



City of Goodyear

See meeting location
below

Meeting Minutes

Planning & Zoning Commission

Wednesday, October 14, 2020

6:00 PM

Goodyear Municipal Court and Council
Chambers
14455 W. Van Buren St., Ste. B101
Goodyear, AZ 85338

Agenda amended on October 13, 2020 to add item 6. Recreational Marijuana Establishments Zoning Ordinance Text Amendment and amend stipulations 6 & 8 on item 3. Avion at Ballpark Village PAD.

CALL TO ORDER

Chairman Bray called the meeting to order at 6:00 p.m.

PLEDGE OF ALLEGIANCE

ROLL CALL

Vice Chairman Randy Barnes attended the meeting telephonically.

Present 6 - Chairman Bray, Vice Chairman Barnes, Commissioner Molony, Commissioner Steiner, Commissioner Clymer, and Commissioner Ellison

Absent 1 - Commissioner Kish

MOTION BY Commissioner Molony, SECONDED BY Commissioner Steiner to EXCUSE Commissioner Kish from the meeting. The motion carried by the following vote:

Ayes 6 - Chairman Bray, Vice Chairman Barnes, Commissioner Molony, Commissioner Steiner, Commissioner Clymer and Commissioner Ellison

Excused 1 - Commissioner Kish

MINUTES

1. [P&Z MIN 27-2019](#) Approve draft minutes of the Planning and Zoning Commission meeting held on September 16, 2020.

MOTION BY Commissioner Clymer, SECONDED BY Commissioner Steiner to APPROVE the draft minutes of the Planning and Zoning Commission meeting held on September 16, 2020. The motion carried by the following vote:

Ayes 6 - Chairman Bray, Vice Chairman Barnes, Commissioner Molony, Commissioner Steiner, Commissioner Clymer and Commissioner Ellison

Excused 1 - Commissioner Kish

PUBLIC COMMENTS

None.

DISCLOSURE OF EX PARTE COMMUNICATIONS

None.

PUBLIC HEARINGS

2. [20-300-00004](#) **FEDERICO'S AT PEBBLECREEK USE PERMIT REQUEST FOR CONVENIENCE USE (DRIVE-THROUGH RESTAURANT)**

Chairman Bray opened the public hearing at 6:03 p.m.

Christian Williams presented the request for a use permit for a convenience use (drive-through restaurant) on a .895-acre property zoned C-2 (General Commercial) located north of the northeast corner of PebbleCreek Parkway and Harvard Street. The C-2 (General Commercial) zoning was approved on February 19, 2004 with the adoption of Ordinance No. 04-898. The C-2 General Commercial land use designation establishes convenience use (drive-through) as a use that requires approval of a use permit.

The subject property consists of .895 acres within an existing commercial center. The site does not contain commercial buildings but does contain minimum parking, landscaping and drive isle improvements.

The proposed 4,000 square-foot retail building will include space for the drive-through restaurant as well as space for a future C-2 user. The restaurant hours of operation will be from 6 a.m. to 12 a.m., local time, however, there are no restrictions on the hours of operation. Deliveries from semi-trucks are prohibited from the hours of 10:00 p.m. to 6:00 a.m. in accordance with Ordinance 04- 898, which rezoned the property. Site improvements will include re-painting and adding more parking spaces, drive-through construction, preservation of existing utility lines and additional landscaping.

The preliminary site plan shows the provision of 48 parking spaces (23 required). Conceptual building elevations included with the use permit application convey the architectural design intended for the building. The proposed building height is 17 feet, not counting the screen wall, which is under the 56-foot maximum building height established for the C-2 (General Commercial) zoning district.

There being no public comment, Chairman Bray closed the public hearing at 6:07 p.m.

MOTION BY Commissioner Clymer, SECONDED BY Commissioner Molony to RECOMMEND approval for case 20-300-00004 FEDERICO'S AT PEBBLECREEK USE

PERMIT REQUEST FOR CONVENIENCE USE (DRIVE-THROUGH RESTAURANT).**The motion carried by the following vote:**

Ayes 6 - Chairman Bray, Vice Chairman Barnes, Commissioner Molony, Commissioner Steiner, Commissioner Clymer and Commissioner Ellison

Excused 1 - Commissioner Kish

3. [20-210-00001](#) **AVION AT BALLPARK VILLAGE PLANNED AREA DEVELOPMENT**

Chairman Bray opened the public hearing at 6:09 p.m.

Christian Williams presented the request to rezone property to Avion at Ballpark Village Planned Area Development (PAD). The current zoning of the property is Planned Area Development (PAD), under the Sun-DS Farms PAD Amendment, adopted in in 2019 by Ordinance 2019-1423. A history of zoning actions by Ordinance number and a brief description of the action is listed below:

- 2019-1423 - Created Sun-DS Farms PAD Amendment which amended parcels of land designated for business commerce uses and rezoned them to single-family residential
- 14-1310 - Amended the land use plan in the PAD to include 107 acres of residential use and 47 acres of Business Park/Commerce Center and amended some of the stipulations
- 08-1310 - Created Sun-DS Farms, LLC, Final PAD

The current proposed rezoning includes 153.66 acres of the project previously called Sun-DS Farms and seeks to replace the zoning to create a residential master planned community.

Sun-DS Farms allowed for the inclusion of 50-foot wide lots, 60-foot wide lots, 70-foot wide lots, Z-Lots, Zero Lot Line lots, Alley Loaded Single-Family Detached lots, Alley Loaded Single Family Attached lots, and Cluster Products, all with modified development standards. No Sun-DS Farms lots utilized standards currently found within Goodyear's Zoning Ordinance, which means the eight unique lots within Sun-DS Farms PAD could potentially be very time consuming for staff to administer. Additionally, lot diversity was not guaranteed as the entire Sun-DS Farms neighborhood could consist of one lot size.

Avion at Ballpark Village will largely utilize existing city lot development standards, with enhancements being made to amenities, connectivity and streetscapes. Additionally, a greater level of certainty is provided as it relates to the placement of particular sized lots within the development.

The proposed development will include R1-6 Reduced, R1-4 Reduced, R1-A and R1-C Single Family Residential Districts.

In keeping with the city's criteria for allowing smaller lot sizes, the applicant has demonstrated how the neighborhood will meet the design elements included in Section 3-2-3 of the Zoning Ordinance.

Mr. Williams explained that along with the rezone, staff is recommending the renaming of Lower Buckeye Road to avoid future confusion. The street would be named Ballpark Village Boulevard.

Ed Bull, representing the application, stated that he agreed with the staff recommendation.

Commission asked what type of material the rail fence is made of that was shown during the presentation. Mr. Bull stated that they will be a type of plastic.

Commission asked where people traveling on trails would be able to cross Estrella Pkwy. Mr. Williams stated that if a signal is warranted, there is a potential for a traffic signal at Lower Buckeye Road.

There being no public comment, Chairman Bray closed the public hearing at 6:25 p.m.

MOTION BY Commissioner Molony, SECONDED BY Commissioner Clymer to RECOMMEND approval for case 20-210-00001 AVION AT BALLPARK VILLAGE PLANNED AREA DEVELOPMENT. The motion carried by the following vote:

Ayes 6 - Chairman Bray, Vice Chairman Barnes, Commissioner Molony, Commissioner Steiner, Commissioner Clymer and Commissioner Ellison

Excused 1 - Commissioner Kish

4. [20-210-00002](#) **DISTRICT AT CIVIC SQUARE PLANNED AREA DEVELOPMENT OVERLAY**

Chairman Bray opened the public hearing at 6:33 p.m.

Christian Williams presented the request to rezone approximately 9.3 acres be rezoned to MF-24 with a Planned Area Development Overlay titled District at Civic Square Planned Area Development (PAD) Overlay. The subject property is located within the Goodyear Planned Regional Center PAD. The PAD was approved on February 14, 2000 with the adoption of Ordinance No. 00-679. Per the PAD, the property is designated as Mixed Use Commercial and is intended for commercial uses. On June 12, 2019, Council approved a request for a use permit for a convenience storage (ministorage) on this property. Plans for the mini-storage never came to fruition. The current proposed rezoning includes rezoning this 9.3-acre site to MF-24 with a PAD overlay to modify standards and allow a density of up to 39 dwelling units per acre.

The land immediately south of the Site is also zoned mixed-use commercial and has since been developed as a regional shopping center. The development of an urban multi-family development here horizontally integrates a mix of uses that will complement one another and create synergy. Immediately north of the project lies multi-family residential in a similar scale. The vacant land located east of the Site across the wash is zoned for mixed-use commercial and will provide convenient commercial

goods and services to the future residents of The District at Civic Square. Additional commercial amenities are located to the west of the Site along PebbleCreek Parkway. The size and scale of the proposed project is physically compatible with the surrounding zoning and existing developments. Additionally, the development of the first four-story apartment community in Goodyear will set the tone for this area to be the dense, urban activity area desired by long-range planning.

Since the approval of the Goodyear Planned Regional Center, demand for residential developments has been greater than the demand for commercial, and as a result, the land designated for commercial uses in the PAD have been rezoned to permit residential. This development will help meet that demand and provide for the growing Goodyear population. In 2019, the area outlined in red on the right was rezoned to Final PAD for Goodyear Civic Square at Estrella Falls. Parcel B, was originally intended for mixed-use commercial, but is now zoned for single-family and multi-family residential, exclusively. Parcels A and C also permit residential developments, among other land uses. This is indicative of a growing demand for residential developments in this area that can be further alleviated by this request.

Wendy Riddell, representing the applicant, expressed agreement with the staff recommendation.

Resident Mark Pelletier spoke against the staff recommendation. Mr. Pelletier stated that he had an objection with the relaxation of the setbacks and variances within the narrative. Mr. Pelletier stated that the reduced parking would become an issue. Mr. Pelletier also stated that the narrative described the goal as a dense urban area which does not conform with the zoning ordinance.

There being no further public comment, Chairman Bray closed the public hearing at 6:38 p.m.

MOTION BY Commissioner Steiner, SECONDED BY Commissioner Molony to RECOMMEND approval for case 20-210-00002 DISTRICT AT CIVIC SQUARE PLANNED AREA DEVELOPMENT OVERLAY. The motion carried by the following vote:

Ayes 5 - Chairman Bray, Vice Chairman Barnes, Commissioner Molony, Commissioner Steiner and Commissioner Clymer

Nays 1 - Commissioner Ellison

Excused 1 - Commissioner Kish

5. [2020-7064](#) **AMENDMENT TO ARTICLE 7 AND ARTICLE 9 OF THE ZONING ORDINANCE**

Chairman Bray opened the public hearing at 6:40 p.m.

Principal Planner Steve Careccia presented the request to amend Article 7 (Sign Regulations) and Article 9 (Special Districts) of the city of Goodyear Zoning Ordinance to allow the use of electronic message displays on monument signs within the commercial and industrial zoning districts.

The city of Goodyear Zoning Ordinance regulates the development of all land within the city. Regulations set forth in the Zoning Ordinance may be amended when deemed necessary to best serve the public interest, health, comfort, convenience, safety, and general welfare of the citizens of the city. The current Zoning Ordinance was originally adopted by the City Council in May 1999 and has been the subject of a number of amendments since that time.

Article 7 (Sign Regulations) of the Zoning Ordinance regulates all signage within the city of Goodyear. Article 9 (Special Districts) of the Zoning Ordinance provides for the establishment of special districts within the city of Goodyear to provide unique regulations and approval processes above and beyond the regulations and approval process of the underlying zoning district. As provided for by Article 9, the McDowell Road Business and Entertainment District was created in 2017, with the primary intent of allowing electronic message displays within the commercial areas along McDowell Road at PebbleCreek Parkway and Bullard Avenue. Article 7 of the Zoning Ordinance defines an electronic message display as “a permanent on-site sign capable of displaying words, symbols, figures or images that can be electronically changed by remote or automatic means.” Electronic message displays and changeable reader panel signs are generally prohibited within the city. Two exceptions are the entertainment district and gasoline service stations, which are also allowed to use electronic message displays for the display of fuel prices.

At a work session held on June 8, 2020, the City Council provided direction to staff to allow the use of electronic message displays as a permitted sign type within the city’s overall commercial areas.

In conformance with City Council direction, staff has prepared an amendment to the Zoning Ordinance to permit the use of electronic message displays within the city’s commercial zoning districts. Further anticipating a similar request from businesses in industrial zoning districts, staff has also included industrial zoning districts within the current amendment. The proposed amendment would permit the placement of an electronic message display on a freestanding monument sign located within a commercial or industrial zoning district. The electronic message display would be permitted to occupy 50% of the allocated sign copy area or 24 square feet, whichever is less. Other proposed standards include:

1. Displays will be static images. Videos, animation and sound would be prohibited. The intent is to lessen distraction for drivers, and increase driver, bicyclist and pedestrian safety.
2. Images must be displayed for at least eight seconds, and when image changes do occur, they must be instantaneous. Fading or dissolving of images, for example, would be prohibited. Again, the intent is to lessen distraction for drivers and increase driver, bicyclist and pedestrian safety.
3. The brightness of the display would vary depending on ambient light conditions (i.e. reduced lighting intensity during a cloudy day) and could not exceed 300 nits from dusk till dawn. The sign will be required to include technology to automatically control the brightness of the display. Such measures are intended to ensure the displays are not excessively bright,

especially in low-light conditions and at night. The city's digital marquees are also restricted to a maximum brightness of 300 nits from sunset to 11 PM, afterward which time all illumination is extinguished.

4. If the monument sign is located within 150 feet of a single-family residential zoning district, then the electronic message display will need to be shut off between 10 PM and dawn. This provision is intended to help ensure the sign will not be a detriment to those living near the sign, given the possibility for light trespass.
5. If the electronic message display malfunctions, then the display must be shut off until such time as the malfunction is repaired. This provision is intended to ensure the malfunctioning sign does not pose a distraction, especially should the malfunction result in continuously changing display or full-white out condition.
6. Use of the electronic message display for off-site advertising is prohibited. This provision carries forth a general prohibition against off-site signage as established in the Zoning Ordinance.

The above standards attached to the amendment are modeled after regulations for electronic signs contained in State Statutes (ARS 28-7802 Outdoor Advertising Authorized), which were also incorporated into the signage standards established for the McDowell Road Business and Entertainment District.

Staff recommends deleting Article 9-2 (McDowell Road Business and Entertainment District), which created the entertainment district, as this district is no longer necessary given the intended adoption of the provisions allowing the use of electronic message displays within the city's commercial and industrial zoning districts.

Commission asked where this request started. Mr. Careccia stated that staff had prepared this amendment at Council direction.

Commission asked how close to a residential district could one of these signs be. Mr. Careccia said that there is no specific setback or separation required for a sign. If a single family home is within 150 feet, it will need to be shut off at night. If it is a multi-family district, the guideline does not apply.

Commission asked about the safety aspect of these signs in regards to drivers. Mr. Careccia stated that they had addressed this through the static images required on these signs as well as limiting the brightness.

Commission expressed their concern for the amount of digital signs that may occur throughout different Commercial areas and that they could present a safety concern.

Development Services Director Christopher Baker explained that this amendment allows for digital signs within the current standards of signs, which stipulate the locations and limits the amount of signs

that can occur within a development. The standards that were used to formulate this amendment are the National standards used on Interstates.

Mr. Careccia stated that they are following the same standards adopted by the state and most of the valley and reiterated there is already a limit on the amount of signs a Commercial center could have.

Commission expressed concern about the growth of Goodyear and how this could affect future Commercial and Industrial areas.

Commission stated that it seems Goodyear is one of the last to adopt digital signs and could put Goodyear at a disadvantage from a business perspective. Mr. Baker explained that it would not necessarily put Goodyear at a disadvantage but there was a desire from Council to modernize the sign ordinance and the desires of businesses as they evolve over time.

Commission discussed the potential for a high signage area to have several digital signs.

Mr. Baker explained that the McDowell Road Entertainment District are already allowed to have digital signs. Comprehensive Sign Packages already in place would need to amend the package.

Commission stated that they were not opposed to digital signs but were opposed to the possibility of having several digital signs within a certain distance.

Commission asked whether it would be possible to have restrictions on sizes in the same center. Mr. Baker explained that there could not be discrimination on the size according to the location as long as all other standards are met.

Commission asked how Goodyear sign regulations compare to other municipalities. Mr. Careccia explained that Goodyear has been, in his experience, on the conservative side regarding signage.

Commission stated that this seems rushed as it can change the look and feel of the city.

Commission explained that living next to a digital sign can be a nuisance even during the day time. Would not be opposed to having no digital signs within the city. They can also take a great deal of electricity to power during the day.

Resident Mark Pelletier spoke against the staff recommendation. Mr. Pelletier explained that there is no need to add more distractions to the road.

There being no further public comment, Chairman Bray closed the public hearing at 7:24 p.m.

Chairman Bray chose to explain his vote. There was a lot of discussion on this item and this needs

more public input. Appreciate the work of the staff but looking past what this is on paper and how it would affect the look and feel of the city. Personally, not opposed to this type of sign but there needs to be more exploration on this subject.

MOTION BY Commissioner Clymer, SECONDED BY Commissioner Molony to RECOMMEND denial for case 2020-7064 AMENDMENT TO ARTICLE 7 AND ARTICLE 9 OF THE ZONING ORDINANCE. The motion carried by the following vote:

Ayes 6 - Chairman Bray, Vice Chairman Barnes, Commissioner Molony, Commissioner Steiner, Commissioner Clymer and Commissioner Ellison

Excused 1 - Commissioner Kish

Chairman Bray called for a recess at 7:32 p.m.

Chairman Bray reconvened the meeting at 7:36 p.m.

6. [2020-7093](#) **RECREATIONAL MARIJUANA ESTABLISHMENTS ZONING ORDINANCE TEXT AMENDMENT**

Chairman Bray opened the public hearing at 7:46 p.m.

Planning Manager Katie Wilken presented the request to amend the city of Goodyear Zoning Ordinance to adopt zoning regulations for establishment of recreational marijuana establishments in the event Smart and Safe Arizona Act becomes law.

The City of Goodyear Zoning Ordinance was adopted on May 24, 1999, and has been amended periodically to reflect the evolving operational methods and criteria of the community. The goal of amending the City of Goodyear's Zoning Ordinance is to provide clear criteria in order to simplify the zoning process and increase the opportunities for developers and businesses seeking to establish locations in the city, as well as ensure positive impacts on city residents and on adjacent properties.

Pursuant to a statewide initiative passed by the electorate of the State of Arizona, The State of Arizona adopted regulations allowing for the sale, distribution, manufacture, and cultivation of marijuana and marijuana products (the Medical Marijuana Initiative). Under the regulations adopted by the State, the state identified areas within the state for the location of medical marijuana dispensaries and cultivation facilities intended to provide reasonable access to medical marijuana while insuring there was not an over concentration of facilities in any one geographic area. These areas where these facilities could be located were designated as CHAAs (Community Health Analysis Areas). According to the State, each CHAA in urbanized areas contains approximately 100,000 persons. Initially, one facility was permitted per each of the 126 state designated CHAAs. Since that time, unused licenses were offered in a lottery and some CHAAs could have more than one dispensary. Goodyear has two CHAAs. One in the north part of Goodyear and a second CHAA is located south of the El Paso gas line in far south Goodyear.

Following passage of the Medical Marijuana Initiative, the Goodyear City Council established zoning regulations for medical marijuana dispensaries and cultivation facilities with the adoption of Ordinance 11-1231 on January 24, 2011. These regulations permit medical marijuana facilities in the Light Industrial (I-1) and General Industrial (I-2) zoning districts subject to specific separation standards and development standards. There is one medical marijuana facility within the City of Goodyear that operates both a dispensary and cultivation facility.

The statewide ballot measure I-23-2020 known as “Smart and Safe Arizona Act” has been certified as Proposition 207 and placed on the November 3, 2020 general election. This ballot measure authorizes the possession, consumption, purchase, processing, manufacturing, or transportation of marijuana by an individual who is at least 21 years of age. If it passes, this ballot will take effect once the canvass has been conducted.

Under the Smart and Safe Arizona Act, a recreational marijuana facility may be a dual license with a medical marijuana facility or it may be a stand-alone facility. All recreational marijuana facilities are lumped in the same category of “marijuana establishment” whether they be for cultivation, retail sale, or manufacturing. The one exception is a marijuana testing facility that is a facility licensed to analyze the potency of marijuana and to test it for harmful contaminants. The City has the ability to prohibit all marijuana establishments or to limit them to dual licensees.

The Smart and Safe Arizona Act will not result in the creation of CHAAs and staff is not sure what changes the State will make to its regulations regarding the location and licensing of medical marijuana dispensaries and/or medical marijuana cultivation locations. To protect the public health, safety, and welfare of the residents of the City of Goodyear, staff is recommending zoning restrictions that will allow access to marijuana products without the need for a prescription while limiting the number of facilities within the City of Goodyear from which marijuana products can be sold, cultivated or distributed. Staff is proposing that marijuana establishments allowed under the Smart and Safe Arizona Act to be co-located with nonprofit medical marijuana dispensaries (“Dual Facilities”) that these facilities be located within specifically designated areas of the City referred to as Goodyear CHAAs, and that there be one Dual Facility allowed per Goodyear CHAA.

The CHAAs established by the state for the location of medical marijuana dispensaries, have resulted in approximately 100,000 people within each CHAA. These CHAAs have served to protect the public health, safety, and welfare of the residents of the City of Goodyear by not allowing an overconcentration of facilities but still providing access to these facilities to serve the needs of the Goodyear residents. Staff is proposing the establishment of Goodyear CHAAs that will result in one CHAA per 100,000 Goodyear residents.

To accomplish this, amendments to Article 2-2 to add new definitions, amendments to Article 3-4-1 I-1 Light Industrial Park and 3-4-2 I-2 General Industrial Park to allow these dual facilities in I-1 and

I-2 zoning districts and amendment to Article 4-2 are required to add Article 4-2-17 adopting requirements for these Dual Facilities. In addition, a map identifying the Goodyear CHAAs has to be adopted. Article 4-2-17 includes a requirement that the CHAA Map be administratively revised by the Zoning Administrator to add one additional Goodyear CHAA for each 100,000 residents of the City of Goodyear according to the decennial census. (By way of example, the next Goodyear CHAA will not be added until the population of Goodyear reaches 200,000.) The new Goodyear CHAAs shall be drawn so that there is a roughly equal population within each Goodyear CHAA

Under the proposed amendments to the Goodyear Zoning Ordinance, marijuana dual facilities, like medical marijuana dispensaries and cultivation locations, will be permitted in the Light Industrial (I-1) and General Industrial (I-2) zoning districts subject to specific separation requirements and development standards. There can be one marijuana dual facility may be located within each CHAA. Separation requirements and development standards for marijuana dual facilities would be consistent with the separation requirements and development standards for medical marijuana and cultivation location facilities except as otherwise required by state law. These are set forth in the draft of Article 4-2-17, and include, but is not limited to the following:

- One Marijuana Dual Facility would be allowed per CHAA
- If the Marijuana Dual Facility included a medical marijuana dispensary the separation requirements and development standards applicable to marijuana dispensaries would also apply
- If the Marijuana Dual Facility included a medical marijuana cultivation location the separation requirements and development standards applicable to medical marijuana cultivation locations would also apply
- Separation requirement of 500-feet from residential districts,
- Separation requirement of 1,000-feet from schools,
- Separation requirement of 1,000-feet from public parks, library, or community centers,
- Separation requirement of 1,000-feet from places of worship
- Separation requirement of 2,000-feet from a licensed residential substance abuse diagnostic and treatment facility, and
- Separation requirement of 1,000-feet from an adult business

The proposed revisions to the zoning ordinance would be subject to the passage of statewide ballot measure I-23-2020 known as “Smart and Safe Arizona Act” certified as Proposition 207 and placed on the November 3, 2020 general election. If that act fails to pass or fails to become law, the amendments to the zoning ordinance will not take effect.

Commission asked for clarification on the definition of a CHAA. Ms. Wilken explained that census data is used for their creation, approximately 100,000 people per CHAA.

Commission stated that in the future, there would be several CHAAs according to the state guidelines.

Ms. Wilken stated that if the City of Goodyear adopts the CHAA, it will be up to the City to amend them.

Commission asked if the recreational marijuana could be grown in agricultural zoning. Ms. Wilken stated that they would not be able to as it is would not be permitted in agricultural, only industrial. The current medical marijuana facility within the city grows marijuana within their facility.

Development Services Director Christopher Baker stated that this amendment to the zoning ordinance would stipulate that marijuana would only be allowed in industrial zoning.

Commission asked whether the City of Goodyear could outright prohibit all recreational marijuana and see how other municipalities adapt to this situation. Ms. Wilken responded that the City is trying to implement reasonable restrictions. There are some cities within Arizona that will be prohibiting it outright.

Commission discussed bringing this type of business into the City of Goodyear and what ramifications it could have to the citizens.

Commission asked about what the impact of this ordinance change will have. Ms. Wilken stated that this will only go into effect if the ballot measure passes. The City will not be in control of the licensing, but will issue a zoning permit as long as all the proposed regulations are met. There will only be one facility allowed in each CHAA. Deputy City Attorney Sarah Chilton stated that we are adopting reasonable restrictions but the state could come back and adopt different regulations. We are able to control this situation through this amendment.

Commission discussed simply prohibiting it outright and then easing restrictions later on. Ms. Chilton explained that there was some thought that Council was comfortable with a dual facility and there are many regulations that the current facility must abide by within the City.

There being no public comment, Chairman Bray closed the public hearing at 7:59 p.m.

MOTION BY Commissioner Clymer, SECONDED BY Commissioner Steiner to RECOMMEND approval for case 2020-7093 RECREATIONAL MARIJUANA ESTABLISHMENTS ZONING ORDINANCE TEXT AMENDMENT. The motion carried by the following vote:

Ayes 5 - Vice Chairman Barnes, Commissioner Molony, Commissioner Steiner, Commissioner Clymer and Commissioner Ellison

Nays 1 - Chairman Bray

Excused 1 - Commissioner Kish

BUSINESS

7. Election of Officers

Chairman Bray asked for nominations.

MOTION BY Commissioner Steiner, SECONDED BY Commissioner Molony to reelect Chairman Bray and Vice Chairman Barnes as Chairman and Vice Chairman. The motion carried by the following vote:

Ayes 4 - Commissioner Molony, Commissioner Steiner, Commissioner Clymer and Commissioner Ellison

Nays 2 - Chairman Bray and Vice Chairman Barnes

Excused 1 - Commissioner Kish

STAFF COMMUNICATIONS

Development Services Director Christopher Baker reviewed the cases previously presented to Commission.

Mr. Baker announced that the City of Goodyear had been selected as the 2020 Best City for Business in Arizona by the Arizona Chamber of Commerce and Industry. This recognition is due to the entire team, their professionalism and dedication to the City.

NEXT MEETING

The next Planning and Zoning Commission meeting will be a special meeting held on October 21, 2020 at 6 p.m. at Goodyear City Hall, room 117.

ADJOURNMENT

There being no further business to discuss, Chairman Bray adjourned the meeting at 8:15 p.m.

Respectfully Submitted By:

Alissa Magley, Commission Secretary

Patrick Bray, Chairman

Date: _____