

**PLANNING & ZONING ADVISORY COMMISSION OF DEWEY-HUMBOLDT
REGULAR MEETING NOTICE**

THURSDAY, DECEMBER 5, 2019, 6:00 P.M.

**DEWEY-HUMBOLDT TOWN HALL
COUNCIL CHAMBERS
2735 S. HWY 69, SUITE 10
HUMBOLDT, ARIZONA 86329**

**NOTICE OF MEETING OF THE DEWEY-HUMBOLDT
PLANNING & ZONING ADVISORY COMMISSION**

Pursuant to A.R.S. § 38-431.02, notice is hereby given to the members of the Dewey-Humboldt Planning & Zoning Advisory Commission and to the general public that the Planning & Zoning Advisory Commission will hold a meeting open to the public on **Thursday, December 5, 2019, at 6:00 p.m., at the Dewey-Humboldt Town Hall Council Chambers, 2735 S. Highway 69, Suite 10, Humboldt, Arizona 86329.**

DEWEY-HUMBOLDT PLANNING & ZONING ADVISORY COMMISSION 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

A. Pledge of Allegiance

3. Roll Call Commissioners Christina Corbisello, Mario Manzo, Ken Murphy, Lon Ullmann, Darrell Wyatt, Vice Chair Jeff Siereveld and Chair Victor Hambrick.

4. Informational Reports

Individual members of the Commission and public may provide brief summaries of current events and activities. These summaries are strictly for the purpose of informing the Commission and public of such events, actions or activities. The Commission will take no discussion, consideration, or action on any such item except that an individual member of the Commission may request an item be placed on a future agenda.

5. Town Manager's Update on Current Events and Activities

No discussion, deliberation or legal action can occur.

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.

A. Approval of Meeting Minutes

1. Planning and Zoning Meeting of August 8, 2019

7. Public Comment on Non-agendized Items

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. Individuals may address the Commission on any issue within its jurisdiction. 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. A 3-minute time limit may be imposed on individuals within this total. The audience is asked to please be courteous and silent while others are speaking.

8. Unfinished Business

Page Discussion and Possible Action on any issue which was not concluded, was postponed, or was tabled during a prior meeting.

- 7 **A. Continuation of discussion of 2009 General Plan.**
- 9 **B. Discussion and overview by the Town Manager of the current code enforcement process.**
- 11 **C. Discussion of General Plan Update process.**

9. New Business

Discussion and Possible Action on matters not previously presented to the Commission.

- 13 **A. Town Council referred to Planning & Zoning a discussion and possible action relating to establishing a low-intensity, neighborhood-friendly, new zoning classification for commercial zoning in residential neighborhoods. Examples of neighborhood-friendly include restricted hours, residential-scale buildings, no hotels or apartments, and able to serve as a buffer use between homes and more intense uses.**
- 15 **B. Town Council referred to Planning & Zoning a discussion and possible action relating to a review of past P&Z recommendation to Council, amending Town Code to allow Farm Animals as permitted uses.**

10. Public Hearing Agenda

None

11. Adjourn

For Your Information:

Next Town Council Work Session: Tuesday, December 10, 2019 at 6:30 p.m.

Next Town Council Meeting: Tuesday, December 17, 2019 at 6:30 p.m.

Next Planning & Zoning Meeting: Thursday, January 9, 2020 at 6:00 p.m.

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.

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 _____ of _____, 2019, at _____ a.m./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.

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 Tim Mattix, Town Clerk.

**TOWN OF DEWEY-HUMBOLDT
PLANNING AND ZONING ADVISORY COMMISSION
REGULAR MEETING MINUTES
AUGUST 8, 2019**

A REGULAR MEETING OF THE DEWEY-HUMBOLDT PLANNING AND ZONING ADVISORY COMMISSION WAS HELD ON THURSDAY, AUGUST 8, 2019 AT TOWN HALL AT 2735 S. HIGHWAY 69, DEWEY-HUMBOLDT, ARIZONA. CHAIR VICTOR HAMBRICK PRESIDED.

1. **Call To Order.** Chair Victor Hambrick called the meeting to order at 6:00 p.m.
2. **Opening Ceremonies.**
 - A. **Pledge of Allegiance** Led by Vice Chair Jeff Siereveld.
3. **Roll Call.** Commissioners Christina Corbisello, Mario Manzo, Ken Murphy, Lon Ullmann, Vice Chair Jeff Siereveld and Chair Victor Hambrick were present.
4. **Informational Reports.**

None.
5. **Town Manager's Update on Current Events and Activities.**

None.
6. **Consent Agenda.**
 - A. **Approval of Meeting Minutes**
 1. **Planning and Zoning Meeting of April 4, 2019**

Commissioner Murphy made a motion to approve the Minutes from the April 4, 2019 Planning & Zoning Advisory Commission (Commission) Regular Meeting, seconded by Vice Chair Siereveld. Commissioners Corbisello – aye; Manzo – aye; Murphy – aye; Ullmann – aye; Vice Chair Siereveld – aye; Chair Hambrick – aye. The motion passed unanimously.
 2. **Planning and Zoning Meeting of June 6, 2019**

Commissioner Manzo made a motion to approve the Minutes from the June 6, 2019 Commission Regular Meeting, seconded by Commissioner Ullman. Commissioners Corbisello – aye; Manzo – aye; Murphy – aye; Ullmann – aye; Vice Chair Siereveld – aye; Chair Hambrick – aye. The motion passed unanimously.
7. **Public Comment on Non-agendized Items.**

None.
8. **Unfinished Business.** Discussion and Possible Legal Action may be taken.
 - A. **Continuation of discussion of 2009 General Plan.**

Planning Consultant (PC) Steven Brown stated that, with the Commission's permission, we will add this to the agenda for next month. Chair Hambrick said yes, we can add that to the agenda for next month.
9. **New Business.** Discussion and Possible Action may be taken.

None.
10. **Public Hearing Agenda.** Discussion and Possible Legal Action may be taken.
 - A. **Conduct Public Hearing and consider re-adoption of Town of Dewey-Humboldt 2009 General Plan.**
 1. **Staff Report**

PC Brown stated the 2009 General Plan was readopted by the Council at the November 20, 2018 Regular Meeting following a Public Hearing. However, another Public Hearing scheduled at the November 8, 2018 meeting of the Commission did not take place because there wasn't a quorum on that date. State Statue stipulates that Public Hearings are required to be held by the Commission and the Council on the proposed amendment or re-adoption of any General Plan. He said the Town consulted our attorney on

the need to initiate a new set of hearings and she advised the statute was unclear and therefore could not advise the Town how to proceed. He said the Town decided to start the whole process over with a public hearing scheduled on this Agenda. The Commission will make their recommendation to the Council at the September 3, 2019 Town Council Meeting. He said the new Town Attorney advised this is the right path for re-adoption for the Town.

There was Commission discussion with PC Brown regarding the reasoning for re-adopting the General Plan. PC Brown advised the Commission would make their recommendation to the Council for them to vote on re-adopting. He stated re-adopting the plan for three years will give the Town time to evaluate the process and make any necessary changes. He also spoke that there are no issues with it being lapsed and any zoning changes discussed tonight will be recommendations to go to Council.

2. Open Public Hearing and Receive Public Comments

None.

3. Close Public Hearing

4. Council Discussion and Possible Legal Action

Vice Chair Siereveld made a motion to re-adopt the General Plan for three years, seconded by Commissioner Ullman. Commissioners Corbisello – aye; Manzo – aye; Murphy – aye; Ullmann – aye; Vice Chair Siereveld – aye; Chair Hambrick – aye. The motion passed unanimously.

B. Conduct Public Hearing on proposal to amend the text of Town of Dewey-Humboldt Zoning Ordinance to amend the uses permitted in the C1 District to add “Museums” to the list.

1. Staff Report

PC Brown stated Council has directed Staff to prepare a request to amend Town Ordinance 153.042 C1 District to add museums. The proposal would also permit museums in the C2 and C3 Districts.

There was Commission discussion with PC Brown regarding the purpose of adding the word museum to the Ordinance. PC Brown stated the Town wants to make it clear as to where museums are allowed. PC Brown stated adding museum to C1 would also permit museums in the C2 and C3 Districts.

2. Open Public Hearing and Receive Public Comments

David Nystrom, President and Board Chair of the Dewey-Humboldt Historical Society (DHHS) stated that previously the museum was in the old bank building on Main Street. He said that the zoning did not allow for a museum in that building and, as an exception, had to apply for a Use Permit. The Use Permit was only good for a couple of years and then they would have to reapply. He said they now own property on Route 69 which is zoned C2 and they would like to build their museum on the property and not have to apply for a Use Permit. We are requesting museum be added to the Town Code to make the code clearer. He said a residential or manufacturing zone is not the best choice for a museum and that museum seems to fit in as a commercial entity.

Chair Hambrick asked Mr. Nystrom how the bank building and the current property are assessed for tax purposes. Mr. Nystrom said that the bank building was commercial and was owned by the Baptist Church, who had a waiver for the taxes. He said the DHHS is the owner of the new property and they will apply for a tax exempt as a non-profit organization.

There was Commission discussion with PC Brown regarding adding museum to the Town Code. Commission and Staff feel it is an interpretation of the Town Code and by adding the word museum it will become clear.

3. Close Public Hearing

4. Council Discussion and Possible Legal Action

Vice Chair Siereveld made a motion to add the word museum, seconded by Commissioner Murphy. Commissioners Corbisello – aye; Manzo – aye; Murphy – aye; Ullmann – aye; Vice Chair Siereveld – aye; Chair Hambrick – aye. The motion passed unanimously.

C. Conduct Public Hearing on request to amend the Town of Dewey-Humboldt zoning map to change the zoning for Assessor's Parcels 402-08-068E, 402-08-068G, 402-08-068K and 402-08-068L from C3 (Commercial and Minor Industrial) to M1 (Industrial; General Limited).

1. Staff Report

PC Brown spoke that this application is to change the zoning map from C3 to M1. He said the total area is 10.86 acres and is located near the southern boundary of Dewey-Humboldt, with access off State Route 69. The applicants believe the current zoning is hindering their process of marketing the property. He said these properties are adjacent to existing M1 zoning and share an access with the other properties. The industrial development on this M1 zoning would be subject to less traffic than a commercial use would likely generate. He said there are no new improvements.

There was Commission discussion with PC Brown about this request. PC Brown stated property owners within 300 feet were notified. He said that potential tenants were advised by the Town that the use that they were purposing was too much of an intensive manufacturing use to be accommodated in the C3 zoning.

2. Open Public Hearing and Receive Public Comments

The applicant's brother read a letter on behalf of Henry Camilleri, owner of the property at 3600 State Route 69 and Harry Hansen, owner of the property at 3650 State Route 69 requesting the zoning change for both properties. He said the reason is that C3 limits the property usage, whereas M1 enables owners and tenants a greater amount of potential to produce and manufacture. He said the location of these buildings are not in close proximity of residential real estate, so it is not intrusive to homeowners.

The Commission asked if there was a specific industry that had applied and did not get approved. PC Brown stated there were at least two potential tenants. He said one outfitted trucks for the oil fields and other outdoor industries.

3. Close Public Hearing

4. Council Discussion and Possible Legal Action

Vice Chair Siereveld made a motion to change C3 to M1 for these properties, seconded by Commissioner Manzo. Chair Hambrick stated that the process was followed and that there were no disagreements from surrounding property owners.

Commissioners Corbisello – aye; Manzo – aye; Murphy – aye; Ullmann – aye; Vice Chair Siereveld – aye; Chair Hambrick – aye. The motion passed unanimously.

11. Adjourn.

Chair Hambrick adjourned the meeting at 6:32 p.m.

Chair Victor Hambrick

ATTEST:

Beth Evans, Administrative Assistant II

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PLANNING AND ZONING COMMISSION

Regular P&Z Meeting Date: **December 5, 2019**

Agenda Item: 8.A.

Submitted by: Edward L. Hanks, Jr., Town Manager and
Victor Hambrick, P&Z Chairman

Subject: Planning & Zoning Work List

Background:

On July 9, 2019, Town Council and Planning & Zoning Advisory Commission met in a Joint Session. During the Joint Session, a discussion took place regarding the P&Z Work List which follows:

On October 3, 2019, the Planning and Zoning Advisory Commission had on their agenda a discussion of the Work List. During the discussion, it was determined that most of the issues on the work list had either been resolved, reported on, or were ongoing. There remained to be addressed two issues, of which the following is one.

8. A. Discussion of 2009 General Plan.

Continuation of the P&Z review and discussion of the existing 2009 General Plan.

Agenda Item

Town of Dewey-Humboldt
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PLANNING AND ZONING COMMISSION

Regular P&Z Meeting Date: **December 5, 2019**

Agenda Item: 8.B.

Submitted by: Edward L. Hanks, Jr., Town Manager and
Victor Hambrick, P&Z Chairman

Subject: Planning & Zoning Work List

Background:

At tonight's Commission meeting, the Town Manager will give an overview of the Town's current code enforcement process.

On July 9, 2019, Town Council and Planning & Zoning Advisory Commission met in a Joint Session. During the Joint Session, a discussion took place regarding the P&Z Work List which follows:

On October 3, 2019, the Planning and Zoning Advisory Commission had on their agenda a discussion of the Work List. During the discussion it was determined that most of the issues on the work list had either been resolved, reported on, or were ongoing. There remained to be addressed two issues, of which the following is one.

8. B. Establishment of volunteer group to aid with compliance with code enforcement violations.

While the Work List contemplates establishing a volunteer group to aid residents with code compliance, **that is not the process that the Town is working towards or utilizes.** Rather, one tool that *may* be used by the Community Enhancement Coordinator is to provide individuals in need with information about community groups who may be able to assist in areas such as property cleanup. Individuals would be responsible for contacting the community group, as well as still bringing their property into compliance.

Agenda Item

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PLANNING AND ZONING COMMISSION

Regular P&Z Meeting Date: **December 5, 2019**

Agenda Item: 8.C.

Subject: Planning & Zoning Work List

Background:

On July 9, 2019, Town Council and Planning & Zoning Advisory Commission met in a Joint Session. During the Joint Session, a discussion took place regarding the P&Z Work List which follows:

On October 3, 2019, the Planning and Zoning Advisory Commission had on their agenda a discussion of the Work List. During the discussion the following was determined that most of the issues on the work list had either been resolved, reported on, or were ongoing. There remained to be addressed two issues, of which the following is one.

about each of the items.

8.C. Discussion of General Plan Update process:

Following discussion, there was a unanimous vote to have this item on their November 7, 2019 agenda for discussion and possible action to formulate a recommendation to Council.

Agenda Item

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PLANNING AND ZONING COMMISSION

Regular P&Z Meeting Date: **December 5, 2019**

Agenda Item: 9.A.

Submitted by: Edward L. Hanks, Jr., Town Manager and
Victor Hambrick, P&Z Chairman

Subject: Low Intensity Commercial

Background:

Town Council referred to Planning & Zoning a discussion and possible action relating to establishing a low-intensity, neighborhood-friendly, new zoning classification for commercial zoning in residential neighborhoods. Examples of neighborhood-friendly include restricted hours, residential-scale buildings, no hotels or apartments, and able to serve as a buffer use between homes and more intense uses.

9. A Discussion about the establishment of a Low Intensity Neighborhood Commercial District.

Council feels that there is an absence of a Low Intensity Commercial District that would provide for products and services that would serve neighborhoods.

Staff Recommendation: Staff recommends that rather than creating a new zoning district, there is currently within the zoning code a C1 (Commercial Neighborhood Sales and Services) district that could be modified to permit the uses and intensities requested by Council.

Agenda Item

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PLANNING AND ZONING COMMISSION

Regular P&Z Meeting Date: **December 5, 2019**

Agenda Item: 9.B.

Submitted by: Edward L. Hanks, Jr., Town Manager and
Victor Hambrick, P&Z Chairman

Subject: Farm Animals

Background:

On July 9, 2019, Town Council and Planning & Zoning Advisory Commission met in a Joint Session. During the Joint Session, a discussion took place regarding the P&Z Work List which follows:

On October 3, 2019, the Planning and Zoning Advisory Commission had on their agenda a discussion of the Work List. During the discussion it was determined that most of the issues on the work list had either been resolved, reported on, or were ongoing. There remained to be addressed two issues, of which the following is one.

9. B Discussion and possible action on changing Farm Animals from accessory uses to permitted uses.

On May 5, 2016, the Planning Commission recommended to Council that FARM ANIMALS be Permitted uses rather than Accessory Uses in the R1-L, RMM, R1, RCU, R2, RS, C1, C2, C3, M1 and M2 zoning districts. Council has asked the Commission to re-consider this recommendation and to report to them the current position of the Commission.

All accessory uses currently require a primary use (residence) in place first for the Farm Animals to be accessory to. Staff wishes to point out that with Farm Animals allowed absent a primary use, there is the potential for unattended animals suffering from neglect.

Additionally, if Farm Animals are to be permitted rather than accessory uses, it may be that the P&Z will want to discuss the possibility of also permitting structures to provide shelter for the animals to be permitted prior to the establishment of a primary use on the property.

Recommendation: Staff recommends that in the interest of the welfare of the animals that this change not be recommended by the P&Z.

Staff also points out that the Town is ramping up an update of the 2009 General Plan, and it would be more appropriate to focus attention on the update effort and subsequently approach a comprehensive re-write of the zoning code, rather than taking energy to consider these numerous piecemeal changes.

Agenda Item

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