

**MEETING MINUTES OF
THE CITY OF ELOY
PLANNING AND ZONING COMMISSION
Regular Meeting
Wednesday, November 18, 2020
6:00 p.m.**

I. CALL TO ORDER

Vice-chairperson Brown called the meeting to order at 6:03 p.m.

II. ROLL CALL

*One or more members of the Planning and Zoning Commission may attend by telephonic means.

Members present:

- Vice-Chairperson Larry Brown
- Ex-Officio Daniel Snyder
- Commissioner Steve Paulson
- Commissioner Allen Crawford

Members Absent:

- Chairperson Marlo Schuh
(Excused)
- Commissioner Kirk Tatom
- Commissioner John Peterson

Staff present:

- Jon Vlaming, Community Development Director
- Jeff Fairman, Economic Development Specialist
- Jerry Stabley, Planning Manager

Others present:

- None.

III. INVOCATION

Vice-chairperson Brown led the Invocation and requested a moment of silence.

IV. PLEDGE OF ALLEGIANCE

Vice-chairperson Brown led the recitation of the Pledge of Allegiance.

V. MOTION TO APPROVE THE AUGUST 19, 2020 MEETING MINUTES OF THE PLANNING AND ZONING COMMISSION.

Vice-chairperson Brown asked for a motion to approve the meeting minutes of the Planning and Zoning Commission. Commissioner Crawford made a motion to approve the August

19, 2020 meeting minutes as presented. Commissioner Paulson seconded the motion. The motion was approved with a vote of 3-0.

VI. OLD BUSINESS: POSSIBLE DISCUSSION AND/OR ACTION ON THE FOLLOWING:

A. PUBLIC HEARING OF THE MAJOR AMENDMENTS PROPOSED FOR THE ELOY GENERAL PLAN FOR CALENDAR YEAR 2020.

Vice-chairperson Brown opened the Public Hearing. Mr. Vlaming presented a quick power point on two major amendments to the Eloy General Plan. In terms of the background, the General Plan is a guiding document for development and it is mandated for each city by the Arizona Revised Statutes and requires cities and towns to have a plan and update it. It does allow amendments to keep it valuable, current, and up to date. Again, the General Plan is aspirational it is not zoning, it gives guidance on recommending land uses that then become the reference point for staff when individuals are proposing an amendment or a rezone.

The amendments in the process are three, these define major amendments and those major amendments can be submitted and must be heard at the end of each calendar year.

Typically, Staff would accept the applications mid-year, we go through the State mandated sixty-day review process, and we come back with a neighborhood meeting and then come before the Planning and Zoning Commission who would provide a recommendation to the Eloy City Council. City Council will hear this case on December 14, 2021 with the Commission's recommendation.

General Plan Amendment Criteria are as follows:

Residential Land Use Designation that exceeds 320 acres; land use change from residential to non-residential of 40 acres or more; or any change in the commercial land use category.

B. COMMISSION TO MAKE A RECOMMENDATION FOR APPROVAL, APPROVAL WITH CONDITIONS, OR DENIAL OF THE MAJOR AMENDMENTS OF THE ELOY GENERAL PLAN FOR CALENDAR YEAR 2020, CASE NO.: GPA2020-012.

Vice-chairperson Brown asked for a recommendation for approval, approval with conditions, or denial of the major amendments of the Eloy General Plan for Calendar Year 2020. Commissioner Crawford made a motion to approve Case No. GPA2020-012 as presented. Commissioner Paulson seconded the motion. The motion passed with a vote of 3-0.

VII. NEW BUSINESS: POSSIBLE DISCUSSION AND/OR ACTION ON THE FOLLOWING:

A. UPDATE ON ECONOMIC DEVELOPMENT ACTIVITIES.

Mr. Jeff Fairman introduced himself, provided an update, and shared information with the Commission members on Economic Development.

- Downtown Activities-two additional phases are moving forward. First is to establish a resource list of street artists to decorate the downtown arcade columns and building end-caps and the second is the presenting of estimates for Dust Bowl Theater options. City Council will review those options and costs at their December 7th meeting.
- Circle K is progressing nicely to build a new store at the northwest corner of Eleven Mile Corner Road and Frontier Street (across from the existing one). Opening is expected in second quarter of 2021.
- Xpress Fuel Truck Stop on Toltec Road will be open for business at the end of the year. Staff is planning a ribbon cutting for sometime in December 2020.
- Project Eloy is a large lithium company whose staff is working closely with the City. It may form a Revitalization District as one of the concerns is the lack of infrastructure in this area.
- Airebeam, one of the area's fiber optic providers, is working on a plan to enhance service to the Eloy Airport and the existing area businesses.
- Kevin Petersen's 10|8 Industrial Park – most interesting is Petersen's control of the adjacent 600 acres making the Interstate 10 | 8 Business park one of the largest in Arizona.
- Infrastructure in Eloy - over the last 25 years there has limited upgrading and even fewer expansions to the infrastructure. Staff has been meeting with the USDA and HUD to find ways of financing programs to support Eloy's economic development efforts.

B. UPDATE ON PROPOSED RECREATIONAL MARIJUANA ORDINANCE.

Mr. Jerry Stabley, Planning Manager, introduced himself and presented a power point presentation on the proposed recreational marijuana ordinance. Proposition 207 (Prop 207) known as the Safe and Smart Arizona Act, was passed by Arizona Voters in the November 3, 2020 election.

He explained that one of the reasons that the draft ordinance is being brought to the Commission is that property owners can apply on January 19, 2021 for a license for a recreational marijuana establishment. The Arizona Department of Health Services needs to act within 60 days of receiving the application. Staff's concern is that if Eloy does not have regulations in place, it might allow an establishment to locate without any City oversight.

Marijuana establishments include all of the following: retail, cultivation and manufacturing of marijuana products. There are restrictions in the Act on localities, and localities include any City, Town or County. The text from the Act states: "A locality may not enact any ordinance, regulation or rule that is more restrictive than a

comparable ordinance, regulation or rule that applies to nonprofit medical marijuana dispensaries.”

The City of Eloy requires that medical marijuana dispensaries obtain a Conditional Use Permit (CUP) and are only allowed to apply in the General Commercial District (C-2), Business Park (BP), Light Industrial (I-1) and General Industrial (I-2). These facilities cannot be located within ¼ of a mile (1,320 feet) from the same type of use, residentially zoned property, preschool, kindergarten, elementary, secondary or high school, place of worship, public park, or public community center.

There is currently one cultivation facility located along Houser Road. City of Eloy may collect sales tax, and the regular share of state shared transaction privilege tax.

The Timing for the proposed Ordinance is as follows:

- Planning and Zoning Commission Work Session: November 18, 2020
- City Council Briefing: December 7, 2020
- Planning and Zoning Hearing: December 16, 2020
- City Council Hearing: January 11, 2021

If approved, staff will request that the City Council declare an emergency so that the Ordinance will go into effect as soon as it is passed by the Council.

C. OVERVIEW OF THE AIRPARK MASTER PLAN PLANNING PROCESS.

Mr. Vlaming briefed the Commissioners on the Airpark Master Plan Planning Process. This ongoing project was identified as one of the economic engines of the City which focuses on the Airport area. Staff has been working closely with the Municipal Airport Advisory Board on this project. Staff has met with the Municipal Advisory Board twice to talk about the process, and now he identified that he wanted to take this opportunity to brief the Commissioners on the process, as the documents are now being prepared for the plan. The overall introduction chapter will: describe the planning process of the plan; identify the area included within the plan; include the vision statement, which provides a statement of community values that creates the desired condition and the section that describes the organization of the document.

From the Master Plan Outline there are four components: it would have an existing setting, Goals and Objectives, Master Plan and Implementation Program. The study area itself is identified on the Zoning Map, which is the Airport Influence Zone about 12 square miles. The Draft Vision Statement is only a draft and staff would like to encourage the Commission to review it, and if there was any comments, to let staff know. It has all of the elements to achieve this vision during this process as well as Goals and Objectives

Next Steps would be the refinement of the document outline, refinement of vision, goals and objectives and draft the plan components-Land Use, Circulation, Infrastructure and Economic Development. Staff will meet with the Municipal Airport Advisory Board on January 7, 2021.

VIII. INFORMATIONAL ITEMS:

- Ex officio Snyder mentioned that:
 - Eloy has a new Mayor and his name is Micah Powell and two new council members and are working on procedures on how to conduct the City Council meetings and how should they entertain a motion.
 - Love's Truck Stop and Sunland Gin Road-City Council has approved the project into three sections. Widen Sunland Gin Road, a traffic light for residents coming from Mountain View Estates. The City of Eloy would like to approach the State and Pinal County for the funding of this project.
 - Working on relocating a taxiway at the Eloy Municipal Airport.
 - The Water Tower is going to be repainted and lights will be installed in the near future-it will look similar to the one that was completed in the Town of Gilbert.

IX. COMMUNICATIONS:

- None.

X. MOTION TO ADJOURN.

Vice-chairperson Brown asked for a motion to adjourn. Commissioner Crawford made a motion to adjourn and was seconded by Commissioner Paulson. The adjournment passed 3-0 and the meeting adjourned at approximately 7:11 p.m.