

**THE PLANNING & ZONING ADVISORY COMMISSION  
FOR THE TOWN OF DEWEY-HUMBOLDT  
REGULAR MEETING NOTICE  
Thursday, March 9, 2017 6:00 P.M.**

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

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

## **AGENDA**

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

1. **Call To Order.**
2. **Opening Ceremonies.**
  - 2.1. **Pledge of Allegiance.**
  - 2.2. **Swearing in of new Commissioners, Karen Brooks, Lori Crofutt and Penney Hubbard, to the Planning and Zoning Commission.**
3. **Roll Call.** Commissioners, Karen Brooks, Luiz Chavez, Lori Crofutt, Penney Hubbard, Rich Schauwecker; Vice-Chair Jeff Siereveld; 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. **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 January 5, 2017, Planning & Zoning Regular Meeting.
7. **Discussion Agenda – Unfinished Business.** Discussion and Possible Action on any issue which was not concluded, was postponed, or was tabled during a prior meeting.
  - 7.1. **Briefing by Chairman Hambrick on the Joint Meeting with Council on February 7, 2017 and next steps.**

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8. **Discussion Agenda –New Business.** Discussion and Possible Action on matters not previously presented to the Commission.

**8.1. Presentation by Community Planner on zoning anomalies and possible direction for developing strategy for addressing.**

9. **Public Hearing Agenda.**

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**THIS CONCLUDES THE LEGAL ACTION PORTION OF THE AGENDA.**

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**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 April 11, 2017 at 2:00 p.m.

Next Town Council Meeting: Tuesday, March 21, 2017 at 6:30 p.m.

Next Planning & Zoning Commission Meeting: Thursday, April 6, 2017 at 6:00 p.m.

If you would like to receive Town Council agendas via email, please sign up at [AgendaList@dhaz.gov](mailto: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 \_\_\_\_\_, 2017, 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  
JANUARY 5, 2017**

**A REGULAR MEETING OF THE DEWEY-HUMBOLDT PLANNING AND ZONING COMMISSION WAS HELD ON THURSDAY, JANUARY 5, 2017 AT TOWN HALL AT 2735 S. HIGHWAY 69, SUITE 10, DEWEY-HUMBOLDT, ARIZONA, VICE CHAIR/CHAIR VICTOR HAMBRICK PRESIDED.**

1. **Call To Order.** Meeting was called to order at 6:02 p.m.
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, a plaque 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 agenda item 7.1, Election of Officers forward on the agenda. It was seconded by Commissioner Joe Garcia. The motion passed unanimously.

**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 voting 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.** See above. This agenda item was moved ahead of Agenda Item #5 by Commission direction.

**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<sup>th</sup> 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 transitioned to public 4.) Review and discussion of Town General Plan Circulation element and challenges with implementation 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 section

of Town in the event of a wildfire. There was discussion regarding acquisition of property for this purpose; involvement needed by property owners within the area of discussion; historic events which have resulted in the problem of limiting access roads; development pattern having left the area with limited infrastructure and resources; establishing a new standard; financial impact of the process; considering all elements of the situation. Mr. Brown advised 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, and if so 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 checking with the effected property owners if they would be interested in having their property re-zoned. Mr. There was discussion on 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 if 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.

Public comment was taken:

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.

With no further public comments 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.

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Chairman Victor Hambrick

ATTEST:

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Judy Morgan, CMC  
Town Clerk



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

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## MEMO

Date: February 28, 2017

To: Planning Zoning Commission

From: Steven Brown

Re: Staff Report P&Z Meeting of March 9, 2017

### **2.2. Swearing in of New Commissioners;**

On February 21, 2017, the Council appointed three (3) new members to the Commission. Staff has scheduled the oath of office to be administered, and the new commissioners to assume their terms on the Planning and Zoning commission at this meeting.

Lori Crofutt – 4-year term

Penney Hubbard – 2-year term

Karen Brooks – 2-year term

### **7.1. Briefing by Chairman Hambrick on the Joint Meeting with Council on February 7, 2017:**

The Commission met with the Council to discuss the work tasks list that was prepared by the Commission previously. The Council discussed the items on the list with the Commissioners and established what they felt should be the priorities for guidance on what priority order the Commission should study the issues and prepare recommendations to present to Council. The Commission, on the other hand, expected to come up with the plan and/or strategy of how to accomplish each item.

#### Priority List Established by Council:

##### a. Discussion regarding troubling existing zoning anomalies:

There are a number of areas in the Town where we have inherited some zoning district boundaries that appear to totally disregard property lines for no apparent reason. These district boundaries split parcels creating problems for development. The Planning Department has received a number of calls from property owners in these areas seeking clarification of their development potential given this situation.

The P&Z received direction from the Council to make this the top priority for their work.

- b. Improvement Districts as a mechanism for improving private roads that are proposed to transition to public.

Many of the roads that could be considered to serve as an alternative route in and out of the Blue Hills area are private roads that have been unimproved. Improvement Districts may be used to provide the finances to improve private roads prior to their consideration for transition to public roads.

- c. Discussion of General Plan Update process and alternatives:

State statute mandates that municipalities either re-adopt or update their General Plans every 10 years. The Town of Dewey-Humboldt General Plan was adopted in 2009, and will due for re-adoption or update by May 2019. If the update is to be undertaken there are several steps and issues to consider, and the Commission may be directed by the Council to investigate the process and to make a recommendation of a course of action.

- d. Review and discussion of Town General Plan Circulation Element and challenges to implementation:

It is becoming increasingly apparent that an effort should be made to understand the possible routes for "Potential Alternative Collector Corridors". The Firewise Board, through their efforts to engage the citizenry in an effort to provide defensible space from potential wildfires, has made the Town more cognizant of the fact that the Blue Hills area is at extreme risk for wildfire damage. A huge area in the center of the Town and adjacent to the Blue Hills is devoid of reasonable access for evacuation. It may be possible to begin a resource inventory and to examine the viability of connecting private easements with Town Roads to forge a secondary ingress/egress to and from that neighborhood.

The Council will be looking for the Commission to recommend to them a process for investigating this issue and in the long run, a strategy for implementing a solution. Council will then decide on how best to proceed.

- e. Exploration of possible routes for providing permanent access across the Aqua Fria River.

There has long been discussions on the subject of providing better than a low water crossing of the Agua Fria in Dewey-Humboldt. This item would provide an opportunity for focused investigation of the possibilities. The Town of Dewey-Humboldt "Transportation Study" from 2012 explored the likely options, and could be part of this discussion. The Council will be looking for the Commission to recommend to them a process for investigating this issue and in the long run, a strategy for implementing a solution. Council will then decide on how best to proceed.

The Commission had included the following item in the proposed work list that the Council determined was not appropriate for the Commission, but that would be explored by the Council and staff, at some later date.

- f. Establishment of volunteer group to provide assistance with compliance with code enforcement violations.

Occasionally property owners who have been cited for zoning code violations find themselves unable to respond to correcting the violation, not through unwillingness to do so, but rather, because of lack of physical or financial

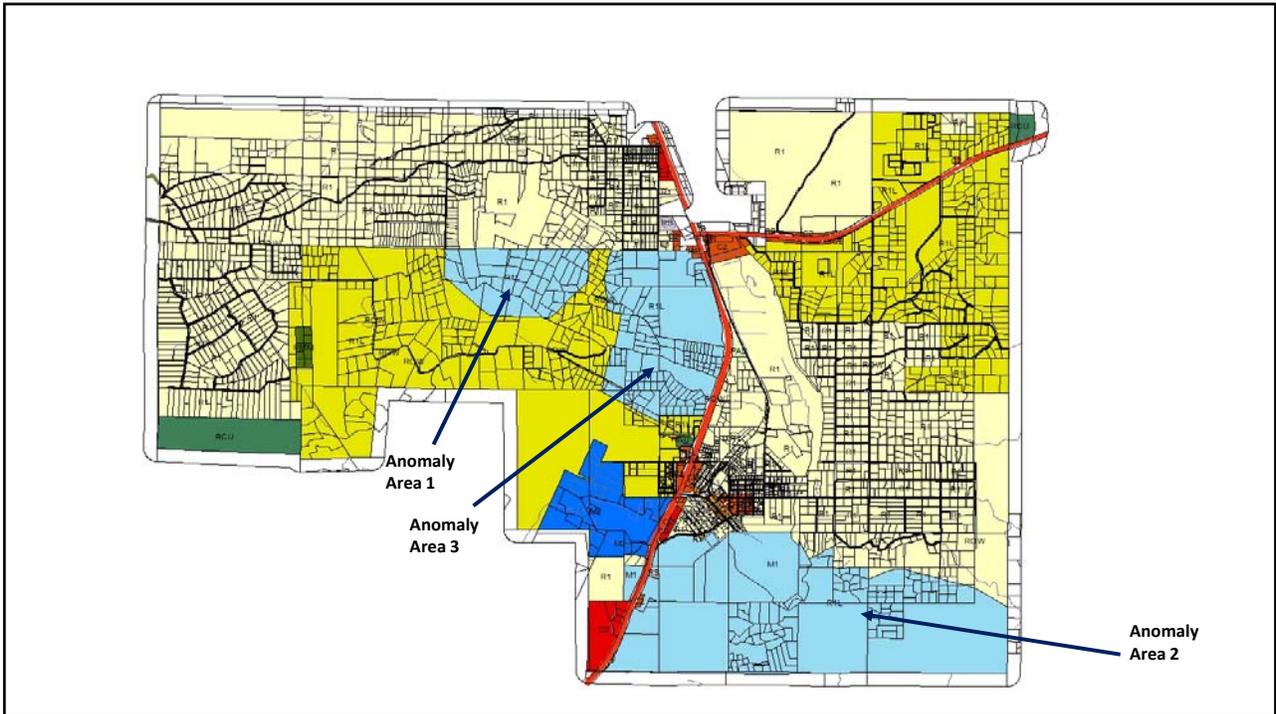
ability. The objective would be to organize a group of volunteer citizens that could form a response team.

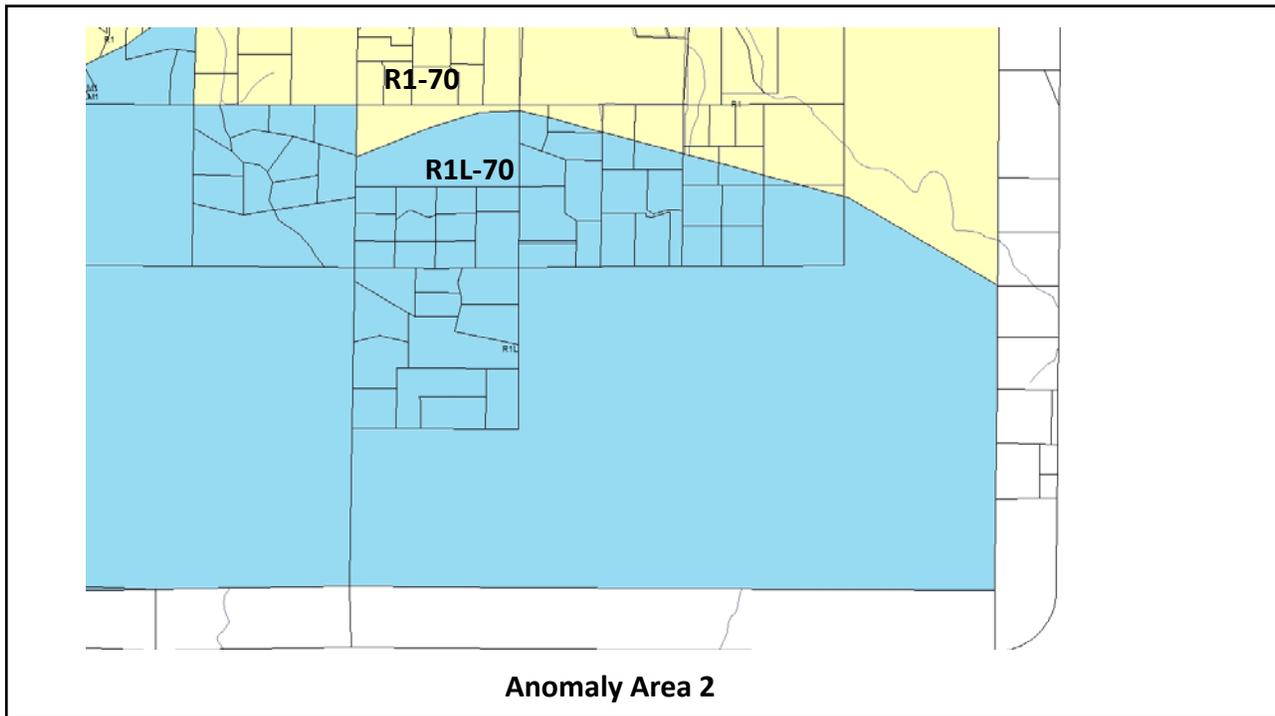
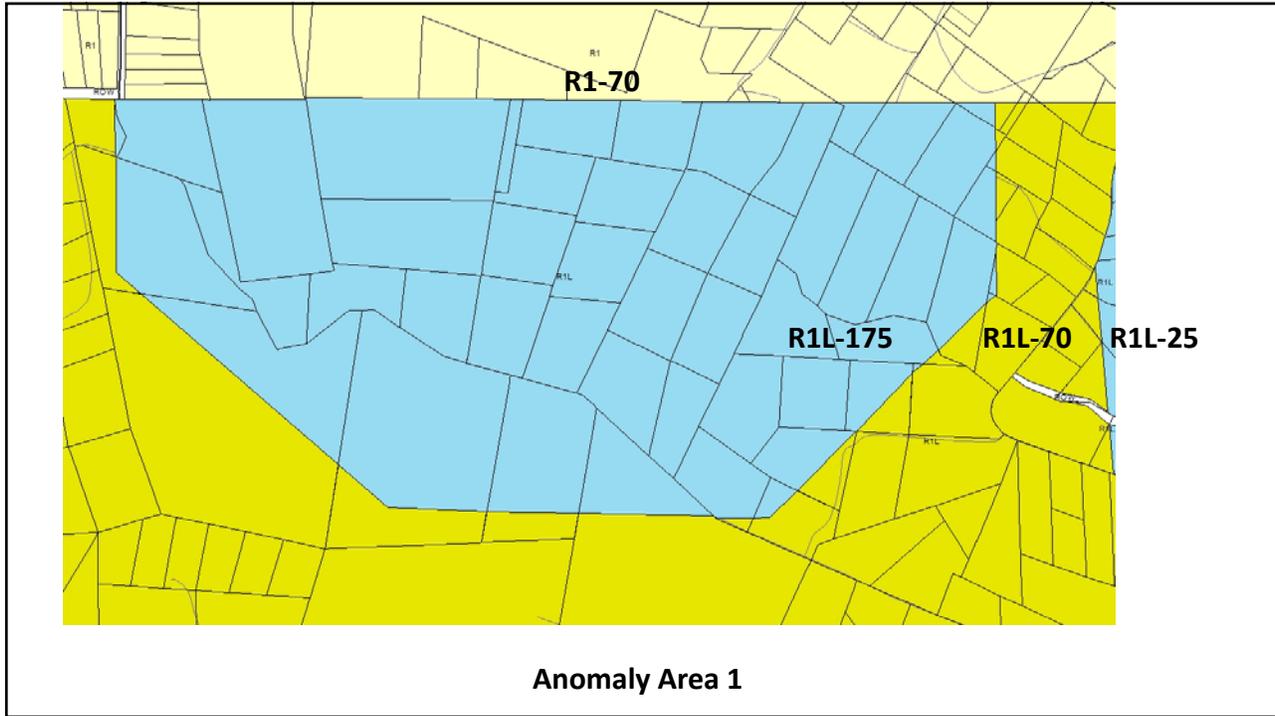
**8.1. Presentation by Community Planner on zoning anomalies and possible direction for developing strategy for addressing:**

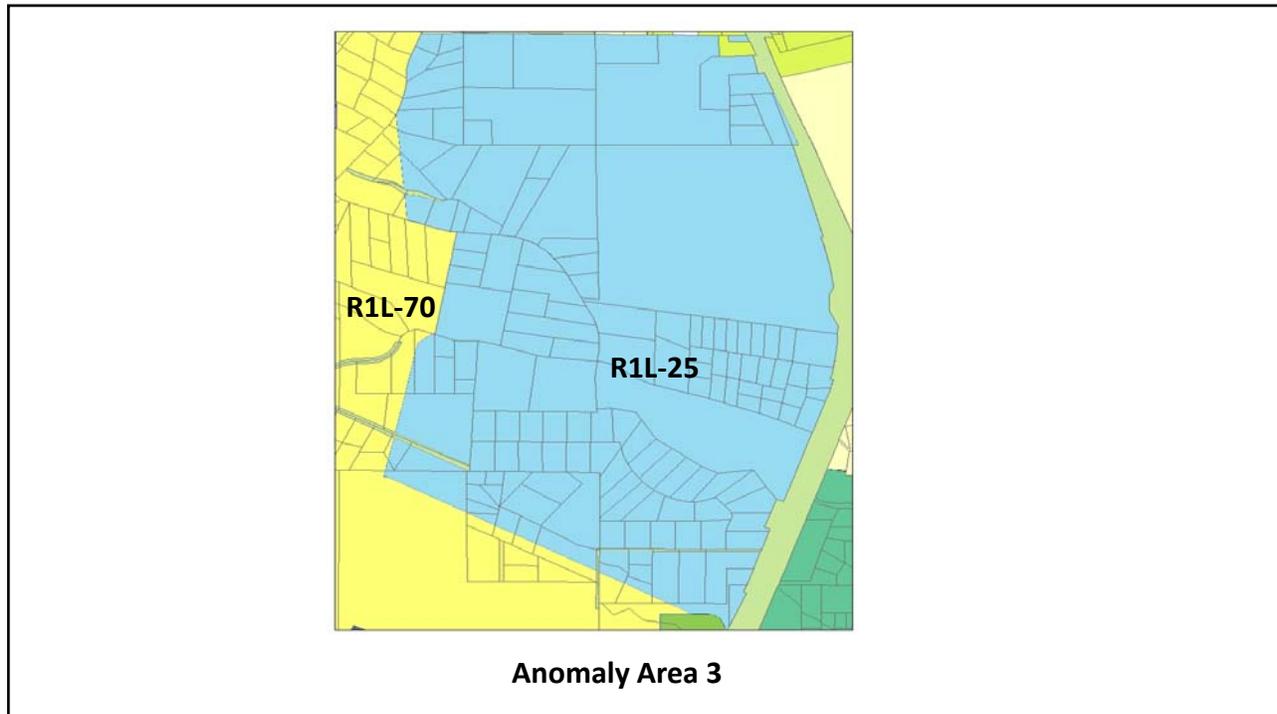
The Community Planner will present information on the existing zoning anomalies in the Town of Dewey-Humboldt, which have been discussed by the Commission previously, and will work with the Commission to develop a strategy for addressing these to present to Council for approval.

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# Zoning Anomalies In Dewey-Humboldt







Anomaly area 1 includes properties that are split into portions that are partially zoned R1L-70 or R1-70 with a portion zoned R1L-175.

The General Plan Land Use Designation of Low Density includes properties with target densities of at least one (1) dwelling per 70,000 sq. ft. of land area. Therefore all the parcels in this area are consistent with the General Plan.

Changing any of the split parcels to be entirely one or the other of the zoning districts involved would not be inconsistent with the General Plan.

Anomaly area 2 includes properties that are split into portion that are partially zoned R1L-70 or R1-70, both within the General Land Use Plan Designation of Low Density as stated above. Changing any of the split parcels to be entirely one or the other of the zoning districts involved would not be inconsistent with the General Plan.

Anomaly area 3 is more difficult, in that it contains parcels split between R1L-70 and R1L-25. This latter zoning is one of the highest density zoning districts in the Town, and care would need to be taken in changing the entirety of the zoning from a split to entirely R1L-25.

Changing the R1L-70 portion to R1L-25 would be inconsistent with the General Plan, that calls for this area to be Low Density.

Changing the R1L-25 portion to R1L-70 would constitute a down zoning of the property and would likely meet resistance from the property owners affected.