(s): _____

Budgeted Amount: _____

List All Attachments: _____

Type of Presentation: _____

Special Equipment needed: Laptop Remote Microphone
 Overhead Projector Other: _____

Contact Person: Mayor Terry Nolan

Note: Per Town Code §30.105(D): Any new item will be placed under "New Business" for the council to determine its disposition. It can be acted upon at that meeting, sent to staff for more work, sent to the appropriate board or commission, set for a work session or tabled for a future date, etc.

**INFORMATION FOR MARCH 12 OSAT MEETING
TO D-H COUNCIL WORK STUDY SESSION REGARDING
RECOMMENDATION TO DEVELOP A TRAIL HEAD AT THE END
OF NEWTOWN AVENUE IN DEWEY-HUMBOLDT**

Sandra Goodwin, Chair
Open Space and Trails Committee
Town of Dewey-Humboldt
March 8, 2013

GENERAL INFORMATION

In June of 2010 the Dewey-Humboldt Town Council adopted the Open Space and Trails Plan (developed with Dye and Associates and the Open Space and Trails Advisory Committee) that has guided the current OSAT Committee work.

This plan, in great detail, addresses the open space and trail opportunities and constraints within our town as well as trail opportunities and constraints that begin in our town and promote connectivity to existing trails on NFS, BLM or State Trust Land.

The Plan follows the town's General Plan adopted in 2009 and the committee's work and our recommendations remain within the guidelines of that General Plan. The OSAT plan states that the NFS, BLM and State Trust Land provide many benefits to the town and envisions multi-use trails for motorized and non-motorized uses.

A total of 8 Trail Heads were identified in the Plan each with their own attributes, opportunities and constraints. * As OSAT reviewed the details of the 8 Trail Heads we found that while some provided both motorized and non-motorized uses, a goal of the Plan, all but one included multi-agency IGAs known to take years to achieve and requiring a significant monetary commitment by the town. So, after almost a year's diversion with the Butte Street Park, we explored the one that does not require an IGA and does not require a significant monetary commitment.

The recommendations we make here today meets the multi-use criteria and does not require a large expenditure by our Town. Plus, once completed, this recommendation would achieve the County and State's goal of "connectivity".

Our recommendations provide access to trails that begin at our border and connect up to acres and miles of already established NFS trails with little or no trail development costs to D-H.** Further it would bring breakfast, lunch, gasoline, etc. customers to the Kachina business strip.

*Pages 25 through 38 of the Open Space and Trails Plan detail the opportunities and constraints of all 8 Trail Heads and provides data to support OSAT's recommendation of a Newtown Trail Head.



Main Street/ Lazy River Road Regional Connector

Regional Trail Connectors

This Plan recommends the creation of corridors that connect to regional trails and destinations within the Town or at the Town's border. These corridors provide motorized and/or non-motorized access along existing public road ROW, or existing river corridors where the Town has obtained legal access from private landowners. Where appropriate, these corridors may also serve as Neighborhood Trail Routes; however, it is not a requirement. The corridor would be marked clearly by signage.

Henderson Regional Connector

This Regional (trail) Connector links the Town of Dewey-Humboldt to Prescott National Forest, becoming Trail #9419. From this connection point, trail users may access regional trails and destinations such as Lynx Lake, and in the future, Poland Junction, per USFS & BLM trails.

This existing roadway corridor comprises several existing roads located on the west side of SR 69 that access the northwest area of Town. The following roadways create the Henderson Regional Connector: Kachina Place, South Pony Lane, Henderson Road, and Newtown Avenue. Most of the roads are either public right-of-way owned by the town or on public access easements. (See **Trail System map for alignment detail**).

Main Street/Lazy River Regional Connector

This connection corridor links the Town of Dewey-Humboldt to BLM lands at SR 69 and Main Street. At the Town limits, trail users can access regional trails and destinations such as the planned Black Canyon Trail Spur and local natural features such as Round Hill.

This Regional (trail) Connector on the east side of SR 69 is a combination of existing roadways

that access the southeast side of town. The following roadways create the Main Street/Lazy River Regional Connector: Main Street, Phoenix Street, Prescott Street, Lazy River Drive. (See **Trail System map for alignment detail**.) Most of the roads are public right-of-way owned by the town; the remaining are on public access easements.

Prescott Dells Ranch Road/ Rocky Hill Road Regional Connector

This connection corridor connects the Town of Dewey-Humboldt to Prescott National Forest land from SR 69 at Prescott Dells Ranch Road. At the Town limits, trail users can access regional trails and destinations such as Lynx Lake, and in the future, Poland Junction.

This existing roadway corridor comprises several existing roads located on the west side of SR 69 that access the northwest area of Town. The following roadways create the Prescott Dells Ranch Road/Rocky Hill Road Regional Connector: Prescott Dells Ranch Road, Rocky Hill Road, Powerline Road, and Newtown Avenue. (See **Trail System map for alignment detail**.) Most of the roads are public right-of-way owned by the town; the remaining are on public access easements. Rocky Hill Road sections are very steep and require 4WD.

Neighborhood Trail Routes

The purpose of Neighborhood Trail Routes is to identify, maintain and preserve the recreational trail opportunities that exist today in the Town of Dewey-Humboldt. These routes are close-to-home (or right outside the door) that the citizens of the Town of Dewey-Humboldt use today. Seventy-five percent (75%) of the land within the Town is privately owned; the majority of public property the Town owns is public rights of way; therefore, these routes are intended as neighborhood connections, located adjacent to and/or on the roadway surface of public local and collector roads.

OPEN SPACE/TRAILS ELEMENT



Open Space is the Element that most distinguishes Dewey-Humboldt from its neighbors. One of the main reasons for incorporating as a town was the value its residents put on retaining natural open space.

The hills, river, and stretches of undisturbed lands are, in many ways, more characteristic of the community than its human-built environment. Outdoor enjoyment, much of which has been lost or compromised elsewhere, is protected and prized here.



GOAL: Coordinate with neighboring jurisdictions and agencies to achieve regional open space goals.

Objective: Strive to retain spacious, scenic views among low density development, even along busy transportation corridors.

Objective: Respect State and Federal agencies' land management purposes, while gaining their recognition of the Town's open space planning.

GOAL: Protect scenic vistas, wildlife corridors and habitats, major washes, and riverbeds.

Objective: Identify the Town's natural resources that require protection.

Objective: Recognize State requirements for the preservation of cultural and historical resources.

Objective: Define guidelines for maintaining wash, viewshed, and other visually sensitive open space areas.

Objective: Limit development potential on sensitive lands such as steep terrain, floodplains, and locations where threatened, endangered, or desirable indigenous species may be found.



GOAL: Encourage accessibility to outdoor enjoyment by residents and visitors.



Objective: Develop appropriate entry points to public lands.

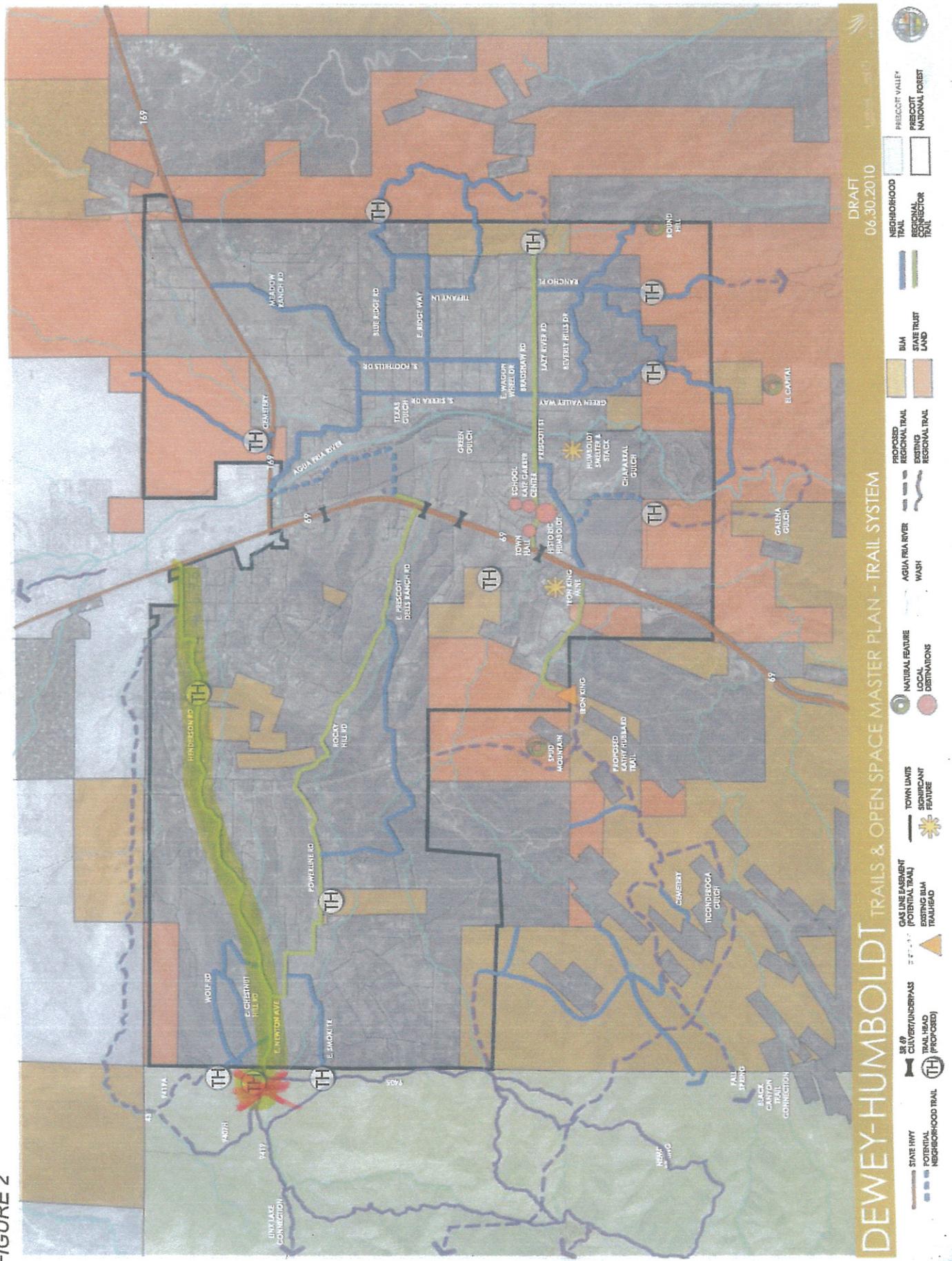


Objective: Develop or coordinate a comprehensive trail and trailhead system to provide access to the many adjacent public open spaces and forests.

Objective: Encourage proposals by organizations and land owners to conduct recreational activities on private sites.

Town citizens place a high value on the open, undeveloped areas that are integral to the community's rural character. Preferences run to celebrating the River, the hills and high desert spaces rather than formal parks or lush landscaping that are inconsistent with these surroundings.

FIGURE 2



THERE ARE THREE PRIVATELY OWNED PARCELS THAT HAVE THE POTENTIAL FOR A LEASED TRAIL HEAD SITE LEADING INTO THE US FOREST SERVICE LAND AT THE END OF NEWTOWN AVE. IN DEWEY-HUMBOLDT. All are vacant, unimproved lots with absentee owners.

1 Parcel No 402 03 172 – Location: Second parcel East of the town boundary on the North side of Newtown where it enters established Forest Service trails that accommodate 1 to 2 day equestrian, ATV, mountain biking and hiking opportunities.

Owned by; Frances Couch (husband Robert deceased in 2011)
7402 W. Suhauro, Peoria, AZ 85354

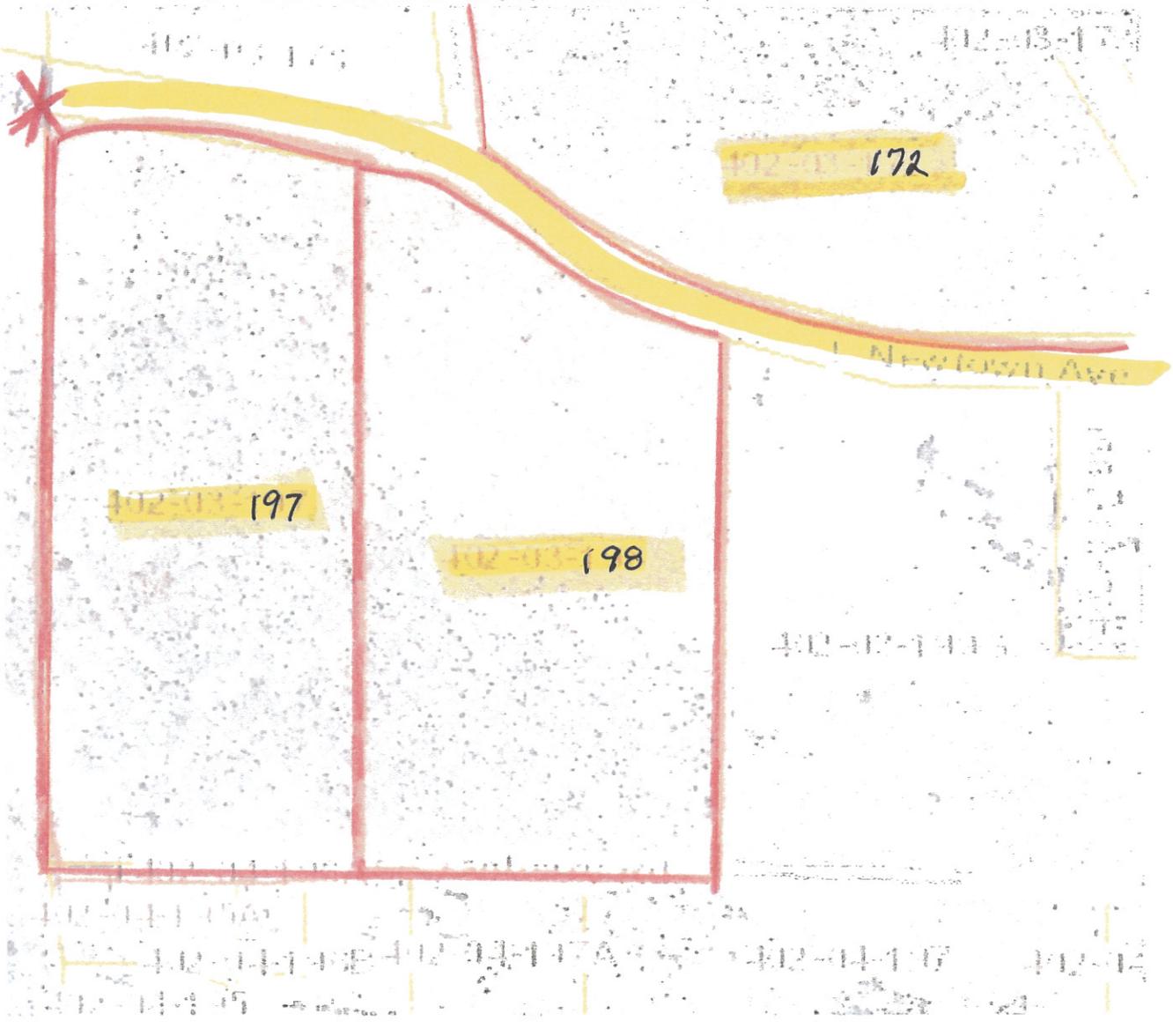
This parcel is 4.6 acres with a cash value of \$20,100 and annual taxes of \$291

2 Parcels 402 03 197 and Parcel 402 03 198 – Location: Parcels are East of the town boundary and are on the South side of Newtown Ave. at the end of the road where they enter established Forest Service trails that accommodate 1 to 2 day equestrian, ATV, mountain biking and hiking opportunities.

Owned by: Chang, Hsi-Fang
6329 Drive
Bethesda, Maryland 20034

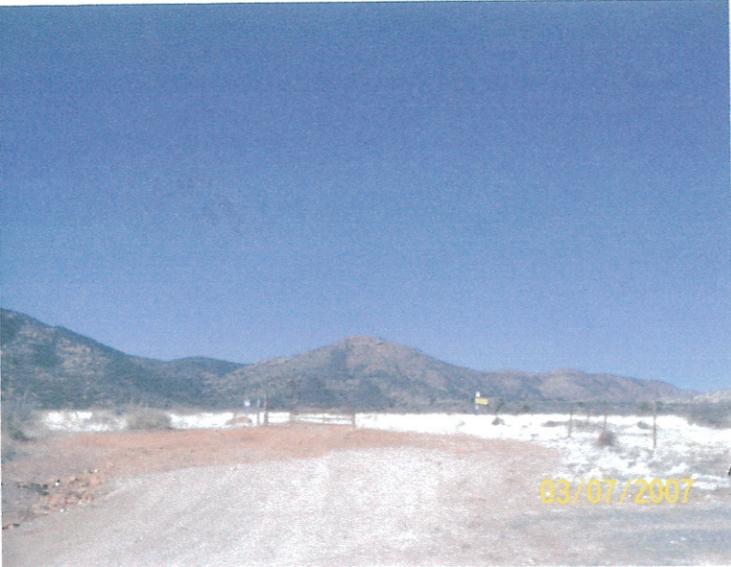
Parcel 402 03 197 is 4.97 acres with a cash value of \$19,399 and annual taxes of \$279.

Parcel 402 03 198 is 5.09 acres with a cash value of \$22,800 and annual taxes of \$330.



Questions

Visual Tour →



Newtown Ave. end



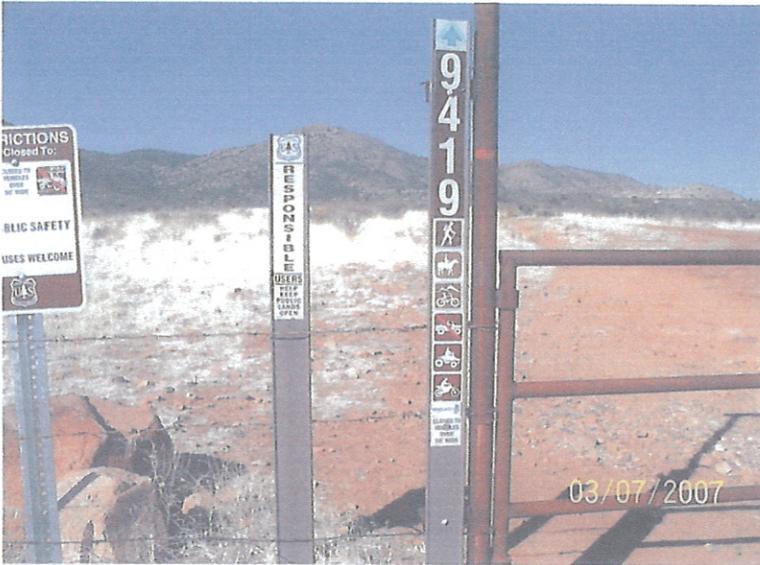
End of Newtown Ave.



Parcel No. of gate 402 03 172



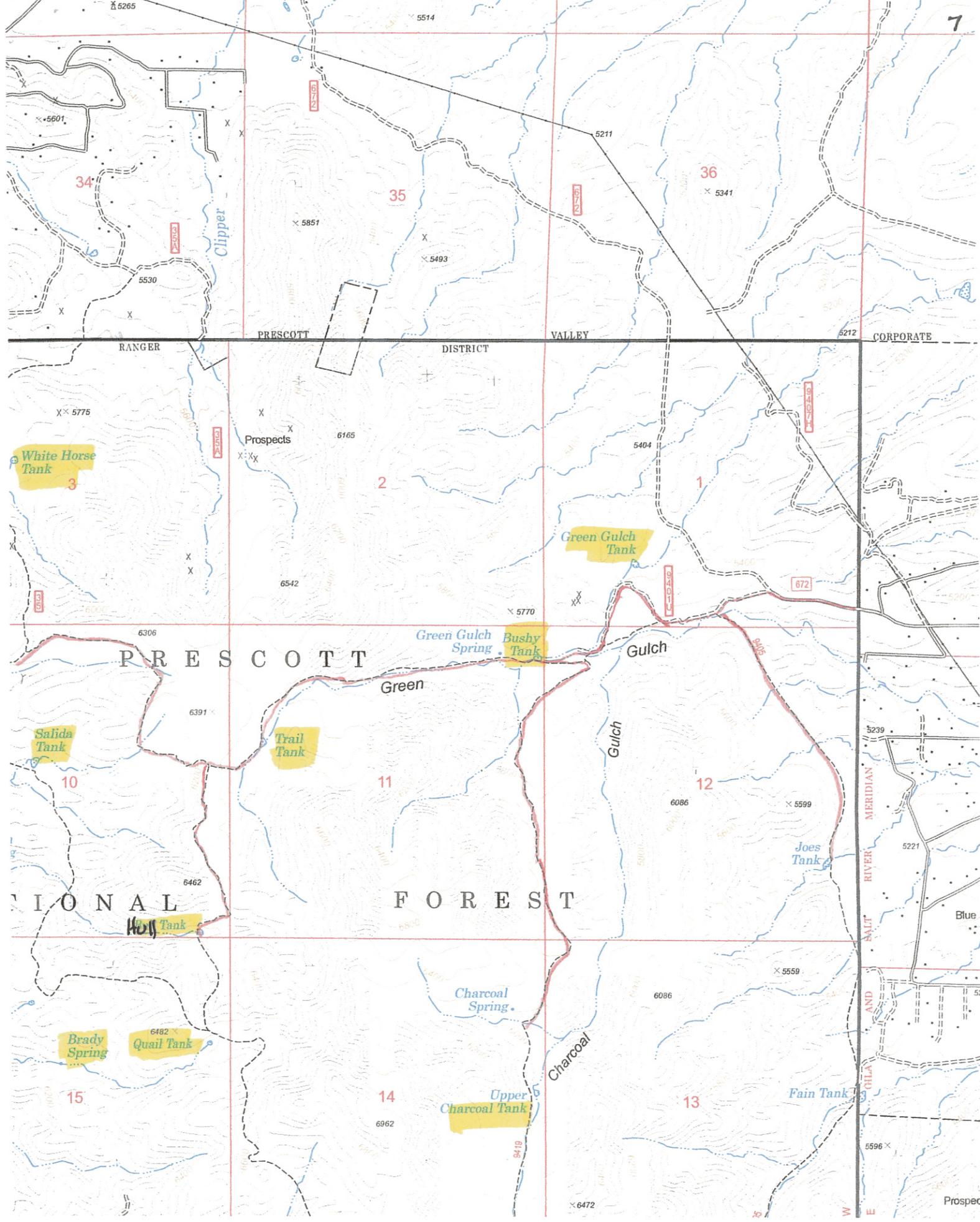
Parcel So. of gate 402 03 198



FS Gate Sign



Trail Restrictions



ESTIMATED ONE-TIME DEVELOPMENT COSTS:

<u>Materials</u>	<u>Quantity</u>	<u>Price</u>	<u>Total</u>
Dump Truck	1 week	\$884	\$884
Dump Cost	3 loads	\$160	\$480
Gravel/AB	145 tons	\$ 12	\$1740
Water Truck	1 week	\$256	\$256
Perimeter Fencing*	300 ft	\$ 7	\$2100
Picnic Table	1	\$610	\$610
Trash Bin	1	\$475	\$475
Grader w/Operator	1	\$1200	<u>\$1200</u>
Subtotal			\$7745
Est. Sales Tax			<u>\$1000</u>
Total			\$8745

ESTIMATED LEASE COSTS - \$1,000 per year:

Property taxes are approximately \$300 per year on all three parcels. A beginning lease amount of annual taxes plus giving the owner an escape clause in case the land was sold could prove very attractive to an absentee owner.

RECOMMENDATIONS

1. To develop a Trail Head of approximately one-half acre at the end of town owned Newtown Avenue. OSAT has identified three vacant, unimproved lots that would be candidates for such a possible lease. Details of the three properties investigated are copied within this report and each is identified with an attached map. All are absentee owners, with minimal property taxes. All three provide exceptional access to NFS Trail 9419 which travels to Lynx Lake and eventually will go South to Poland Junction.
2. To authorize the OSAT in conjunction with the Town Manager to contact the land owners to determine if there is any interest in leasing a portion of their property.
3. To authorize the town's staff and attorney to pursue such a lease if an interested party is identified.
4. To direct the Town Manager to include in the 2013-2014 tentative budget a line item of \$10,000 to develop and complete this trail head. This amount includes \$1000 for a potential first year lease.

WHY COUNCIL SHOULD SUPPORT

Our proposal meets the goals and objectives of the General Plan adopted by the Council in May of 2009. (See page 29)

It exceeds the criteria set forth in the Open Space and Trails Plan adopted in June of 2010. (See pages 25-38)

There is no other trail option that presents such a low cost, high benefit trail to so many people of varied interests. (See Pages 25-38)

It potentially brings people into our Kachina business strip for food, supplies and gasoline..

****Page 36 of the OSAT Plan addresses why the Newtown Trail Head is the best location for the town's first Trail Head development effort.**

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TOWN OF DEWEY-HUMBOLDT
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TOWN COUNCIL SPECIAL SESSION MEETING
March 12, 2013- 2:00 p.m. Town Council Meeting Chambers

Agenda Item # 3.3 Preliminary Budget Discussion. Discussion and direction.

To: Mayor and Town Council Members

From: Yvonne Kimball, Town Manager

Date submitted: March 6, 2013

Summary:

As the budget season is upon us once again, the Town Council directed that a preliminary discussion with the Council occur at a work session. Through this preliminary discussion, I wanted to touch upon three subjects with the Council.

1. Council members provide direction on next year's budget. If you have special directions, specific programs/matters you wish to see happen this is the time to advise me so that I can work them into the budget. At this point, it is safe to assume that our revenues would stay on a level with last year: \$1.37 million in the General Fund and \$262,000 in the HURF.

2. Direction on the budget calendar.

3. Uncertainties. We are also encountering a few special uncertain situations this year. For example, it is still unclear what may happen to Humboldt Station Inc.'s property where the Town offices are located through a lease agreement. Also, Old Black Canyon Hwy is still under discussion. To offset the uncertainty for these complicated situations, a higher contingency fund like last year is recommended.

4. Unless you direct us differently, I will attempt to work around these three goals

3. Unless you direct us differently, I will attempt to work around the following three goals:

A. First and Foremost (or eventually before adoption of the budget) - A balanced budget with the same level of service.

A balanced budget in this context means all operational expenditures will be covered by the projected revenues, except for special one-time road projects, grant funded projects and contingency fund expenditures.

Last year (FY 12-13) the General Fund revenue was able to cover all GF operational expenditures with \$6,495 in surplus. FY 12-13's HURF expenditure was budgeted to exceed the revenue by \$70,000 which was budgeted to pay for the "historical" Kachina Pl. improvement.

This year, I hope we can maintain the same level of service as last year without tapping too much into the reserve fund, if not at all. As such, unless the Council directs differently, I would

like to begin building the budget by presuming that all programs funded this year would continue, including regular programs and special ones (various Town memberships, a year lease for the Museum, the twice-a-year dumpster program, the on-going recycle program).

B. Additional help for the Public Works Department and a moderate pay raise for all employees if possible.

It became obvious to many of us that the Public Works Department needs more help. The two-man department carries out the Town's major operation projects. The Supervisor works 50 hours a week during busy season. I would like to look into obtaining additional help for the Department.

All of our newer employees, coming on board since Dec. 2011, were hired at a reduction from our predecessors' salaries while handling the same amount of responsibilities. If it is possible, I would like to propose appropriate pay raises for all employees.

C. Some kind of reimbursement for the Council members.

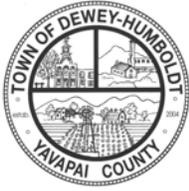
All the Council members are volunteers without compensation by the Town other than travel reimbursement when conducting pre-authorized Town business. A couple of Council members have mentioned to me about having some kind of minimal allowances, such as telephone allowances. Unless you are not interested, I plan to begin building FY 13-14 budget with this consideration.

In reality, we may not be able to fund all we wanted in the budget and keep it balanced. But at the beginning stage, including the same programs as FY 12-13 is my intention. I am looking forward to working with all of you on preparing the budget. On a final note, I wanted to mention that Ed and I are committed to providing a simple but practical five year road work plan containing road names and project costs this year.

FISCAL YEAR 2013 - 14 BUDGET SCHEDULE

Date	Task
February - March, 2013	Preliminary Budget Guidelines Provided to Staff Town Manager Preliminary Budget Discussions with Council Members State Shared Revenues provided by the League of Cities/Towns
April 5, 2013	Departmental Budget Estimates and Requests Due
April 1 - 30, 2013	State Expenditure Limitation Information Available Revised State-Shared Revenues provided by the League of Cities/Towns
April 19, 2013	Budget Worksheet completion
May 3, 2013	Budget Worksheet and narrative completion
May 7, 2013	Tentative Budget Council acknowledgement Initial Discussion of the Worksheet Publication of Tentative Budget, Notice of June's Public Hearings Revisions of Tentative Budget Upon Council Review
May 14, 2013	Council Budget Workshop #1 (study session date) (time: ? - ?,in lieu of afternoon session) Revision by staff
May 28, 2013	<i>Second Council Workshop if Needed (time? - ?)</i> Revision by staff
June 4, 2013	Public Hearing #1 at Regular Council Meeting
June 18, 2013	Public Hearing #2 at Regular Council Meeting Adoption of FY 13-14 Budget
June 2013	Fiscal Year 2013-2014 Setup in Accounting System
July 1, 2013	Fiscal Year 2013-2014 Begins
July 1, 2013 - - June 30, 2014	FY 12-13 Auditing; FY 13-14 Budget Monitor, Measure, Assess, Report

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TOWN COUNCIL STUDY SESSION MEETING
March 12, 2013 -2:00 p.m. Town Council Meeting Chambers

Agenda Item # 4.1. Discussion and direction on whether to pursue a traffic light at the intersection of Main Street and Highway 69.

To: Mayor and Town Council Members

From: Yvonne Kimball, Town Manager

Date submitted: February 26, 2013

Agenda Item: 4.1. Discussion and direction on whether to pursue a traffic light at the intersection of Main Street and Highway 69.

Recommended action: Motion to direct the Town Manager to pursue with ADOT a traffic change signal at the intersection of Main Street and Highway 69.

Summary:

I understand that in 2009-2010, efforts were made to establish a traffic change signal at the intersection of Main Street and Highway 69 through ADOT, but they were unsuccessful. Recently staff has initiated discussion with ADOT to refresh these efforts to place a signal at this intersection. The preliminary discussion was positive. I thereby seek Town Council's affirmative direction whether to place a traffic light at the intersection. If so, with your blessing, staff will proceed with further steps actively.

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COUNCIL AGENDA ACTION REQUEST FORM

Meeting Type: Regular Special Work Session

Meeting Date: March 12, 2013

Date of Request: Marchy 6, 2013

Requesting: Action Discussion or Report Only

Type of Action: Routine/Consent Agenda Regular

Agenda Item Text (a brief description for placement on the agenda; please be exact as this will be the wording used for the agenda):

Discussion and possible action on the renewal of the Conditional Use Permit
for Mortimer's Family Farm

Purpose and Background Information (Detail of requested action). _____

The Council approved a conditional use permit last March for one year. The year
is over and Council needs to discuss any changes needed to the permit and if
and how long the permit should be renewed for.

Staff Recommendation(s): _____

Budgeted Amount: _____

List All Attachments: Backup documents from March, 2012

Type of Presentation: _____

Special Equipment needed: Laptop Remote Microphone

Overhead Projector Other: _____

Contact Person: CM Wright

Note: Per Town Code §30.105(D): Any new item will be placed under "New Business" for the council to determine its disposition. It can be acted upon at that meeting, sent to staff for more work, sent to the appropriate board or commission, set for a work session or tabled for a future date, etc.



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TOWN COUNCIL REGULAR MEETING
March 6, 2012 – 6:30 pm Town Council Meeting Chambers

Agenda Item #10.2.

To: Mayor and Town Council-members
From: Gregory Arrington, Code Enforcement/Community Outreach Coordinator

Date submitted: February 27, 2012

Agenda Item: Public Hearing for Mortimer Family Farms Use Permit

Recommended action: Move to approve Application for a Conditional Use Permit.

Summary:

On January 5, 2012 the Planning and Zoning Advisory Commission approved an Application for a Conditional Use Permit by Mortimer Family Farms for Outdoor Garden Center and Seasonal Festivals.

Subsequently, Staff received comments from a citizen (Ms. Tammy De Witt). Below are the concerns and staff’s responses to those concerns:

1. Does the applicant have water rights for farming activities? I met with ADWR and was informed that all authority over water rights in our area are regulated by ADWR. Therefore, the town of Dewey-Humboldt does not have authority over this issue. Further, according to ADWR, farming activities are allowed at the subject property. ADWR would be glad to attend a future council meeting if needed.
2. What is the time frame: Town Code, Section 153.091 states that if the use or uses for which a use permit has been granted are discontinued for a continuous period of 12 months, the use permit shall be voided. Therefore, staff advised Mortimer Farm that the permits would be good for one year initially with council’s approval.
3. Would Mortimer Farm need a permit for each individual event that occurs? Council and P&Z’s pleasure. Town code 153.091 Use Permits regulates that “Use permits for temporary special events such as festivals, seasonal agricultural events, farmers markets, parades, carnivals and other community activities may be administratively granted subject to meeting all conditions and criteria of this section, and subject to compliance with regulatory codes for safety and health, and are of a temporary limited duration appropriate to the activity.
4. Is Greenhouse an allowed structure? Town Code states that “permittees must obtain building permits within one year from permit date and diligently pursue completion. Failure of such shall void the use permit unless a longer time frame has been granted or an extension of time has been applied for with the zoning administrator prior to the expiration of the one-year period.
5. Does Mortimer Farm’s signage exceed the Maximum signage allowed? The town code 153.133 states that the aggregated sign area of one property shall not exceed an area of one square foot for each linear foot of street frontage adjoining the property to which it pertains, except that the total area need not be less than 24 square feet, and in no case shall the area exceed 128 square feet. Mortimer Farm’s signage is within allowed range.

Mortimer Family Farms

12907 E. State Route 169

Dewey, AZ 86327

928-830-1116

Dennis Price
Town of Dewey Humboldt
PO Box 69
Humboldt, AZ 86329
928-632-7362

Dear Dennis,

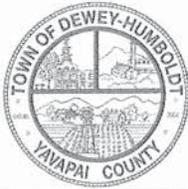
Enclosed is a check for the Use Permit Application. After last night's meeting we are requesting an extension till September 23, 2011 to be able to provide you a completed application.

Enclosed you will see the letter and mailing list sent out for the Citizen Participation Plan. This letter was sent out in July by Mike Nathe. We have also enclosed the letter sent to the counsel in May of our plans for the farm.

Thank you for your assistance in working through this process. We appreciate working with you on this application.

Sincerely,

Gary & Sharla Mortimer
Mortimer Family Farms
928-925-8721



CONDITIONAL USE PERMIT APPLICATION

Dewey-Humboldt
SEP 07 2011
Received

Pre-Application Number: _____ Conditional Use Permit Number UP 2011-#1

Please Type or Print Clearly		
Project Location/Address: 12970 E. Route 169 Dewey, Az 86327		
Major Cross Streets: Hwy 69 + 169		
Assessor's Parcel Number: 402 02-013		
Existing Zoning: C2	Existing General Plan Designation:	
Project Description: Mortimer Family farms		
Property Owner:		
Property Owner's Signature: <i>[Signature]</i>		
Applicant: Gary + Sharla Mortimer	Phone No. 928-925-8721	
Company: Mortimer Family farms	Fax No: 928-776-7618	
Address: 3166 willow Creek	E-mail: Sharla@mortimer-nursery.com	
City: Prescott	State: Az	Zip: 86301

Will a waiver from Design Standards be requested? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
Describe the nature of and reason supporting the request: See Attached:

Submit this form with a completed Use Permit Checklist and required materials

Mortimer Family Farms

12907 E. State Route 169
Dewey, AZ 86327
928-830-1116

Citizen Participation Plan

A letter was sent out to all neighboring property owners regarding our use application. This letter included a formal notification of our intention to file a municipal application for a use permit. We invited all addressees to come by with any questions or concerns. We have had many neighbors come by offering their support and excitement of our farm and store reopening. I am including a copy of the letter we sent out. The public response has been overwhelmingly positive.

Pre-Application Meeting

The responses received at the pre-application meeting were positive. The only concerns were in regards to parking, restroom facilities, and the store building. We have designated a handicapped parking area. We have added handicapped portable restrooms. The existing building upgrades and will be addressed in the future through the building planning and permitting process. Yavapai County Flood Control District was not concerned with flooding and felt there were no additional requirements at this time.

We are working with the property owners to design and install a restroom facility. We are also working assessing the electrical and plumbing needs required to rehabilitate the "Country Store". We will be working with the City of Dewey-Humboldt and Yavapai County to determine what steps need to be taken in order to restore this unique building where we plan to have a gift shop with specialty food items and fresh produce.

Project description/narrative

Attached letter provided to Dewey-Humboldt Town Council Dated June 2011.

Mortimer Nursery is located on the north east end of the commercial property as an outdoor garden center offering trees, shrubs, flowers, vegetables and garden supplies. We also have landscape materials of mulch, soil and rock available. We will also offer fresh fruits and vegetables as they are harvested. During the peak harvest season we will set up tents and tables for sufficient sales space.

The "Hidden Oasis" park on the east side of the property is available for weddings, family reunions and other business or social gatherings. This secluded area overlooks the Agua Fria River under a beautiful canopy of shade trees.

We have made an agreement to allow livestock dog training on the agriculture property. This will include livestock, herding trials, and dog agility training.

As a regular part of our business operation we will be hosting special events. Large events requiring a special use permit will be submitted to the Town of Dewey-Humboldt. Small events not requiring a special use permit will be scheduled and a flier will be forwarded to the Town of Dewey-Humboldt. The frequency of these events will be based upon attendance, volume of community requests and wants, organizational time, safety and availability of resources. Our goal would be to host family events monthly –

Working together for a Greener Future!

Mortimer Family Farms

12907 E. State Route 169
Dewey, AZ 86327
928-830-1116

creating an environment where all can come to enjoy the beauty of the farm in a safe and secure setting. These events will be held at Mortimer Family Farms in the front parking lot vicinity (Hwy 69 & Hwy 169). Events could include: Sweet Corn Harvest Celebration, Pumpkin Festival, Christmas Music Celebration, Spring Planting Extravaganza, etc. We will also host community organization events such as: Agua Fria Festival, Patriot Country Fair, Yavapai Jazz Festival, Car Shows, Tractor Pulls, etc.

Further future commercial projects will be coordinated with Yavapai Land Holdings LLC and be presented to the Town of Dewey-Humboldt for usage, approval and permits according to their development plans.

Waiver of Rights and Claims for Diminution in Value

Attached form signed by Yavapai Land Holdings, LLC

Signage

Mortimer Family Farms is requesting the following signs:

- 2 sided Barn Sign 8x24' located on Highway 69
- 2 sided Store Sign 4x8' located on Highway 169
- 2 sided Reinke Sign 5x7' located on Highway 169
- 2 sided Event Sign 7x11' located on corner of Highway 169 & 69
- Miscellaneous banners to promote upcoming events and store specials

Waiver from Design Standards

We ask the support of the town in recognizing we will be developing this property as we go and as business revenue dictates necessary.

- Open air sales & business promotions to be held onsite.
- Outdoor storage of materials.
- Paved Parking Lot: We intend to install two finished handicapped parking spaces. We request a waiver of any additional paved parking spaces.
- To be able to build 400 sq feet building or less (equal to the Residential Zoning Code) without a permit.
- Permission to use tents and other temporary accommodations for seasonal needs such as fall harvest sales, spring planting promotions, etc.
- Design style to include agricultural style. The goal is to capture the look and feel of a farm operation.
- Landscape requirements
- Use of generators and portable restroom facilities.
- Waive special events permit requirements for weddings, tours, 4H events, field trips and other small events.
- Other activities to include Mini park and play area, Hiking trail, Corn Maze

Working together for a Greener Future!

MORTIMER FAMILY FARMS

Gary & Sharla Mortimer

Thursday June 2, 2011

Dewey-Humboldt
P.O. Box 69
2735 South Highway 69 Suite 12
Humboldt Station, Humboldt, AZ 86329
Phone 928-632-7362 | Fax 928-632-7365

Dear Mayor, City Council & Town Staff,

The Mortimer family has been in the Prescott area since 1987 when we opened Mortimer Nursery and Landscape Co. In 2003 we purchased Ash Creek Ranch on highway 169 where we live with our four children. We love the area and are pleased to be a part of this rural community.

We have successfully built Mortimer Nursery and Landscape Company in Prescott with a lot of perseverance and hard work. We fully intend to bring this same work ethic and quality to Mortimer Family Farms.

Our immediate goal for Mortimer Family Farms is to get the farm fields into production, planting summer vegetables, sweet corn, pumpkins, and hay. The clean-up of this property has taken an enormous effort and will continue.

We have also made an agreement to allow livestock dog training on the property. This will include livestock, herding trials, and dog agility training on part of the farm.

We have opened Mortimer Nursery on the north east end of the commercial property as an outdoor garden center offering trees, shrubs, flowers, vegetables and garden supplies. We also have landscape materials of mulch, soil and rock available. As vegetables are harvested they will be sold at this location. During the peak harvest season we will set up tents and tables for sufficient sales space.

The "Hidden Oasis" park on the east side of the property is available for weddings, family reunions and other business or social gatherings. This secluded area overlooks the Agua Fria River under a beautiful canopy of shade trees.

We are currently assessing the electrical and water needs required to rehabilitate the "Country Store". We will be working with the City of Dewey-Humboldt and Yavapai County to determine

928-830-1116

12907 E. State Route 169 Dewey, AZ 86327

www.MortimerFamilyFarms.com

MORTIMER FAMILY FARMS

Gary & Sharla Mortimer

what steps need to be taken in order to restore this unique building where we plan to have a gift shop with specialty food items and fresh produce.

We will offer seasonal festivals for the community to come out and enjoy. The frequency of events will be based upon attendance, volume of community requests and wants, organizational time and safety and availability of resources. We plan to host a Sweet Corn Festival in late July or August and a Pumpkin Festival during the month of October.

Mortimer Family Farms is a gathering place for the public with vendors and outdoor activities. These activities would be located in the front parking lot vicinity (Hwy 69 & Hwy 169).

Further future commercial projects will be coordinated with Yavapai Land Holdings LLC and be presented to the Town of Dewey-Humboldt for usage, approval and permits according to their development plans.

We would like to thank the people of Dewey-Humboldt for their support as we work to make Mortimer Family Farms a great destination place for everyone to enjoy.

Sincerely,

Gary & Sharla Mortimer

Mortimer Family Farms

928-830-1116

12907 E. State Route 169 Dewey, AZ 86327

www.MortimerFamilyFarms.com



**WAIVER OF RIGHTS AND CLAIMS FOR
DIMINUTION IN VALUE
PURSUANT TO A.R.S. §12-1134
(PROPOSITION 207 WAIVER)**

This agreement regarding Waiver of Rights and Claims under A.R.S. § 12-1134 ("Agreement") is made by Yavapai Land Holding, LLC (Owner) for the benefit of the Town of Dewey-Humboldt, Arizona, regarding the following property:

402-02-013 Commercial land dt 12907 S. State
Route 169, Dewey, Az 86327

(Use legal description and street address or you can list property in a separate attachment but incorporate by reference into the space above).

The Owner agrees and consents to all the conditions imposed by the Town Council regarding the actions/approvals necessary to complete the land use request for the above-referenced property.

By signing this Waiver, the Owner acknowledges that Owner waives any right to claim diminution in value or claim for just compensation for diminution in value under A.R.S. §12-1134 as a result of the Town's actions but not limited to approvals, denials, or conditions of approvals with regard to the above-referenced property.

This Agreement, any exhibits attached hereto, and any addendum, constitute the entire understanding and agreement of the Owner and the Town and shall supersede all prior agreements or understandings between the Town regarding the above-referenced property. This Agreement may not be modified or amended except by written agreement by the Owner and the Town.

This Agreement is entered into in Arizona and will be construed and interpreted under the laws of the State of Arizona.

Within ten days after the execution of this Agreement, the Town Clerk shall file the Agreement in the Official Records of the County Recorder's Office, Yavapai County, Arizona.

This Agreement runs with the land and is binding upon all present and future owners of the above-referenced property.

Town of Dewey-Humboldt, P.O. Box 69, Humboldt, AZ 86329 Phone: 928-632-7362

The Owner warrants and represents that Owner is the owner of fee title to the above-referenced property, and that no other person has an ownership interest in the property [if more than one owner this will need to be modified]. The person who signs on behalf of the Owner personally warrant and guarantees to the Town [he/she/they] have the legal power to bind Owner to this Agreement.

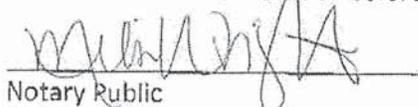
Dated this 12th day of September, 2011.

[PROPERTY OWNER]

By: 

State of Arizona)
) ss
County of Maricopa

SUBSCRIBED AND SWORN to before me this 12th day of 9, 2011, by


Notary Public



My commission expires: April 1, 2013

Town of Dewey-Humboldt, P.O. Box 69, Humboldt, AZ 86329 Phone: 928-632-7362

Mortimer Family Farms 300' + Buffer Letter

Mr & Mrs. Richard Hilstrom	PO Box 985	Dewey, Az 86327
Mr & Mrs. Billie Ward	1115 River Dr	Dewey, Az 86327
Mr & Mrs. Barry Smylie	1165 River Dr	Dewey, Az 86327
Gabriella Torres	PO Box 211	Dewey, Az 86327
Mr & Mrs. Richard Berentis	PO Box 1434	Dewey, Az 86327
Mr & Mrs. Leonard Wood	PO Box 1822	Dewey, Az 86327
Mr & Mrs. David Syme	PO Box 1180	Dewey, Az 86327
Mr & Mrs. Jack Hamilton	PO Box 873	Dewey, Az 86327
Mr & Mrs. John Bresnahan	PO Box 1002	Dewey, Az 86327
Mr & Mrs Larry Snow	PO Box 53	Dewey, Az 86327
Mr & Mrs William Hughes	1422 River Dr	Dewey, Az 86327
Mr & Mrs Garry Rogers	PO Box 711	Dewey, Az 86327
Maxine Johnson	2342 S Sierra Dr	Dewey, Az 86327
Nora Hendrix	7190 E Dodge Circle	Prescott Valley, Az 86314
Mr Robert Burnham	PO Box 25186	Prescott Valley, Az 86312
Mr & Mrs Shawn Denny	1264 River Dr	Dewey, Az 86327
Deborah Harper	13480 Paint Pony Dr	Dewey, Az 86327
Mr & Mrs Paul Kleppan	PO Box 157	Dewey, Az 86327
Mr Bruce Brockway	2110 S Sierra Dr	Dewey, Az 86327
Mr & Mrs William Berringer	PO Box 517	Dewey, Az 86327
Carolyn Cox	2190 S Sierra Dr	Dewey, Az 86327
Mr & Mrs Eddie Morgan	PO Box 1242	Dewey, Az 86327
Mr & Mrs Michael Keltner	2270 S Sierra Dr	Dewey, Az 86327
Mr & Mrs Kenneth Sterling	2300 S Sierra Dr	Dewey, Az 86327
Mr & Mrs Kerry Showman	1014 S River Dr	Dewey, Az 86327
Barbara Ward	1026 River Dr	Dewey, Az 86327
Mr & Mrs Steve Dibble	1038 River Dr	Dewey, Az 86327
Mr & Mrs Elijah Johnson	1050 River Dr	Dewey, Az 86327
Donna Moreland	1062 River Dr	Dewey, Az 86327
Mr & Mrs Michael Terry	1074 River Dr	Dewey, Az 86327
Mr & Mrs Gary Marcott	1033 River Dr	Dewey, Az 86327
Mr & Mrs Lawrence Hofferber	975 River Dr	Dewey, Az 86327
Mr & Mrs James Cowan	PO Box 1733	Dewey, Az 86327
Mr & Mrs Pierre Poppek	PO Box 1527	Dewey, Az 86327
Mr & Mrs Brian Jensen	976 S River Dr	Dewey, Az 86327
Mr & Mrs Richard Thomas	1240 River Dr	Dewey, Az 86327
Mr & Mrs Hector Rebredo	PO Box 908	Dewey, Az 86327
Mr & Mrs Irvin Jantz	1160 River Dr	Dewey, Az 86327
Mr & Mrs Michael Sims	13625 E Quail Ct	Dewey, Az 86327
Richard Stoughton	1994 S Sierra Dr	Dewey, Az 86327
Mr & Mrs Steven Reddell	1336 River Dr	Dewey, Az 86327
Mary Jo Schroeder	13471 Nono Ln.	Dewey, Az 86327
Mr & Mrs Victor Kuhns	1550 River Dr	Dewey, Az 86327

Mortimer Family Farms 300' + Buffer Letter

Paul Clark Sr.	1600 River Dr	Dewey, Az 86327
Mr & Mrs Allen Humphreys	1650 River Dr	Dewey, Az 86327
Mr & Mrs Rodolfo Garcia	1722 River Dr	Dewey, Az 86327
Mr & Mrs Mark Blanchfield	PO Box 95	Humboldt, Az 86329
Mr & Mrs Isaias Martinez	PO Box 493	Humboldt, Az 86329
Mr & Mrs Bert Gorczyca	PO Box 398	Humboldt, Az 86329
Mr & Mrs Grant Lerette	PO Box 233	Humboldt, Az 86329
Mr Roys Mansur	PO Box 429	Humboldt, Az 86329
Mr & Mrs Michael Goldman	12590 E Gold Dust Ave	Scottsdale, Az 85259
Cavan Opportunity	15333 N Pima Rd # 305	Scottsdale, Az 85260
Brooke Investments LLC	1099 W Iron Springs Rd	Prescott, Az 86305
Roy Logan Jr & Helen Ellis	13808 N 34th St	Phoenix, Az 85032
Mr Charles Bagby	1443 Rancho Encinitas	Encinitas, Ca 92024
Mr Shane Roberts	3919 W Grandview	Phoenix, Az 85053
Suda Family	5833 W Bloomfield	Glendale, Az 85304
Bowman Family	8850 E Wrightstown Blvd.	Tucson, Az 85715

Please review the following comments and revise your narrative and drawings accordingly and resubmit them as soon as possible. The idea is that you provide a **specific** outline of your proposed activities.

USE PERMIT

1. Prior to the public hearings you will be required to notify the adjacent property owners describing the nature of the request and meeting dates. You must provide stamped and addressed envelopes to the Town which staff will mail once the hearing dates have been established. In addition, you will need to "Post the Property" with the same information. We will provide you with that format.
2. This Use Permit application is for 17 acres (that is approximately how much Gary indicated would be utilized) of the commercially -zoned area of the property. In your narrative please separate the uses that will occur on the commercial land and the crop land. For instance, will the corn maze be on land outside of the commercial area and will separate parking be provided? If so, that activity could be permitted separately as a special event even if it will occur over a number of weeks.
3. Please include your "typical hours of operation" for the nursery operation in your narrative.
4. Your narrative does not differentiate between requests to allow for additional uses and requests for relief from design standards. Separate these and be more specific. When you mention open-air sales and business promotions (which are uses) are you referring to your nursery business or for instance, promoting motorhomes and used cars? When you request a waiver from design standards such as landscape requirements, you must state a reason. For example in the case a waiver of landscaping, you could mention something positive about the existing conditions of the site and that your stock fulfills the visual interest typically provided by permanent plantings.
5. Provide an explanation regarding the various activity centers (Petting Zoo, Farm Animal Kingdom, Barrel Train Station etc.) as shown on your Site Plan. Will these be weekend offerings or only for special events? Add to your narrative.
6. Provide a Floor Plan of the entire existing building drawn to scale ($\frac{1}{4}'' = 1'$): 1- 24" x 36" and 1- 11" x 17". Indicate location(s) of proposed restroom facilities. The Floor Plan is also necessary to determine the amount of required parking. The Floor Plan is also necessary to substantiate the amount of required parking. This item is repeated under Design Review.
7. The parking requirement is **estimated** at 33 spaces. The calculations are as follows: The store building was estimated at 1,400 square feet which requires 1 space per 200 square feet of public space. Therefore, the parking requirement for the building is 7 spaces. The

outside display area was estimated at 46,000 square feet which requires 4 spaces for the first 2,000 square feet and 1 space for each additional 2,000 square feet for a total of 26 spaces. Building = 7 spaces + Display = 26 spaces for a combined total of 33 spaces. Your drawing should reflect the required number of parking spaces. If your display area increases, so will your requirement parking spaces. You may choose to reconfigure your display area to reduce the amount of required spaces or you may request a waiver in your narrative. Nevertheless, your Site Plan should reflect graphically and by text the number of spaces that you propose.

DESIGN REVIEW

1. Provide a Floor Plan of the entire existing building drawn to scale ($\frac{1}{4}'' = 1'$): 1- 24" x 36" and 1- 11" x 17". Indicate location(s) of proposed restroom facilities. This will not be considered a Construction Document. The Floor Plan is also necessary to substantiate the amount of required parking.
2. Provide Building Elevations of at least two sides of the building indicating the proposed location(s) of the restroom facilities: 1- 24" x 36" and 1- 11" x 17". This will not be considered a Construction Document. You do not have to provide a color copy. Please indicate by note "colors to match existing" if that is your intention.
3. What specific improvements do you plan to add to the site and when? For instance, what material do you plan to provide in the parking area for dust control? Do you have a timeframe to provide bunkers for your landscape materials? Do you plan to provide any night lighting?
4. **Building Safety** presented an assessment of the Country Store at the Pre Application meeting. In case you did not receive the information, a copy is provided herewith. Please review item #5 which refers to "invasive inspections," PB-7 "As Built" structures and PB-14 Commercial Construction Documents Submittal Requirements. These references will inform you as to what you can expect to get through the building permitting process. Since your improvements must comply with Use Permit/Design Review stipulations, you cannot submit your construction documents until you receive Council approval.

SIGNS

1. Please explain the "Reinke" sign. What is it? Does this refer to a product or service that you plan to provide? If not, it is considered an off-site sign which is only allowed in C3 zones. This will not likely change with the approval of the new sign code. Including the signs within the context of your Use Permit is to allow your business some flexibility as opposed to the strict interpretation of the Sign Code. You should consider consolidating signs if possible.



Yavapai County

Development Services

Building Code Comments

For the Town of Dewey-Humboldt

Prescott Office
500 South Marina Street
Prescott, AZ 86303
(928) 771-3214
Fax (928) 771-3144

Cottonwood Office
10 South 6th Street
Cottonwood, AZ 96326
(928) 639-8151
Fax (928) 639-3432

To: Town of Dewey-Humboldt

Project: Mortimer Farms -- Retail Nursery

12907 E. State Hwy 169 Dewey, AZ 86327

Date: August 15, 2011

The following items are questions and/or concerns that should be addressed prior to submittal of construction plans for plan review. These comments are based on the submitted code review application. This review is on the current adopted Building Codes and is not to be considered as a complete review of plans for Building Code compliance.

Yavapai County has adopted the International Building Codes. Plans submitted must be designed and constructed to the following codes:

2006: International Building Code, International Plumbing Code, International Mechanical Code, Fuel Gas Code, International Property Maintenance Code

2005: National Electric Code

Building Codes as adopted by Yavapai County Ordinances 2007-1 through 2007-9

THIS DEVELOPMENT REVIEW WAS DONE PER REQUEST OF THE TOWN OF DEWEY-HUMBOLDT BY YAVAPAI COUNTY BUILDING SAFETY.

2006 IBC Occupancy Classification: M (retail sales)
Construction Type: V-B(existing construction date unknown)

THE EXISTING PROPOSED BUILDING HAS BEEN VACANT AND ABANDONED FOR WELL OVER 2 YEARS.

FROM A SITE VISIT MADE BY YAVAPAI COUNTY STAFF AND STAFF FROM DEWEY-HUMBOLDT ON 6/7/10, THE CONDITION OF THE STRUCTURE WAS AS FOLLOWS:

- All the plumbing equipment/fixtures for the restroom(s) had been removed – this included sinks, water closets and water heating equipment.
- There was no electrical service to the building and a lot of the electrical fixtures, receptacles and electrical wiring had been removed.
- The building had no exterior hard surface landings at any exterior doors.
- There did not appear to be any heating or mechanical systems to provide building ventilation and occupant heat.

- The building appeared to have been built without the benefit of any building code inspections and has evidence of weather exposure damage due to being vacant and not maintained.

THE FOLLOWING ARE BASIC ITEMS THAT WOULD BE REQUIRED FOR PLANS TO ALLOW THE OCCUPANCY AND USE OF THIS BUILDING UNDER THE PROVISIONS OF THE BUILDING CODE AS ENFORCED BY YAVAPAI COUNTY:

- 1) A building size of over 3,000 square feet or with an occupant load of 20 or more will require that all plans submitted for a permit to be stamped/sealed by an Arizona Licensed Registrant as per the Arizona State Board of Technical Registration. **THE PROPOSED OCCUPANT LOAD IS UNKNOWN AT THIS TIME – IT APPEARS PER THE BUILDING SIZE AND PROPOSED USE THE OCCUPANT LOAD WILL EXCEED 20.**
- 2) Plumbing fixtures as required per the 2006 IPC Table 403.1 shall be provided. Table 403.1 has been amended by Yavapai County to allow water coolers or bottle water dispensers in A, B, and M occupancies with an occupant load of 25 or less and also to not require separate facilities for occupant loads of 25 or less. Occupant loads are determined by Table 1004.1.1 of the 2006 IBC. **REPLACEMENT OF FIXTURES WITH NUMBERS AS REQUIRED IS NECESSARY. THE COMPLETE PLUMBING SYSTEM WOULD REQUIRE CERTIFICATION BY A LICENSED PLUMBING ENGINEER (REGISTRANT) TO VERIFY CODE COMPLIANCE OF THE SYSTEM.**
- 3) Specific information (details) for accessible parking, accessible route into the building and through the building along with restrooms and drinking fountains under the requirements of the Americans with Disabilities Act (ADAAG) will be required. This includes the slopes and cross slopes for the accessible route, ramps and parking space(s) along with the material surfaces to be of a hard type which can be traveled by a person in a wheel chair. **THIS MUST BE PROVIDED – CURRENTLY THERE IS NO ADA ACCESS.**
- 4) The plans submitted for review shall include all related items as per PB-14 for a complete set of working construction blueprints (Policy PB-14 attached). **NOTE: EXISTING AREAS OF THE BUILDING MAY REQUIRE REVIEW AND CERTIFICATION BY STRUCTURAL ENGINEERS TO VERIFY STRUCTURAL INTEGRITY OF THE BUILDING. FURTHER REVIEW BY PLUMBING, ELECTRICAL AND MECHANICAL ENGINEERS TO VERIFY CODE COMPLIANCE MAY ALSO BE REQUIRED. THE CERTIFICATIONS MUST BE DONE BY CURRENT ARIZONA LICENSED REGISTRANTS.**
- 5) Some areas of the building may require “invasive inspections” to be performed. This will require 3rd party review by a qualified testing/inspection agency. Please see Yavapai County policy for “AS BUILT” structures (PB-7 attached).



BUILDING SAFETY UNIT

PB-7

POLICY

Page 1 of 2

Date: 9/4/07

INSPECTION REQUIREMENTS FOR “AS BUILT” STRUCTURES

In order to insure all structures that have been constructed without benefit of permits or building inspections are built per the requirements of the current codes and/or ordinances, it may be necessary for the building inspector to require that an “invasive inspection” be performed. This inspection may include, but not be limited to, the following requirements:

1. Exposing parts of the footing to verify width and depth of the footings below grade. The areas to be exposed will be determined by the inspector at the time of inspection. Core drilling of footings and/or slabs may be required to determine thickness of concrete. Stem walls/foundation walls may require special testing by an approved agency to determine thickness and reinforcement.
2. If framing members are not visible, exposing areas inside the structure to determine proper anchoring of the sill plate to the foundation and approved sill plate material. If the structure design mandates the installation of any alternate braced wall panels with adequate hold downs, these areas shall be opened to expose the hold downs along with the required sheathing.
3. Exposing areas of the top plate to determine proper anchorage of the roof framing members to the top plate and insuring an approved installation of the top plate.
4. Access to the attic area to verify framing members have been installed and braced properly. If mechanical equipment has been installed in the attic, the manufacturer's installation instructions will need to be available at the time of inspection. Proper cross ventilation of the attic space has installed. Any wiring or plumbing piping in the attic has been properly installed and secured.
5. If electrical wiring has been installed and trimmed with receptacles, switches or fixtures, the inspector will require that some or all of the electrical boxes be opened to insure proper grounding connection and wiring termination inside the box. This may include opening areas of the wall above the boxes to see that wiring has been properly secured inside the wall. The service panel and/or any sub-panels will be opened to verify proper wiring methods have been used.
6. If plumbing has been installed, piping for drain/waste/vent along with water piping may need to be exposed and tested. A determination shall be made by the inspector at the time of inspection. Plumbing fixtures must be properly vented through the roof or an approved air admittance valve.
7. Any required interior drywall shear panel requirements will need to be verified.
8. All electrical circuits will be tested and inspected to insure required number of receptacles and types of circuits have been installed including Ground Fault Circuits and Arc Fault Circuits.



BUILDING SAFETY UNIT

PB-7

POLICY

Page 2 of 2

Date: 9/4/07

Inspection Requirements for "As Built" Structures cont:

9. All mechanical equipment will be inspected to verify installation meets the code requirements along with the manufacturer's installation instructions.

10. Grading/drainage must reflect positive flow of moisture away from the structure with no areas of ponding around the perimeter, and proper earth to wood, or earth to weep screed clearance.



BUILDING SAFETY UNIT

PB-14

POLICY

Page 1 of 2

Date: 9/4/07

SUBMITTAL REQUIREMENTS FOR COMMERCIAL/MULTI-FAMILY STRUCTURES

All submittals shall be drawn in compliance with the International Codes and National Electric Code as adopted by Yavapai County, and design criteria shall be noted.

All commercial plans may be subject to a Preliminary Code Review meeting with all applicable department units and jurisdictions.

A minimum of five (5) sets of plans are required for submittal, prepared on a minimum of 18"x24" and a maximum of 36"x48" paper and drawn to standard architectural scale of no less than 1/4"=1' and no details scaled at less than 1/2"=1', using standard architectural scale. All submittals shall show, in detail, the nature and extent of work proposed.

Plans not meeting the exception requirements of ARS §32-144 shall be designed and sealed by an Architect/Engineer licensed to practice in the State of Arizona. This shall include the plans, calculations, and drawings including plumbing, mechanical and electrical.

The minimum content required for plan submittals is as follows:

Site Plan/Grading Plan

- Show all existing and proposed buildings and structures including setbacks, street fronts, walls, alleys, easements and lot dimensions.
- Utility locations, water, gas, sewer and electrical yard piping.
- Plan shall also include existing and proposed grades.
- Accessibility routes with slopes and cross slopes shown, building pad elevations, drainage, cut and fill amounts.
- Contour lines shall be shown in two (2') foot increments.

Architectural Plans

- Include a floor plan for each story.
- Plans shall include architectural details for fire resistive construction and penetrations.
- Accessibility requirements, exiting plan including all components of egress.
- Window/door and room finish schedules.
- Firewall locations and types, and proposed uses.
- A legend shall be provided showing the breakdown of square footage of the building allowable area calculations, occupancy, building type, and occupant load calculations.
- Building elevations shall be provided for the exterior showing relation to existing and proposed grade.
- Interior elevations for elements in accessible restrooms.



BUILDING SAFETY UNIT

PB-14

POLICY

Page 2 of 2

Date: 9/4/07

Submittal Requirements for Commercial/Multi Family Structures, cont.

Structural Plans

- Structural plans shall include all structural components of the proposed work.
- This shall include, but not be limited to the following: foundation plan, floor framing plan, roof framing plan, wall section, details for all aspects of construction such as footing details, connection details, etc.

Electrical Plan

- Show a complete electrical layout including location of the electrical service and sub-panels.
- Provide plans of any special systems that are required.
- Include load calculations, panel schedules and a one-line diagram.

Mechanical Plan

- Provide a complete mechanical system layout.
- Provide calculations and method of achieving ventilation requirements.
- Provide details of mechanical equipment installation and any condensation drains.
- Kitchen hood system details.

Plumbing Plan

- Provide a complete plumbing layout for water, gas and drainage systems.
- Provide fixture count.
- Provide pipe sizing for all proposed systems.
- Provide isometric for waste, vent, hot/cold water, and gas systems.

In addition to the required information above, the following will also be required:

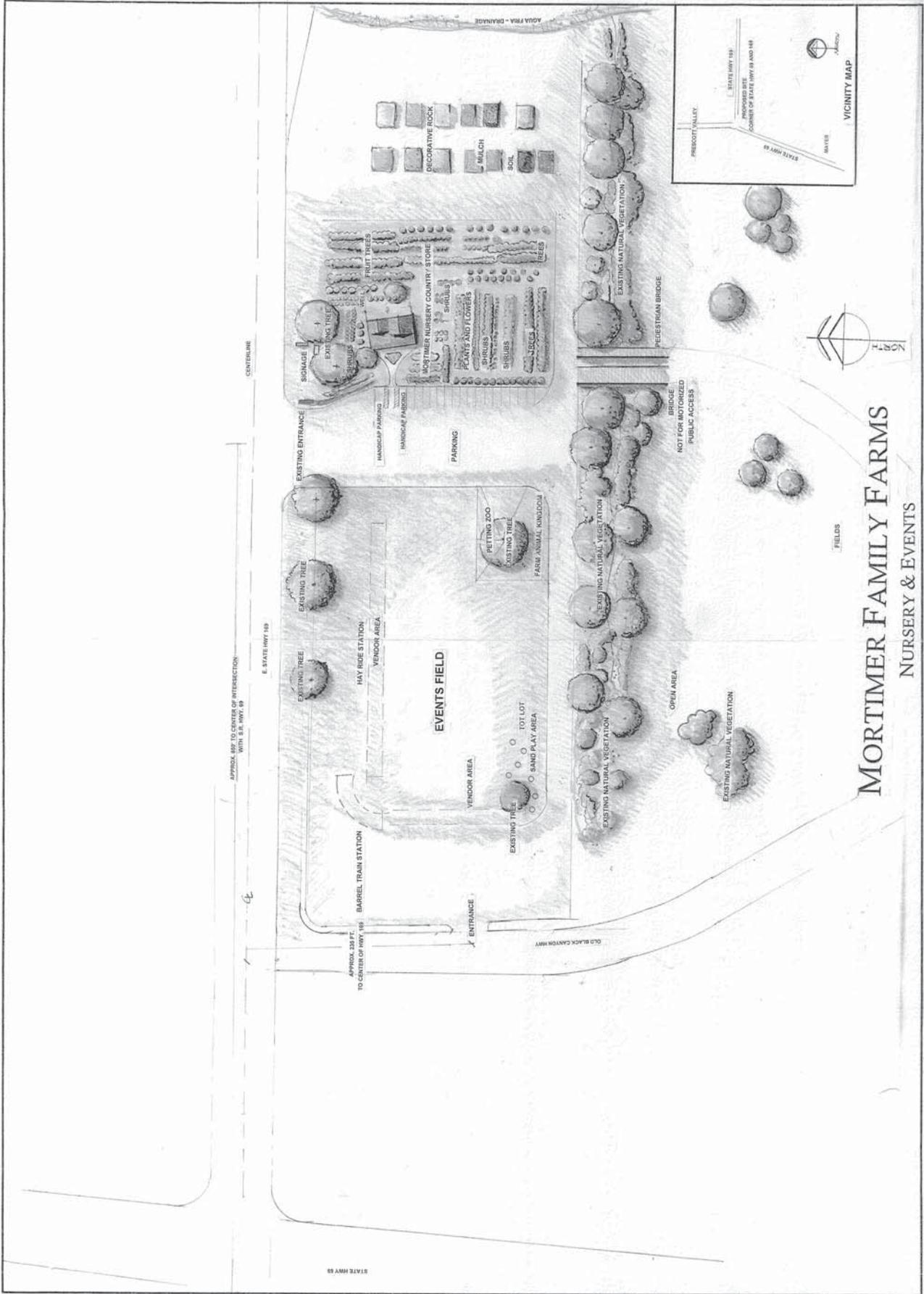
- Truss Design Drawings sealed by an Arizona Registrant with considerations for permanent roof-mounted equipment and a layout sheet.
- I-Joist Systems (roof or floor) with manufacturer's layout sheet and engineering sheets.
- Engineering calculations, plans and details relevant to any engineering obtained and design criteria used – to be sealed by an Arizona Registrant.
- ICC Evaluation Reports for all alternative building materials being used.
- Prepared reports for any soils testing or drainage reports.
- Specification sheets for special equipment such as solar systems, elevators, saunas, alternative heating/cooling systems, etc.

This list is not all inclusive. Other information, as determined by the building official, may be required.

REVISIONS	BY

MORTIMER FAMILY FARMS NURSERY & EVENTS

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**TOWN OF DEWEY-HUMBOLDT
TOWN COUNCIL
REGULAR MEETING MINUTES
TUESDAY, MARCH 6, 2012, 6:30 P.M.**

A REGULAR MEETING OF THE DEWEY-HUMBOLDT TOWN COUNCIL WAS HELD ON TUESDAY, MARCH 6, 2012, AT TOWN HALL AT 2735 S. HIGHWAY 69, DEWEY-HUMBOLDT, ARIZONA. VICE MAYOR MARK MCBRADY PRESIDED.

1. **Call To Order.** The meeting was called to order at 6:33 p.m.
2. **Opening Ceremonies.**
 - 2.1. **Pledge of Allegiance.** Made.
 - 2.2. **Invocation.** Given by Councilmember Nancy Wright.
3. **Roll Call.** Town Council Members John Dibble, David Hiles, Dennis Repan, Denise Rogers, Nancy Wright; and Vice Mayor Mark McBrady were present. Mayor Terry Nolan was absent.
4. **Announcements Regarding Current Events, Guests, Appointments, and Proclamations.** Announcements of items brought to the attention of the Mayor not requiring legal action by the Council. Guest Presentations, Appointments, and Proclamations may require Council discussion and action.
 - 4.1. **Yavapai County Emergency Management – Denny Foulk and Hugh Vallely.** To answer questions regarding 2011 Hazard Mitigation Plan.

Denny Foulk and Hugh Vallely were present. Mr. Foulk showed a short PowerPoint presentation and answered Council's questions.

Councilmember Wright announced the Agua Fria Festival Committee meeting on March 19th at 6:30 p.m.

4.2. Interview and possible re-appointment of Andy Peters to Planning and Zoning Commission.

Town Clerk Judy Morgan spoke on incorrect information on the 4.2 Council Communication. Council directed staff by motion to have Andy Peter's appear for an interview at the December 20, 2012 meeting.

Andy Peters was present and spoke to the Council on his interest in staying on the Planning and Zoning Commission. He answered questions regarding his attendance at the meetings and explained his prior commitment has concluded so he will be able to attend the meetings in person.

Councilmember Hiles made a motion to re-appoint Andy Peters to the Planning and Zoning Commission for a 4-year term, seconded by Councilmember Dibble. The motion passed by a 5-1 vote, Councilmember Wright voting against.

5. Town Manager's Report. Update on Current Events.

Yvonne Kimball, Town Manager spoke on receiving notification on the ACA Grant opportunity for Mortimer Farms (Greenhouse). They were denied the grant.

6. Consent Agenda.

6.1. Minutes. Minutes from the February 14, 2012 Special Study Session.

Vice Mayor McBrady made a motion to accept the minutes as presented, seconded by Councilmember Hiles. The motion passed unanimously.

7. Comments from the Public (on non-agendized items only).

Jack Hamilton praised the OSAT for putting an article in the newsletter asking for public participation with the pocket park.

Gary Mortimer spoke on the grant with ACA and being 9th in line but only 8 chosen. He thanked Council and Staff for their support.

8. Discussion Agenda – Unfinished Business. Discussion and Possible Action on any issue which was not concluded, was postponed, or was tabled during a prior meeting.

8.1. Discussion of Proposed Historical Society Museum Proposal. Possible action/motion to be presented. [CM Repan and VM McBrady Requests]

Vice Mayor McBrady spoke on his communication with Pastor Steve Lang regarding renting the bank building for the Historical Society. He suggested options where the town would help out with rent and the Historical Society would have matching funds. There was discussion on this suggestion.

Councilmember Repan spoke on responses he has received from the community; the adversarial nature of this issue and business transactions not being personal; stepping back from this.

Public comment was taken on this item.

Chris Berry spoke on misunderstandings; grant possibilities and needing help from staff on preparing them; fundraising; start-up costs for the museum; revitalization of Dewey-Humboldt; including the Historical Society in roundtable subcommittee meetings; time constraints; the DHHS writing a blanket business proposal; the Upper Main Street Charette and the vision of the town involving that area as a tourist destination.

Jack Hamilton spoke against renting the building; start-up costs being higher than what the town is offering; no business plan; on-going costs too high; supported having the town partner with the DHHS on grants; differences between pocket park and museum response from Attorney Susan Goodwin; addressing this proposal in the next budget and looking at it during budget process to see whole picture.

Kevin Leonard spoke against the work the Subcommittee and council has done and they're not representing the people. He spoke on how much revenue the town could make on a museum.

Gerald Hoyer spoke on how much it will cost to bring the building up to shape; and start-up costs – how calculated and why needed.

Gary Mortimer spoke in support of a museum and the council being fiscally responsible.

Councilmember Hiles made a motion to approve moving on to the next agenda item (8.2) with the option of returning to 8.1 once they hear from the Town Manager, seconded by Councilmember Dibble. It was approved unanimously.

8.2. Town Manager Report regarding costs for Bank Building (12925 E. Main Street, Humboldt) Negotiations. Discussion and possible action/direction.

Town Manager Yvonne Kimball gave her report. Councilmember Wright explained what the budget line item to draw from is for and that this money is committed to the exact dollar amount of what is needed as set in the budget. There was discussion on how moneys can be moved within the budget.

Public comment was taken on this item.

Jack Hamilton spoke on budget transfers; legal opinion from the pocket park; Council's decision on what goes in the budget.

There was Council discussion on being fiscally responsible; urgency to make decision; no large expenditures prior to the next fiscal year.

William Balder spoke on a museum he helped save in Michigan and how the city was involved; and in-kind volunteer hours for matching grant funds.

Councilmember Hiles spoke on purchasing the property as a hard asset after budgeting for it and the state statute that restricts expenditures not included in the budget.

Councilmember Hiles made a motion to approve to not expend the money for an appraisal or earnest money, seconded by Councilmember Dibble. It passed unanimously.

The subcommittee will meet again with some members of the Historical Society to discuss options.

Vice Mayor McBrady made a motion to hold off on agenda item 8.1 until the Museum Subcommittee has a chance to meet again, seconded by Councilmember Hiles. It was approved unanimously.

9. Discussion Agenda – New Business. Discussion and Possible Action on matters not previously presented to the Council.

9.1. Resolution 12-101 Yavapai County Emergency Management 2011 Hazard Mitigation Plan Adoption. Discussion and possible action.

Councilmember Rogers made a motion to update the contact information and adopt the plan, seconded by Councilmember Hiles. It was approved unanimously.

9.2. NACOG Report. [CM Wright request]

Councilmember Wright gave an overview and spoke on potential grants through NACOG. She explained Council needs to determine which one(s) they want to put in for, the urgency as it is first-come first-serve, having staff put the proposals together and the project's scope between 1.5 and 2.5 million dollars.

There was discussion on how to make the determination of what is needed, whether there are matching funds required, whether to tie in with current grant projects and how specific or general the project(s) needs to be.

Vice Mayor McBrady made a motion to direct the Town Manager to talk with Teri Drew (NACOG) about this and what to consider, seconded by Councilmember Repan. The motion passed unanimously.

9.3. Setting a Joint Meeting with Planning and Zoning to determine a priority list and direction. Discussion and possible action.

Town Manager Kimball gave an overview. P&Z Commissioner Chairman, Bob Bowman spoke to the Council on the Commission's request to hold this joint meeting. There was discussion on when to schedule this meeting, the Commission's priority list and working on those earlier prioritized items until the joint meeting can be scheduled.

Vice Mayor McBrady made a motion to direct the Town Manager to set up a time, arranging a joint roundtable meeting to discuss the priority list, seconded by Councilmember Wright. It was approved unanimously.

10. Public Hearing Agenda.

10.1. Sign Code Amendment. Public Hearing, discussion and first reading of sign code amendment recommendation from the Planning and Zoning Commission.

Councilmember Repan made a motion to move the Sign Code Amendment to a work session, seconded by Councilmember Wright.

Vice Mayor McBrady opened the public hearing on the sign code amendment at 8:50 p.m.

Gerald Hoyer asked to talk with the Council regarding an earlier agenda item. He was denied at this time as it was not a comment on the sign code.

Bob Bowman spoke on how many months the Commission has spent on the sign code, eliminating unnecessary verbiage but maintaining the integrity of the sign code.

The public hearing was closed at 8:51 p.m.

A vote was taken on the motion to move the sign code to a work session. The motion was approved unanimously.

10.2. Mortimer Family Farm Use Permit. Public Hearing, discussion and possible action on the Use Permit application.

Town Manager Kimball gave an overview, explaining that the P&Z Commission has approved the use permit, and included in the staff report are public comments and responses.

The Public Hearing was opened at 8:52 p.m.

Tammy DeWitt explained she was person who's questions were included in the staff report. She asked questions on the use permit proposal: Development water rights; whether under the PAD or Zoning; timeframe of use permit; special events permits: what delineates large event; greenhouse allowed as a structure; site plan discrepancy; expansion needs permit amendment; sign requirements; park not on site plan but in plan; Ag uses delineated; waivers in letter of intent but not delineated in stipulations; hay sales; current violation of the use permit; expansions need to be added to use permit; spell out signage, number of vendors allowed, RV storage of vendors, hours of operation, noise cutoff for events, what events need a special permit; stipulations for clarification of what they are being approved for; site plan not complete; nothing in intent for outside sales sources.

Gary Mortimer spoke on differences between Agriculture and Commercial uses; working with the earlier Town Planner and Interim Town Manager on application; being a small business, being an asset to the community; selling locally grown products and requested approval of the Special Use Permit.

Councilmembers commented and asked questions. Town Manager Kimball clarified that the use permit was good for one year.

Sharla Mortimer spoke on the time limit of the use permit and the explained if an event requires traffic control then it would need a special event permit; any future development would be dealt with as an individual planning permit process; parking adequate for what they are doing now.

Councilmember Wright spoke on PAD stipulations for new development.

Chris Berry spoke on the cooperation of the Mortimers; recommended approving the use permit for one year.

Jack Hamilton spoke in support of the permit for one year time-frame.

The public hearing was closed at 9:26 p.m.

Councilmember Hiles made a motion to approve the Mortimer Family Farms Use Permit for a period of one year, renewable at Council's pleasure, seconded by Councilmember Dibble. It was approved by a 5-1 vote, Councilmember Wright voting against.

Councilmember Hiles made a motion to not go into Executive Session, seconded by Councilmember Repan. The motion was approved unanimously.

11. Executive Session. Upon a public majority vote of the members constituting a quorum, the ***Council may hold an Executive Session that is not open to the public for the following purposes.*** When the Executive Session ends, Council may act on any matter considered in this Agenda.

11.1. Call for Executive Session. An executive session pursuant to A.R.S. § 38-431.03(A)(1) for discussion or consultation of employment and salary of Todd Hamilton for the position of Public Works Operator.

12. Return to Open Session.

12.1. Ratification of hiring Todd Hamilton for the Public Works Operator position.
Discussion and possible action.

Town Manager Kimball spoke on how the recruitment process was conducted, and how Todd Hamilton's new employee checks have come back good. She recommended following Public Works Supervisor, Ed Hanks recommendation to ratify Todd Hamilton.

Councilmember Hiles made a motion to ratify the hiring of Todd Hamilton for the Public Works Operator position, seconded by Councilmember Dibble.

Public comment was taken on this item.

Jack Hamilton asked if Todd Hamilton was in attendance. He was not.

A vote was taken on the motion, which passed unanimously.

13. Comments from the Public.

Gerald Hoyer spoke on continuing talks with the Town regarding the Historical Society's Museum Proposal.

Vice Mayor McBrady explained the motion to hold another subcommittee meeting for that purpose.

Jack Hamilton spoke on the budget process coming up and staffing considerations; purchasing property for the use of a town hall and/or library; budget already being limited and maintaining quality of service to the town; considering road equipment through NACOG grants; Old Black Canyon Highway problems and consideration for improvements for safety reasons.

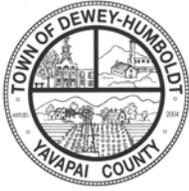
14. Adjourn.

The meeting was adjourned at 9:45 p.m.

Terry Nolan, Mayor

ATTEST:

Judy Morgan, Town Clerk



TOWN OF DEWEY-HUMBOLDT
P.O. BOX 69
HUMBOLDT, AZ 86329
Phone 928-632-8562 ▪ Fax 928-632-7365

TOWN COUNCIL SPECIAL SESSION MEETING
March 12, 2013- 2 pm Town Council Meeting Chambers

Agenda Item # 4.2.

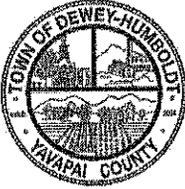
To: Mayor and Town Council Members

From: Yvonne Kimball, Town Manager

Date submitted: March 6, 2013

Summary:

Council Member Wright and I conferred about Mortimer's use permit issue. I advised that staff has prepared an administrative extension pursuant to Town Code Section 153.091 (D). I have enclosed the administrative use permit extension in case you are interested. As you will note, the document has not been executed yet as this use permit is to be discussed at the council meeting.



TOWN OF DEWEY-HUMBOLDT
P.O. BOX 69
HUMBOLDT, AZ 86329
Phone 928-632-7362 • Fax 928-632-7365

ADMINISTRATIVE USE PERMIT EXTENSION

REQUEST: Consideration of an Administrative Use Permit Extension, in order to allow for obtaining building permits and completion of improvements for the project outlined in original Use Permit (UP2011-2). Property is located at 12907 E. State Route 169 and is located in a C2-4 zoning district (Commercial; General Sales and Service). All uses under original Use Permit 2011-2 which was approved by Town Council on March 8, 2012 have remained the same.

PARCEL #: 402-02-013
D/HA# UP2013-2 (see attached application and letter from applicant)
APPLICANT: Mortimer Family Farms
AGENT: Sharla Mortimer

FEES
 (APPLICATION & INCIDENTALS): Application fee of \$350.00 was received on February 22, 2012.

Approved for duration of 6 months with conditions below. **Denied** **Withdrawn** **Held**
Effective date:
March 8, 2013
through September 8, 2013

Hearing By: N/A (Admin Review)	Hearing Date: N/A
<p>Staff Recommendations: Town Code Section 153.091(D)(3a) states "The Zoning Administrator may administratively grant up to a one-year extension of time for obtaining building permits and completion of improvements as conditioned. Any further requests for such extensions of time must be applied for and approved by both the Planning and Zoning Commission and Town Council prior to the expiration of the administrative extension of time". The applicant has demonstrated that considerable efforts have been made in order to obtain a Certificate of Occupancy for the country store operation within three months. Therefore, the Zoning Administrator grants a 6 month extension of the Use Permit</p>	

with the following three (3) conditions:

1. Applicant must obtain all necessary permits to install bathrooms and complete all required work in order to obtain full Certificate of Occupancy prior to June 10 2013. If not completed by this date this Extension will become null and void.

2. All uses that were approved under the existing original Use Permit (UP2011-2) shall remain the same.

3. Applicant shall notify the Town's Community Development Coordinator 30 days prior to any special events that are to be held on the property. The Town reserves the right to impose requirements based on public safety considerations.

Hearing By: N/A (Adm. Extension)

Hearing Date: N/A

Staff Contact: _____
Warren Colvin, Community Development Coordinator

Date: _____

Zoning Administrator: _____
Yvonne Kimball, Town Manager/Zoning Administrator

FEB 22 2013

TOWN OF DEWEY-HUMBOLDT UP 2013-2
DEVELOPMENT APPLICATION

Received

PROJECT DESCRIPTION:

Request extension for use permit.

- General Plan Amendment - Major
- General Plan Amendment - Minor
- Pre-Application
- Community Master Plan
- Major Use / Site Plan
- Preliminary plat
- Commercial Design Review
- Annexation
- Zoning Clearance
- Conditional Use Permit
- Abandonment
- Rezone
- Land split (3 parcels max)
- Lot Combine
- Variance
- Area Plan / Amendment
- Final Plat / Amendment
- Land Use District
- Other _____

LEGAL DESCRIPTION:

Property Address: 12907 E. State Rte 169 Dewey AZ 86327
 Number of Lots / Units Proposed: 402-02-013
 Assessor's Parcel Number: 402-02-013 Parcel Size (Acres): 10
 Existing Land Use District: _____ Proposed Land Use District: _____
 Plat Name: _____ Block: _____ Lot: _____ Tract: _____

DESCRIBE UTILITIES AVAILABLE TO PROPERTY:

- Water _____
- Gas _____
- Sewer _____
- Phone _____
- Electric _____
- Cable _____

Describe Public Access to Property:

FEES

Base Fees: _____ Other Fees: _____ Other Fees: _____ Subtotal: _____ Total: _____

*APPLICANT / CONTACT INFORMATION:	OWNER INFORMATION:
Name: <u>Sharla Mortimer</u>	Name: _____
Address: <u>12907 E. St Rt 169</u>	Address: _____
Phone: <u>928-925-8721</u>	Phone: _____
Email: <u>sharla@mortimer-nursery.com</u>	Email: _____


 Signature of owner or representative

*If application is being submitted by someone other than the owner of the property under consideration, a letter of authorization or other corresponding information must be provided.

Warren Colvin

From: Sharla Mortimer <sharla@mortimer-nursery.com>
Sent: Friday, February 15, 2013 3:08 PM
To: Warren Colvin
Subject: Use Permit Extension Request

Town of Dewey Humboldt
Attn: Yvonne Kimball
PO Box 69
2735 South Highway 69, Suite 12
Humboldt Station, Humboldt, AZ 86329
Phone 928-632-7362 Fax 928-632-7365

Dear Yvonne,

I would like to request an extension of our Use Permit for Mortimer Family Farms located at 12907 E. State Route 169. Since obtaining the use permit last year we have not had any changes to our use. We have appreciated working with you, your staff and the members of our community to make Mortimer Family Farms a success and look forward to another year.

We are currently working with Warren Colvin and are submitting the required paperwork to install the restroom facilities and a kitchen at the store.

Thank you for your assistance in completing this Use Permit extension.

Sincerely,

Sharla Mortimer
Mortimer Family Farms
928-830-1116