Monday, September 25, 2023 – corrected, adding Claudia Hauser to the workgroup attendance and member list who was inadvertently left off the list. bjr

Section 305 Workgroup Meeting

In Attendance: Mark Rudder, Cheri Wischmeyer, Stephanie Johnson, Trampus Mansker, Mary Phelps, Linda Wolfe-Buchanan, Claudia Hauser, b j ratlief, planner and Director John Knight

Meeting agenda:

- Introductions
- Setting meeting schedule
- Training: authority and purpose of a planning and zoning ordinance, and
- Overview of the Project
  - First Assignment

Introduction*:*

Community Development Director John Knight opened the meeting at 5:31 PM.

He thanked the work group members for agreeing to participate.

Mr. Knight shared that the **role of a work group is to be a conduit for the community.**

Each member introduced themselves and shared some history of their time in Camp Verde, and their interest in this workgroup and ordinance.

The work group members included:

-Mark Rudder

-Trampus Mansker

-Cheri Wischmeyer

-Stephanie Johnson

-Mary Phelps

-Linda Wolfe Buchanan

- Claudia Hauser

Town Planner BJ Ratlief took some time to get the members familiar with the packets of information that were provided to them.

Provided Materials:

      - Planning and Zoning Ordinance
      - Town Code
      - General Plan
      - Animal White Paper with quick reference spreadsheet

Meeting Schedule: Chose to meet every three (3) weeks, Tuesday mornings 8-10am. The tentative meeting schedule for the next few months is:

      October 17 (confirmed)
      November 7 (confirmed)
      November 28 (tentative)
      December 18 (a Monday-tentative)
      January 9 (tentative)

Training*:*

Using a PowerPoint presentation, Ms. Ratlief shared with the members a slideshow on Planning and Zoning 101. PowerPoint attached.

Included in the presentation was information on the Planning and Zoning Ordinances and Town Codes.

This presentation gave thorough details on the ins and outs of revising the Animal Ordinances in the Town of Camp Verde. This included purpose, legal processes, and requirements.

It was made very clear that this is a work group and NOT a committee or commission.

Because of this, as a workgroup the Open Meeting Law is not applicable. However, it is our intent to be transparent with the process hence the use of a transcriptionist to provide meeting notes which will be uploaded to the Town website.

Question-Decision: Prior to the 1st meeting of the group it had been proposed to hire an outside facilitator to manage-lead the group. This decision was left to be made by this workgroup at its first meeting.

Discussion: There was strong consensus this would not be a good use of time or money. Additionally, concerns were expressed an outside party would not know nor understand the Town.

      Decision: Do not hire/use a facilitator

Question-Decision: Conducting a Town wide survey was discussed at the August Council Work Session. It was decided to allow the work group to decide to do a survey or not.

Discussion: Lots of discussion of pro's and con's of a survey. Also pro's and cons of hiring a professional organization to conducting a survey, verses doing it in-house through a free program such as SurveyMonky.

After much discussion the work group decided a survey may be a good tool. However, more information was needed. Also, most favored utilizing a professional organization to do the survey in order to ensure the questions are not 'leading.'

Decision: Maybe conduct a survey, but more information is needed.

1st Assignment: An assignment was given to the workgroup. This assignment was to redline the current section 305. Once this is done, they will do a group analysis of it to see where there is agreement or differences amongst the group regarding the current ordinance. This assignment is to be returned to Ms. Ratlief on October 4th by 5:00PM.

Following this assignment, group members Claudia Hauser and Mary Phelps will get together with Ms. Ratlief to further compile the what each group member redlined.

From this initial analysis a work plan will be formulated to address the full update-revision.

Meeting notes were taken and will be uploaded-published to this site:

https://www.campverde.az.gov/departments/community-development/planning-zoning

Closing:

The meeting closed at 7:11 PM.

Planning and Zoning 101

Planning and Zoning Ordinance and Town Code

❖Ordinances are <u>laws</u>, specifically a regulation enacted by the Town Council

Camp Verde has two regulatory documents:

- Town Code – commonly referred to as "the code", and

- Planning and Zoning Ordinance

  – Commonly referred to as the "zoning ordinance"

  – or "P&Z Ordinance"

Planning and Zoning Ordinance and Town Code

❖ Community Development Department utilizes both documents

Town Code:

 - Designates Zoning Administrator (Ch 4, p29)

 - Establishes Planning and Zoning Commission (ch 4, p31)

 - Adopts Building Code – chapter 7

Planning and Zoning Ordinance

- Establishes zoning criteria such as Districts, setbacks and uses

- **Section 305 – Keeping of Animals**

Authority - U.S. Constitution

- **US Constitutional Law** – delegates "*Police Power*" to states

  - **Police Powers** - the capacity of states to regulate behavior and enforce order within their territory for the betterment of the <u>health</u>, <u>safety</u>, <u>morals</u>, and <u>general welfare</u> of their inhabitants, includes the authority to

  - **Regulate Private Property –** under Police Power, states have the ability to regulate private property, including land use restrictions

  - **First Zoning Regulations -** LA – 1904 & NY – 1916

- **1926, Village of Euclid (Ohio)** – Supreme Court Case upheld that Zoning Regulations as a valid and legitimate use of Police Powers to protect community health, safety and welfare.

Purpose - Generally

Zoning Ordinances, generally stated are to:

Protect public health, safety, and general welfare.

- Property Values ?

Authority: State Law

Arizona Revised Statutes, Title 9   https://www.azleg.gov/arsDetail/?title=9

Article 6 – Municipal Planning

Article 6.1 – Municipal Zoning

9-462 – Definition

– 4. "Zoning administrator" means the official responsible for enforcement of the zoning ordinance.
– 5. "Zoning ordinance" means a municipal ordinance regulating the use of the land or structures, or both, as provided in this article.

9-462.01 – Zoning Regulations; public hearing, definitions

– A.1: Regulate the use of buildings, structures and land as between agriculture, residence, business and other purpose
– F: All zoning and rezoning ordinances or regulations adopted under this article shall be **consistent with and conform to the adopted general plan of the municipality,**

Authority: State Law Process

Arizona Revised Statutes, Title 9   https://www.azleg.gov/arsDetail/?title=9

Article 6.3 and 6.4 – Process

Public or "Citizen Review", and

Public Hearing

Animal Ordinance Revision: Process

o Community Workgroup – formulate draft
   o (Internal Review – approval by Town Legal Counsel)

o Public Engagement or "Citizen Review"

o Public Hearing by Planning and Zoning Commission

o Public Hearing by Town Council

o 30-Day Window for Opportunity to Challenge by citizen, which would require ratification/vote

Animal Ordinance Revision: Process

Workgroup vs. Committee

Workgroup – may be appointed by Town Manager or other staff

Committee – Appointed by Town Council
- Open Meeting Law Requirements

Open Meeting Law (OML):

A.R.S. § 38-431.09(A) - It is the public policy of this state that meetings of public bodies be conducted openly and that notices and agendas be provided for such meetings which contain such information as is reasonably necessary to inform the public of the matters to be discussed or decided. Toward this end, any person or entity charged with the interpretation of this article shall construe any provision of this article in favor of open and public meetings.

Open Meeting Law: Requirements

- Agenda Required, posted to public

- Meetings Open to the Public

- Broadcast and Recorded

- Can not deviate from posted Agenda

- Executive Sessions (not public) – limited by law

- Permanent Records, and records requests

- Violations of open meeting law

Open Meeting Law: What is a meeting

- Three or more public officials (Council, Commission Board) discussing official business

  May be via

  - In person

  - Email

  - Text

  - Phone

  - Social Media

Open Meeting Law – Possible Violations

- E-mail (or text) communications with more than one other member (do not hit "reply all")
- Serial Meeting – member 1 communicates to member 2, who then communicates to member 3 …
- Using electronic devices between members at a public meeting
- Note: Don't text, pass notes or whisper to adjacent Board members during meeting
- Staff may not share the position of various board members w/other board members
- Publicly stating a position on an issue before a meeting (meetings with public/applicants, posts on Facebook, statements in media, etc. – with some exceptions)
- Electronic communications are public records and can be subpoenaed
- Note: Consider how your text message will be viewed in court blown up in **GIANT LETTERS!**

Workgroup: Open Meeting Law Not Applicable

Open Meeting Law Requirements – Do Not Apply

Transparency

- Recorded, for purpose of keeping accurate notes

- Written notes (minutes)

- Uploaded to web site

- Goal – publish DRAFT of Ordinance for public review/engagement

Workgroup: Getting Started

Meeting Schedule:

Frequency: Every two weeks ????

Day & Time: ???

Workgroup: Moving Forward

Outside Facilitator:

Has been proposed to hire an outside

facilitator to manage this workgroup

and drafting of the ordinance

Workgroup: Moving Forward

Community Survey ??

Two Council Members proposed a

community wide survey

- Council left decision to this work group

Workgroup: First Assignment

Redline the current Section 305

Analysis of where there is agreement and where differences, how great are the differences

Propose this analysis will guide our tasks moving forward

Workgroup: Looking Forward

Community Engagement and Cohesion (healing)

Current Social Media – divisive and highly inaccurate/misleading

(everything from Town wanting to prohibit all animals to Town wanting

to all allow 'feed lots' everywhere)

How do we get the true message out?

Camp Verde
ARIZONA

Flagstaff

Cottonwood

Sedona

Village of Oak Creek

Rimrock

Town of Camp Verde

WHITE HILLS

TO: Phoenix

TO: Payson

MAZATAL WILDERNESS

PINE MOUNTAIN WILDERNESS

CEDAR BENCH WILDERNESS

Roads / Highways: 89A, 30, 179, 17, 260, FR 618, FR 618C, FR 708, FR 502, FR 574, FR 138, FR 9602J, FR 500

Labeled locations

Sand Wash Trailhead, Hayfield Draw OHV Area, Predator Zip Line, Out Of Africa Wildlife Park, Griff Hill Trailhead, Camp Verde Trail, Aultman Trail, Sand Wash Trail, Copper Copper Trailhead, Copper Falls Trail, Copper Canyon Trail, Verde Salt Mine, Box T Trail, Tomkins Trail, Paul Canyon Trail, Salt Mine Vineyard & Winery, White Bridge Picnic Area, General Crook Tr., Squaw Peak Trail, Goat Springs Trail, Hell Hole Trail, Tule Rim Trail, Oxbow Trail, Nelson Trailhead, Pine Flat Trail, Pine Mountain Trail, Willow Springs Trail, Verde Rim Trail, Cold Water Springs Trail, Gap Creek Trail, Chasm Creek Trail, Towel Creek Trail, Beasley Flat River Access, Rockin River, Clear Creek River Access, Clear Creek Church and Cemetery, Community Park, Town Hall, Visitor Center & Museum, Historic Fort Verde State Park, Archaeology Center, Rezzonico Park, Camp Verde Airports, Cliff Castle Casino & Hotel, Yavapai Apache Nation Reservation, Montezuma Castle National Monument, Montezuma Well, Village of Oak Creek, Beaver Creek Day Use Area, V Bar V Heritage Site, Lake Montezuma, Sacred Mountain, Walker Basin Upper Trailhead, Walker Basin Trail, Walker Basin Lower Trailhead, Jeep Trail, Bull Pen Rd., Bull Pen Day Use Area, W. Clear Creek Trail, Bridget Basin Trail, Apache Maid Trail, White Mesa Trail, Weir Trail, Long Canyon E. Trail, Wet Beaver Wilderness, Clear Creek Campground, Clear Creek Vineyard & Winery, Macdonald Trailhead, General Crook Trail, Sycamore Trail, Buckskin Trail, Mail Trail, Hackberry Mountain Trail, Doren's Defeat Trail, Fossil Creek Wilderness, Deadman Mesa Trail, Saddle Ridge Trail, Verde River Trail, Verde Hot Springs, West Clear Creek Wilderness

ATTRACTIONS

Attraction	Grid
Archaeology Center	F-4
Bull Pen Day Use Area	L-4,5
Beasley Flat River Access	G-7
Beaver Creek Day Use Area	J-2
Camp Verde Town Hall	E,F-5
Clear Creek Campground	J-5,6
Clear Creek Church & Cemetery	G-5,6
Clear Creek River Access	F-6
Clear Creek Vineyard	I,J-5,6
Cliff Castle Casino	F-4
Fort Verde State Historic Park	G-4,5
Hayfield Draw Ohv Area	C-3
Montezuma Castle	H-3,4

Attraction	Grid
Montezuma Well	I,J-3
Out Of Africa Wildlife Park	C-4
Pecan Lane	F,G-4
Predator Zip Line	C-4
Rezzonico Park	F,G-4
Sacred Mountain	J,K-3
Salt Mines	C,D-5,6
Salt Mines Vineyard	E,F-5
Verde Hot Springs/Childs	J,8-9
Visitor Center & Museum	F-4,5
V Bar V Heritage Site	J-3
Yavapai-Apache Nation	E-3
Yavapai Apache Cultural Center	G-4
White Bridge Picnic Area	E-5

HIKING TRAILS MOTORIZED TRAILS JEEP TRAILS

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