

**THE PLANNING & ZONING ADVISORY COMMISSION  
FOR THE TOWN OF DEWEY-HUMBOLDT  
REGULAR MEETING NOTICE  
Thursday, January 5, 2017 6:00 P.M.**

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

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

## **AGENDA SUMMARY**

1. **Call To Order.** Meeting was called to order at 6:02 p.m. Vice Chair Victor Hambrick presiding.
2. **Opening Ceremonies.**
  - 2.1. **Pledge of Allegiance.** Done.
3. **Roll Call.** Commissioners Jeff Siereveld, Rich Schauwecker, Joe Garcia, Luiz Chavez, and Vice Chair Victor Hambrick were present.
4. **Informational Reports.** Mayor Nolan requested to make a presentation. The Mayor awarded Community Development Technician, Penney Hubbard, who is resigning, for her service to the town from September 2014 through January 2017. Mayor Nolan and Commissioners thanked her for her time and service to the town.

Vice Chair Hambrick made a motion to move to agenda item 7.1, Election of Officers. Motion was seconded by Commissioner Joe Garcia. The motion was approved unanimously.

7. **Discussion Agenda–New Business.**

- 7.1 **Election of Officers.**

Vice Chair Hambrick requested nominations for the position of Chair to replace former Chair Barry Smylie.

Commissioner Joe Garcia nominated Victor Hambrick Chair. Commissioner Jeff Siereveld nominated Joe Garcia for Chair. Nominations were closed. Vice Chair Victor Hambrick requested to take a vote.

Vote was passed to elect Joe Garcia as Chair by three to two. Luis Chavez and Joe Garcia voted against.

Joe Garcia spoke about reluctance to accept the nomination. He agreed to accept the nomination with the exception of leading the agenda item of Opening Ceremonies regarding the Pledge of Allegiance. Commissioner Garcia requested to have the Vice Chair begin the meetings and conduct the Opening Ceremonies.

Commissioner Rick Schauwecker questioned Joe Garcia on his reason for not participating in the Pledge of Allegiance. Commissioner Garcia spoke of his decision to not participate directly in saluting the flag for reasons of not compromising his faith and beliefs.

Commissioner Luis Chavez spoke about his disagreement with Mr. Garcia's request. Mr. Chavez spoke about respecting his religious preference but did not support his request to recuse himself from participating in the Pledge of Allegiance.

Commissioner Garcia respectfully declined his nomination.

Vice Chair Hambrick requested to take a vote on the nomination of Victor Hambrick for Chair. Vote passed four to one. Victor Hambrick voted against.

Chair Hambrick requested nominations for the position of Vice Chair. Commissioner Schauwecker nominated Jeff Siereveld for the position of Vice Chair. No additional nominations were made. Motion was made by Chair Hambrick to elect Jeff Siereveld as Vice Chair for the Planning and Zoning Commission. Seconded by Commissioner Schauwecker. The motion passed unanimously.

Commissioner Siereveld accepted the position of Vice Chair.

**5. Planner's Update on current events and activities.** None

**5.1 Planning and Zoning Commission member reappointment (Jeff Siereveld) and vacancies.** Community Planner, Steven Brown spoke about the re-appointment of Jeff Siereveld by the Council to the Planning and Zoning Commission.

**6. Consent Agenda.**

**6.1. Minutes.** Minutes from the December 8, 2016 Planning & Zoning Regular Meeting. Motion was made by Vice Chair Siereveld to approve the meeting minutes from the December 8, 2016 regular Planning and Zoning Commission meeting. Seconded by Joe Garcia. The motion passed unanimously.

**7. Discussion Agenda–New Business.**

**7.1 Election of Officers.** This agenda item was moved forward ahead of Agenda Item #5.

**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 Work List Proposal for 2017.**

Community Planner Steven Brown spoke about items of discussion from the December 8 meeting regarding work items to discuss with Council. Mr. Brown reviewed the four items listed in the staff report to include 1.) Establishment of volunteer group to provide assistance with compliance with code enforcement violations 2.) Exploration of possible routes for providing permanent access across the Agua Fria River 3.) Improvement districts as a mechanism for improving private roads that are proposed to transition to public 4.) Review and discussion of Town General Plan Circulation element and challenges implementations 5.) Discussion regarding troubling existing zoning anomalies.

Commissioner Schauwecker spoke about item #3 and asked Mr. Brown about growth rate in the town and increase in population. Mr. Brown spoke about the growth rate over the past 10 years and the risk of safety for the Blue Hills district in the event of a wildfire. Mr. Schauwecker questioned Mr. Brown about the process of acquiring property and the involvement of property owners within the area of discussion. Mr. Brown spoke about the process of involving all effected property owners. Property is an administrative process. Mr. Brown spoke about historic events which have resulted in the problem of limiting access roads. The development pattern has left the area with limited infrastructure and resources. Have the opportunity now to establish a new standard. Mr. Schauwecker questioned the financial impact of the process. Mr. Brown spoke about the need to consider all elements of the situation advising the commission that further discussion on the matter be directed to the Council to determine if they want to appoint the Commission to pursue this further. Need to follow the process to get into further discussion.

Vice Chair Siereveld spoke about item #5 and questioned the number of property owners who have had issues with the troubled zoning areas. Mr. Siereveld spoke about effects of re-zoning to property owners and inquiring with the effected property owners if they would be interested in having their property re-zoned. Mr. Siereveld questioned about whether it is a good idea at this time to consider

without taking to property owners. Steven Brown spoke about involving all property owners who would be effected. Mr. Brown recommended having the item presented to the Council for direction on further consideration.

Chair Hambrick spoke about clarification of all the items presented by staff are to be directed to the Council as a proposed work list for them to determine further action by the Commission. Mr. Brown spoke about the alternatives for presenting the work list to the Council. Chair Hambrick made a recommendation to present the work list at a Council Work Session and not at a regular Council meeting. Mr. Brown agreed with Chair Hambrick's recommendation as the best situation for presenting the proposed work list.

Chair Hambrick made the motion to present the proposed work list in a joint session at the next available Council work session. Seconded by Commissioner Chavez. The motion passed unanimously.

## **9. Public Hearing Agenda.**

**9.1 Amend the Town of Dewey-Humboldt Code of Ordinances Title XV Land Usage, Chapter 153 Zoning Regulations. General Provisions, Section 153.021 Board of Adjustment; Zoning Administrator. Subsections (A), (B), (C)(1) and (E)(2) related to the establishment of a Board of Adjustment separate from the Town Council and amending the duties of the Board to include deciding appeals from the Hearing Officer related to violations of the zoning regulations.**

Chair Hambrick spoke about the agenda item as a recommendation from the Council for the Commission to consider the organization of an independent Board of Adjustments as opposed to the Council being the Board of Adjustments.

Mr. Brown spoke about the formal Public Hearing process for the establishment of the amendment for the Board of Adjustment ordinance and the purpose and process of the amendment.

Commissioner Garcia questioned the reason for revising the establishment of the Board of Adjustment.

Mr. Brown spoke about the most desirable way for the organization to be populated is to form a body that is independent and not subject to political ties with the town. Having elected officials serve on the Board can put them in an awkward position and can put them at risk for scrutiny.

Commissioner Garcia spoke about the history of the Board of Adjustment involving the Planning and Zoning Commission. Mr. Garcia spoke about the challenges of filling vacancies on current boards and town committees. Mr. Brown spoke about the response of applicants seeking position on the Board having been positive.

Chair Hambrick spoke about support for having an independent population for Board of Adjustments as opposed to the Council.

Chair Hambrick opened Public Hearing.

Mayor Terry Nolan spoke about the history of the Board of Adjustments and the barriers and challenges of having the Council member serve as the Board of Adjustment. Mr. Nolan highly recommended the Commission to make the recommendation to the Council to have the Council amend the ordinance to establish a separate and independent Board of Adjustments. Keep the politics out of it and better for the citizens.

Chair Hambrick closed the Public Hearing and public comment.

Chair Hambrick requested a motion to make a recommendation to the Council to amend the Code of Ordinance, General Provisions, Section 153.021 to establish a separate Board of Adjustment from the Town Council. Motion was made by Vice Chair Siereveld and seconded by Commissioner Garcia. The motion passed unanimously.

**10. Comments from the Public.** None from the audience.

Chair Hambrick spoke about his involvement with the girls' softball organization and the success of the program.

**11. Adjourn.** Meeting was adjourned at 6:45 p.m.