



LA PAZ COUNTY PLANNING AND ZONING COMMISSION

Regular Meeting / Public Hearing

October 1, 2020 at 3:00PM

Board of Supervisor's Meeting Room
1108 Joshua Avenue, Parker, AZ 85344

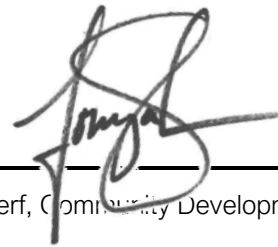
NOTICE/AGENDA

Pursuant to Arizona Revised State §38-431.2, notice is hereby given to the members of the La Paz 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 3:00 P.M. on **Thursday, October 1, 2020**, at the **La Paz County Board of Supervisors Meeting Room, located at 1108 Joshua Avenue, Parker, Arizona.**

1. Call to Order.
2. Pledge of Allegiance.
3. Approval of August 6, 2020 Planning and Zoning minutes.
4. **Docket No. CPA2020-001 – Major Comprehensive Plan Amendment- Eolus North America, Inc. – APN(s): 303-74-003, 303-84-002, 303-85-001, 303-86-002, 303-87-001, 303-88-001, & unlabeled ASLD (Arizona State Land Department) parcels-** The applicant requests a Major Amendment to the La Paz County Comprehensive Plan to change the land use designation from “Public Land” (state land) to “Employment Area”. The proposed Future Land Use Plan and Text Amendment will provide an appropriate land use designation for future development, construction and operation of major manufacturing and associated industrial uses within an identified Employment Center land use designation. The proposed major amendment will change the Future Land Use Map designation from “Public Land” (state land) to “Employment Area” on approximately 4,785± acres, where the future project is a proposed solar photovoltaic energy production facility and a 250± MW battery energy storage system. The property is currently zoned Rural Agricultural (40+ acres) and is also set to be heard for a Conditional Use Permit. The physical address is not yet assigned and will be determined at a later date when development begins. The properties’ legal descriptions are Section: 2 Township: 2N Range: 12W; Section: 18 Township: 3N Range: 12W; Section: 19 Township: 3N Range: 12W; Section: 20 Township: 3 Range: 12W; Section: 29 Township: 3N Range: 12W; and Section: 28 Township: 3N Range: 12W; as well as unlabeled ASDL parcels located in Sections 30-34 and a portion of 35, Township: 3N, Range 12W. (Board of Supervisors, Holly Irwin District 3).
5. **Docket No. CUP2020-001 – Eolus North America, Inc. – APN(s): 303-74-003, 303-84-002, 303-85-001, 303-86-002, 303-87-001, 303-88-001, & unlabeled ASLD (Arizona State Land Department) parcels –** The applicant is requesting a Conditional Use Permit for this property, which is currently zoned Rural Agricultural (40+ acres); for use as a Solar Photovoltaic Energy Production and Storage Facility site. The physical address is not yet assigned and will be determined at a later date when development begins. The properties’ legal descriptions are section: 2 township: 2N range: 12W; section: 18 township: 3N range: 12W; section: 19 township: 3N range: 12W; section: 20 township: 3 range: 12W; section: 29 township: 3N range: 12W; and section: 28 township: 3N range: 12W; as well as unlabeled ASDL parcels located in Sections 30-34 and a portion of 35, Township: 3N, Range 12W. (Board of Supervisors, District 3- Holly Irwin).
6. **Docket No. CPA2020-002 – Major Comprehensive Plan Amendment- La Paz County- APN: 303-76-001B-** The applicant requests a Major Amendment to the La Paz County Comprehensive Plan from “Public Land” (state land) to “Employment Area”; given that both Arizona Public Service Company and Salt River Project own significant tracts in the county, and the opportunities both present and future for solar development, it is requested that this land use designation be added and that approximately 52 square miles be given this designation by a Major Plan Amendment to the Future Land Use Map. This property is currently zoned RA-40, Rural Agricultural (40+ acres). The physical address will be determined at a later date when development begins. Legal descriptions are Sections:1-6 Township: 2N Range: 12W, Sections: 1 & 2 Township: 2N Range: 13W, Sections: 7-10 | 15-22 | 25-36 Township: 3N Range: 12W, and Sections: 9-16 | 21-28 | 33-36 Township: 3N Range: 13W. (Board of Supervisors, Holly Irwin District 3).

7. **Docket No. Z2020-008- La Paz County- APN(s): 303-76-001B-** The applicant is requesting for 1500 acres of this property to be Rezoned from RA-40 (Rural Agricultural, 40+ acres) to PU (Public Utility) for use as a Solar Photovoltaic Energy Production and Storage Facility site. The physical address is not yet assigned and will be determined at a later date when development begins. Legal descriptions are Sections:1-6 Township: 2N Range: 12W, Sections: 1 & 2 Township: 2N Range: 13W, Sections: 7-10 | 15-22 | 25-36 Township: 3N Range: 12W, and Sections: 9-16 | 21-28 | 33-36 Township: 3N Range: 13W. (Board of Supervisors, H. Irwin District 3).
8. **Docket No. Z2020-006– “Gasoline Alley” – APN(s): 302-52-008, 302-52-010B, 302-52-017E –** The applicant is requesting a Rezone from MHS (Mobile Home Subdivision) to MHP (Mobile Home Park). This Rezone is necessary so that the 3 parcels can be combined to create their inclusive Mobile Home Park for family and friend use. The physical addresses are 50181 & 50183 Ehrenberg Road, Ehrenberg, AZ 85334. The properties’ legal descriptions are Section: 15 Township: 3N Range: 22W, (Board of Supervisors, District 3- Holly Irwin).
9. **Docket No. Z2020-007- Eleanor G. Stephan Trust- APN(s): 311-41-003C and 311-41-003D-** The applicant is requesting a Rezone from TR (Transitional Residential) to C-2 (Commercial) for the use of adding a new Commercial cell phone tower for Verizon Wireless. The physical address will be determined once development begins. The properties’ legal descriptions are Section: 22 Township: 10N Range: 19W, (Board of Supervisors, District 2- Duce Minor).
10. **Docket No. CUP2020-002 – Eleanor G. Stephan Trust- APN(s): 311-41-003C and 311-41-003D-** The applicant is requesting a Conditional Use Permit, IF the Rezone is approved, for the use of adding a new Commercial cell phone tower for Verizon Wireless. The CUP is needed to comply with La Paz County Zoning Regulations for a Wireless Telecommunications Site. If the CUP is approved, they will also be applying for a Variance to comply with the height of the pole. This property is currently zoned TR (Transitional Residential) but is pending a rezone application to change it to C-2 (Commercial). The physical address will be determined once development begins. The properties’ legal descriptions are Section: 22 Township: 10N Range: 19W, (Board of Supervisors, District 2- Duce Minor).
11. **Docket No. CUP2020-003- Kathleen Habermann- APN(s): 311-41-328-** The applicant is requesting a Conditional Use Permit to build a house at the back of their existing building. This property is currently zoned C-2 (Commercial). The physical address is 8908 Riverside Dr., Parker, AZ 85344. The property’s legal description is Section: 22 Township: 10N Range: 19W, (Board of Supervisors, District 2- Duce Minor).
12. **Community Development update-** Tonya Hoogerwerf, Director.
13. **Adjournment**

Next Planning and Zoning meeting TBD based on Covid-19 protocols.



Tonya Hoogerwerf, Community Development Director

This notice/agenda was posted at the La Paz County Board of Supervisors Office located at 1108 Joshua Avenue, Parker, Arizona, on **Tuesday September 15, 2020, on or before the hour of 5:30 p.m.**

**MINUTES of the
La Paz County Planning & Zoning Commission
October 1, 2020 Regular Public Hearing
Board of Supervisors Meeting Room
1108 Joshua Ave, Parker, AZ 85344**

Present: Tonya Hoogerwerf (Community Development Director), Richard Trusty, DeVona Saiter, John Newman, Dennis Price, Dennis Schilling, Doyle Thompson, Chonna Marshall, Daniel Tucker

Present via Phone: Ryan Dooley

Absent: Bobby Page

Call the Meeting to Order:

Chairwoman Marshall- called the October 1, 2020, Planning and Zoning Commission Public Hearing to order at 3:00pm, roll call, and then pledge of allegiance.

Approval of Minutes: C. Marshall reads agenda item 3, approval of August 6, 2020 minutes.

Commissioner D. Tucker motions to approve, Commissioner D. Schilling seconds, all unanimously approve.

Chairwoman, C. Marshall- reads **Docket No. CPA2020-001 Eolus North America-** asks for staff report.

Director, T. Hoogerwerf- Read staff report for **Docket No. CPA2020-001.**

Chairwoman, C. Marshall- asks if commission has any questions for staff, there were not any. She then opens the floor for public comment.

William Schumann- introduces wife **Terry**. States that he understands the importance of the project, but they purchased the property that is surrounded by the CPA areas. They've had an app in with the state regarding their access on 51st Street for some time now with no response. If the project happens in that specific area, his property would be "useless". He doesn't want to be surrounded by chain-link fence. He plans on bringing his horses to that property.

John Weisner- This project will affect their cattle ranch greatly, their Grazing Permit through Arizona and 3 stock waters to be specific. West of his land, BLM sold to La Paz County which affects his properties as well as his Grazing Permits. He explains where his properties are and what parts will be affected and states that this project is going to interfere drastically with their livelihood and ability to continue with their grazing, etc.

Commissioner, D.Thompson- asks Mr. Weisner where the waterline is on his map.

Mr. Weisner stands and shows waterline on map.

Chairwoman, C. Marshall- asks if there are any more questions from the Commission or the public, there were not any. She opens the floor to the Representative from Eolus to address the concerns and give their presentation.

Ben Gaff, land attorney for Eolus North America, Inc.- introduces himself, begins to address the concerns first. As far as Mr. Weisner is concerned, Gives respect to him and what they're struggling with and states that Eolus will assist with what they can, but that the grazing rights/permits is something out of their hand and the permit issue is between him and the State/BLM. It is not an issue with Eolus or the County. He states that any decision made today by the PZ Commission will not affect his grazing permit in any way and that it is common for leases to be affected periodically. He goes on to address Mr. Schumann's concerns and states that they did respond to his email, but he has not since responded to them. Their project will not interfere with 51st Street or Pipeline Rd. access in any way. They are more than happy to sit and talk with him and try to resolve the issues regarding the fencing.

Chairperson, D. Price- How can the same land be leased by 2 different entities?

Attorney, B. Graff- There would be a transition clause in effect.

Commissioner, D. Saiter- **I could not hear question asked, so after the meeting I emailed D.Saiter and asked what her question was-* she asked them about fencing. She referred to a section she read about no fencing; She then stated she understands why the fencing is needed for security. *She stated after, during my email regarding the question asked, that it was not read in Eolus' project description.*

Attorney, B. Graff- stated he did not have an answer at that time, but would try to get one.

Commissioner, D. Schilling- asks if there have been any communications with Mr. Schumann.

Attorney, B. Graff- Mr. Schumann responded to the notice legally and within the required time frame, he also reached out to Eolus personally, through email, however, they have not heard from him since their response to him.

Chairwoman, C. Marshall- would you like to give your presentation now, I know I would like to see it.

Attorney, B. Graff- Thanks the Community Development office for their assistance and friendliness. He then gives presentation. Zoning will remain the same, they feel it is important to keep it agricultural. He states that his research shows that never in Arizona history has any Arizona voting authority had the ability to vote on over 14,000 acres in one sitting, and this is historical for La Paz County. They will use less than 25% of the average Agricultural use of water. Right-of-Way is not needed because it is on ASLD land.

Chairwoman, C. Marshall- any other public or commission questions? There are not any. Brings the floor back to the board for a motion.

Commissioner, D. Price- States he feels better knowing there will be assistance provided to the landowners'.

Commisioner D. Price makes a motion to approve, Commissioner D. Tucker seconds the motion, all unanimously approve.

Chairwoman, C. Marshall- reads **Docket no. CUP2020-001-** asks for staff report.

Director, T. Hoogerwerf- reads staff report.

Chairwoman, C. Marshall- asks for any questions from the Commission, and then from the public. There were not any. Asks for a motion from the Commission.

Commissioner D. Thompson motions to approve, Commissioner D. Tucker seconds the motion, all unanimously approve.

Chairwoman, C. Marshall- reads **Docket No. CPA2020-002-** asks for staff report.

Director, T. Hoogerwerf- reads staff report.

Chairwoman, C. Marshall- asks for any questions from the Commission, and then from the public. There were not any. Asks for a motion from the Commission.

Commissioner D. Saiter motions to approve, Commissioner D. Tucker seconds the motion, all unanimously approve.

Chairwoman, C. Marshall- reads **Docket No. Z2020-008-** asks for staff report.

Director, T. Hoogerwerf- reads staff report.

Chairwoman, C. Marshall- asks for any questions from the Commission, and then from the public. There were not any. Asks for a motion from the Commission.

Commissioner D. Schilling motions to approve, Commissioner D. Tucker seconds the motion, all unanimously approve.

Chairwoman, C. Marshall- reads **Docket No. Z2020-006-** asks for staff report.

Director, T. Hoogerwerf- reads staff report.

Chairwoman, C. Marshall- asks for any questions from the Commission. Also asks if there is a map missing because of a note in the file.

Director, T. Hoogerwerf- states she has the plot plan that was missing from the file with her and passes it on to the Commissioners for them to review.

Chairwoman, C. Marshall- asks for any questions from the Commission, and then from the public. There were not any. Asks for a motion from the Commission.

Commissioner D. Thompson motions to approve, Commissioner D. Saiter seconds the motion, all unanimously approve.

Chairwoman, C. Marshall- reads **Docket No. Z2020-007 APN(s) 311-41-003C and 311-41-003D-** asks for staff report.

Director, T. Hoogerwerf- reads staff report.

Chairwoman, C. Marshall- asks for any questions from the Commission, and then from the public. There were not any. Asks for a motion from the Commission.

Commissioner D. Thompson motions to approve, Commissioner D. Tucker seconds the motion, all unanimously approve.

Chairwoman, C. Marshall- reads **Docket No. CUP2020-002 APN(s) 311-41-003C and 311-41-003D-** asks for staff report.

Director, T. Hoogerwerf- reads staff report.

Chairwoman, C. Marshall- asks for any questions from the Commission, and then from the public. There were not any. Asks for a motion from the Commission.

Commissioner D. Saiter motions to approve, Commissioner D. Schilling seconds the motion, all unanimously approve.

Chairwoman, C. Marshall- reads agenda item 11 and states that it has been removed from the agenda for this meeting. Then moves on to agenda item 12 for a Community Development update.

Director, T. Hoogerwerf- states she has no updates at this time.

Chairwoman, C. Marshall- Next Planning and Zoning Meeting will be November 5, 2020. Asks if someone would entertain a motion to adjourn.

Commissioner D. Thompson motions to approve, Commissioner D. Saiter seconds the motion, all unanimously approve.

Adjourned at 4:32pm.

Chonna Marshall, Chairperson

Tonya Hoogerwerf, Comm. Dev. Director