



City of Prescott
Planning & Zoning Commission

January 30, 2025 | 9:00 AM
Prescott Centennial Center
1989 Clubhouse Drive
Prescott, AZ 86301

MINUTES

1. CALL TO ORDER

Chairman Michelman called the meeting to order at 9:00 a.m.

2. ROLL CALL

Don Michelman, Chair
Thomas Reilly, Vice Chair
Thomas Davis, Member
Susan Graham, Member
Thomas Hutchison, Member (Excused)
James Kleczewski, Member (Excused)
James Whiting, Member

3. DISCUSSION & ACTION ITEMS

A. Approval of the January 9, 2025 Planning and Zoning Commission Meeting Minutes.

MOTION BY COMMISSIONER REILLY TO APPROVE THE JANUARY 9, 2025 MEETING MINUTES; SECONDED BY COMMISSIONER WHITING; PASSED (4-0) COMMISSIONER WHITING ABSTAINED.

B. Presentation, Discussion & Approval Regarding the Future Land Use Map in General Plan Update.

Community Planner Tammy Dewitt gave a presentation regarding the General Plan Future Land Use Map. She stated that this map is the most important document used for zoning purposes. She said this was brought forward due to designated open space areas violating state law. She explained that the City cannot designate anyone's property as open space and cannot designate property for anything other than one dwelling unit or more per acre. She shared photos of the City of Prescott's current land use map. She stated that staff has removed the Very-Low Density Residential designation and changed this to Low-Medium Density Residential to allow 1-7 dwelling units per acre. Additionally, she added comments from the Arizona State Land Department that they agree that the Low-Medium Density Residential designation is acceptable. Staff recommends approval of the future land use map with/without the Very Low-Density designation allowing 1 dwelling unit per acre.

Chair Michelman favors having the Low-Density designation as 1 dwelling unit per acre with the next designation as 2-7 dwelling units per acre.

Commissioner Davis agrees with Chair Michelman.

Commissioner Whiting asked if it was supposed to be not less than 1 dwelling unit per acre.

Ms. Dewitt said it would be 1 dwelling unit per acre.

Commissioner Reilly asked how does the land use map change.

Ms. Dewitt showed the map and where the land use map designations would be changed.

Commissioner Reilly asked what the difference is between a major plan amendment and a minor plan amendment.

Ms. Dewitt responded that a major plan amendment has a 60-day public comment period and requires a super majority vote from City Council.

Commissioner Reilly asked if a minor plan amendment is done administratively.

Ms. Dewitt stated that it runs with the rezoning request and does not require 60-day public comment period or super majority vote.

Member of the public, Jenna James is not opposed to keeping the Very-Low Density designation but believes that Deep Well Ranch should not be included in this designation. She believes that if all the parcel in the area that are State Land or privately owned are in the same designation they are not opposed.

Member of the public, Stephen Polk stated that the law says it is a minimum of 1 acre per dwelling unit. He said this is a future land use map and that responsible growth allows for more than 1 dwelling unit per acre. He wanted to encourage the commission to think about the future and responsible growth. Additionally, he does not believe Deep Well Ranch should be discriminated against and wants to be treated the same as other undeveloped land in the area.

Commissioner Davis asked if it would be in Deep Well Ranch's best interest to keep the designation as 1-7 dwelling units per acre.

Mr. Polk said that is correct and it would not preclude Deep Well Ranch from doing less density in the future.

Member of the public, Ralph Hess disagrees with the interpretation of State Statute (ARS 9-461.06) presented by staff. He would prefer the commission to make a decision regarding the land use map based on planning decisions rather than misinterpretation of State Statute (ARS 9-461.06).

Commissioner Reilly does not see why the commission would disagree with City Staff's recommendation.

Commissioner Davis believes that a zoning density of 1-7 units per acre gives a sense of entitlement to developers. He is concerned about the infrastructure supporting up to 7 units per acre.

Commissioner Reilly asked if a developer wants to annex into the city with anything more than 1 dwelling unit per acre will they need to go through a general plan amendment.

Ms. Dewitt stated this map is used for future planning and the city's water resources department will use this map to help create their long-range water

management plan. If this area shows a density of up to 7 dwelling units per acre, they can more accurately allocate water.

Commissioner Davis said this establishes a land use policy for the city and zoning enforces that policy. He would be more comfortable with a lower density designation than up to 7 dwelling units per acre.

Ms. Dewitt stated that the commission can bring back the Very-Low Density designation.

Commissioner Reilly asked if this land was developed for up to 7 units per acre, that it would be developed for too many people.

Commissioner Davis stated he does not believe we have the information or infrastructure.

Commissioner Reilly stated that the developer is responsible for providing infrastructure.

Commissioner Davis believes the proposed land use map is very broad.

Commissioner Reilly stated if this was zoned for lower density then, staff would prepare for the lower density.

Commissioner Davis said if the infrastructure supports the density, then a General Plan Amendment is appropriate.

Chair Michelman asked if there would be a review for water based on the density designation.

Ms. Dewitt responded that the City of Prescott has started a long-range water management plan and the future land use map is utilized for this plan.

Chair Michelman asked when a property is annexed are plans submitted to be presented to the Planning and Zoning Commission.

Ms. Dewitt said that is correct and there will be a master plan submitted for the development. The annexation will trigger a minor or major plan amendment.

Chair Michelman stated that the majority of this project will not be developed in the next 10 years.

Ms. Dewitt replied that we do not know what will happen in the next 10 years.

Commissioner Whiting agrees that the city should plan for a worst-case scenario as it relates to water.

Member of the public, Terry Sapio believes that when you require a super majority vote for a Major Plan Amendment it sways the vote in favor of the no voters.

Commissioner Whiting asked for clarification on staff's recommended action.

Commissioner Reilly stated that the motion can be to approve with or without the Very-Low Density Designation.

MOTION BY COMMISSIONER REILLY TO APPROVE THE FUTURE LAND USE MAP WITHOUT THE DESIGNATION OF VERY-LOW DENSITY; PASSED (4-1) COMMISSIONER DAVIS DISSENTING.

C. **GPA22-001** – Presentation, Discussion & Approval of the Updated City of Prescott General Plan.

Community Planner Tammy Dewitt gave a presentation related to the updated City of Prescott General Plan. She stated she did not write this plan and it was updated by City Staff. She provided the definition of a General Plan and what a General Plan is meant to do. She shared the livability goals of the General Plan and addressed comments that city staff has received regarding certain sections of the General Plan.

Commissioner Davis has concerns about limited Downtown parking regarding public transit serving the Downtown area.

Ms. Dewitt stated that Central Yavapai Metropolitan Planning Organization (CYMPO) is studying public transportation in Downtown Prescott.

Commissioner Davis asked how transitions between zoning changes.

Ms. Dewitt said there are specific area or neighborhood plans that are reviewed and staff will look to see which ones need to be updated.

Member of the public, Robert Shegog is in favor of the non-discrimination language in the General Plan. He believes that the non-discrimination language encourages the growth and safety of the community.

Member of the public, Greg Murray thanked City Staff and the General Plan Committee for their work. He believes public comments have provided misinformation undermining parts of the General Plan related to climate change.

Member of the public, Jim Helbling does not believe that the non-discrimination language should be removed from the General Plan. He believes that removing this language would encourage racism.

Member of the public, Patrick Grady applauded City Staff for their work on the General Plan. He believes the general plan is not simply a land use map and this plan is to contain community goals and policies for environmental planning, open space, transportation, and resiliency. He would like the community to work together for the long term good of the community.

Member of the public, Michele Hamer stated that the only enforceable portion of the General Plan is Land Use. She believes the initiatives in the General Plan will cost taxpayers money and turn the city into a large Homeowners Association. She believes that the unenforceable initiatives should be removed from the General Plan and only enforceable items should be included.

Member of the public, Ann Brechwald does not believe that non-discrimination language should be included in the General Plan, and it should be used for land use management, housing, and transportation.

Member of the public Jenna James does not believe that the non-discrimination language should be removed from the introduction of the General Plan.

Member of the public, Linda Nichols does not believe that “DEI or Woke” language related to discrimination should be included in the General Plan. She believes that the General Plan is still a work in progress and should be revised.

Member of the public, Joanne Oellers wanted to thank staff for finding creative ways of addressing inconsistencies with labeling of Granite Dells Regional Park and Preserve or Glassford Dells Preserve.

Member of the public, Ted Gambogi stated that the General Plan is not legally binding. He encouraged the public not to get worked up over certain elements of the General Plan. He asked the community to come together and find ways to support the General Plan.

MOTION BY COMMISSIONER DAVIS TO APPROVE GPA22-001 WITH UPDATES DISCUSSED; SECONDED BY COMMISSIONER REILLY; PASSED (5-0)

- D. **LDC24-003** – Proposed Amendment to the Land Development Code (LDC) for State Statute Compliance Regarding Application Completeness.

Community Development Director Chelsea Walton gave a presentation regarding state legislation requirements to update municipal zoning codes and deadlines. She provided the changes that are required by State Statute ARS 9-462.11:

- Determining initial completeness within 30 days, and resubmittal completeness within 15 days.
- Communicating comprehensive list of deficiencies with applicants. Denial of applications when resubmittals are incomplete.
- Determining approval/denial of applications within 180 days.

Commissioner Davis asked for clarification regarding application completeness.

Ms. Walton stated that applications are in taken within 3-5 business days, but once staff notice deficiencies, they correspond via email with items needed for review. Applicants then have 15 days to respond.

Chair Michelman asked if it is 15 days from email correspondence or submittal date.

Ms. Walton said it is 15 days from the time the application is submitted to staff.

MOTION TO APPROVE LDC24-003 AS PRESENTED BY COMMISSIONER REILLY; SECONDED BY COMMISSIONER GRAHAM; PASSED (5-0).

4. STAFF UPDATES

No Staff Updates

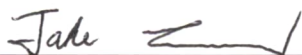
5. ADJOURNMENT

There being no further business to discuss, Chairman Michelman adjourned the meeting at 10:54 a.m.



DON MICHELMAN, Chairman

ATTEST:



JACOB LUND, Recording Secretary