

**Gila County Planning and Zoning Commission
Gila County, AZ.**

MINUTES OF DECEMBER 16, 2010

Item 1. Call to Order/ Pledge of Allegiance

The Gila County Planning and Zoning Commission met in regular session at 10:00 a.m. this date in the Board of Supervisors Hearing room located at 1400 East Ash Street in Globe, AZ. Lori Brown, Vice-Chairman led the Pledge of Allegiance.

Item 2. Roll Call

Don Ascoli, Chairman (arrived late)	Lori Brown, Vice Chairman - attended from Payson Office
Jay Spehar, Member - Absent	Ron Christensen - attended from Payson Office
Mickie Nye, Member	Travis Williams, Member
Jack Larimore, Member	Renee Zeising, Member-via telephone
Randy Slapnicka, Member – attended from Payson Office	

Item 3. Review and approval of ~~August 19th~~, (correction) September 16, 2010 minutes

Commissioner Renee Zeising motioned to approve minutes of **September 16, 2010**, Commissioner Mickie Nye seconded the motion; motion passed unanimously.

Item 4. Director/Commission Communication

Bob Gould, Director of Community Development gave an update on the Strategic Plan, Strawberry Hill Foothills, LaBaron's small subdivision, and the restaurant in Roosevelt. Strawberry Hills currently is under ADRE investigation; they never had streets accepted but were given the option to have private streets. The restaurant in Roosevelt is waiting for wastewater clearance. Mr. LaBaron who had his property rezoned a few months ago has not submitted anything for his Small Subdivision.

Item 5. Discussion of horse keeping

This was a continued discussion of the September meeting as the Commission had requested additional information. After much discussion, Commission requested Mr. Gould get examples from Pinal, Graham or Yuma counties as to what their policies are before the next meeting and suggested he invite the Gila County Health Director, Matt Bolinger, for discussion as the Health Department deals with the horse nuisances. Vice Chairman Lori Brown suggested staff contact the AZ Dept of Agriculture to get their guidelines.

ITEM 6. Discussion of Proposition 203 adopting Medical Marijuana

Gila County Community Development Director, Bob Gould stated that time is of the essence and believed that we could not use an emergency clause when adopting this amendment.

Chairman Ascoli stated that the Commission needed to focus on the four different land uses; caregiver-cultivating at their home, qualifying patient-cultivating at their own home, dispensary and cultivation center for dispensaries. He continued by stating that he felt Mr. Gould was asking for direction in these areas. Mr. Gould stated that he would like the Commission to look at the Navajo County Ordinance which dealt with all four land uses and followed Maricopa Counties Ordinance. He continued by stating that a qualified patient is permitted to have 12 plants maximum and at any one time can't have more than 2 ½ ounces, but a designated caregiver can have a maximum of five patients and have 12 times 5 plants or 50 sq. ft. times 5, so now you are talking about a more intense use of the land. He stated that anybody who lives within 25 miles of a dispensary cannot have home grown marijuana and will need to use the dispensary.

Commissioner Mickie Nye suggested that county establish conditional use permit fees due to the additional cost to the county.

Mr. Gould stated that using the Navajo County Ordinance he would use the following:

- Definitions for caregiver, dispensary, off site cultivation for dispensary, qualifying patient and caregiver.
- Special Use Permit – With this we would be able to establish appropriate fees
- Separation requirements for dispensaries and cultivation centers from pre-schools, day cares, libraries & schools.
- Regulations for qualifying patients who are doing home grown (accessory use of property in lines with DHS requirements).
- Not allow cultivation centers in commercial zones but ask that dispensaries be in commercial zones.
- Cultivation centers in Industrial Zoning
- Separate dispensaries - a minimum of 1500 ft between them.

Mr. Gould stated that right now they are anticipating two dispensaries in Gila County.

Commissioner Randy Slapnicka stated that he agreed with the special use permit to do the dispensaries but asked if the people outside the 25 mile area growing marijuana could be a conditional use permit. Mr. Gould answered yes and stated he had suggested a special use permit for everything.

Chairman Ascoli stated that there was enough discussion for Mr. Gould to draft an ordinance that would pacify the Health Department and the Sheriff's Office and present it to them at the next Commission meeting. Mr. Gould stated that once he had the draft ready he would email it to them and Deputy County Attorney Bryan Chambers.

ITEM 7. Approved of Planning and Zoning/Board of Adjustment 2011 calendar and Resolution

The Commission unanimously approved the 2011 calendar.

ITEM 8. Date and time for next meeting – January 20, 2010 (Preferably Payson)

ITEM 9. Call to the Public: No questions or comments from the public.

ITEM 10. Adjournment at 11:25 a.m