

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

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

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

AGENDA

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

1. **Call To Order.**
2. **Opening Ceremonies.**
 - 2.1. **Pledge of Allegiance.**
3. **Roll Call.** Commissioners Jeff Siereveld, Rich Schauwecker, Patrick McGill, Joe Garcia, Vice Chair Victor Hambrick and Chair Barry Smylie.
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. **Planner'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.
 - 6.1. **Minutes.** Minutes from the April 7, 2016 Planning & Zoning Regular Meeting.
7. **Discussion Agenda –New Business.** Discussion and Possible Action on matters not previously presented to the Commission.
 - 7.1. None
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. Review and recommendation on proposed amendments to portions of Town Code Section 153 dealing with Animals, and especially a comparison of Animal Quotas for regional jurisdictions

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

9. **Public Hearing Agenda.**

THIS CONCLUDES THE LEGAL ACTION PORTION OF THE AGENDA.

10. Comments from the Public. The Commission wishes to hear from Citizens at each meeting. Those wishing to address the Commission need not request permission or give notice in advance. For the official record, individuals are asked to state their name. Public comments may appear on any video or audio record of this meeting. Please direct your comments to the Commission. 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.

11. **Adjourn.**

For Your Information:

Next Town Council Work Session: Tuesday, May 10, 2016 at 2:00 p.m.

Next Town Council Meeting: Tuesday May 17, 2016 at 6:30 p.m.

Next Planning & Zoning Commission Meeting: Thursday, June 9, 2016 at 6:00 p.m.

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

Certification of Posting

The undersigned hereby certifies that a copy of the attached notice was duly posted at the following locations: Dewey-Humboldt Town Hall, 2735 South Highway 69, Humboldt, Arizona, Chevron Station, 2735 South Highway 69, Humboldt, Arizona, Blue Ridge Market, Highway 69 and Kachina Drive, Dewey, Arizona, on the ____ day of _____, 2016, 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
PLANNING AND ZONING ADVISORY COMMISSION
REGULAR MEETING MINUTES
APRIL 7, 2016**

A REGULAR MEETING OF THE DEWEY-HUMBOLDT PLANNING AND ZONING COMMISSION WAS HELD ON THURSDAY, MARCH 3, 2016 AT TOWN HALL AT 2735 S. HIGHWAY 69, DEWEY-HUMBOLDT, ARIZONA, CHAIR BARRY SMYLIE PRESIDING.

1. **Call To Order.** Meeting was called to order at 6:00 p.m. Chair Barry Smylie presiding.
2. **Opening Ceremonies.**
 - 2.1. **Pledge of Allegiance.** Done
3. **Roll Call.** Commissioners Jeff Siereveld, Victor Hambrick, Rich Schauwecker, Patrick McGill and Chair Barry Smylie were present. Commissioner Joe Garcia was absent.
4. **Informational Reports.** Chair Smylie spoke about a recent article about the Department of Water Resources AMA which occurred in Yuma for the purpose of trying to balance the amount of withdraw with the amount of recharge. This is something which could be effecting Dewey-Humboldt in the future.
5. **Planner's Update on current events and activities.** Community Planner Steven Brown spoke about the Firewise program. Staff will be meeting with Central Yavapai Fire Department on the 19th to begin the assessment process. Once this process has been completed, we will be working with property owners to form committees within the target areas. Looking for grant opportunities to fund the activity of clearing defensible space.
6. **Consent Agenda.**
 - 6.1. **Minutes.** Minutes from the March 3, 2016 Planning & Zoning Regular Meeting. Commissioner Siereveld made a motion to approve March 3, 2016 PZ regular meeting minutes, seconded by Rich Schauwecker. It was approved unanimously.
7. **Discussion Agenda –New Business.**
 - 7.1. Review and recommendation on proposed amendments to portions of Town Code Section 153 dealing with Animals, and especially a comparison of Animal Quotas for regional jurisdictions.

Chair Smylie thanked the public for their attendance to the meeting.

Community Planner, Steven Brown provided staff report. Mr. Brown spoke about the March 22, 2016 Council Special Work Session. Staff was asked to forward to the Planning Commission proposed amendments with a comparison of animal quotas from surrounding jurisdictions. The PZ Commission has been asked to review the current animal chart quotas established for the Town of Dewey-Humboldt, along with the comparison provided by staff and to recommend any changes the commission feel are appropriate. Currently the ordinance allows animals to be permitted as Accessory Uses which means there must be a primary use on the property to allow for animals to be on the property. This may or may not be appropriate for the community. This ordinance was carried over from the County when the Town incorporated and is still consistent with the County. Prescott Valley and Chino Valley do not have limitations for animals other than property owners must have a minimum of one acre.

There are four basic alternatives to review and compare to. The PZ could recommend an option from one of the other jurisdictions, or fashion one to fit the town's needs, or choose to do nothing.

Chair Smylie asked for comments from the Commission. Commissioners spoke about the clarification of definition "Accessory Use"; current limitations of animals; issues involving animals as accessory use; comparisons of Dewey-Humboldt with Chino Valley and Prescott Valley; leaving the code as is; rights of property owners; rural vs. suburban lifestyles; decrease in the amount of livestock owners in the town; and keeping the rural lifestyle in accordance with the General Plan.

Commissioner Hambrick made comment about removing the term "Accessory" from the code language to allow for animals on vacant property without a primary use and about property owners owning multiple parcels. Commissioner Hambrick spoke about the original constitution prior to Arizona becoming a state and the evolution of the voting process of the Republic. Mr. Hambrick spoke about propositions and the best interest of the Republic. Would not support the idea of the proposition.

Commissioner Siereveld spoke about the original purpose of having the animal chart and limitations on the number of animals. Originally from the County and has purpose for being in the code. Mr. Siereveld spoke about comparison of Dewey-Humboldt with Chino Valley and Prescott Valley. May need to take a public vote on the matter.

Commissioner Schauwecker spoke about keeping the codes as they are and the number of complaints received by the Town and the complaint process.

Commissioner McGill spoke about allowing property owners to have "by right" use and to eliminate the number restriction for animals. Mr. McGill spoke about HOA's and having limitations on personal property.

Chair Smylie spoke about personal interest in the issue and interaction with neighbors. Chair Smylie spoke about the importance of the commission making a valuable decision on the matter. Mr. Smylie spoke about the population, the voting population and the number of livestock and animal owners in DH. Chair Smylie spoke about the declining number of animal owners and presenting the issue as a proposition for the General Election to allow for a populous vote may not be in the best interest of livestock owners. Chair Smylie spoke about maintaining the rural lifestyle and consideration of the General Plan and the Commissions obligation to fulfill the request from the council as an advisory board to make a recommendation.

Steven Brown spoke about the intended purpose of staff to facilitate the process for the PZ to review the Town animal chart and to provide comparison from other jurisdictions. The Commission may choose to use one of the options presented by the staff for a recommendation or choose to do nothing and leave the code as it is, but the staff does not desire to persuade the commission in any direction.

Chair Smylie made a recommendation to suspend a vote on the decision until the May 5th meeting. Chair Smylie requested for each Commissioner to reach out to three people in the community to find out what their desires and thoughts are in regards to the animal codes and provide feedback and then take a vote at the May 5th meeting. Commissioner's concurred with Chair Smylie's recommendation and taking more time to consider the options.

Chair Smylie made a motion to suspend action on the item until May 5th meeting with recommendation to have commissioners reach out to a minimum of three members of the community to gather opinions on the memo from the Town Manager to Mr. Brown which outlines

the current regulations in YC and in DH and the example of the two other communities and to add the item to the next meeting agenda. Commissioner Jeff Siereveld seconded the motion. The motion was approved unanimously.

Chair Smylie asked for comments from the public.

Ulysus Brooks spoke about the history of Blue Hill Farms and agricultural zoning.

Gary Towne spoke about keeping the codes as they are.

Bill Vankirk spoke about keeping the town as a republic and the rural lifestyle which attracts people to Dewey-Humboldt. Mr. Vankirk made comment about removing Accessory Use from animal code and about the number of chickens allowed. Mr. Vankirk spoke about freedoms of property owners and animal owners. Mr. Vankirk spoke about cattle and livestock on the Fain ranch.

Chair Smylie made comment about the animal chart and the "asterisk" which defines "a fraction of thereof".

Skeeter Woosley spoke about history of her family homestead and property sold by her ancestors in DH and desires for people who come here to live a country lifestyle. Ms. Woosley spoke about how lifestyles can be effected by changing ordinances. Ms. Woosley spoke about the decrease of the number of horses and cattle in DH and about people who do not want to live next to animals should not live here.

Victoria Wendt spoke about the definition of household pet. Ms. Wendt requested the commission to consider changing the language within the definition and to eliminate the wording "for pleasure rather than commercial purpose". Ms. Wendt spoke about the kennel definition "facility for the sole and primary purpose" and complimented the audience for attending and for their comments. Ms. Wendt spoke about separating terms of "livestock" from "pets". Ms. Wendt thanked the commission for their work.

Ramona Reddell spoke about the history of original Camp Verde family who settled in the Dewey-Humboldt area. Ms. Reddell spoke about freedoms of owning livestock and living a country lifestyle.

Steve Reddell spoke about cattle and horse grazing on vacant land for benefit of fire reduction.

Debby Pomeroy submitted public comment in written form. See attached.

Chair Smylie thanked the audience for their public comment.

7.2. Election of Chair and Vice Chair. Chair Smylie opened the floor for nominations for Chair and Vice Chair positions. Chair Smylie asked each Commissioner to acknowledge if they are willing to serve on either position.

Victor Hambrick accepted nomination for either position. Jeff Siereveld declined acceptance of nomination for Chair but accepted nomination for Vice Chair. Rich Schauwecker declined nominations for ether position. Patrick McGill declined nominations for either position. Chair Smylie accepted nominations for either position.

Chair Smylie nominated Victor Hambrick for Chair and Jeff Siereveld for Vice Chair.

Patrick McGill nominated Barry Smylie for Chair and Victor Hambrick for Vice Chair.

Victor Hambrick nominated Barry Smylie for Chair and Jeff Siereveld for Vice Chair.

Commissioner Siereveld made a motion to elect Barry Smylie as Chair and Victor Hambrick as Vice Chair. Seconded by Commissioner Schauwecker. It was passed unanimously.

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

Steven Brown made a recommendation to postpone the continuation of the General Plan review until the next meeting due to the time spent on item 7.1. Chair Smylie agreed and asked for staff to provide information to the commission on how the General Plan ties into the proposed changes in item 7.1 and how they relate.

Steven Brown spoke on correlating the current animal issues with the general plan and will put together a staff report for the commission to review for the May 5th Commission meeting.

9. Public Hearing Agenda.

10. Comments from the Public. Done in item 7.1

11. Adjourn. Meeting was adjourned at 7:29 p.m.

Chairman Barry Smylie

ATTEST:

Penney Hubbard, Community Planner Technician

Distributed to PZ as Public Comment 4-7-16
PH

Mayor, Council members and Mr. Brown.

On Feb. 4, 2016 P&Z discussed at great length the definition of Kennel.

After much debate P&Z Commissioners settled on proposed amendments to Section 153.005:

KENNEL: A facility solely for the primary purpose of commercial boarding, breeding, and/or training of dogs and/or cats. "Kennel" does not include the keeping of animals on residential lots as house hold pets.

February 5, 2016, Mr. Smith, in his memo to staff referenced "solely" as,...If "solely" remained, it "could tend to negate mixed uses where commercial kennels are established".

During Council Study/Workshop the Tuesday after P&Z meeting, all Council members seemed to be in consent of "Primary Purpose" remaining, "solely" being removed.

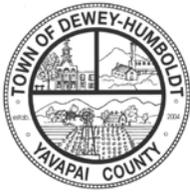
So what did Staff do, take out "primary purpose" and left "solely". It appears it should of been the opposite.

KENNEL: A facility for the primary purpose of commercial boarding, breeding, and/or training of dogs and/or cats. "Kennel" does not include the keeping of animals on residential lots as household pets.

Thank you for your consideration into this matter

Debby Pomeroy
AKC Legislation Liaison

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TOWN OF DEWEY-HUMBOLDT
P.O. BOX 69
HUMBOLDT, AZ 86329
Phone 928-632-8643 ▪ Fax 928-632-7365

MEMO

Date: April 13, 2016

To: Yvonne Kimball

From: Steven Brown

Re: P&Z review of Section 153 Animal Ordinance, proposed amendments

On April 7, 2016, the Planning and Zoning Advisory Commission had on their agenda a discussion of proposed amendments to Section 153 of the Town Code with special emphasis on the Animal Quota Chart and the options for how to adopt and amendment of that chart.

The Commission was provided with Memo (see attached) analyzing the quotas and how they are managed in Chino Valley, Prescott Valley and Yavapai County as well as Dewey-Humboldt. They were presented with the two basic differences in the approaches by these jurisdictions and engaged in a spirited discussion of the Pros and Cons that staff also provided in a separate Memo (see attached).

Comment was solicited from the public in attendance, and the Commissioners discussed the comments received, amongst themselves.

In the end, no conclusion was reached regarding the Quota Chart, but the Commission directed staff to undertake a task analyzing the General Plan with regard to the proposed amendments (see attached), to be completed prior to their next meeting on May 5, 2016.

The Commission voted unanimously to undertake public outreach by each of the Commissioners before the next meeting. They each committed to reach out to at least three (3) citizens and seek their opinion on the amendment proposals.

The Commission voted to table further consideration of Section 153 until their May 5, 2016 meeting, and adjourned.

Steven



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MEMO

Date: April 29, 2016

To: Planning and Zoning Advisory Commission

From: Steven Brown

Re: Proposed Animal Code Amendments General Plan Conformance

The Planning and Zoning Advisory Commission, at its April 7, 2016 meeting, tabled consideration of the proposed amendments to Town Code Section 153 until their May 5, 2016 meeting.

The Commission also directed staff to prepare a report on how the proposed amendments conform to the 2009 General Plan.

The Dewey-Humboldt Vision 2028 includes “A Statement Describing the Next Twenty Years”, in which it is stated that:

“Town Staff is responsible to identify how each proposed Council action relates to the following values:”

Active Citizenship-

Each Dewey-Humboldt citizen has the right and responsibility to participate in the governance of the Town.

The proposed amendments have been heard and discussed by the Council, the Planning Commission and public at numerous public meetings. The citizens of the Town have had significant opportunities and did provide extensive input into the issues involved in the proposed amendments to the Town Code Sections 90 and 153. Continuing that effort, staff will be placing this item on the agenda for the May, 5, 2016 P&Z meeting, and will be heard at another Council meeting at a minimum. Citizen comments is sought and provided for at each meeting. Throughout the consideration of these amendments, this value has been upheld.

Sustainable Development –

The land regulated by the Town should be developed such that it remains at least as valuable in future generations as it is today, ceteris paribus, with no additional external resources.

There is no development being proposed by these amendments, therefore it does not appear that this value will be impacted by the adoption of these proposed amendments.

Creating Community –

Town activities should tend to create mutual respect and understanding between citizens; shared resources such as air, the river, the mountains, and the feeling of openness should be preserved by governance, public investment, and celebration.

The process of consideration of the proposed amendments has been open, and public input has been sought at every turn, and therefore it appears that this value has been upheld through this process.

Self-Reliance –

Whenever civil, each person should earn the benefits and bear the burdens of his or her own actions.

Consideration of the amendments has provided opportunity for all citizens to be heard and their viewpoints considered. The process has been conducted with total adherence to equity for all citizens and thus it appears that this value has been upheld.

Efficient Public Services –

The few services of the Town should be delivered as efficiently and fairly as possible, with strong fiscal discipline, and thus this value is not impacted.

These amendments do not involve the provision of services, and thus it does not appear that this value will be impacted by the adoption of these proposed amendments.

Limited Public Services –

The Town should only deliver those public services that cannot be efficiently provided by the private sector.

No public services are being impacted by these amendments and thus it does not appear that this value will be impacted by the adoption of these proposed amendments...

Durable Public Improvements –

The Town should deliver public services with the understanding that the Town will exist for as long as the State of Arizona exists.

No change to this value is proposed by the amendments.

The General Plan makes it clear the Public Participation is an important part of the Vision for the Town of Dewey-Humboldt.

“Public Participation Process

Dewey-Humboldt prides itself on providing the public with ample opportunities to be heard on Town government matters. The Town General Plan, as a comprehensive guide to the future, requires active citizen participation both in creating the Plan and in making sure that it is followed.”

There has been a thorough public participation process throughout the consideration of the proposed amendments to Section 90 and 153.

All of this points to a conformance to the values as a part of the Vision 2028 as stipulated in the Town of Dewey-Humboldt 2009 General Plan, as well as significant and ongoing opportunities for public participation throughout the process of the proposed amendments to Section 90 and 153 of the Town of Dewey-Humboldt Town Code.

In addition to the values that staff is directed by the General Plan Vision to evaluate for Council proposals, staff has reviewed the Goals and Objectives of each of the Elements of the 2009 General Plan, and find no conflicts with the proposed amendments.

Steven