

CALL TO ORDER

A Regular Meeting of the Planning and Zoning Commission of the City of Coolidge was held in the Council Chambers, 911 S. Arizona Boulevard, Coolidge Arizona. Chairman William Pertzborn called the meeting to order at 7:00 p.m. Those present were Chairman William Pertzborn, Nitza Verdugo-London, Don Williams, Norma Jean Polee-Muhammad, Billie Jo Garcia, Brent Kempton and Jesse Cañez. Also present was GM Director Rick Miller.

PLEDGE OF ALLEGIANCE

Chairman Pertzborn led the Pledge of Allegiance.

APPROVAL OF MINUTES:

Commissioner Williams **moved** to approve the minutes of the October 3, 2012 regular meeting, Commissioner Kempton **seconded**, motion passes unanimously.

PRESENTATIONS:

NONE

OLD BUSINESS

NONE

NEW BUSINESS

COOLPZ 12-09-05 CUP: An Application for Conditional Use Permit by Desert Valley Pharmacy/Rich Ibach for a Medical Marijuana Dispensary to be located at 1302 W. Industrial Drive, Building 7 (APN 209-25-0070) Zoned I-2. Conditional Use Permit required. **Public Hearing, Discussion and Action**

GM Director Miller introduced the case noting that the site and has been previously approved for this use; the applicant has also been approved, although at a different location in town. The floor was turned over to the applicant, and Dr. Hill introduced his partner Chris Ross. Mr. Ross spoke to the quality of their operation, security, and compliance with the law. Chairman Pertzborn commented on the previous application, asking if the dispensary details were the same. Mr. Ross stated they were, also noting the security and verification

procedures involved with serving patients. Commissioner Williams asked if patients were restricted to a specific dispensary, Mr. Ross said that was not the case. Commissioner Williams then asked about interstate use with Mr. Ross stating that per State Law, all medical marijuana in Arizona must be grown, purchased, and consumed in Arizona. Commissioner Williams asked how much the patients were limited to at one time and what was in place to stop them from going from one dispensary to another, getting their limit at each. Mr. Ross stated that dispensaries must verify each purchase in the State System, which lets them see the last time/how much a patient received. Mr. Ross spoke about the computer software involved with patient tracking, long term plans, and how they are able to acquire marijuana under State Law. Commissioner Kempton asked about limits on grower locations in relation to dispensaries with Mr. Ross stating that no growers, other than the dispensaries agents, may grow within 25 miles, as the crow flies, from the dispensary. Commissioner Verdugo-London asked about growing at other dispensaries and Dr. Hill responded. Commissioner Verdugo-London then asked about the estimated opening date, and Mr. Ross answer they hope to be open by the end of the 1st quarter of 2013, noting the cost of opening such an operation. Commissioner Kempton asked about zoning restrictions on caregiver growing locations, with Mr. Ross stating that they were not subject to them. Commissioner Verdugo-London asked if Mr. Ross was aware of any caregivers growing in Coolidge currently, and Mr. Ross stated that was considered private medical information. GM Director Miller stated it was his understanding that once the dispensary opens, no caregivers shall be allowed to grow within 25 miles. Mr. Ross stated it was still unclear how the State was going to handle that. GM Director Miller

asked the commission about some history surrounding the language in the zoning ordinance, specifically separation of uses within industrial zones. Chairman Pertzborn stated the commission did not put those restrictions in. Mr. Ross then asked for clarification on some of the definitions in the zoning ordinance. GM Director Miller stated staff could review the ordinance and come back with an answer. There was further discussion involving the medical marijuana ordinance. Chairman Pertzborn opened the Public Hearing, no members of the public wished to speak. Chairman Pertzborn closed the public hearing. Commissioner Williams **motioned** to approve the application, noting hours of operation would be from 7am-7pm, Commissioner Cañez **seconded, motion passed unanimously.**

COOLPZ 12-11-01 ZA: An Amendment to the City of Coolidge Zoning Ordinance to add new uses, namely Assisted Living Facilities to be allowed by Conditional Use in specific Zones. **Public Hearing, Discussion and Action**

GM Director Miller spoke about a developer he recently met with who would like to build an assisted living facility, but our zoning code does not have a definition to fit that use. GM Director Miller then spoke to the differences between group homes, nursing homes, and assisted living facilities. GM Director Miller stated that the assisted living use would require a conditional use permit in the multi-family zones, giving the commission more say in the development of such a facility. Commissioner Williams asked if the Homestead Apartments were considered assisted living, GIS Coordinator Hansen stated they were not. Commissioner Cañez asked about the Heritage Apartments being assisted living, GIS Coordinator Hansen

stated they were not assisted living either, the main distinction being those units have individual kitchens as opposed to a community dining hall. Commissioner Garcia asked if we knew what the licensing requirements were for assisted living facilities, GM Director Miller stated that licensing is done through and regulated by the State. Commissioner Garcia then asked if the exclusion of assisted living facilities from the zoning code was intentional with GM Director Miller stating he believes the exclusion was merely an oversight. Commissioner Verdugo-London asked about age restrictions within assisted living facilities. GM Director Miller stated the State definition does not have an age restriction, and that it would be possible, though unlikely, to have younger people within the assisted living facilities. Commissioner Williams asked what the City of Casa Grande does, GM Director Miller stated it was very similar to the amendment being proposed. Commissioner Garcia asked about the requirement of 7 or more persons and GM Director Miller responded that fewer than 7 is allowed by right within residential zones. Commissioner Garcia asked again about licensing requirements. GM Director Miller stated he did not know, but the item could be tabled and he could come back with the licensing requirements at a future meeting. Commissioner Pollee-Muhammad spoke about licensing requirements and procedures she has been subject to in previous applications with Commissioner Garcia satisfied with her response. Commissioner Kempton wanted to clarify that the requirement of 7 or more persons would disqualify the use from a single family residence. GM Director Miller stated that was correct. . Chairman Pertzborn opened the Public Hearing, no members of the public wished to speak. Chairman Pertzborn closed the public hearing. Commissioner Garcia **motioned** to approve

the amendment, Commissioner Williams **seconded, motion passed unanimously.**

**REPORTS FROM THE
CHAIRMAN/GROWTH
MANAGEMENT DIRECTOR**

Chairman Pertzborn noted he had attended the most recent fly-in at the Coolidge Airport and enjoyed himself. He invited people to attend in the future, 1st Saturday of the month except summer months, starting at 7am, with breakfast available from the Lions Club.

GM Director Miller invited the commission to come by the Growth Management office and see some changes that have been made. He then spoke to the need and obligation to update the City's General Plan, and what a large effort and important process that will be. GM Director Miller also spoke to the importance of public participation in the General Plan update process

CALL TO THE PUBLIC

No members of the public wished to speak.

ADJOURNMENT

MOTION was made by Commissioner Kempton to adjourn the meeting. **SECONDED** by Commissioner Cañez **Motion carried.** Meeting adjourned 8:12 pm.