

I. PROCEDURES

- A. Call to Order Chairman Williams called the meeting to order at 6:32 p.m.
- B. Pledge of Allegiance Chairman Williams led the pledge.
- C. Roll Call Present were Chairman Buck Williams, Vice Chairman John Holst, and Commissioners Jim Breihan, Brad Massey, Harry Schmitz and Josh Smiley. Commissioner Gabe Ayala was absent. Present from staff was City Clerk/HR Director Susan Kerley. Thad Johnson represented Main Street Association.
- D. Adoption of Agenda Commissioner Holst made a motion to adopt the Agenda. Commissioner Smiley seconded, and the motion carried 6-0.

II. WORK SESSION

- A. Review of Main Street Zoning Overlay (on CBD) – *Chapter 12-19 Main Street Zone* Thad Johnson, representing Main Street, continued the review with Commissioners, beginning with Page 12-107 (i) Building Materials and ending with 12-107 (w). Each change, addition, or deletion was entered into the draft of the document on Mr. Johnson's computer and will be reflected in the final draft of the document when the review has been completed.

- V. ADJOURNMENT:*** Commissioner Holst made a motion to adjourn. Commissioner Smiley seconded, and the meeting adjourned at 8:37 p.m. on a 6-0 vote.

Buck Williams, Chairman

Susan Kerley, City Clerk

I. PROCEDURES

- A. Call to Order Vice-Chairman Holst called the meeting to order at 7:05 p.m.
- B. Pledge of Allegiance Vice -Chairman Holst led the pledge.
- C. Roll Call Present were Vice Chairman John Holst, Commissioners Gabe Ayala, Jim Breihan, Brad Massey, Harry Schmitz, and Josh Smiley. Chairman Buck Williams was absent. Present from staff were Public Works Director Glenn Cornwell, Building Inspector Tim Pettit, and City Clerk/HR Director Susan Kerley.
- D. Adoption of Agenda Commissioner Massey made a motion to adopt the Agenda. Commissioner Smiley seconded, and the motion carried 6-0.
- E. Approval of minutes: December 14, 2010 Commissioner Smiley made a motion to approve the minutes of December 14, 2010, and the motion was seconded by Commissioner Massey. Commissioner Schmitz abstained because he was absent from the December 14th meeting. The motion carried 5-0.

II. PUBLIC PARTICIPATION - NONE

III.

RZ 10-01 Old School

A. Report to the Planning & Zoning Commission

Tim Pettit reported that Mr. Bennett, owner of the Old School Building, has submitted a packet that includes a Request for Rezoning, and DRT minutes. He reported that the property has been posted properly, the legal notice has been published in the local newspaper as required, and 68 notices were mailed to nearby property owners. Four of these were returned with no forwarding address available.

Mr. Bennett made his presentation to the Commission. His plan is to have five apartments in the two back wings. At the top of the building, he would like to have live/work lofts for artists. He wants to use the first and second floors for light commercial enterprises, such as accountants, attorneys, doctors, dentists, bookstore, travel agency, etc. The time line would extend over approximately ten years, but he would like to build and lease the five apartments now.

Vice Chairman Holst noted that as evidenced by the large crowd in attendance, everyone wants to see the proposed changes in the property. It was determined that PUD would not be appropriate for this project as that process is huge on an on-going project. Commissioner Schmitz posed questions: Has demoing the building been considered? What would the market value of the resulting R-1 lots (8-9) be worth at market value? Mr. Bennett replied that he has looked at that possibility but it would not pencil.

Commissioner Ayala said that people have lived in the neighborhood for many years and the use of this property needs to be o.k. with the neighbors. Vice Chairman Holst noted that all proposed uses look o.k. except for

repair garages. They're all light commercial uses, not bars and restaurants. The only exception might be a gymnasium that would offer space for public concerts, etc.

B. Recess to Public Hearing (7:29 p.m.)

More than 12 residents of the area voiced their opinions, supportive of development of the Old School, tempered with concern that whatever is done would have a low impact on the neighborhood in terms of open hours, traffic, and noise. Gregg Brooks, self-described as the only zoning inspector in Flagstaff, supports a Conditional Use Plan in accordance with the Master Plan.

C. Reconvene Regular Planning and Zoning Session

At 8:05 p.m., the Regular Planning and Zoning Session was reconvened. Commissioners discussed several questions: Can the property owner apply for a Conditional Use Permit or would a zoning change be necessary? Would a Conditional Use Permit be allowed in a residential zone? The area is currently zoned R-1, not commercial. Doesn't the zone have to be commercial to allow a CUP? Does the power of a CUP allow a bridge from residential zoning? Vice-Chairman Holst asked Building Inspector, Tim Pettit, to check with the City's Attorney to get responses to the above questions.

D. Discussion and Decision

Commissioner Holst reviewed a list of potential uses, asking for input. Those identified as not acceptable include auto services, lodges and fraternal orders, veterinarian, plant nursery, self storage, and sheltered care facilities. Commissioner Smiley summarized, saying that the Commission encourages the owner to come back for a CUP for apartments, retail, gym, and live/work lofts.

Commissioner Schmitz indicated that a zoning change from R-1 would be inconsistent with the General Plan and made a motion to deny the request. Commissioner Massey seconded the motion, and it carried 6-0.

V. ADJOURNMENT: Commissioner Smiley made a motion to adjourn. Commissioner Ayala seconded, and the meeting adjourned at 8:35 p.m. on a 6-0 vote.

Buck Williams, Chairman

Susan Kerley, City Clerk

I. PROCEDURES

- A. Call to Order Chairman Williams called the hearing to order at 6:30 p.m.
- B. Pledge of Allegiance Chairman Williams led the pledge.
- C. Roll Call Present were Chairman Buck Williams, Vice Chairman John Holst (late), and Commissioners Jim Breihan. Harry Schmitz and Josh Smiley

and constituted a quorum. Commissioners Gabe Ayala and Brad Massey were absent. Present from staff was City Clerk/HR Director Susan Kerley.
- D. Adoption of Agenda Commissioner Smiley made a motion to adopt the Agenda.
Commissioner Schmitz seconded, and the motion carried 4-0.

II. WORK SESSION

- Review of Main Street Zoning Overlay (on CBD) – Chapter 12-13 Signs Permitted in Each Zoning District, Additional Requirements, General Provisions, Exempt Signs, Prohibited Signs, and Non-Conforming Signs
- As Chairman Williams read the current version, Commissioner Holst looked at the new version to determine changes between the two. The following items were noted:
- 12-13.02 “Blue document” refers to new document from Main Street
- 12-13-02 (2) change “with” to “when” in last sentence
- 12-13.02 (4) Add “See Article 12-13.02 (0) for Main Street Promotional Display requirements.”
- 12-13.02 (5) Add “Signs must be installed and removed per Article 12-13.04 (6).”
- G. (4) Add “Bottom of the sign is”
- g. (5) Replace “Central Business District on Railroad Avenue and Route 66” with “Main Street Overlay District.”
- J. Add “including neon” and “into the night skies or into”
- Delete “including neon” because City wants to encourage neon signs.
- Add comma after residential building and/or driveway, where...hazard.”
- (1)into the night skies
- (2) any residential building
- (3) any street, alley or driveway
- Where such glare or reflection night create a traffic hazard.
- (8) Delete “to be” and “and”
- (O)(2) “Principal building” not defined so will reference Article 12-07

which clarifies “principal building”

7:29 p.m. Short Break

7:31 p.m. Resume Session

(3) Add projecting signs to allowed signs.

(4) – (9) o. k.

(10) Add ‘Promotional’ at beginning of second sentence. Change “six (6) square feet”

(11) Change from “6 square feet” to “16 square feet.” Add “for safety purposes”

(12) Change “uses” to “users.”

Eliminate (12) altogether.

Chairman Williams explained that those from Planning and Zoning Commission were assigned to serve as an advisory group to help Main Street Association members write up their desired changes and incorporat them into this document.

Whenever Main Street is ready to proceed with their final version of the document, the formal process is as follows: The document must be submitted to the Planning & Zoning Commission. One public hearing is held at a P & Z Commission meeting. The second public hearing is held at a Council meeting. Planning & Zoning Commission makes a recommendation to Council, and Council makes the final determination.

V. ADJOURNMENT:

Commissioner Smiley made a motion to adjourn. Commissioner Breihan seconded, and the meeting adjourned at 8:10 p.m. on a 5-0 vote.

Buck Williams, Chairman

Susan Kerley, City Clerk

I. PROCEDURES

- A. Call to Order Chairman Williams called the hearing to order at 7:00 p.m.
- B. Pledge of Allegiance Chairman Williams led the pledge.
- C. Roll Call Present were Chairman Buck Williams, Vice Chairman John Holst, and Commissioners Gabe Ayala, Brad Massey, Harry Schmitz, and Josh Smiley(late). Commissioner Jim Breihan was absent. Present from staff were Building Inspector Tim Pettit and City Clerk/HR Director Susan Kerley.
- D. Adoption of Agenda Commissioner Massey made a motion to adopt the Agenda. Commissioner Holst seconded, and the motion carried 4-0.
- E. Approval of Minutes for March 1, 2011 Commissioner Holst made a motion to approve the minutes from March 1, 2011, and it was seconded by Commissioner Smiley. The motion carried 4-0

II. PUBLIC PARTICIPATION - None

III. ORDINANCE NO. 916, Regulating Medical Marijuana Dispensary and Medical Marijuana Dispensary Offsite Cultivation Locations

- A. Report to the Planning & Zoning Commission by Tim Pettit, Building Inspector
- Mr. Pettit reported that the voters of Arizona voted to legalize medical marijuana. Localities are required to make reasonable allowances in their zoning laws to allow for dispensaries and cultivation sites within that jurisdiction. So Staff and City Attorneys have proposed Ordinance No. 916 that allows Medical Marijuana Dispensary and Medical Marijuana Dispensary Offsite Cultivation Locations in Zones CBD (Central Business District), , CR (Commercial Residential), and I-1 (Light Industrial).
- Attorney Lee Phillips introduced himself, his wife, Holli, and Dr. Alan Citrin. Attorney Phillips represents a group of people, including Dr. Citrin, that plans to apply for a dispensary license. Attorney Phillips has worked with Flagstaff and Coconino County on zoning and will provide any information and serve as a resource to answer questions.
- Chairman Williams read the Staff Report. (Copy of 4/06/2011 Staff Report attached.)

B. RECESS TO PUBLIC HEARING

Commissioner Williams read Ordinance No. 916 by name and title and proceeded to review the Ordinance, item by item. Several terms (“infuse,” “dispensary,” “food establishment,” and “cultivation site,”) were clarified by Commissioner Smiley. Lee Phillips added that many localities allow a cultivation site at the medical marijuana dispensary, and the group he represents would prefer to operate a retail dispensary and cultivation site in one location to reduce overhead. He said that all three, (dispensary, cultivation site, and food establishment can be combined in

one spot. He asked the Commissioners to consider allowing some cultivation at the dispensary site. Dr. Citrin explained that they have no way of knowing how many patients they would be serving in this region. Applicants from rural areas are being encouraged by the ADHS (Arizona Department of Health Services) to cultivate and to sell their excess to other dispensaries in metro areas, both to ensure a supply and to supplement their revenues. The State believes this would also minimize the number of those patients who are allowed to cultivate privately if they reside more than 25 miles from a dispensary.

Commissioner Ayala asked what is meant by a not-for-profit entity. Attorney Phillips replied that Arizona tried to make this state's program different from California's and Colorado's. All dispensaries and cultivation sites have to operate as non-profit entities. They can pay salaries of employees or expenses but can declare no profit or dividends. They can have no stockholders. "Non-profit" and "not-for-profit" are used interchangeably in Arizona. Applicants must first have non-profit status and then apply for a State license. Once granted, the license must be renewed each year through the Department of Health Services.

Chairman Williams summarized, saying that it would seem to be a far safer operation if all three were located in one location. It would be easier to police, and it fits within the State's criteria.

It was suggested that on Page 2, *Medical Marijuana Facility*, the last sentence be deleted and that on Page 2, *Medical Marijuana Cultivation Site*, the last sentence be deleted. This would remove the prohibition against having a combined facility. Also, this would impact the gross square footage if a dispensary and cultivation site were combined in one location. It was suggested that on Page 4 Item (5) Conditional Use Permit Criteria the gross square footage be adjusted to 4,000 gross square feet (3,000 s.f. plus 1,000 s.f.) if the two are combined in one physical facility.

Commissioner Holst asked Attorney Phillips the positions of Flagstaff and Coconino County on dispensaries delivering to cardholders. Attorney Phillips replied that the City of Flagstaff is allowing no deliveries within the City; however, Coconino County will allow delivery within the County. Commissioner Smiley asked if the City could allow delivery within the City's limits if a doctor's statement were required from the cardholder, stating that the patient needed delivery.

Several suggested that the prohibition of emission of odors be eliminated because enforceability would be almost impossible for such a subjective issue (Page 5 – Item (5) –Conditional Use Permit Criteria).

Debi Zecchin, a local real estate agent, accompanied the Phillippses and Dr. Citrin. She has been attempting to locate property in Williams for a dispensary for them. She maintained that with the separation chart on page 6, that would be impossible with property now available. In its original form, eight categories were shown. It was noted that whoever determined these separations did not know Williams because after considering all limitations, little or no property would remain usable. It was noted that the only separation required by the State is 500' from schools. It was suggested that all separation classifications be removed except four: 2000' from another medical marijuana facility or cultivation site; 500' from *licensed* day care center, public or private; 500' from charter schools, public schools or private schools; 60' from residential zoning district boundary. This would eliminate separation from a public or private park, place of worship, public library, or hospital.

The suggestion was made that, even though it is an overlay district, Historic Preservation should be included on the Table of Permitted Uses (page 7). It was requested that a column be added for

HP (Historic Preservation District). Other than the correction of three typos or misspellings, the above constituted requested changes to Ordinance No. 916.

C. RECONVENE REGULAR PLANNING AND ZONING SESSION

Commissioner Smiley made a motion to return to the Regular Session. It was seconded by Commissioner Ayala and carried 5-0

D. Discussion and Decision

Commissioner Holst itemized the Commission's findings:

ITEMIZATION OF FINDINGS
ORDINANCE NO 916
PLANNING & ZONING COMMISSION
APRIL 21, 2011

Clarification of Terms:

- Dispensary – Legal Entity
- Facility – Physical Location
- Food Establishment – Location where marijuana-infused foods are sold
- Cultivation Site – Location where marijuana is grown for medical usage

Page 2 **MEDICAL MARIJUANA FACILITY:**

Delete last sentence (A medical marijuana facility cannot serve as a medical marijuana cultivation site.)

Page 2 **MEDICAL MARIJUANA CULTIVATION SITE:**

Delete last sentence (A medical marijuana cultivation site cannot serve as a medical marijuana facility.)

Page 3 Item 3. should be item (C).

Page 5 Item (III).

If this is legal, change language to reflect that delivery *can* be offered by a dispensary to a cardholder if need for such service has been established by cardholder's doctor and a recommendation has been written for this service.

Question: Can City regulate delivery to cardholders?

_____ within City limits
_____ outside City Limits

Page 4 – Item (5). **CONDITIONAL USE PERMIT CRITERIA**

Find correct language to stipulate that, if dispensary and cultivation site are combined in one physical location as a dual facility,

the square footage requirements would increase to 4,000 gross square feet (3,000 s.f. plus 1,000 s.f.)

Page 5 – Item (5). **CONDITIONAL USE PERMIT CRITERIA**

(VI). Not emit dust, fumes, vapors or *odors* into the environment.

Can the emission of odors be enforced? Delete “odors” if this term is not in the State regulations.

**TABLE 12-5.03 MEDICAL MARIJUANA FACILITIES
LOCATION REQUIREMENTS**

ARTICLE 12-5.03 MEDICAL MARIJUANA SEPARATION TABLE

- DELETE ALL SEPARATION REQUIREMENTS EXCEPT:
 - 2,000’ Another Medical Marijuana Facility or Cultivation Site
 - 500’ Charter Schools, Public Schools or Private Schools
 - 500’ **Licensed** Day Care Center, Public or Private
 - 60’ Residential Zoning District Boundary

Page 7 **TITLE 12 CHAPTER 5 ARTICLE 12-5.01 “TABLE OF PERMITTED USES”**

Add Historic Preservation District (HP)

Typos or misspellings:

Page 6 (7). (A). annually = annually

buisness = business

Page 7 (9). (B). appliction = application

Commissioner Massey made a motion to take the findings of Planning & Zoning Commission to City Council on April 28, 2011. It was seconded by Commissioner Smiley, and the motion carried, 5-0.

IV. ADJOURNMENT: Commissioner Ayala made a motion to adjourn. Commissioner Holst seconded, and the meeting adjourned at 9:25 p.m. on a 5-0 vote.

Buck Williams, Chairman

Susan Kerley, City Clerk

I. PROCEDURES

- A. Call to Order Chairman Williams called the meeting to order at 7:10 p.m.
- B. Pledge of Allegiance Chairman Williams led the pledge of allegiance.
- C. Roll Call Present were Chairman Buck Williams, Vice Chairman John Holst ,and Commissioners Brad Massey and Harry Schmitz., Commissioners Gabe Ayala, Josh Smiley and Jim Breihan were not in attendance. Present from staff were Building Inspector Tim Pettit and City Clerk/HR Director Susan Kerley.
- D. Adoption of Agenda Commissioner Holst made a motion to adopt the Agenda after changing the date of the minutes to be approved from December 14, 2010, to April 21, 2011. Commissioner Schmitz seconded the motion, and it carried 4-0.
- E. Approval of Minutes Commissioner Holst made a motion to table approval of the April 21, 2011, minutes until the next meeting. The motion was seconded by Commissioner Schmitz, and it carried 4-0.

II. Proposed Main Street Zone

- A. Report to the Planning & Zoning Commission
- Tim Pettit referred to Chapter 12-19 – Main Street Zone, a proposed addition to the zoning code. His main concern is that across the country, Main Street organizations are going away. The document under consideration requires approval by Main Street throughout. The Ordinance has design criteria that would be reviewed by Main Street.
- Also, we may need architectural photos attached to blocks. Do we want to have them attached for the type of architecture we want to see?
- Commissioner Holst passed out a sample of what might be used:
- Definition of neighborhood
 - Photographic examples of what is appropriate
 - Example of what is not appropriate
- He envisions that the Main Street Design Committee would review. However, he believes the process is well worth doing even if this ordinance does not pass. He wants guidelines in place to help keep fabric of neighborhoods whole.
- Patty Williams, a Main Street Board member, offered that the national Main Street organization may pair local Main Street Associations with corporate partners. The City asked Main Street in 2008 to help create an ordinance. They took existing material for the most part and tweaked it.
- Tim Pettit said he would use the information as a guideline even if the

ordinance does not pass.

There was some discussion about whether or not the document authorizes the City to appoint a Main Street Design Committee.

Jeremy Hassen from Addicted to Deals said he sees this as another level of bureaucracy that is not needed. The town is based on the freedom to do what you want and adding another layer that discourages development and growth is not good. He believes the Historic Commission is here to give insight to the look and feel of the area, and the Building Inspector is here to enforce the regulations.

Commissioner Holst pointed out that what makes the Historic District work is that there have been criteria for 25 years and design criteria to maintain its character.

Chairman Williams said his personal take is as follows: He assisted in the rewrite of the ordinance. Everything is already covered by the Historic Preservation Commission, P & Z, the Building Inspector and City Council. Why add another layer? He feels that every suggestion in the document is covered by more than one entity.

Commissioner Holst disagreed and noted that the Historic Commission has no purview outside their District. This ordinance covers the CBD (Commercial Business District) outside the Historic District. The area needs cohesion. This code will help the Building Inspector, because nothing is set out for guidelines.

Commissioner Schmitz looked at the purpose of the ordinance, "to stimulate the economy." He questioned why this is needed at this particular economic time and asked if it might not throw up roadblocks for developers and owners who want to do something. He suggested recommending to Council that, if they want the input of Main Street as an advisory committee, this input should be gotten at the DRT level.

Commissioner Massey noted that some items will give cohesion to a neighborhood, but it adds another level of bureaucracy. Some items could be written into the existing ordinance to give enforcement some teeth. He believes that a Main Street person should be appointed to the DRT (Design Review Team), but Main Street does not need to serve as a regulatory agency.

Commissioner Holst agreed that DRT could look at a project with input from a Main Street person with no veto power held by Main Street.

Chairman Williams added that it would be better handled to have an ordinance rewrite committee rather than a Main Street ordinance. He cited as an example the recent rewriting of a snow removal ordinance to enforce parking.

Commissioner Holst said that Main Street design documents are

nationally proven and were used in the 1980's to create the Historic District.

Chairman Williams suggested that what is needed is an ordinance committee interested in the whole city, not just in one area.

B. Recess to Public Hearing

No Comments from Public

C. Reconvene Regular Planning and Zoning Session

(8:00 p.m.)

D. Discussion and Decision

Some suggestions were offered: Table this item, or consider a rewrite.

Commissioner Schmitz made a motion for denial of zoning text changes because the changes would not stimulate or energize growth and would discourage builders and property owners from remodels. The motion was seconded by Chairman Williams. There were two ayes and two nays, so the motion did not carry.

Commissioner Holst made a motion to continue this discussion at the next scheduled P & Z meeting on August 18, 2011. The motion was seconded by Commissioner Schmitz, and it carried 4-0

V. ADJOURN

Commissioner Massey made a motion to adjourn. Commissioner Holst seconded, and the meeting adjourned at 8:10 p.m. on a 4-0 vote.

Buck Williams, Chairman

Susan Kerley, City Clerk

I. PROCEDURES

- A. Call to Order Chairman Williams called the meeting to order at 7:00 p.m.
- B. Pledge of Allegiance Chairman Williams led the pledge of allegiance.
- C. Roll Call Present were Chairman Buck Williams, Vice Chairman John Holst and Commissioners Brad Massey, Harry Schmitz, and Josh Smiley. Commissioners Gabe Ayala and Jim Breihan were not in attendance. Present from staff were Building Inspector Tim Pettit and Administrative Assistant Pamela Galvan.
- D. Adoption of Agenda Commissioner Massey made a motion to adopt the Agenda. Commissioner Holtz seconded the motion, and it carried 5-0.
- E. Approval of Minutes from July 21, 2011 Commissioner Schmitz made a motion to approve minutes. The motion was seconded by Commissioner Massey, and it carried 5-0. Commissioner Holst reminded the commission that he had at last months meeting made a motion to table approval of the April 21, 2011, minutes until the next meeting; those minutes were not presented at this meeting and are hereby tabled until the September 15, 2011 meeting.

II. Proposed Main Street Zone

- A. Discussion and Decision regarding the proposed Main Street Zone. Public Hearing was held on July 21, 2011, and the Commission determined it would continue the discussion at this meeting.
- Chairman Williams first read the Public Participation and inquired if there is any participation. None.
 - Chairman Williams opened the discussion by inquiring if anyone had any questions and then inquiring if someone was present to represent Main St. Association. David Haines was present and representing the association.
 - David Haines apologized for not attending last months meeting.
 - Chairman Williams asked if everyone had a chance to read the proposed ordinance.
 - Commissioner Smiley inquired if there were any changes from the P&Z's first meeting regarding the Main Street Zone; he didn't see anything in the minutes. Commissioner Williams proceed to go over last months results from the meeting. The bottom line was the commission decided to discuss it at this meeting.
 - Mrs. Williams stated the biggest point of contention that the Main Street had been who was going to be on the board; the city is to appoint someone. Main Street

didn't know how to write that in.

- Commissioner Smiley noted that several meeting ago there were outstanding issues that we were going to consult with council.
- Commissioner Holst spoke of a format that possibly Commissions should follow.
- Tim Pettit gave it to Susan Kerley and he had not followed up with that. There still needs to be a structure; number of members and how they are appointed.
- Commissioner Holst stated they had not made any traction in that direction. It is something that is still in discussion with Main Street.
- Chairman Williams noted that Main Street has not had a meeting since the P& Z had their last meeting.
- Commissioner Smiley reviewed the intentions and purpose for the commission is to not function entirely as a commission set forth but to coach and prepare a document that they felt was reasonable.
- Chairman Williams noted that they were not acting as a commission but a re-write committee.
- Commissioner Holst it is a function of P&Z it one that has not been used a lot.
- Commissioner Schmitz commented on how this would affect all property owners along Rout 66, Railroad and Grant Ave; their zoning would change; each owner should be notified individually instead of notice by newspaper. Commissioner Williams agreed and proceed to express his opinion on the matter.
- Commissioner Massey noted we follow the process.
- Discussion continued on regarding the process and by which process is best and meets requirements.
- Commissioner Holst spoke of tourists and their love of our town. He doesn't want it to go away; no one does. There is no other town around like ours. He feels because of the Dollar Store appearance and the community's outcry this is why Main Street Association came into being. It is our attempt to keep the towns' authentic look. He would like to see Main Street continue to work on it.

- Mrs. Williams spoke of a diverse group having worked on the document.
- Jeremy Hassen from Addicted to Deals stated “this is a mistake” also that “he sees this as another level of bureaucracy that is not needed. The town is based on the freedom to do what you want and adding another layer that discourages development and growth is not good.
- Chairman Williams noted what we have here is something that needs to be protected. He feels it is something that should be handled by P&Z and our Building Inspector on an individual basis. Together they can keep watch over the construction / development. Main Street has a good idea and they should have somebody on the DRT board, with as much input as anybody else on the board.
- Al Dunaway feels it is an extra layer of bureaucracy that they do not need. This comes under the direction of our Building Inspector and P&Z. Has dealt with Main Street Design committee and it was not a pleasant experience. There are plenty of departments in place to make things work.
- David Haines originally when this came about the city wanted it because of the Dollar Store. The Main Street was asked to look at the ordinance and see if there is something you can do something with it and come back and present it. This was drawn up to assist the City Building Inspector; a guideline for the town, direction.
- There was discussion of Historic District.
- Jeremy Hassen noted that the Dollar Store brings money into this town.
- Chairman Williams noted that it boils down to not needing a separate law but for future construction to abide by the ordinance and for that ordinance to be regulated by and through P&Z and the City’s Building Inspector.
- David Haines asked City Building Inspector if he sees this as a new ordinance or an update.
- Tim Pettit went back to Family Dollar and discussion ensued about design and how corporate America will adapt if required.

- Commissioner Holst stated a community without expectations gets nothing. We need to start requiring them to conform. P&Z recommends; City Council makes the final decision. Only when there are ordinance issues does the P&Z gets involved. Main Street just recommends.
- Commissioner Schmitz inquired on Article 12-19.11 Appeal; can it still be opposed? It says the Main Street Design committee can appeal to the board of adjusters; who is the board of adjusters; response from the commission, City Council.
- Chairman Williams noted that the section is a loop for City Council; Article 12-19.11. It boils down to; they are the board of adjusters. Discussion and explanation of the Article ensued regarding this section. As well as discussion of the seat on the DRT.
- Additional discussion went on regarding building aesthetics.
- Commissioner Smiley asked what we want our goal in this to be, something that will pass, sideline it, kill it or shelve it for a period of time. Our charter as a commission is to look out for the city as a whole. He spoke further on expansion and our cities existence.
- Commissioner Schmitz suggested they recommend that the City Council appoint a member from the Main Street committee to be an adviser to the DRT. Secondly, the commission to revisit this in a year from now. Commissioner Holst supports Commissioner Schmitz idea 100%.
- There was extensive discussion regarding the ordinance document.
- Commissioner Schmitz inquired if the state of Arizona allowed interim zoning.
- Commissioner Smiley confirmed the goal at this juncture is the commission is: narrowing the scope from commission down to advisory; not pushing an ordinance they're pushing to get someone on the DRT that can support the Building Inspector with a guideline written and visual descriptions of things that can help to support that team. He noted that they need that document finished before there is any value in doing anything at all.

- Tim Pettit noted that downtown doesn't want more bureaucracy.
- David Haines and Patty Williams see it as updating the code.
- Commissioner Smiley noted that they need to have a visual package to present to the public. Without that we do not have the momentum to pass a law.
- David Haines inquired as to what so they need to do; what does the commission suggest.
- Chairman Williams asked who's on the Main Street committee. The Main Street need to appoint a committee, they need to have a designated known chairman and it needs to have a designated DRT representative that will come before the DRT and say this is our recommendation, here it is ordinance number 12.19.02, this is what we're recommending and have just as much power an input as anybody else on the DRT team.
- Commissioner Holst suggested revisiting this in 6 months and being ready for a public meeting.
- David Haines unsure if the Main Street will be in existence in a year from now; not sure of there resources to obtain assistance in preparation.
- Chairman Williams stated that even if there is no Main Street Committee, there should still be the ordinance.
- Commissioner Holst still wants to finish the project.
- Patty Williams pointed out the City Council has to appoint and individual to DRT.
- Commissioner Smiley for clarification noted that the law is being shelved at this time so that Main Street may focus on putting together a presentation based on their desire to influence and encourage the downtown area. The ordinance is not in a position to be supported by this community right now but perhaps in a year from now.
- Chairman Williams explained why the commission was tabling the ordinance for a year and the 6 month period of time is for them to get their presentation ready to present to people so that they will have a better idea of what it is Main Street is trying to do.

Commissioner Schmitz made a motion that P&Z recommend to City Council to appoint a member of the Main Street Committee to serve on DRT in an advisory capacity for a 1 year period of time and for P&Z to revisit the ordinance proposal in 1 year. Commissioner Massey seconded the motion. The motion carried 5-0.

V. ADJOURN

Commissioner Massey made a motion to adjourn. Commissioner Smiley seconded, and the meeting adjourned at 8:25 p.m. on a 5-0 vote.

Buck Williams, Chairman

Susan Kerley, City Clerk