

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

THURSDAY, NOVEMBER 5, 2020, 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 public meeting (see notes about public participation below) on **Thursday, November 5, 2020, at 6:00 p.m.**, at the **Dewey-Humboldt Town Hall Council Chambers, 2735 S. Highway 69, Suite 10, Humboldt, Arizona 86329**. Members of the Planning & Zoning Advisory Commission will attend by audio/video conference call.

THIS MEETING WILL BE HELD BY REMOTE PARTICIPATION ONLY

Due to the federal government's declaration of a COVID-19 pandemic and the resulting Executive Orders from Arizona Governor Ducey to limit events of people in personal contact and Mayor Nolan's declaration of an emergency based on the COVID-19 pandemic, the following accommodations are provided for public participation at the Council Meeting:

- Viewing live streaming audio only on the Town's website, at:
<http://az-deweyhumboldt.civicplus.com/2164/Town-Meeting-Documents-and-Videos>
- Viewing and potentially participating in the meeting via Join Zoom Meeting:
 - Computer: <https://zoom.us/j/82591807456>
 - Telephone: (301) 715-8592
 - Meeting ID: 825 9180 7456
- Submitting comments via email to BethEvans@dhaz.gov. Comments should be submitted no later than 3:30 p.m. on the day of the meeting. Please identify the agenda item and your first and last name.

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

3. Pledge of Allegiance

4. Protocol for participating in the Council Meeting via Zoom (Ed Hanks, Town Manager)

5. 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.

6. Planner's Update on Current Events and Activities

No discussion, deliberation or legal action can occur.

7. 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.

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A. Approval of Minutes of October 3, 2019 Regular Meeting

7 B. Approval of Minutes of December 5, 2019 Regular Meeting

11 C. Approval of Minutes of January 9, 2020 Regular Meeting

15 D. Approval of Minutes of February 6, 2020 Regular Meeting

17 E. Approval of Minutes of March 5, 2020 Regular Meeting

8. 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.

9. Unfinished Business

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

10. New Business

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

21 A. Overview, Review and Discussion about the Town's Land Split Process.

11. Adjourn

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 _____, 2020, 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.

For Your Information:

Next Town Council Work Session: Tuesday, November 10, 2020 at 6:30 p.m.

Next Town Council Meeting: Tuesday, November 17, 2020 at 6:30 p.m.

Next Planning & Zoning Meeting: Thursday, December 3, 2020 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 Beth Evans, Administrative Assistant II.

**TOWN OF DEWEY-HUMBOLDT
PLANNING & ZONING ADVISORY COMMISSION
REGULAR MEETING MINUTES
OCTOBER 3, 2019, 6:00 P.M.**

A REGULAR MEETING OF THE DEWEY-HUMBOLDT PLANNING & ZONING ADVISORY COMMISSION WAS HELD ON THURSDAY, OCTOBER 3, 2019, AT TOWN HALL AT 2735 S. STATE ROUTE 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 Siereveld.
3. **Roll Call.** Commissioners Ken Murphy, Darrell Wyatt, Vice Chair Jeff Siereveld and Chair Victor Hambrick were present. Commissioner Mario Manzo arrived late at 6:03 p.m. Christina Corbisello and Lon Ullmann were absent. Commissioner Darrell Wyatt took his Oath of Office and Ethics Statement prior to the meeting.
4. **Informational Reports.**

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

Steven Brown, Planning Consultant, said we are seeing a lot of Council Action requests to add items to the work list that was approved for P&Z. He said they are in regard to zoning issues and there are two on the Agenda today.
6. **Consent Agenda.**

None.
7. **Public Comment on Non-agendized Items.**

None.
8. **Unfinished Business.** Discussion and Possible Action on any issue which was not concluded, was postponed, or was tabled during a prior meeting.

A. Continuation of discussion of 2009 General Plan (GP).

Mr. Brown said last month we went over the Land Use Element section, tonight we are going to go over the Circulation Element. Commissioner Manzo arrived at 6:03 p.m. Mr. Brown stated a Request for Qualifications (RFQ) was put out for bid for a consultant to help with the General Plan update. There was discussion on whether reviewing the GP now was necessary. Mr. Brown said you need to be familiar with the current GP.

Mr. Brown stated you use the Circulation Element to say where you are going to improve roads. In looking at the Circulation Plan map, the map indicates public and private lands and it also shows a potential alternative connector routes, like Prescott Dells Ranch Road to Shirley Lane. He said we are trying to link up these two roads as an emergency access road only. Currently, Kachina Place is the only road that connects with State Route 69 in the Blue Hills.

The Commissioners took turns reading the Goals and Objectives. Goals: Promote a non-urban circulation system; Bring roads up to approved standards for improved safety and mobility; and Expedite the orderly acquisition of private roads. The Commissioners discussed the Goals and Objectives with Mr. Brown.

There was Commission discussion with Mr. Brown on the process to establish an emergency access road. He said we have been working on this through the past three managers and have had several setbacks. We now have leadership from the Council and the Town Manager, as they see the need to have this emergency access road made available. He said Environment Consultants were out there today doing an environmental assessment on Read Star Mine Road and Bandit Way, which are on either side of the Bureau of Land Management (BLM) property. Mr. Brown stated we have also been working with the property owners to grant the Town an easement for emergency access only. He said the Town has agreed to gate those accesses on either side of the BLM property. He stated the response has been good from the property owners. He also stated the focus of the project is identifying what isn't working and addressing those issues, like the statutory protection of aggregate rock.

Mr. Brown stated the Town is included in the Central Yavapai Metropolitan Planning Organization (CYMPO) transportation study. He said the Town needs representation at the CYMPO, where decisions are made on where dollars provided to them are going to go and we have to lobby for improvements to our system that are a part of that region. He said there are also State dollars and the Town needs to be represented at Arizona Department of Transportation (ADOT) in their five-year planning to make sure the Town's interests are represented. He said Public Works Supervisor Jason Berg will be representing us.

The Commissioners took turns reading the Goals and Objectives of the Cost of Development Element. Goals: Require persons who use Town infrastructure or who initiate changes in land use pay their fair share for the costs to the community; and Keep municipal services simple and affordable. The Commissioners discussed the Goals and Objectives with Mr. Brown.

Mr. Brown spoke about the Town making a decision to provide water and sewer services. He said the Town needs to be large enough to warrant having those services. The Commissioners discussed with Mr. Brown the possibility of expanding the Town's two private water companies, Humboldt Water and Acme Water. They spoke that this is out of the Town's hands. Mr. Brown said the only way the Town could get serious is for the Town to buy a water company. There was further discussion on future development for the Town.

B. Update and continuation of discussion of P&Z Work List from Council.

Chair Hambrick gave an update on the P&Z Work List. The Work List includes: A) Establishment of a volunteer group to provide assistance with compliance with code enforcement violations; B) Exploration of possible routes for providing permanent access across the Agua Fria River; C) Improvement Districts as a mechanism for improving private roads that are proposed to transition to public; D) Review and discussion of Town General Plan Circulation Element and challenges to implementation; E) Discussion regarding troubling existing zoning anomalies; F) Discussion of General Plan Update process and alternatives. Chair Hambrick said they discussed prioritizing their list and taking some items off that had already been discussed. He said there was lots of discussion about the possible routes providing permanent access across the Agua Fria River. He stated they did not discuss the Improvement Districts as a mechanism, as they had to explain what an Improvement District was, and the costs involved.

Mr. Brown said the Town is trying a kinder, gentler approach to code enforcement and has hired a Community Enhancement Coordinator. When complaints are made, they will work with both parties to arrive at a solution. The Commissioners discussed this new approach for handling code violations with Mr. Brown and felt this was not the way to handle code violations. Mr. Brown said there is a process in place for handling code violations, but it is not being followed by the Town Council, so the Town is trying a new approach.

There was Commission discussion on prioritizing the Work List items.

Chair Hambrick made a motion to include in next month's P&Z agenda, items A and F from the P&Z Work List from the Council, seconded by Vice Chair Siereveld. Commissioners Manzo – aye; Murphy – aye; Wyatt – aye; Vice Chair Siereveld – aye; Chair Hambrick - aye. The motion passed unanimously.

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

A. Town Council referred to Planning & Zoning a discussion relating to updating Sections 153.221 and 153.222, Dewey-Humboldt Code of Ordinances, Design and Development Standards, to be less restrictive on commercial uses, including allowing steel/metal buildings on commercially zoned property along highway frontage.

Mr. Brown said this item was referred to them from Council by a Council Agenda Action Request Form (CAARF). He said Council wants a report on what you would do to update the code regarding storage containers so the standards would be less restrictive on commercial uses. Chair Hambrick said we have already addressed this, and it was also discussed at the joint meeting with Council. He said the General Plan needs to be laid out before we want to implement changes to the Ordinances. There was further Commission discussion regarding agenda items 9.A. and 9.B. and on how the Council addresses these issues.

B. Town Council referred to Planning & Zoning a discussion relating to repealing redundant codes, Sections 153.215 through 153.220 and excessive codes, Sections 153.223 through 153.228, Dewey-Humboldt Code of Ordinances, Design and Development Standards.

Chair Hambrick made a motion that the Commission do nothing with items 9.A and 9.B., seconded by Commissioner Murphy. Commissioners Manzo – aye; Murphy – aye; Wyatt – aye; Vice Chair Siereveld – aye; Chair Hambrick - aye. The motion passed unanimously.

10. Public Hearing Agenda.

None

11. Adjourn.

Chair Hambrick adjourned the meeting at 7:23 p.m.

Victor Hambrick, Chair

ATTEST: _____
Beth Evans, Administrative Assistant II

**TOWN OF DEWEY-HUMBOLDT
PLANNING & ZONING ADVISORY COMMISSION
REGULAR MEETING MINUTES
DECEMBER 5, 2019, 6:00 P.M.**

A REGULAR MEETING OF THE DEWEY-HUMBOLDT PLANNING & ZONING ADVISORY COMMISSION WAS HELD ON THURSDAY, DECEMBER 5, 2019, AT TOWN HALL AT 2735 S. STATE ROUTE 69, DEWEY-HUMBOLDT, ARIZONA. CHAIR VICTOR HAMBRICK PRESIDED.

1. **Call To Order.** Chair Victor Hambrick called the meeting to order at 6:02 p.m.
2. **Opening Ceremonies.**
 - A. **Pledge of Allegiance.** Led by Vice Chair Siereveld.
3. **Roll Call.** Commissioners Mario Manzo, Darrell Wyatt, Vice Chair Jeff Siereveld and Chair Victor Hambrick were present. Commissioners Christina Corbisello, Ken Murphy and Lon Ullmann were absent.
4. **Informational Reports.**

None.
5. **Town Manager's Update on Current Events and Activities.** No discussion, deliberation or legal action can occur.

Town Manager, Ed Hanks, said the Request for Qualifications (RFQ) for the General Plan have been presented to the Council. He said there was one company that applied, and Council directed staff to go into negotiations with them.
6. **Consent Agenda.** All those items listed below are considered to be routine and may be enacted by one motion. Any Commissioner may request to remove an item from the Consent Agenda to be considered and discussed separately.

A. Approval of Meeting Minutes

1. Planning and Zoning (P&Z) Meeting of August 8, 2019

Vice Chair Siereveld made a motion to approve the Minutes of the August 8, 2019 meeting; seconded by Commissioner Manzo. Motion passed on a voice vote 4-0. Commissioner Manzo – aye; Commissioner Wyatt – aye; Vice Chair Siereveld – aye; Chair Hambrick – aye. Commissioners Corbisello, Murphy and Ullmann – absent. The motion passed unanimously.

7. **Public Comment on Non-agendized Items.**

None.
8. **Unfinished Business.** Discussion and Possible Action on any issue which was not concluded, was postponed, or was tabled during a prior meeting.

Chair Hambrick said we are going to have the discussion and overview of the current code enforcement process with the Town Manager first; there were no objections.

B. Discussion and overview by the Town Manager of the current code enforcement process.

Mr. Hanks spoke about the July 9 Work Session Work List. He said that Work Item A) Establishment of a volunteer group to provide assistance with compliance with code enforcement violations is not something the Town is doing and shouldn't have been on their Work List. Mr. Hanks said we have a Community Enhancement Coordinator, Glen Blomgren, who, in addition to other duties, will be handling complaints. Mr. Hanks stated there is a group in town that will help people clean up their property, but we are not involved with them. He said we are continuing our current code enforcement policy. He explained the complaint process, saying Mr. Blomgren will investigate the complaint to see if any codes are violated. He'll contact the property owner to let them know we have received a complaint and then follow up with a Notice of Complaint letter. Mr. Hanks said we try to get the issue taken care of before sending violation letters. He said there are a set number of days involved in the process. There was Commission discussion with Mr. Hanks on the amount of complaints the Town gets and how non-compliance complaints are handled.

A. Continuation of discussion of 2009 General Plan.

Commissioner Wyatt had a question on the Cost of Development section and asked if the Town had a Capital Improvement Program (CIP). Planning Consultant, Steven Brown, stated we do have CIP plan. He said it involves road work projects, sidewalks and managing our Community Development Block Grant (CDBG).

Mr. Brown said tonight we are going to go over the Open Space/Trails Element section. He said people move here because they like the openness and the rural feel of the community.

The Commissioners took turns reading the Goals and Objectives. Goals: Coordinate with neighboring jurisdictions and agencies to achieve regional open space goals; Protect scenic vistas, wildlife corridors and habitats, major washes, and riverbeds; and Encourage accessibility to outdoor enjoyment by residents and visitors. The Commissioners discussed the Goals and Objectives with Mr. Brown.

There was Commission discussion with Mr. Brown regarding coordinating with other jurisdictions. He said we have been working with the Bureau of Land Management (BLM) to create a secondary emergency access out of the Blue Hills area. Mr. Brown said this involves a linkage, across BLM land, of two private easements, Bandit Way and Read Star Mine Road. Mr. Brown stated there is also State land and the Prescott National Forest inside the Town. He said it is important that the Town coordinate and stay in touch with other land managers for our planning purposes.

Mr. Brown said there is a trailhead at the end of Henderson Road, where it enters the Prescott National Forest (PNF). He said the Town worked with the PNF to develop the trailhead, which was only possible through a cooperative agreement between the Town and the PNF. Mr. Brown said the PNF maintains both trail and the trailhead.

Public Comment

Glen Blomgren asked how they have been reviewing the General Plan. Mr. Brown stated we have been reviewing the General Plan, Element by Element. Mr. Blomgren said he is looking at grants for this kind of thing and he said he would like to see this followed up with. Mr. Brown stated that is the whole purposed of the General Plan update.

Commissioner Wyatt read more from the Open Space/Trails Element. Mr. Blomgren participated in the meeting and read the Existing Open Space section.

Mr. Blomgren asked how much has been implemented in the past. Commissioner Siereveld stated he has seen maps, but nothing has been started. Mr. Brown said the General Plan is a guide and provides the support for getting leverage in negotiations. There was Commission discussion on where these properties are located and how to get emergency services to these areas.

Mr. Blomgren continued reading the Existing Open Space section.

Commissioner Wyatt asked if any trails are on CIP. Mr. Brown stated he is not familiar with the CIP.

Commissioner Manzo began reading the Future Open Space Considerations section and Chair Hambrick finished reading this section.

Mr. Brown asked the Commissioners to review the Town Vision 2028 from the General Plan for discussion next month and they will also review the Environmental Planning Element.

Commissioner Wyatt asked, referring to the Open Space/Trails map, how much is completed. Mr. Brown stated we have an Open Space Trails Committee that works on those issues. He said we can invite Mr. Hanks to our next meeting and talk about what has been accomplished.

B. Discussion and overview by the Town Manager of the current code enforcement process.

Agenda item taken out of order. See Page 1 for discussion.

C. Discussion of General Plan Update process.

Mr. Brown stated this was requested by Commissioner Wyatt. Commissioner Wyatt stated he read proposal from PLAN*et to develop and he found it very comprehensive.

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

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.

Mr. Brown stated this was requested by Town Council through a Council Agenda Action Request Form (CAARF). He said the Council wants the P&Z Commission to look into this issue and give recommendations in regard to possibly creating a new district. Mr. Brown said that we already have C1 Zoning District, which is basically neighborhood commercial. He said it would be easier for the uses permitted in that district and the other regulations that control development in an existing neighborhood commercial district, than to create a new one.

Commissioner Wyatt asked what kinds of businesses are involved with this new zoning classification. Mr. Brown stated services that cater to the local community (neighborhood) (i.e. childcare, barber shops and anything that serves the local area). He said you space opportunities for that type of development close enough or far enough apart where people can walk to the businesses. Mr. Brown said the C1 Zoning District could be modified to permit the uses and intensities requested by Council. There was further Commission discussion on establishing a new district or modifying the existing C1 Zoning District. Mr. Brown stated we need to work with Council to recognize and acknowledge that we are engaged in a process of updating our General Plan. He said the nature course of planning is that you start with a plan and then you develop the zoning to implement that plan.

Commissioner Wyatt made a motion to recommend that we stick with the existing zoning code that could be modified later. Mr. Brown restated staff's recommendation, which is staff recommends that rather than creating a new zoning district, there is currently within the zoning code a C1 Zoning Commercial Neighborhood Sales and Services District that could be modified to permit the uses and intensities requested by Council. He said that we need to get a General Plan update done first and then launch into a comprehensive review of our zoning, cataloging all of the issues that have been raised, but each one of these issues require a series of public hearings in order to accomplish them (a 90-day process). There was further Commission discussion with Mr. Brown. The Commission asked if there were any pending issues that would be delayed by their recommendation. Mr. Brown stated there are no pending issues. Commissioner Wyatt's motion failed due to lack of a second.

Vice Chair Siereveld asked how would you modify the current C1 Zoning District. Mr. Brown stated he could develop a modification to that zoning district that would include what they are requesting. There was further Commission discussion with Mr. Brown on developing a new zoning district.

Chair Hambrick made a motion that we do nothing with creating a new district of low-intensity, neighborhood commercial. We already have codes in place to cover somebody that would possibly apply for a low-intensity commercial use on a residential property and that we follow that process until there is something that comes up to Council that says there is a need for such change and address that need at that time, seconded by Vice Chair Siereveld. Commissioner Manzo – aye; Commissioner Wyatt – aye; Vice Chair Siereveld – aye; Chair Hambrick – aye. Commissioners Corbisello, Murphy and Ullmann – absent. The motion passed unanimously.

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.

Chair Hambrick asked what our prior recommendation was. Mr. Brown stated he believed that they supported allowing them as permitted uses. He said he was concerned about allowing them as permitted uses. He said currently, farm animals are allowed as accessory uses, meaning that there has to be a primary use on the property for them to be accessory to. That further means that you can't have a vacant piece of land and put animals on it. Mr. Brown said this would change that and if you are going to do that, then at the same time you make a provision for accessory structures are required to provide shelter for those animals. There was further Commission discussion with Mr. Brown on allowing farm animals as permitted uses.

Public Comment

Catherine (?) stated she is an animal lover. She said that animals can be starved under shelter just as easy as in an open pasture and asked them to do something that would protect the animals. She said structures great but, animals can starve under shelter as well. Chair Hambrick said there are other laws, through the County and State that cover animal abuse. Mr. Brown stated the Town repealed the animal code and replaced it with a dog ordinance. Chair Hambrick stated currently the Town contracts with Sheriff's office to do the policing of animal abuse and if there is anything, it falls within Sheriff's jurisdiction. There was further Commission discussion on the allowing farm animals permitted uses. Mr. Brown stated you could recommend that staff be directed to come up with proposal for you.

Chair Hambrick asked if there are any current issues. Mr. Blomgren stated no, not since he was hired in August.

Chair Hambrick asked what would happen if we took farm animals out as accessory uses. Mr. Brown said there are a lot of accessory uses, i.e. buildings, sheds, etc. and said the Commission is being asked to remove farm animals as accessory uses and make them permitted uses. Mr. Brown said you can recommend that the language be changed to eliminate animals as accessory uses and make them permitted uses. Chair Hambrick stated that he was concerned that there are issues that they are not aware of that are being discussed. Mr. Brown stated you can always table this and bring it up at the next meeting. There was Commission discussion with Mr. Brown as to how many properties this affects.

Chair Hambrick made a motion to have staff look at dropping the word accessory and what negative implications that would create if we drop farm animals as accessory. Mr. Brown stated one that might exist is if you are adjacent to a property and you have a house, you are more likely to be taking care of your animals, than if you weren't adjacent. There was further discussion with Mr. Brown on what would be considered adjacent.

Chair Hambrick asked what if we drop the word accessories and make them permitted. Then, if there is a problem and someone files a complaint, it gets handled through the current process. Mr. Brown stated you could make a recommendation that you go along with the Council's recommendation that you make them permitted uses. He stated it needs to be said that farm animals include horses, cows, goats, geese, chickens, emus. Mr. Brown said you could recommend that staff research any other issues that might attend moving farm animals from accessory uses to permitted uses and bring that back to the next meeting.

Chair Hambrick restated his motion to have staff look at dropping the word accessory and what negative implications that would create if we drop farm animals as accessory, seconded by Commissioner Wyatt. Commissioner Manzo – aye; Commissioner Wyatt – aye; Vice Chair Siereveld – aye; Chair Hambrick – aye. Commissioners Corbisello, Murphy and Ullmann – absent. The motion passed unanimously. Chair Hambrick wanted to add to that, if there is something that we are missing that we are not aware of, I want to make sure we are not holding anyone up. Mr. Brown said there is nothing that he is aware of, but he would do his best to provide that.

10. Public Hearing Agenda.

None

11. Adjourn.

Chair Hambrick adjourned the meeting at 7:33 p.m.

Victor Hambrick, Chair

ATTEST: _____
Timothy A. Mattix, Town Clerk

**TOWN OF DEWEY-HUMBOLDT
PLANNING & ZONING ADVISORY COMMISSION
REGULAR MEETING MINUTES
JANUARY 9, 2020, 6:00 P.M.**

A REGULAR MEETING OF THE DEWEY-HUMBOLDT PLANNING & ZONING ADVISORY COMMISSION WAS HELD ON THURSDAY, JANUARY 9, 2020, AT TOWN HALL AT 2735 S. STATE ROUTE 69, DEWEY-HUMBOLDT, ARIZONA. CHAIR VICTOR HAMBRICK PRESIDED.

1. **Call To Order.** Chair Hambrick called the meeting to order at 6:00 p.m.
2. **Roll Call.** Commissioners Mario Manzo, Lon Ullmann, Vice Chair Jeff Siereveld and Chair Victor Hambrick were present. Commissioner Darrell Wyatt was absent. Commissioner Ken Murphy arrived at 6:09 p.m.

3. Opening Ceremonies.

- A. **Pledge of Allegiance.** Led by Vice Chair Siereveld.

4. Informational Reports.

None.

5. **Planner's Update on Current Events and Activities.** No discussion, deliberation or legal action can occur.

Planning Consultant (PC) Brown stated the Council, on January 7, 2020, deliberated over the contract for the consultant to assist the Town with the General Plan Update and approved their contract. He said they are working out the composition of the committee who will assist in that and the timing of the community meetings.

6. Consent Agenda

A. Approval of Minutes of September 5, 2019 Regular Meeting

Commissioner Manzo made a motion to approve the Minutes of September 5, 2019 Regular Meeting, seconded by Vice Chair Siereveld. Chair Hambrick called for the vote on the motion: Commissioner Manzo – aye; Commissioner Murphy – absent; Commissioner Ullmann – aye; Commissioner Wyatt – absent, Vice Chair Siereveld - aye; Chair Hambrick - aye. Motion passed on a voice vote 4-0.

7. Public Comment on Non-agendized Items.

Bill Lacey stated he lives in Yavapai County, however he is a long-time resident and property owner in Dewey-Humboldt. He said his dad was on the original Community Board they had back in the 60s and 70s. He stated he owns the property on the southeast corner of Third Street and Highway 69. Mr. Lacey said when the first General Plan was created, his property was made residential. He stated that his property is a good site for a grocery store, being located at the corner of Main Street, Highway 69 and the southern boundary of Third Street. He said this is 87 acres and would like to have this property zoned Commercial or Community Core. He stated he had a lot of discussions with Kroger and they were really interested in doing something here. He said they would need 20 acres, enough for a parking lot in front of the store. Mr. Lacey stated he would like the Commission to consider making his property Commercial and said the other properties around him are Commercial. Commissioner Murphy arrived at 6:09 p.m. Chair Hambrick asked if the property was in his name. Mr. Lacey stated it is in his Trust. PC Brown said we are just in the beginning of lining out the process and the timeline of the General Plan Update. He said look in the Newsletter and our other announcements for an update on the process. Mr. Lacey thanked everyone for their time.

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

A. Continuation of discussion of 2009 General Plan.

Mr. Brown said last time we met we were on the Environmental Planning Element section. Tonight we are going to go over the Water Resources Element section.

The Commissioners took turns reading the Goals and Objectives. Goals: Maintain a sustainable supply of good quality water; Develop water conservation policies; Monitor the regional water resources; and Protect and sustain the Agua Fria River's viability. The Commissioners discussed the Goals and Objectives with Mr. Brown and he said the best thing we can do is to work on conservation efforts.

Commissioner Ullmann spoke saying there is a big difference in any kind of construction on water conservation fixtures and he wasn't sure if those are in the code. Mr. Brown clarified conservation fixtures as low flow fixtures. He stated the amount of water use decreases quite a bit with these types of fixtures.

He also spoke about water quality impacts regarding animals on properties (particularly horses). He said he is concerned about water runoff, as we confine more and more animals in small spaces. He said when it rains the runoff from the water is going to have a big impact on the people at the bottom. He thought this is something that needs to be considered in this update as our population numbers go up.

Commissioner Murphy asked how many areas within Dewey-Humboldt have their own water system. PC Brown stated Acme Water Company and Humboldt Water Systems. Mr. Murphy said he lives in Southwinds Mobile Home Park, which is behind Galpin Auto and RV, and they have their own well with a water treatment plant. He said Southwinds provides water, sewer and trash. He wasn't sure if the sewer was connected to Prescott Valley. Mr. Brown stated water is a big issue here and it can be an inhibitor to development.

Commissioner Manzo stated the Foothills side of Dewey has plenty of water and the Blue Hills side does not. He asked how we could fix that. PC Brown said he didn't see any changes with water in the near future and that it does affect the ability to attract commercial development to the Town.

Vice Chair Siereveld stated he had a letter from someone who lives in Whitehorse Ranch. He said they are sent letters on a regular basis and they are advised not to drink the water, especially children and anyone with any ailments. He said this is due to the number of animals that they have in Whitehorse Ranch and their waste is leaching into the groundwater. He said this is based on a study that has been done for Whitehorse Ranch, which is an HOA, and they are required by law to let their residents know about the water. PC Brown stated the Town provides water testing for residents, but they never receive the results from those tests. He said conversations with the water testing company have advised us that some people shouldn't even bathe in the water due to the arsenic issues. Vice Chair Siereveld said with the growing situation, there is only so much water and we need to protect it as much as possible. He said he was concerned about future development taking a lot of the water. PC Brown stated that is exactly what your plan points out. He said given that you don't have major control over water resources, the things that you can do is maintain a sustainable supply of good quality water and develop conservation policies. He said there are ways that you can address that, but without being able to control the water supply and distribution it is limited to those things.

Chair Hambrick asked if everyone understands the controls the State has on water and if they knew what an Active Management Area (AMA) is. He explained that the Arizona Department of Water Resources (ADWR) designated five areas within the State as AMAs. He said they were areas that held major water reserves for the State. Then, he said, after they drew the boundaries around the areas, they did flyovers and estimated what property was used for agriculture purposes as growing, irrigated crops. Chair Hambrick then said they assigned paper water to those parcels. He said that paper water is calculated in acre feet when a developer wants to develop a subdivision that will be serviced by a water company, that water company has to prove a 100 year water supply and they also have to have the paper water to match that if they are within an AMA. If you are not in active management area, all you have to prove is the physical water. Chair Hambrick said when it comes to water reuse within the Prescott AMA and injecting water back into the ground after it has been cleaned, we are withdrawing more water than we are recharging back in. He said that it will always be out of balance due to individual wells within the AMAs. Chair Hambrick continued saying Whitehorse Ranch is a private water company and their water levels are deep. He said that when there are animals on the surface and there is water runoff, the runoff won't affect the wells because they are very deep. PC Brown stated there are a lot of things you can do to conserve water. He said there are grant programs out there and he knew of one that taxed water withdrawals and a portion of the money was used to fund a grant program where people were funded to do pilot projects for conservation. Chair Hambrick said that ADWR manages the water side of it. He said there is a corporate side for water companies to lay out their service boundaries which must be approved by the Corporation Commission. PC Brown stated each of those services provided are required to meet conservation objectives.

B. Continuation of discussion and possible action possibly approving the Zoning Ordinance to be amended to make Farm Animals Permitted Uses rather than as Accessory Uses.

PC Brown stated this is a follow up from the December 5th meeting where we discussed changing farm animals from accessory uses to permitted uses. He said that after considerable deliberation on the subject, the Commission concluded that they wanted Staff to research whether there were possible implications of this change that they had not considered. He spoke about how other jurisdictions (Yavapai County, Chino Valley and Prescott Valley) treating farm animals, whether as accessory uses or permitted uses. He said that in Yavapai County, farm animals are permitted as accessory uses in the R1L zoning district on lots at

least 70,000 and in the R1 zoning district on lots at least 35,000. He said the number of animals matches Dewey-Humboldt except that the County allows five swine per property, whereas Dewey-Humboldt does not allow swine. Mr. Brown said that Chino Valley refers to farm animals as non-household animals and said that the keeping of non-household animals shall be prohibited except in those districts in which they are specifically allowed. The keeping of non-household animals is allowed in all the agricultural zoning districts and most of the single-family residential districts as permitted uses. They do require that all accessory structures be preceded by the issuance of building permit for a primary residence, although they do not require an accessory structure to serve the animals. Mr. Brown stated that the Commission discussed whether there should be an accessory structure to provide shelter for the animals.

Mr. Brown said that Staff's recommendation is to recommend to Council to consider directing Staff to prepare an Ordinance to delete § 153.066(F), the table for animals, from Accessory Uses and Structures and add it to § 153.036, the R1L District, as permitted uses. He said it would also need to be deleted from § 153.038(B)(3)(b) Additional Accessory Uses and Structures and add it as (5) under § 153.038(B). He said you may want to discuss number of animals. Chair Hambrick said he thought the number of animals was okay with the Commission and said the recommendation will leave us matching Yavapai County with the exception of the 70,000 square foot. PC Brown said yes, instead of having two tiers of allowable densities, we would just have one.

Chair Hambrick asked if there were any comments from the public and he said there were none.

Chair Hambrick made a motion to go with Staff's recommendation on Agenda Item 8.B., seconded by Vice Chair Siereveld. There was further Commission discussion with PC Brown on the number of animals allowed, noise and smell. Chair Hambrick called for the vote on the motion: Commissioner Manzo – aye; Commissioner Murphy – aye; Commissioner Ullmann – nay; Commissioner Wyatt – absent, Vice Chair Siereveld - aye; Chair Hambrick - aye. Motion passed on a voice vote 4-1.

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

None.

10. Public Hearing Agenda.

A. Public Hearing on an ordinance amending the Town of Dewey-Humboldt, Arizona code of ordinances, Title XV Land Usage, Chapter 153 Zoning Regulations, by amending § 153.036 and § 153.086, all related to the regulation of steel cargo containers.

PC Brown said this is a continuation of the discussion that the Commission has had previously. He said the Commission made a recommendation to Council and a new Ordinance has been drafted. Mr. Brown said Staff recommends, following a review of the Ordinance, to recommend approval of the Ordinance. He said the question was how to permit cargo containers and how many are allowed. He said the recommendation of the Commission was to have many of the limitations removed; you could have as many cargo containers that you want, as long as you meet the setbacks, separation and the total coverage of the property; they would be allowed in all zoning districts; deleted (A)(13)(e), (f) and (g) from § 153.086; now the size can be up to 40 feet, not limited to two acre parcels, more than one unit on a parcel. Mr. Brown said that in addition to these changes Council deleted (A)(13)(c) the verbiage all containers shall be painted and maintained either the primary structure color or an earth tone consistent with the surrounding terrain prior to placement.

Commissioner Manzo made a motion to have the Council adopt this Ordinance, seconded by Commissioner Murphy. Chair Hambrick called for the vote on the motion: Commissioner Manzo – aye; Commissioner Murphy – aye; Commissioner Ullmann – aye; Commissioner Wyatt – absent, Vice Chair Siereveld - aye; Chair Hambrick - aye. Motion passed on a voice vote 5-0.

11. Adjourn.

Chair Hambrick adjourned the meeting at 6:53 p.m.

Victor Hambrick, Chair

ATTEST: _____
Beth Evans, Administrative Assistant II

**TOWN OF DEWEY-HUMBOLDT
PLANNING & ZONING ADVISORY COMMISSION
REGULAR MEETING MINUTES
FEBRUARY 6, 2020, 6:00 P.M.**

A REGULAR MEETING OF THE DEWEY-HUMBOLDT PLANNING & ZONING ADVISORY COMMISSION WAS HELD ON THURSDAY, FEBRUARY 6, 2020, AT TOWN HALL AT 2735 S. STATE ROUTE 69, DEWEY-HUMBOLDT, ARIZONA. CHAIR VICTOR HAMBRICK PRESIDED.

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

None.
5. **Planner's Update on Current Events and Activities.** No discussion, deliberation or legal action can occur.

None.
6. **Consent Agenda.**

None.
7. **Public Comment on Non-agendized Items.**

None.
8. **Unfinished Business.** Discussion and Possible Action on any issue which was not concluded, was postponed, or was tabled during a prior meeting.

Commissioner Wyatt stated he went to the Town Council meeting earlier this week and he wanted to update the Commissioners on recommendations that were made for the pet code. He said one was allowing smaller lots to qualify. The second recommendation was regarding the animal chart and expanding the number of animals allowed per acre. Commissioner Wyatt said the Council put this on hold for expert advice on the carrying capacity. Planning Consultant (PC) Brown stated Council wants to know, from an expert's opinion, what the carrying capacity is per acre, as the Council disagrees with the current numbers. There was further Commission discussion on this topic with PC Brown.

A. Continuation of discussion of 2009 General Plan.

Mr. Brown said we are down to the last section of the General Plan which is the Implementation Program. The Commissioners took turns reading this section. Mr. Brown stated the Implementation Program is broken down into short-range (2009-2011), mid-range (2012-2015) and long-range (2016+) for each Element/Goal and where the responsibility lies for each one.

Commissioner Wyatt questioned how the General Plan would get updated. He asked if it would be a new plan with new objectives or updating the current plan. PC Brown stated a lot of what is in the General Plan now will likely carry over to the new plan.

Commissioner Wyatt read the Land Use Element goals. He asked if we have a Community Core Plan. PC Brown said that we do not have a Community Core Plan. PC Brown said we do have a community cleanup program twice a year. Commissioner Wyatt stated we still have a lot of issues regarding environmental hazards. Mr. Brown said we had discussions with the landowner's architect (Mortimer Farms property) to develop a trail system along the Agua Fria River. Commissioner Wyatt questioned what promoting self-sufficiency meant. Chair Hambrick said promoting self-sufficiency is about policies that have been passed and making sure citizens are self-sufficient. Mr. Brown also said that developing a community space was also discussed with the architect. Commissioner Wyatt asked if we will be refurbishing the downtown. Mr. Brown said yes, that could be a possibility.

Chair Hambrick read the Circulation Element goals. Commissioner Murphy asked about private roads. PC Brown stated the Town needs to develop guideline standards for roads, so a road could be brought up to standard and property owners could transition them from private to public. Commissioner Wyatt asked if a

Master Streets/Transportation Plan exists. Mr. Brown said nothing has been developed. Mr. Brown also stated that we do not have a Capital Improvement Program (CIP). There was further Commission discussion on developing a CIP.

Commissioner Murphy read the Cost of Development goals. Vice Chair Siereveld stated Public Works is working on some things which haven't been done before. PC Brown said they are currently programming the field work that Public Works does and prioritizing work with the money the Town receives from Highway User Revenue Funds (HURF). He said the Town does not have impact fees because we don't have water, sewer, trash service or school. Commissioner Wyatt spoke about getting funding from grants as a source of funds. There was Commission discussion with PC Brown regarding utilizing a grant writer. Commissioner Wyatt asked if we can get some feedback from the Town Manager on this subject. Mr. Brown said he would speak to Mr. Hanks.

Commissioner Murphy read the Open Space and Trails (OSAT) goals. PC Brown stated we have an OSAT plan that was adopted in August of 2010. Commissioner Murphy said that he served on the OSAT Committee and they were working on getting private access to the Bureau of Land Management (BLM) land. He said they did the trailhead off Prescott Street and they were working on another one-off River Road, but it didn't get completed. PC Brown asked if they talked about developing a trail along the Agua Fria River. Commissioner Murphy said they did talk about it, but they ran into an obstacle with Coldwater Farm. Coldwater Farm has a conservation easement with Central Arizona Land Trust which protects the property from future development. Commissioner Murphy stated the Committee is no longer active.

Vice Chair Siereveld read the Environmental Planning goals. PC Brown said the Town promotes energy efficient projects with solar permits. He said we are working on negotiations with the current owners of Mortimer Farms to include part of that land as an agriculture preservation area. There was Commission discussion with PC Brown on having protection for "dark skies", noting they are difficult to manage. Mr. Brown said that a LEED program (Leadership in Energy and Environmental Design) is where you design your projects to maximize sustainability. It provides a framework for healthy, highly efficient, and cost-saving green buildings. He said there are standards that you meet to achieve silver, bronze and gold certification. PC Brown said to achieve the long-range goals, the Town could investigate alternative energy. He said the Town could get a hybrid vehicle, solar on the new town hall, energy efficient windows. He said there are several things that could be done to meet that goal.

Commissioner Wyatt read the Water Resources goals. PC Brown said the Town has started taking reservations for a fourth round of well water testing. He said we send them to a laboratory in Flagstaff and they provide the results to the property owners. The lab checks for copper, arsenic and lead levels. Commissioner Wyatt asked if there is a way to measure the water availability. PC Brown said the only way to check water availability is to have a hydrologic cycle study done of the whole river valley to find out where the water resources are located. Commissioner Wyatt asked if the state had a well registry. PC Brown said yes, they do have a well registry, but a lot of the residential wells are exempt wells. Chair Hambrick said that the definition of an exempt residential well is for the single residential uses for that parcel and they are limited to 35 gallons per minute (GPM) use. Chair Hambrick stated that some of the goals and objectives that are currently in the plan are suggestions only, the Town selects some – but probably not all – projects for implementation as resources permit (as noted at the bottom of the General Plan Implementation Program chart). Chair Hambrick spoke about water and being inside an Active Management Area (AMA). He said it was in the 80s that Arizona put the AMA in place. He said that if you are in an AMA, they assign paper water to areas that are being irrigated or farmed. Chair Hambrick said if you are inside an AMA and you are going to develop a subdivision, you need to have two types of water. He said first you need prove the physical water for 100 years through a hydrological study and then back that up with the paper water. He said they assign acre feet of water per paper based upon the irrigated properties in that area. He said northern Arizona was excluded from that as they picked areas where there were massive aquifers.

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

None.

10. Adjourn

Chair Hambrick adjourned the meeting at 7:07 p.m.

Victor Hambrick, Chair

ATTEST: _____
Beth Evans, Administrative Assistant II

**TOWN OF DEWEY-HUMBOLDT
PLANNING & ZONING ADVISORY COMMISSION
REGULAR MEETING MINUTES
MARCH 5, 2020, 6:00 P.M.**

A REGULAR MEETING OF THE DEWEY-HUMBOLDT PLANNING & ZONING ADVISORY COMMISSION WAS HELD ON THURSDAY, MARCH 5, 2020, AT TOWN HALL AT 2735 S. STATE ROUTE 69, DEWEY-HUMBOLDT, ARIZONA. CHAIR PRO TEM LON ULLMANN PRESIDED.

Prior to the meeting, it was announced that Chair Victor Hambrick and Vice Chair Jeff Siereveld were unavailable for the meeting. The Commissioners chose Commissioner Ullmann to Chair the meeting.

1. **Call To Order.** Chair Pro Tem Ullmann called the meeting to order at 6:02 p.m.
2. **Roll Call.** Commissioners Sue Jakubec, Mario Manzo, Lon Ullmann and Darrell Wyatt, were present. Commissioner Ken Murphy, Vice Chair Jeff Siereveld and Chair Victor Hambrick were absent.
3. **Opening Ceremonies.**
 - A. **Pledge of Allegiance** Led by Lon Ullmann.
4. **Informational Reports.**

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

Planning Consultant (PC), Steven Brown stated the current events are what are on the agenda. He said we are in the process of organizing a committee for the General Plan update. Mr. Brown said this will be a public participation process.
6. **Consent Agenda.**

None.
7. **Public Comment on Non-agendized Items.**

None.
8. **Unfinished Business.** Discussion and Possible Action on any issue which was not concluded, was postponed, or was tabled during a prior meeting.
 - A. **Continuation of discussion of 2009 General Plan.**

Mr. Brown stated this was on the agenda in case we hadn't finished this, but we have finished the discussion of the 2009 General Plan.
9. **New Business.** Discussion and Possible Action on matters not previously presented to the Commission.
 - A. **Discussion and possible action on proposed Public Participation Plan.**

Mr. Brown stated there is a Resolution that is being proposed and offered to go over some of the highlights of the Resolution. Commissioner Wyatt stated he would like to make a small amendment to the Resolution. He said under Section 3.2, under Entities, it talks to reaching out to community and public bodies of various types to encourage participation from major stakeholders. He said he would like to add 3.2.4, Local Citizen Groups.

Commissioner Wyatt made a motion to add item 3.2.4, Local Citizen Groups; seconded by Commissioner Manzo. Chair Pro Tem Ullmann asked for a discussion on this from the Commissioners. Commissioner Wyatt stated that type of entity is not addressed anywhere else and said that it could be any type of organized citizen group. There was Commission discussion to also add resident groups to the motion, revising Commissioner Wyatt's motion to add item 3.2.4, Local Citizen and Resident Groups; seconded by Commissioner Manzo. Commissioner Jakubec – aye; Commissioner Manzo – aye; Commissioner Ullmann – aye; Commissioner Wyatt – aye. Commissioner Murphy, Vice Chair Siereveld and Chair Hambrick were absent. Motion passed on a voice vote 4-0.

Mr. Brown gave a brief summary of the Citizens' Participation Plan. He stated it is going to be a two-phase process of the 2009 General Plan Update. He said the first phase constitutes three Steering Committee Meetings and one Community Meeting to evaluate, appraise and develop a recommendation related to the update of the 2009 General Plan, including the current elements of the plan. He said there could be more added. At the end of Phase 1, a recommendation will be made to the Planning and Zoning Advisory Commission and the Town Council to present the General Plan outline and next steps/timeline.

Commissioner Wyatt asked about the consultant that is hired for the project. Mr. Brown stated we have a consultant, Leslie Dornfeld, who is a representative of Kimley-Horn. He said they are a firm that has been in planning for years and recently opened an office in Prescott. They will also have as their partners in this project, Plan*et Communities. He said Ms. Dornfeld is with Plan*et Communities and that Kimley-Horn will be handling a lot of the graphics.

Mr. Brown continued on stated Phase 2 of the process will consist of ongoing Steering Committee Meetings, a land use planning workshop, and open houses to update General Plan maps, elements, goals and strategies and assist in the development of final documents to be presented to the Planning and Zoning Advisory Commission and Town Council for approval. He stated there will be a large focus on the land use planning workshop. He said that when the Town first incorporated, they adopted the County's land use plan and that plan doesn't represent the kind of land use or disbursement that we want to see.

Mr. Brown continued with the next Section, Citizen Participation Activities and said that the whole point of this Resolution is to outline how citizens are going to be able to participate and get engaged in this process and there are several different opportunities for involvement. He said written comments, General Plan Steering Committee Meetings and Public Hearings will all be a part of the process.

Agency and Entity Participation Activities is the next Section that Mr. Brown went over and he said there are several agencies and jurisdictions that we will be involving in this process. He said a lot of these have property holdings in the community and they will have an opportunity to make sure their interests are considered. Mr. Brown said other entities that will be involved are school and college districts, public utilities, Chambers of Commerce, your addition of local citizen and resident groups and we may expand this to others as they make themselves and their interests known to us.

PC Brown continued with Draft Plan Review documents are to be provided to agencies and jurisdictions to keep them informed, so they are able to provide input if needed. Mr. Brown said the consultants, with staff assistance, will be providing the reports.

Commissioner Manzo asked why the plan doesn't include crime. Mr. Brown stated we don't have a public safety function, but it is certainly something that can be recommended to be added. There was Commission discussion with Mr. Brown about adding the public safety function to the list of Jurisdictions/Agencies. Commissioner Manzo made a motion to include all Yavapai County Law Enforcement Agencies to 3.1. Jurisdictions/Agencies.; seconded by Chair Pro Tem Ullmann. Commissioner Jakubec – aye; Commissioner Manzo – aye; Commissioner Ullmann – aye; Commissioner Wyatt – aye. Commissioner Murphy, Vice Chair Siereveld and Chair Hambrick were absent. Motion passed on a voice vote 4-0.

Mr. Brown continued with the next Section Citizen Information Activities stating events will be covered in the Town Newsletters and various websites to obtain input from the citizens. He said last time there wasn't enough citizen input and they were also under a time constraint to get it done.

Commissioner Wyatt read a paragraph from the 2009 General Plan which states that the General Plan deserves an "annual checkup" which could be included as part of the once-a-year General Plan Amendment exercise. He thought this was well thought out and should be included in the General Plan update.

Mr. Brown stated that we will be using the newspapers and mass electronic media to disseminate information and take in input for the public throughout the whole process.

Commissioner Wyatt made a motion to recommend the Resolution, as amended, adopting a Citizen Participation Plan and forwarding it to the Council for their consideration with a recommendation of approval; seconded by Commissioner Manzo. Commissioner Jakubec – aye; Commissioner Manzo – aye; Commissioner Ullmann – aye; Commissioner Wyatt – aye. Commissioner Murphy, Vice Chair Siereveld and Chair Hambrick were absent. Motion passed on a voice vote 4-0.

10. Adjourn

Commissioner Wyatt made a motion to adjourn; seconded by Commissioner Manzo. Commissioner Jakubec – aye; Commissioner Manzo – aye; Commissioner Ullmann – aye; Commissioner Wyatt – aye. Commissioner Murphy, Vice Chair Siereveld and Chair Hambrick were absent. Motion passed on a voice vote 4-0. The meeting was adjourned at 7:29 p.m.

Lon Ullmann, Chair Pro Tem

ATTEST: _____
Beth Evans, Administrative Assistant II



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Staff Report

Planning and Zoning Advisory Commission Meeting

November 5, 2020

Date: October 30, 2020

To: Planning and Zoning Advisory Commission Members

From: Steven Brown, Planning Consultant

New Business:

ITEM #10. A: Overview, Review and Discussion about the Town's Land Split Process.

I. BACKGROUND

LAND SPLIT. The division of improved or unimproved land whose area is two and one-half acres or less into two or three tracts or parcels of land for the purpose of sale or lease where no new street is involved.

Staff has researched the history of the regulation of "Land Splits" within the Town Code. The authority for Towns to regulate Land Splits being provided for in Town Code is to provide simpler process to facilitate the small division of land into two or three parcels. The purpose of requiring documentation of the division history of any parent parcel is to assure that the parent parcel has not already exceeded the available number of administrative splits. Also, to assure that attempts are not made to circumvent the subdivision regulations of the Town of Dewey-Humboldt which exist to assure that the subdivision of land complies with the Town's roadway, drainage, water provision, hillside and other standards designed to protect the purchasers of land.

§ 152.05 LAND SPLITS PROCEDURE.

(A) Preliminary processing.

- (1) Proposed land splits shall require a pre-application conference (see § 152.04), at which the property owner and department shall discuss the proposal, regulations and options for further consideration of proceeding with a land split application described below.
- (2) Application, together with filing fees, and the following documents shall be filed by the applicant.

- (a) Legal description and assessors parcel number.
 - (b) A land split drawing showing the proposed land split, fully dimensioned and prepared at a scale which maintains legibility, showing the following information:
 - 1. The boundaries of the original parcel prior to the land split.
 - 2. Proposed parcels, with parcel lines fully dimensioned.
 - 3. The rights-of-way adjacent to or within the property, including streets and recorded easements and proposed easements to be recorded for ingress/egress and utilities.
 - 4. The locations and dimensions of any existing structures with setbacks of existing buildings and structures from existing and proposed property lines.
 - 5. The placement of existing wells and septic systems.
 - (c) Documentation of the land division history of the parcel. Documentation may consist of assessor's maps and records, deeds, title history search, or any other information that would credibly show the number of land divisions that have occurred during the five-year period preceding the application.
 - (d) If applicable, a copy of any easement and/or required agreement, or other legal document which permits shared facilities.
- (B) *Review of preliminary documents.* The documents submitted noted above in preliminary processing shall be reviewed by the department for the following, which could result in the denial of the land split:
- (1) The parcels resulting from the split or division not conforming to size, width/depth requirements and other zoning regulations;
 - (2) A parcel or adjacent property becoming landlocked, without legal access; and/or
 - (3) The division of land, based on the documentation of its land division history, would result in a subdivision as defined in § 153.005 (i.e. four or more parcels)
- (C) *Final application submittal.* Upon satisfactory review and determination by the Department and prior to final approval and recording, the property owner shall submit:
- (1) A completed application, filing and recording fees; and
 - (2) A record of survey of the proposed land split produced by a registered land surveyor (RLS) licensed in the State of Arizona; the record of survey shall be sealed and signed by the RLS and contain the boundaries of the original parcel prior to the land split, the proposed parcels with parcel lines fully dimensioned, and the rights-of-way adjacent to or within the property, including streets and recorded easements and proposed easements to be recorded for ingress/egress and utilities;

- (3) The record of survey shall contain the recording data (book and page numbers) of the access easements for ingress and egress, existing or proposed for creation of the land split; such easements shall meet the standards specified in § 152.09 Subdivision and Street Design Standards.

(Ord. 09-51, passed 4-21-2009; Am. Ord. 15-113, passed 6-16-2015)

You will notice that Sections A(2)(c) and B(3) are highlighted, and that is to draw attention to them.

An important feature of the Land Split process is one of the basic purposes. That is to provide an administrative process for Minor Land Divisions of up to three (3) lots in municipalities. The division of land into four (4) or more lots is defined as a “Subdivision”, and must be processed accordingly.

The purpose of this limitation is to prevent the use of Land Splits to avoid the Town’s Subdivision Regulations that permit us to focus on issues that impact land use, such as drainage, access, layout of lots, etc.

Requiring the five-year history of Land Splits of a parent parcel serves this limitation restricting the further splitting beyond 3 of a parent-parcel until the passing of five years.

This limitation works on the parent parcel and is not affected by the transfer of the split lots to any subsequent owners. Those new owners will be bound by the same five-year restriction of further division through the Administrative Land Split process and can only be accomplished by submitting to the proposal as a subdivision.

This means that new owners do not get a new 3 Land Splits until after passing of the five years.

The Town reviews the split history as an initial step in considering Land Splits.

Examples:

- **Two lots, APN 402-02-389H and 389G were split from parent parcel 389F on February 11, 2020, and one or the other of those lots can be split into two between then and February 11, 2025.**
- **Three lots APN 402-04-098A, 098B and 098C were split from parent parcel on July 15, 2010, and thus the three lots allowed by Land Split process have been achieved and no further administrative splits of any of these new parcels is possible for five years.**

Remembering the whole time that any splitting beyond these would result in the creation of the fourth parcel from the parent and would meet the definition of a subdivision in accordance with Section 152.002.

§ 152.02 DEFINITIONS.

SUBDIVISION. Improved or unimproved land or lands divided for the purpose of financing, sale or lease, whether immediate or future, into four or more lots, tracts or parcels of land, or, if a new street is involved, any such property which is divided into two or more lots, tracts or parcels of land, or, any such property, the boundaries of which have been fixed by a recorded plat, which is divided into more than two parts.

To provide a somewhat simplified subdivision process for dividing property into 10 or fewer lots, the Town of Dewey-Humboldt adopted the Minor Subdivision process as part of the Town's Subdivision Regulations.

MINOR SUBDIVISION. The division of improved or unimproved land into two or three tracts or parcels of land and where a new street is involved, for the purpose of sale or lease; or, a "subdivision", as defined in this section, which contains ten or less lots, tracts or parcels.