



**La Paz County Planning & Zoning Commission  
Regular Meeting/Public Hearing  
01/07/2021 3:00pm  
La Paz County Board of Supervisors Meeting Room  
1108 Joshua Ave, Parker, AZ 85344**

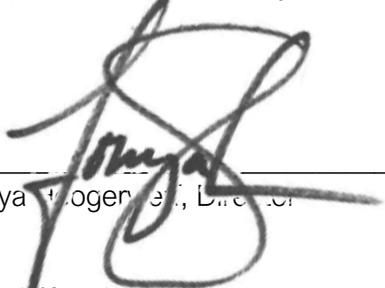
**NOTICE/AGENDA**

*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 Regular Meeting, open to the public, at the following date, time, and location:*

**Thursday, January 7, 2021, 3:00 p.m.**

**La Paz County Board of Supervisors Meeting Room  
1108 Joshua Ave., Parker, Arizona 85344**

1. Call to Order.
2. Roll Call.
3. Approval of 12/07/2020 Planning and Zoning Regular Meeting minutes.
4. Nominate/vote new Chairperson and Vice-Chairperson of Commission- remaining members are to nominate and vote on a new Chairperson and Vice-Chairperson to replace Chonna Marshall and Dennis Schilling.
5. Docket No. Z2020-007 – Eleanor G Stephan Trust/Verizon Wireless – APN(s): 311-41-003C– The applicant is requesting a rezone for Transitional Residential (TR) to Commercial (C-2).
6. Docket No. Z2020-007 – Eleanor G Stephan Trust/Verizon Wireless – APN(s): 311-41-003D – The applicant is requesting a rezone for Transitional Residential (TR) to Commercial (C-2).
7. Docket No. CUP2020-002 – Eleanor G Stephan Trust/Verizon Wireless – APN(s): 311-41-003C & 311-41-003D – The applicant is requesting a Conditional Use Permit to comply with La Paz County Zoning regulations.
8. Community Development Update- Tonya Hoogerwerf.
9. Next Planning and Zoning meeting is a Regular, set for 02/04/2020 at 3:00pm at the Board of Supervisors Meeting Room.
10. Adjournment.

  
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Tonya Hoogerwerf, Director

This notice/agenda was posted at the La Paz County Board of Supervisors Office  
on Wednesday 12/23/2020, on or before the hour of 5:30 p.m.

1112 Joshua Ave, Suite 202  
Parker, Arizona 85344  
Office (928) 669-6138 | Fax (928) 669-5503

La Paz County Planning and Zoning Commission Meeting (Regular)  
01/07/2021 @ 3:00pm  
La Paz County Board of Supervisors Meeting Room  
1101 W Arizona Ave, Parker, AZ 85344

-Meeting is called to order at 3:00pm by Daniel Tucker, who volunteered to lead the meeting until a Chairman is elected.

-Roll Call: Daniel Tucker, Richard Trusty, Rick Bierbrodt, John Newman, Tonya Hoogerwerf, De Vona Saiter- via phone, Ryan Dooley- via phone.

-Agenda item # 3: Approval of the minutes from the 12/7/2020 Planning & Zoning Regular Meeting.

*Motion to approve by R. Trusty.*

*Seconded by J. Newman.*

*All in favor to approve minutes.*

*Motion carried.*

*Approved (unanimously 5-0)*

-Agenda item # 4: Nominate and vote on a new Chairperson and Vice-Chairperson of the Planning & Zoning Commission.

*Motion to nominate Daniel Tucker as Chairman made by R. Bierbrodt.*

*Seconded by J. Newman.*

*Accepted by D. Tucker.*

*All in favor of Daniel Tucker as Chairman.*

*Motion carried.*

*Approved (unanimously 5-0)*

*Motion to nominate Richard Trusty as Vice-Chairman made by D. Trusty.*

*Seconded by J. Newman.*

*Accepted by R. Trusty.*

*All in favor of Richard Trusty as Vice-Chairman.*

*Motion carried.*

*Approved (unanimously 5-0)*

**Agenda item # 5: Docket Z2020-007- APN 311-41-003C-**

Nicole- Clarifies that this is 2 parcels on one docket, being voted on separately. This specific parcel IS NOT for the cell tower.

T. Hoogerwerf: gives staff report on parcel.

Brandon Kilgore: (parcel owner) stands and gives explanation of the parcel's original zoning being Commercial (C-2) & how the parcel came to be split into the 2 that it is now. The water system that provides water for Cienega Springs operates on this parcel and

reverting this zoning back to C-2 would make it compliant with county zoning regulations with the commercial water system.

Chairman Tucker: Any questions?

(There were no questions asked, but a few comments tried to be made regarding the cell tower, those were asked to be saved for the appropriate parcel)

Chairman Tucker: Ok, can I get a motion?

*Motion to approve docket Z2020-007 for APN 311-41-003C as noticed, with the stipulation that a 207 Waiver be signed, made by J. Newman.*

*Seconded by R. Bierbrodt.*

*All in favor to approve Z2020-007 APN 311-41-003C as noticed, with 207 Waiver.*

*Motion carried.*

*Approved (unanimously 5-0)*

**Agenda item # 6: Docket Z2020-007- APN 311-41-003D-**

Nicole- Clarifies that this is the second of the 2 parcels on one docket, being voted on separately and this IS THE ONE for the rezone for the cell tower.

T. Hoogerwerf: gives staff report on parcel.

Chairman Tucker: Are there any questions from the board?

(no questions) Chairman opens the floor to the public.

Nicole explains commentary has to start with the comment cards first, in the order they were handed in- 3 minutes each, then anyone left can go in an orderly fashion with 3 minutes each.

Gary Hansen-stands at the podium and explains that he is strongly opposed to the tower. States that it is completely out of character for their neighborhood and second, the potential impact on the property values. A potential buyer would be worried about the health hazards & they'll choose comparable properties that aren't near a tower. And #3 is that there are better locations. (3-minutes over)

Provided a letter of objection, on the record in the file.

Mike Barberie- wants to save his time for later.

Steve Dowell- We're all looking for consideration for how it'll affect our neighborhood. You can google it and the results are going to go 50/50 either way on it being hazardous or not so why even risk it? Also, perception is reality for most people in life- you drive into a nice-

looking neighborhood & then you see this giant tower & most people are going to drive away. (3-minutes over)

Greg Short- This cell phone tower will affect every homeowner in Moovalya Estates- The proposed site is 300-ft from the nearest home, and the concrete pad it will sit on is 50-ft high which. This means the tower won't just be 206-ft high, this will make it 256-ft high. (3-minutes over)

Mike Barberie- Asks to donate his time to Mr. Short.

He provided information he found regarding cell towers from 1998, 2004, 2007, 2009, 2010, 2012, 2015, 2016, 2017, & 2018, in a letter on the record.

Nicole- That is not allowed. Only you can use your 3 minutes and you can only use it once per docket.

Mike Barberie- But it was allowed at the Variance meeting...

Nicole looks to Tonya for guidance, advises that it is at the discretion of the Chairman.

Chairman Tucker- I will give you 2 more minutes, that's it.

Greg Short-continues with his speech and names more statistics about why the tower is bad for them, siting cancer, property values, eye sores, etc.

He provided information he found regarding cell towers from 2006 & 2014, in a letter on the record.

**Community Development Note:**

*\*\*This is not factual. The parcel owners that were given notice are actually 300-ft from the top left CORNER of the 7.28-acre parcel, not the cell site. The closest home is at LEAST 605-ft from the cell site, which is at the top right corner. \*\**

Chairman Tucker- Is his 2- minutes up yet?

Nicole- almost, 30-seconds.

Corey Short- Introduces herself as an Arizona certified land surveyor and states that as one she is in favor of the tower, but not the location. She agrees that it is a good location for what they need but knows that there are plenty of better locations and was told that the "state doesn't like to have towers on their land." She called the state & they told her it wasn't true and that they have lots of towers on their properties, but that Verizon just doesn't want to go through the process. Mentions how dangerous 5G towers are.

Provided a letter of objection, on the record in the file.

**Community Development Note:**

*\*\*Per the most recent studies performed on Cell towers, completed in 2020- by FCC, American Cancer Society, WHO, etc. The "radiation" from cell towers is non-ionizing (non-cancer causing) and cell phones are more dangerous than the towers- they're proven to cause brain tumors. They also state that there is not enough data/information available on the 5G towers to determine how harmless or hazardous they are. \*\**

Nancy Smith, Verizon- Stands and introduces herself and begins to address some of the concerns and questions brought up. First being that she acknowledges the various different

properties available for the tower and has brought them to Verizon for the tower location as she has been working on this for almost 3 years doing land studies to determine the perfect location. Unfortunately for what they're needing, to offload from the current tower, this specific site is the ideal location.

Brandon Kilgore- Stands and explains that he lives in Branson's and that he is a commission member on the parks' board upriver. Verizon was the only cell company even willing to bring their service out here. He goes on to explain that he did not offer his land to them, they discovered the land during one of their many land studies and made an offer. Verizon didn't choose the other sites because there were too many dead zones. The top 50' of the tower are the only part of it that will be visible from the top of the hill and it will be painted to blend in with the desert background, and maybe one or two people will be able to see it from a kitchen or bathroom window- but we don't live on the strip for that view. We live there for the view on the other side of the house. We're paying to see the river, not the dirt.

Crowd begins to rumble about 3 minutes being up, etc.

Nicole interjects and explains that as the parcel owner or co-presenter with the office, they do not have a limit on their speaking time and are able to address questions and concerns. The way the process should have gone is, open the docket, read staff report, open to the board for questions, then open to the property owner to present. After that then the public can comment. Once they've all had their 3-minutes, the parcel owner can then give a rebuttal or answer questions, etc.

Chairman Tucker & Brandon thank Nicole for the clarification.

Brandon continues to give an example of how where they're at upriver, their phones only work while they're Wi-Fi works and for the last few months, they will lose their internet service at the same time every night. 3 nights ago, his grandmother was home alone and fell. Fortunately for all of them it was during a time when their phones were working, and it all worked out. But had it been during a time that their phones had no service, it could've been a much worse scenario.

Brian Sturnoff- asks of the fiber optic wire their laying is to connect the 2 towers and that he's not there to oppose or approve, he is actually does that for a living and was actually just there to see if he would learn something new, but so far hasn't; Nancy answers yes and gives the explanation how.

Rene Dowblier- Stands at the podium and says, "to the guy whose grandma fell... what happened to good ole' fashioned land lines?"

Brandon interjects and says, "How many people do you know have a land line in their RV?"

Rene continues with “Are you kidding me about a bathroom and a kitchen man? What is that?” then goes on to explain how he was in the army and starts to complain about his bill and now there’s all these extra charges on it because of this and the customer service has gotten worse and his bill is higher and what is Verizon going to do about this?

Chairman Tucker interjects and states those complaints have nothing to do with this docket and he needs to keep his comments related to this rezone only. If he has a problem with his bill or customer service, he needs to take it up with Verizon.

Nancy steps in again and addresses the comments about it being a 5G tower, and states that it will only be a 4G tower because our county is not big enough for the 5G.

Paulie Hepner- reiterates what their “neighborhood spokesperson” had stated and added that a friend had a heart attack and the ambulance was there in 2 minutes.

Judy Dodge- introduces herself and states that we as a community have been complaining about the awful cell service and waiting for over 20 years for something to happen, and now that it is, we shouldn’t be running them off.

DaShante Gilbert- Stands and states that she lives in Cienega Springs and that she knows that 5G towers are proven to be harmful and cancer causing to every living thing, including plants and insects, that 4G can’t be too far behind it- she doesn’t want to raise her kids with that in her backyard.

**Community Development Note:**

*\*\*Per the most recent studies performed on Cell towers, completed in 2020- by FCC, American Cancer Society, WHO, etc. The “radiation” from cell towers is non-ionizing (non-cancer causing) and cell phones are more dangerous than the towers- they’re proven to cause brain tumors. They also state that there is not enough data/information available on the 5G towers to determine how harmless or hazardous they are. \*\**

Chairman Tucker: Ok, any other public comments or questions from the board? If not, can I get a motion?

No other questions or comments.

*Motion to approve docket Z2020-007 for APN 311-41-003D as noticed, with the stipulation that a 207 Waiver be signed, made by R. Bierbrodt.*

*Seconded by D. Saiter.*

*All in favor to approve Z2020-007 APN 311-41-003D as noticed, w/207 Waiver.*

*Motion carried.*

*Approved (unanimously 5-0)*

(Majority of crowd gets up and leaves in a hurry)

**Agenda item # 7: Docket CUP2020-002- APN 311-41-003D-**

Nicole interjects before the docket is started and states on the record that there is a typ-o on the agenda and that this docket only pertains to APN 311-41-003D.

Brandon agrees.

Chairman Tucker makes mention of it on the record and opens the docket for hearing.

T. Hoogerwerf gives staff report on the parcel.

Chairman Tucker asks if there are any questions from the board or the public, if not can he get a motion?

No other questions or comments.

*Motion to approve docket CUP2020-002 for APN 311-41-003D as noticed, made by R. Trusty.*

*Seconded by D. Saiter.*

*All in favor to approve CUP2020-002 APN 311-41-003D as noticed.*

*Motion carried.*

*Approved (unanimously 5-0)*

**No Community Development update.**

The Board of Supervisor's meeting for these dockets will be January 19, 2021.

The next Planning and Zoning meeting will be 02/04/2021.

*Motion to adjourn meeting at 4:36pm made by R. Trusty.*

*Seconded by R. Bierbrodt.*

*All in favor to adjourn this regular meeting of the Planning & Zoning Commission at 4:36pm.*

*Motion carried.*

*Approved (unanimously 5-0)*

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Planning & Zoning Chairman, Daniel Tucker

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Community Development Director, Tonya Hoogerwerf