

PLANNING AND ZONING COMMISSION MINUTES OF MEETING October 19, 2022



COMMISSION MEMBERS PRESENT: Chairperson Gene Robert Larson, Kay Matlock, Judy Motes, Commissioner Lunt, Peter Vlassis, Steve Taylor. Michael Ruiz, and Mark Claridge

MEMBERS ABSENT: None

STAFF PRESENT: Steve McGaughey, Valerie Cooke, Mary Bingham, Jennifer Cochran, Darlene Alder, and Jean Roof

VISITORS: Ted R. Haas, Nancy Clark, Clint Colvin, Debbie Fleming, Wendi Macumber, Jonathan Truschle, Nikki Fleming, Megan Wells, Shelley Michaels, Madison Michaels, Mark Michaels, Teri Fleming, Laura Jean Scheider, Martha Prendergast, Erin Prendergast

CALL TO ORDER: Chairman Gene Robert Larson called the meeting to order at 9:00AM and took roll, a quorum was present.

APPROVAL OF PREVIOUS MEETING MINUTES: Commissioner Vlassis motioned to approve the minutes for the September 21, 2022, Planning and Zoning meeting. Commissioner Lunt seconded. Vote: all in favor.

ITEMS FOR PUBLIC HEARING

REZ 863-22 (APN 103-28-072) Request made to re-zone from current C-M (Commercial Manufacturing land use) to R-R (Rural - Residential 20,000 sq. ft. minimum lot size) zone the requestor is Nancy Clark who is planning on building a new home at this location. The situs is 4330 S. US Hwy. 191, Safford.

Chairman Larson read the proposal. Nancy Clark, requestor and landowner presented. Mrs. Clark stated that she wanted to rezone the property from CM to Residential and place a mobile home and build a home on the property on a later date. Commissioner Matlock questioned the zoning and the intention with concern. Director McGaughey explained Mrs. Clarks long term goals and that the zoning around the property range from commercial to residential. (Showing the map on the large projector screen) Commissioner Matlock commented on how good the property is looking – getting cleaned up. Commissioner Claridge asked if anyone is opposed? Chairman Larson asked the public is anyone is opposed? (No response)

Commissioner Taylor motioned to send a favorable recommendation to the Board of Supervisors. Commissioner Lunt seconded. Vote: all in favor.

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UNFINISHED BUSINESS:

TA22-01 TEXT AMENDMENT – Text Amendment Application submitted by Carolyn Oberholtzer on behalf of Pamela Brooks, owner of APN 108-13-020, seeking to revise portion of Sections 4.1.2, 4.1.3, 9.2, and 9.4 of the Graham County Zoning Ordinance to permit marijuana establishments that cultivate and process marijuana to operate in the A Zone as a use permitted with certain conditions or under a conditional use permit; to modify the definition of enclosed area under the

marijuana regulations: to modify the distance requirements between marijuana establishments and residentially zoned property and property used for residential purposes; to modify how distance is measured between marijuana establishments and adjacent properties; and to modify the permissible operating hours for certain marijuana establishments. (A decision on this agenda item was tabled at the September 21, 2022, Planning and Zoning Commission Hearing).

Chairman Larson read the proposal. Asked the audience if anyone was present who represented the proposal? (No response) Director McGaughey, spoke about the work session and discussions. Chairman Larson asked those that requested to speak to come forward.

Wendy Macumber 16155 Ash Creek Rd., Willcox, AZ 85643 Opposed to the Text Amendment. Keep ordinance in place. Listen to the voters. Protect Graham County.

Teri Fleming 26455 Ft. Grant Rd., Willcox, AZ 85643 Opposed to the Text Amendment. Against a crop that needs a prescription, a fence, age restriction, a bad odor, and reduces your property value.

Commissioner Motes stated that she is personally against the Text Amendment. Commissioner Vlassis also stated that he is against the Text Amendment but feels that zoning of MX is an issue all together leaving the county wide open for problems with MX zoning. Chairman Larson responded that it is time to review and get our ordinances updated.

Commissioner Claridge motion to send an unfavorable recommendation to the Board of Supervisors. Commissioner Matlock seconded. Vote: all in favor.

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ITEMS TO BE SET UP FOR PUBLIC HEARING

REZ 864-22 (APN 105-28-050) Request made to re-zone 5.76 acres from current A (General Land Use) to R-MH (Residential -Manufactured Home) for the purpose of future development of a RV park for overnight or extended stay. The owners are Ronald and Janice Howard. The situs is Thatcher.

Director McGaughey explained that the following three applications were located next to each other on both sides of Bryce Eden Rd. between Watson Rd. and Hubbard Cemetery Rd.

Commissioner Claridge motioned for item REZ 864-22 (APN 105-28-050) to be heard at the September meeting. Commissioner Ruiz seconded. Vote: all in favor.

REZ 865-22 (APN 105-28-051) Request made to re-zone 3.86 acres from current A (General Land Use) to R-MH (Residential -Manufactured Home) for the purpose of future development of a RV park for overnight or extended stay. The owners are Ronald and Janice Howard. The situs is Thatcher.

Commissioner Claridge motioned for item REZ 865-22 (APN 105-28-051) to be heard at the September meeting. Commissioner Vlassis seconded. Vote: all in favor.

REZ 866-22 (APN 105-28-052) Request made to re-zone 4.83 acres from current A (General Land Use) to R-MH (Residential -Manufactured Home) for the purpose of future development of a RV park for overnight or extended stay. The owners are Ronald and Janice Howard. The situs is Thatcher.

Commissioner Ruiz motioned for item REZ 866-22 (APN 105-28-052) to be heard at the September meeting. Commissioner Vlassis seconded. Vote: all in favor.

REZ 867-22 (APN 104-39-172) Request made to re-zone 1.06 acres from current A (General Land Use) to C-M (Commercial Manufacturing land use) for the purpose of building a commercial storage building/shop for Elements Construction. The owner is Levi Palmer. The situs is Thatcher.

Director McGaughey explained that the location of the parcel is just west of the Stadium Club on 8th Street and across from Arena Way in Thatcher.

Commissioner Taylor motioned for item REZ 867-22 (APN 104-39-172) to be heard at the September meeting. Commissioner Lunt seconded. Vote: all in favor.

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REZ 868-22 (APN 114-22-112) Request made to re-zone from current A (General Land Use) to M-X (Unlimited Manufacturing) for the purpose of off-site cultivation of cannabis. The owner and requestor Serasa Farm Inc., Rafael Yermayan. The situs is 28250 S. Brookerson Rd. Willcox, AZ 85643.

Commissioner Claridge motioned for item REZ 868-22 (APN 114-22-112) to be heard at the September meeting. Commissioner Matlock seconded. Vote: all in favor.

REZ 869-22 (APN 114-22-028B) Request made to re-zone from current A (General Land Use) to M-X (Unlimited Manufacturing) for the purpose of off-site cultivation of cannabis. The owner and requestor Serj Oganesyanyan. The situs is 28496 S. Brookerson Rd. Willcox, AZ 85643.

Commissioner Ruiz motioned for item REZ 860-22 (APN 114-22-028B) to be heard at the September meeting. Commissioner Lunt seconded. Vote: all in favor.

OTHER BUSINESS

The P&Z Director, Steve McGaughey, reported on the items from the September Commission meeting that went to the Board of Supervisors meeting on Oct. 4, 2022.

CALL TO THE PUBLIC

No answer.

ADJOURNMENT: at 9:40AM Chairman Gene Robert Larson motioned for the meeting to be adjourned. All in favor.

MINUTES ACCEPTED by: _____

Gene Robert Larson, Chairman Planning & Zoning Commission

ATTESTED by: _____

Steve McGaughey, Director Planning & Zoning Department