



## MINUTES

### PLANNING AND ZONING COMMISSION REGULAR MEETING

Tuesday, April 29, 2025 - 5:30 P.M.  
155 N. TEGNER STREET WICKENBURG, ARIZONA 85390

- A. CALL TO ORDER** - Chair Green called the meeting to order at 5:30 PM
- B. PLEDGE ALLEGIANCE** – Led by Chair Green – Chair Green then asked for a moment of silence in honor of Member Mitch Jackson who recently passed away.
- C. INVOCATION** – Led by Member Terrence Belieu
- D. ROLL CALL**
- |                |                                                                                                                                                                                         |
|----------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Present:       | Bill Green, Chair<br>Terrence Belieu, Member<br>Bill Cowles, Alternate Member<br>Kristi Henson, Member<br>Connie Jenson, Alternate Member<br>Tom Pollei, Member<br>Darcy Wekell, Member |
| Absent:        | Verne Crissman, Member<br>Art Rubash, Council Liaison                                                                                                                                   |
| Staff Present: | Steve Boyle, Community Development Director<br>Amy Brown, Town Clerk                                                                                                                    |
- E. CALL TO THE PUBLIC** – No Response
- F. ITEMS OF BUSINESS**
1. Consideration and Action to Select a Chairperson  
**MOVED BY** Member Henson to nominate Bill Green as Chairperson  
**SECONDED BY** Member Belieu  
**VOTE:** 7 - 0 (Yes – Chair Green, Members Belieu, Cowles, Henson, Jenson, Pollei, and Wekell)
  2. Consideration and Action to Select a Vice Chairperson  
**MOVED BY** Member Jenson to nominate Kristi Henson as Vice Chairperson  
**SECONDED BY** Member Wekell  
**VOTE:** 7 - 0 (Yes – Chair Green, Members Belieu, Cowles, Henson, Jenson, Pollei, and Wekell)

3. Consideration and Action to Approve the Minutes of February 26, 2025  
**MOVED BY** Member Henson to approve the minutes of February 26, 2025  
**SECONDED BY** Member Wekell  
**VOTE:** 7 - 0 (Yes – Chair Green, Members Belieu, Cowles, Henson, Jensen, Pollei, and Wekell)
4. Public Hearing and Action to Consider an Application by Michael Maerowitz of Snell & Wilmer, LLP for a Conditional Use Permit (CUP) at 1310 Kenrick Drive, Maricopa County Parcels 505-03-023C & 505-03-023J, for a Horse Training Facility with Boarding and an Approved Small Travel Trailer Park on a Site Less than 10 Acres in Size to Accommodate Short-term Stays for Limited Clients on 11.8 Acres of Land

Steve Boyle, Community Development Director, reported that the town has received a Conditional Use Permit application for two adjacent parcels at 1310 W. Kenrick Drive, located near the intersection of Cherokee Lane and Kenrick Drive. This area is semi-rural, with properties generally over one acre in size. The parcels are zoned R1-35 Single Family and the properties are approximately 11.8 acres in total size. The applicant is proposing to establish a horse boarding and training facility, along with a travel trailer park intended for short-term stays by clients using the equestrian services.

The property currently includes equestrian facilities such as a pole barn, corral, and shop. The future owner plans to expand these operations on the remaining land. Proposed additions include a private roping arena, cutting pen, horse stables, and up to four private RV pads. Since there are two parcels, the applicant also plans to eventually construct a single-family home and an accessory dwelling unit on each lot.

According to the zoning code, certain uses—such as horse boarding and travel trailer parks on parcels under 10 acres—are allowed with conditions. Conditional Use Permits require reasonable conditions that can be set by the town or in this case they have provided a list of self-imposed conditions which have been updated from the list in the packet.

A Conditional Use Permit may only be approved if the following criteria are met:

- The proposed use won't negatively impact nearby properties and is adequately separated from incompatible land uses or zones.
- There is an appropriate transition between different zoning intensities and the subject property.
- Adequate off-street parking is provided.
- The use complies with the Zoning Code and other applicable local, state, and federal regulations.
- The health, safety, and general welfare of the public will not be adversely affected.

The applicant will address each requirement in his presentation.

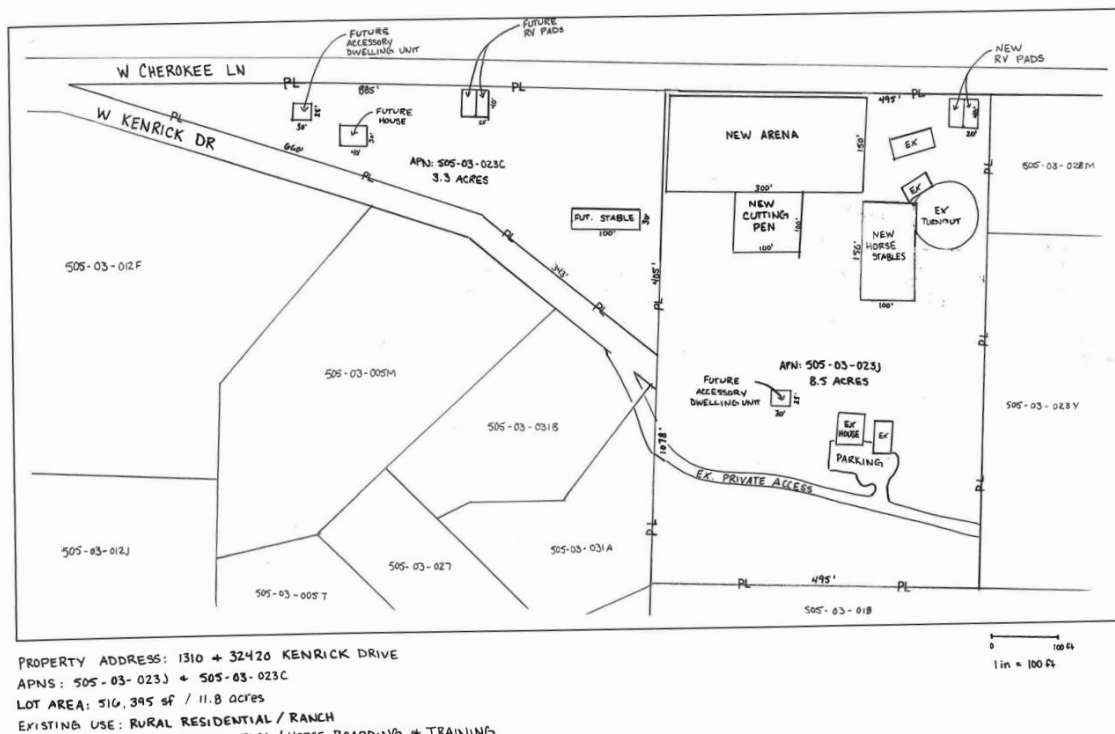
The subject parcels are surrounded by other large, rural, equestrian-friendly properties. Establishing horse training and boarding operation in this type of setting is common both statewide and nationally. The intent is to maintain the rural character of the area, aligning with neighboring equestrian uses.

The town held a public meeting last week for the nearby residents. The applicant attended that meeting and modified their self-imposed conditions to address some of the concerns that were raised in that public meeting. The Conditional Use Permit will allow the town to better enforce standards if issues arise. The following are the self-imposed conditions that have been updated:

- No more than 3 trainers will be present, horses will be boarded, trained and fed on property
- No rodeos or team roping competitions
- A maximum of 4 RV pads for private clients only. Property owner is not permitted to rent or lease RV pads to individuals not associated with the facility.
- RV Pads shall only provide water and electric service, no septic hookups shall be provided. In system holding tanks only and transported off-site for disposal
- No stadium seating or public events
- No amplified sound will be used outside of 8:00am to 5:00pm
- Training activities will end at sundown
- Outdoor lighting will be minimal and limited to stable areas. Freestanding lighting for proposes of illuminating walkways shall be low-level, not to exceed 3 feet in heigh. Building mounted lights shall be shielded with cut-off fixtures to direct light downward and shall not exceed 12 feet in height
- Sprinkle system or water truck will be used for dust control
- No more than 30 horse and 15 cattle will be kept on-site at any one time.
- Animal waste shall be collected in an enclosed dumper smaller than 3 yards. Maintenance of the dumpster waste shall be under private contract, with removal of waste occurring on a weekly basis.

R1-35, R1-87, & R1-175 are the only zones where horse boarding and training are permitted in the zoning code. It is the normal practice for boarding and training facilities to be in rural residential areas. Local Covenants, Conditions, and Restrictions (CC&R's) prohibit location in subdivisions, so there are a lot of areas in Wickenburg that don't allow horses or arenas. Business operation in residential area is allowed per the zoning code such as churches, B&B's, golf courses, schools, farm stands, and funeral homes.

Below is the proposed site plan for the location of the new arena, cutting pen, horse stables, RV pads, and future house.



Some of this property is in the flood way and flood zone, so anything new in those areas will need to be approved by the Flood Control District of Maricopa County (FCDMC). This includes any fence or building as they can alter the floodway.

At the neighborhood meeting, the main complaints are listed as:

- Commercial operation not allowed in residential zone
- Cattle amount seems excessive unless manure maintenance is great. Horse manure generally not a concern
- Add a self-imposed condition on manure maintenance, especially cattle
- Access a concern- Maintenance of Cherokee Lane public or private street?
- Rotating customers could cause excessive traffic
- Perspective property owner desires to maintain separate parcels of land and not consolidate
- Low level lighting asked for and shielding if necessary
- Seasonal use is proposed, little to no usage in summer months
- Flies to be controlled
- Flood Control will be necessary for permitting services as property is in the flood hazard area
- Notice was sent out to neighbors within 400' of property instead of 300'
- Blind spots on Cherokee Land a concern

Michael Maerowitz, Snell & Wilmer, LLP and the applicant, stated that the buyer of the property, Buddy Wilton, and the horse trainer, Ryan Thomas, are in attendance if there are specific questions of them. Horse training is only

permitted in residential zoning areas. This property has had horses in the past and many of the neighbors have horses and arenas. The Conditional Use Permit is to allow horse boarding ancillary to a permitted residential horse training facility (Use Permit required per Section 14-4-2) and to allow travel trailer park on a site less than 10 acres in size to accommodate short-term stays for traveling clients of the facility (Use Permit required per Section 14-4-2). There are two parcels for a total of 11.8 acres with a zoning of Single-Family Residential R1-35, which is the same as all the neighbors zoning. There is no request to change the zoning. There is currently a house, corral, and stables on the property.

The trainer will be Ryan Thomas who is a professional horse trainer in cutting and reining. He was the Reserve Champion, 2024 Australia's Greatest Horseman with over a decade of experience working with National Reined Cowhorse Association (NRCHA) professionals. The horses that will be on the property will be either the owners, trainers or ones being boarded while they are being trained. For this type of training the minimum contract is for 90 days up to one year. There will be no public events, so it will have low traffic use.

He then reviewed the conditional use permit criteria:

1. The proposed use won't negatively impact nearby properties and is adequately separated from incompatible land uses or zones. He showed the location and pictures of five properties that are near this property with large arenas and many horse stalls on the property.
2. There is an appropriate transition between different zoning intensities and the subject property. The area around this property is all zoned the same as this property and they are not requesting a rezone.
3. Adequate off-street parking is provided. The traffic and use will have a low number of vehicles compared to a normal boarding situation, since only those people and horses that are being trained will be there for long-term training. There is sufficient space on the property for the horse trailers and RV's.
4. The use complies with the Zoning Code and other applicable local, state, and federal regulations. This type of use is only allowed in this zoning.
5. The health, safety, and general welfare of the public will not be adversely affected. This is similar to other properties in the area and they have added 13 self-imposed conditions to try to ease the concerns of the neighbors.

The revised self-imposed conditions are as follows:

1. Horses will be boarded, trained, and fed at the Property and there shall be no more than three trainers on the Property at a single time.
2. Training operations will be limited to performance horse training. No rodeo or team roping competitions will be permitted or hosted on the Property.
3. A total of four RV pads are proposed to accommodate limited overnight stays for individuals transporting their horses to this Property.
4. RV pads will ONLY be used in connection with the horse training and boarding facility. THE PROPERTY OWNER IS NOT PERMITTED TO RENT

- OR LEASE RV PADS TO INDIVIDUALS NOT ASSOCIATED WITH THE HORSE TRAINING AND BOARDING FACILITY.
5. RV PADS SHALL ONLY PROVIDE WATER AND ELECTRIC SERVICE; SEPTIC HOOKUPS SHALL NOT BE PROVIDED. RV WASTE SHALL BE COLLECTED WITHIN INDIVIDUAL RV HOLDING TANKS AND TRANSPORTED OFF-SITE FOR DISPOSAL.
  6. No stadium seating will be located on the Property and there will be no public events hosted on the Property.
  7. No amplified sound will occur on the Property outside of the hours of 8am to 5pm.
  8. Training activities will cease at sundown.
  9. Outdoor lighting will be modest and limited to the stable areas for horse security and trainer safety. FREESTANDING LIGHTING FOR PURPOSES OF ILLUMINATING WALKWAYS SHALL BE LOW-LEVEL, NOT TO EXCEED 3 FEET IN HEIGHT. BUILDING-MOUNTED LIGHTING SHALL BE SHIELDED WITH CUT-OFF FIXTURES AND DEFLECTORS TO DIRECT LIGHT DOWNWARD AND SHALL NOT EXCEED 12 FEET IN HEIGHT.
  10. A sprinkler system and/or water truck will be used to control dust.
  11. HORSE WASTE SHALL BE COLLECTED IN AN ENCLOSED DUMPSTER NO SMALLER THAN 3 YARDS IN SIZE. MAINTENANCE OF THE DUMPSTER WASTE SHALL BE UNDER PRIVATE CONTRACT, WITH REMOVAL OF WASTE OCCURRING ON A WEEKLY BASIS.
  12. No more than 30 horses will be located on site at a single time.
  13. No more than ~~30~~ 15 cattle will be located on the Property at a single time.

They have five letters of support from some of the neighbors. There are many horse boarding facilities in town. They want to do this the right way by going through the process of bringing this into town legally and adding self-imposed conditions.

Vice Chair Henson asked if the RV pads will have to have a business permit and pay sales tax on any rent. Mr. Maerowitz stated that they are willing to comply with any requirements of the town, county and state.

Chair Green thanked them for doing this the right way and bringing this to them prior to building it.

Member Cowles asked about the timing of the project. Mr. Maerowitz stated that if approved, they will be submitting the plans right away but expect that it might take a while to get approval from FCDMC.

Member Wekell asked about the neighbors wells and if there could be an impact on those wells with all this water use. Mr. Maerowitz stated that there is currently a well on site. There are other horse boarding facilities in the area and there hasn't been an issue with their use.

Ryan Thomas, Horse Trainer, stated that these are high performance and valuable horses. They want to do the right thing. He has been wanting to find a location in Arizona to train longer in the season. They want to be good neighbors. His business is a small business with 10-20 horses in training at a time. He prides himself on quality training versus quantity training. Cutting is a performance horse event that is judged. The ranch horse will separate one cow from the herd and hold the cow in place. It shows the control and agility of the horse.

Public Hearing was opened at 6:29 PM by Chair Green.

Rachel-Dara Prince, In-Town Resident, was opposed to the project because they could bring in another trainer who won't follow the rules. This area is in a valley so you can hear everything. She was concerned about the neighbors' sensitivity to dust and noise and suggested that they pay to have the road paved.

Connie Tafoya, In-Town Resident, stated that she had just moved to town and didn't know about this coming. She was concerned about traffic, noise, smell, and the flies.

Dan Hann, In-Town Resident, was concerned about traffic because Cherokee is a public street that is narrow.

Cathy Higgins, In-Town Resident, stated that she has owned this property since 1982 and has had horses in the past. There used to be cattle close and there has never been any issues with the well. She used to have an arena light with no concerns. It is hard to leave the property and she has held out until she found a devoted owner who will care for the property. Kenrick Road is on the property and turns into their driveway.

Layla Villasenor, Out-of-Town Resident, stated that it is her aunt that owns this property, and she grew up on it. She had several offers and waited for the right buyer as this is not just a real estate transaction. The neighbors' concerns were also their concerns with selling it, but the buyers want to do the right thing to protect the land. They even added conditions after hearing the concerns of the neighbors.

Wendi Castellanos, In-Town Resident, stated that she lives there year around and this is a low-key, quiet area. She wondered why they needed the amplified sound and that many horses. The road is narrow and dangerous. They will use a lot of water with that many horses and cattle along with watering the arena, so she is concerned with her well and the additional flies.

Patrick Fly, In-Town Resident, stated that he lives adjacent to this property on the south side and has two horses. He didn't want the added traffic and dust. He thought that they should get help with the road since Cherokee is a public road

so maybe the town could chip seal and maintain the road. R1-35 is not for professional training.

Cindy Thrasher, In-Town Resident, stated that urine is the problem with this area in a flood area. If they treat the flies with pesticides, that could lead to contamination. There are blind spots on the road. Speed limit signs are needed. The property values will go down and this could block people's views.

Larry Hibler, In-Town Resident, stated that he wasn't concerned about their operation but was concerned about the dust, water, and noise pollution from this. This is a lot of horses and cattle. He wanted to make sure that all the stipulations were enforced. Most of the neighbors seem to be in opposition to this.

Michele Painter, In-Town Resident, thought that this would not be an eye sore but would be a beautiful facility as she expected them to keep it cleaner than others due to it being a professional business with expensive horses. Her concern was Cherokee Lane that is narrow with blind areas that the town is not maintaining. She wondered if they could access the property off of US-93.

Jim Brown, Flying E Ranch, stated that when you bring in qualified people, this facility will enhance the neighborhood. There does need to be something done with the ingress and egress to make sure they control the noise and dust. He has a property in another city and there were some horse boarding facilities that came in that the neighbors didn't want, but they are beautiful facilities, and they enhanced the value of the properties. He does not think that this will have a negative effect on the neighborhood but understands their concerns.

Public Hearing was closed at 6:58 PM

Member Pollei asked who will enforce the conditions in the Conditional Use Permit (CUP), is the CUP transferable and what number of horses could they have on this property. Director Boyle stated that the town's code enforcement will be the primary enforcer as they now have 1 ½ employees so they are able to do proactive as well as reactive enforcement. This is simpler since they have agreed to the conditions and there is a control mechanism for the manure. The CUP is transferable if it is the same type of business. If it is a different type of business then it will go back to R1-35. The current code allows 1 horse per 1,200 of corral space, so they could have more horses than this and they can have them in the front yard as well as the back yard.

Vice Chair Henson asked about the town maintaining Cherokee Drive and if the size of their well is adequate. Director Boyle stated that the portion that is in the town is public right-of-way, so the town should be maintaining the road. He will inquire about the streets department's maintenance. Kenrick Lane has the first part as a public road also. Regarding a water truck, usually that will be filled off-site through a fire hydrant by getting a hydrant meter from the town. It will usually

take too long to fill from the well, but they want to put sprinklers which will be from the well.

Vice Chair Henson asked if there were other properties with light complaints, and could they come off US-93 on North 40. Director Boyle stated that they haven't had complaints about arena lights in that area, and North 40 is a private road.

Member Jenson stated that someone thought the noise from a generator for the RV's could be loud, but they are planning on having electric and water to the RV pedestals, so there will not be a need for a generator. She assumed the contract for the training would include their ability to stay in an RV on site, so it would not necessarily be a separate rental charge.

Director Boyle stated that they have seen some of the complaints about other areas such as the roping arenas, where an event will go until after midnight with lights and noise. This will not have any public events so they have said that there will not be any late nights, and this is not in an area for special events as it is not in a commercial area.

Member Wekell asked about a retention pond that is close to this property, what it is used for. Director Boyle thought that she might be referring to the private pond for Monte Vista Ranch area that they use to recharge their well.

Vice Chair Henson thought that there was a requirement to have your well tested every two years. Director Boyle stated that the Arizona Department of Water Resources (ADWR) has regulations for that. Usually, the greatest users of water are agriculture and households.

Chair Green said that you can't have a septic system within 100 feet of a well.

Member Pollei didn't think this was the right location for this facility due to the roads.

Vice Chair Henson suggested that if there is a problem with a road that the town is supposed to maintain, the residents need to contact the town. This application meets the code and is located in the only zoning district where they can have this type of facility. In addition, they have put in self-imposed conditions instead of waiting for the town to give them a list. They did this the right way. Instead of just putting it in, they asked for permission first.

**MOVED BY** Member Henson to approve and recommend to Council the CUP with the self-imposed conditions  
**SECONDED BY** Member Belieu

Member Jenson stated that this is less than the number of horses that they could have on this property and this is a normal use for this area of town.

**AMENDED MOTION BY** Member Henson to approve the CUP for a Horse Boarding and Training Facility along with the 4 RV pads at 1310 Kenrick Drive with the recommended conditions as outlined in the CUP

**AMENDED SECOND BY** Member Belieu

**VOTE:** 5 - 2 (Yes – Chair Green, Members Belieu, Cowles, Henson, and Jenson)  
(No – Members Pollei and Wekell)

**G. NEXT MEETING DATE** – May 27, 2025

**H. ADJOURNMENT**

**MOVED BY** Member Pollei to adjourn at 7:20 PM

**SECONDED BY** Member Henson

**VOTE:** 7 - 0 (Yes – Chair Green, Members Belieu, Cowles, Henson, Jenson, Pollei, and Wekell)

Attest:

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Bill Green, Chair

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Amy Brown, Town Clerk