



LA PAZ COUNTY
PLANNING AND ZONING COMMISSION
Regular Meeting/Public Hearing
03/04/2021 - AT 3:00 pm
LA PAZ COUNTY BOARD OF SUPERVISORS MEETING ROOM
1108 JOSHUA AVE, PARKER, AZ 85344

PUBLIC NOTICE/AGENDA

Pursuant to Arizona Revised State §38-431.2, notice is hereby given to the members of the La Paz County Planning and Zoning Commission, and to the general public, that the La Paz County Planning and Zoning Commission will hold a Public Hearing/Regular Meeting, open to the public on Thursday, 03-04-2021, 3:00 p.m. at the La Paz County Board of Supervisors Meeting Room 1108 Joshua Ave., Parker, Arizona 85344. The Planning and Zoning Commission will make their recommendation to the Board of Supervisors on this date. The Board of Supervisors will then hold a Public Hearing on 04/05/2021 at 10:00 a.m. at the same location, to make a final decision on this/these matter(s).

1. Call to Order.
2. Roll Call.
3. Pledge of Allegiance.
4. Approval of 02/04/2021 Planning & Zoning Meeting minutes.
5. Docket No. CUP2021-001 – CEA7 Investments, LLC – APN: 304-07-003 – The applicant is requesting a Conditional Use Permit to meet La Paz County zoning regulations regarding Non-Profit Medical Marijuana Off-Site Cultivation on agricultural land. Property is located at 78125 Salome Rd, Salome, AZ 85348; with a legal description of: Section 28, Township 4N, and Range 11W of the Gila and Salt River Meridian, La Paz County, AZ (BOARD OF SUPERVISORS, Holly Irwin, DISTRICT 3).
6. Ordinance 2021-001- To review and vote to recommend approval or denial to the La Paz County Board of Supervisors, the proposed ordinance of the Board Of Supervisors of La Paz County, Arizona, amending the La Paz County Zoning Regulations by adding new definitions and regulatory provisions relating to “Adult Use of Marijuana”.
7. Community Development Update- Tonya Hoogerwerf.
8. Next Planning & Zoning meeting is 04/01/2021.
9. Adjournment.

Tonya Hoogerwerf, Director



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Amended PUBLIC NOTICE/AGENDA

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1. Call to Order.
2. Roll Call.
3. Pledge of Allegiance.
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5. Docket No. CUP2021-001 – CEA7 Investments, LLC – APN: 304-07-003 – The applicant is requesting a Conditional Use Permit to meet La Paz County zoning regulations regarding Non-Profit Medical Marijuana Off-Site Cultivation on agricultural land. Property is located at 78125 Salome Rd, Salome, AZ 85348; with a legal description of: Section 28, Township 4N, and Range 11W of the Gila and Salt River Meridian, La Paz County, AZ (BOARD OF SUPERVISORS, Holly Irwin, DISTRICT 3). The Board of Supervisors will then hold a Public Hearing on 04/05/2021 at 10:00 a.m. at the same location, to make a final decision on this/these matter(s).
6. Discussion and possible action regarding Ordinance 2021-001- the proposed ordinance of the Board of Supervisors, La Paz County Arizona, amending the La Paz County Zoning Regulations by adding new definitions and regulatory provisions relating to “Adult Use of Marijuana”. **The Board of Supervisors will then hold a Special Meeting on 03/08/2021 at 10:00 a.m. at the same location, to make a final decision on this/these matter(s).**
7. Community Development Update- Tonya Hoogerwerf.
8. Next Planning & Zoning meeting is 04/01/2021.
9. Adjournment.

Tonya Hoogerwerf, Director

03/04/2021 @ 3:00pm

La Paz County Board of Supervisors Meeting Room
1101 W Arizona Ave, Parker, AZ 85344

-Agenda Item # 1: Meeting is called to order at 3:00 pm by Daniel Tucker.

-Agenda Item # 2: Roll Call: Chairman- Daniel Tucker, Vice Chairman- Richard Trusty, Commissioner- John Newman, Commissioner- Richard Bierbrodt, Community Development Director- Tonya Hoogerwerf, Planning & Zoning Coordinator- Nicole Bierbrodt; Present Telephonically: Commissioner DeVona Saiter, Chief Deputy Ryan Dooley.

ABSENT- Doyle Thompson III

-Agenda item # 3: Pledge of Allegiance.

-Agenda item # 4: Approval of the minutes from the 02/11/2021 Planning & Zoning Regular Meeting.

Motion to approve by Vice Chairman Richard Trusty.

Seconded by Commissioner Richard Bierbrodt.

All in favor to approve minutes from the 02/11/2021 PZ Meeting, Motion carried.

Approved Unanimously. (5-0)

-Agenda item # 5: Docket CUP2021-001- APN 304-07-003- CEA7 Investments, LLC- Opened by Chairman Daniel Tucker, parcel owners/agents are present.

T. Hoogerwerf: gives staff report on docket.

Chairman D. Tucker: Do we have any questions from the board?

-none at this time-

Chairman D. Tucker: Is anyone present from this parcel that would like to speak?

Property Owner/Agent Stands & Introduces himself: Hi, My name is Mike LaCount, I am a representative of the investment group for Gem Yield/Ruby Rose that is requesting the CUP for this property and we are really excited about this project and to receive this Conditional Use Permit and looking forward to being able to implement the plan that we have been discussing for about a year now. We're at the finishing stages, so it's in terms of allocating the investment and trying to get people hired and everything else like that. So, the sooner we can get this, the faster we can go forward with regulatory approvals and DHS can execute our required plans and bring some economic activity to the area.

Chairman D. Tucker: Does anybody on the board have any questions or does staff have any input they'd like to provide?

Commissioner John Newman: What happens to the surrounding land? Can it be used for anything? Can people build homes around it or what?

Director T. Hoogerwerf: The surrounding areas are all agriculture so it kind of fits within the area. There are no homes within the area, of course if somebody wants to build a home, then they would have to adhere to the zoning regulations as far as how far they have to be from the site and things like that. However, I don't foresee anybody building a home anywhere around the cultivation site.

Chairman D. Tucker: If there aren't any other questions or comments from either the board or the public, I'd like to ask the board to entertain a motion.

Motion to approve docket CUP2021-001 for APN 304-07-003, as noticed, made by Vice Chairman Richard Trusty.

Seconded by Commissioner DeVona Saiter.

All in favor to approve CUP2021-001 for APN 304-07-003, as noticed, Motion carried.

Approved Unanimously. (5-0)

-Agenda item # 6: Docket ORD2021-001-Discussion and Possible Action regarding amending the La Paz County Zoning Regulations Relating to "Adult Use of Marijuana"- opened by Chairman Daniel Tucker.

Chief Deputy County Attorney Ryan Dooley: The issue that the county is facing right now, to give you the backstory, is that there is a process right now at the state level for applicants to request a zoning clearance form from the county. But as of right now, our county regulations do not allow for adult recreational use marijuana, however, it does allow for medical marijuana. So, what this ordinance does is it amends our planning and zoning regulations to allow for adult use marijuana in those same areas where medical marijuana can be raised with one exception that if somebody wanted to have a recreational marijuana dispensary in La Paz County, the ordinance requires that there be cultivation first. Cultivation opens the door for a dispensary. And with the recommendation either way. This would go before the board on the eighth or enter pretty close because March 9 is the deadline for these applicants to get their applicants into the state for review. And so, we worked really diligently to get this properly noticed and before you for consideration with the help of our outside legal counsel. I am totally happy to answer any questions you may have.

Chairman D. Tucker: I have a question, based on what you just said the cultivation has to occur or take place in order to do so...

Chief Deputy County Attorney Ryan Dooley: right so the way that the ordinance is contemplated is that in the county, to have a dispensary in the county, they have to have an offsite cultivation site first and this is only in the unincorporated areas of the county. And just to give a little bit further background. My understanding is that the Town of Quartzsite is signing off on the zoning clearance letters without this requirement. But then the town can do what it wants to do, and I believe the Town of Parker has declined to have adult use marijuana dispensaries inside of its jurisdiction. So that would be just under those incorporated areas.

Commissioner J. Newman: Does that include Parker South?

Chief Deputy County Attorney Ryan Dooley: with the Town of Parker property, and so if somebody is... here's a little further background. There's kind of a green Gold Rush because the county is only going to get two licenses. And so, whoever is awarded that license by the lottery, they would be able to cultivate, dispense, and also have a third one- profiting of the marijuana in type accounts. And so this is a conditional- that conditional use coordinates, where based on some feedback from our supervisors, they were interested in having cultivation first with the idea that cultivation would use a lot of electricity and the county would like to make more money on the electricity for cultivation than it would for any sales tax on the dispensary side.

Chairman D. Tucker: and how have the parameters been set for quote unquote cultivators that will go in and apply? Or have any applied?

Chief Deputy County Attorney Ryan Dooley: So, if you have to get a license from the state. And once they get that state license, much like an alcohol license, when they get the state license, then they can come to the county and submit their application. And assuming that the property is commercial to light industrial or heavy industrial, they'd be able to proceed with Cultivation or sales. But if it's RA, then it would require a Conditional Use Permit, and they'd have to come back before Planning and Zoning first for a recommendation, which like you did today, on the Conditional Use Permit before it can move forward.

Chairman D. Tucker: And then just to reiterate, none of this can take place within the boundaries of the Town of Parker itself.

Chief Deputy County Attorney Ryan Dooley: That's right, so only in the unincorporated areas of the county.

Commissioner D. Saiter: Is only one test facility allowed in the county because only two licenses for dispensaries will be issued?

Chief Deputy County Attorney Ryan Dooley: Yes. And also, the this ordinance wouldn't apply to the medical marijuana grower in the county right now or anybody who has a current medical dispensary license, because another wrinkle is with a 207, is this ordinance cannot be more restrictive than what we already have for medical marijuana right now. So, we've worked really

hard to kind of thread that needle to make sure that this ordinance was the same as medical marijuana. But whereas we are adding a cultivation requirement that also has to apply to medical marijuana in the future, but not anybody who would be grandfathered in.

Commissioner J. Newman: So, there's already place in Vicksburg, is that correct? That cultivates?

Director T. Hoogerwerf: That's correct.

Commissioner J. Newman: Okay.

Chief Deputy County Attorney Ryan Dooley: And so, this amendment to the ordinance doesn't apply to that person because they already have it and are grandfathered in. But if anybody else comes into Cannabis March first, then yes it would apply to them.

Chairman D. Tucker: And now there are 2 available?

Chief Deputy County Attorney Ryan Dooley: Right, and so now there's gonna be hopefully yet two available and hopefully whoever gets the lottery and gets the two. They will choose to operate in the unincorporated areas, they'll need to cultivate first and then dispense. There is a slight possibility that whoever wins the lottery will open up shop in the Town of Quartzsite which is totally legal as long as they follow the Town of Quartzsite rules, and we went through this exercise, that in case we get awarded another one and then that person just chooses to operate in the county we now have the framework set up to make that happen.

Chairman D. Tucker: Anybody have any further questions?

-none at this time-

Chairman D. Tucker: Is there anybody from across Planning and Zoning that wants to speak on this or expound on it at all?

-none at this time-

Chairman D. Tucker: I would like the board to entertain a motion or does anybody, have anything they would like to say?

Commissioner D. Saiter: I like to entertain a motion and vote to recommend approval of Ordinance 2021-001.

Motion to approve docket ORD2021-001 regarding amending the La Paz County Zoning Regulations Relating to "Adult Use of Marijuana", made by Commissioner DeVona Saiter.

Seconded by Commissioner Richard Bierbrodt.

All in favor to approve ORD2021-001, Motion carried.

Approved Unanimously. (5-0)

Community Development update- Tonya Hoogerwerf.

-The Board of Supervisors is holding a “SPECIAL MEETING” to discuss the marijuana ordinance on 03/08/2021 @ 10am at this location.

-Beginning April 2021, Planning & Zoning Meetings will be held at 4:00pm, instead of 3:00pm, decision made by unanimous vote from the Planning & Zoning Board.

The Board of Supervisor’s meeting for CUP2021-001 will be 04/05/2021.

The next Planning and Zoning meeting will be TBD- nothing scheduled at this time.

Motion to adjourn meeting at 3:23 pm made by Chairman Daniel Tucker.

Seconded by Vice Chairman Richard Trusty.

All in favor to adjourn this regular meeting of the Planning & Zoning Commission at 3:23pm, Motion carried.

Approved. (5-0)

Planning & Zoning Chairman, Daniel Tucker

Community Development Director, Tonya Hoogerwerf