

Jim Harris, Chairman
Mychal Gorden,
Vice-Chairman
Don Bergen
Doug Hardy
Dan McGowan
Chad Nelson
Lucas Still

Suzannah Ballard, Alternate
Sam Levin, Alternate
Matthew Mitchell, Alternate



Lake Havasu City
Police Facility
2360 McCulloch Blvd North
Lake Havasu City, Arizona
86403
www.lhcaz.gov

Planning and Zoning Commission Regular Meeting Minutes - Final

Wednesday, July 1, 2020

9:00 AM

1. CALL TO ORDER

Chairman Harris called the meeting to order at 9:00 a.m.

Due to the COVID-19 pandemic, public attendance is suspended and the Planning and Zoning meeting is being held through technological means. Public participation is encouraged through several options, including viewing the meeting on Channel 4, live stream on the City's website, or by calling-in to listen by telephone.

2. PLEDGE OF ALLEGIANCE

Chairman Harris led the Pledge of Allegiance.

3. ROLL CALL

Present: 7 - Jim Harris, Lucas Still, Mychal Gorden, Donald Bergen, Dan McGowan, Chad Nelson and Suzannah Ballard

Absent: 3 - Matthew Mitchell, Doug Hardy and Sam Levin
Alternate Member Ballard was seated.

4. MINUTES

Mr. Bergen made a motion to approve the minutes of the last meeting, seconded by Mr. McGowan, and carried by the following vote:

Aye: 7 - Harris, Still, Gorden, Bergen, McGowan, Nelson and Ballard

Absent: 1 - Mitchell

Approval of Regular Meeting Minutes from June 3, 2020.

5. CORRESPONDENCE AND ANNOUNCEMENTS

Mr. Morris stated City Council reappointed Members Hardy and Ballard to the Commission, along with new Member Sam Levin, at the June 23rd meeting.

6. PUBLIC HEARING

[ID 20-2419](#) A Request for a Text Amendment to Lake Havasu City Code Title 14

Zoning (Development Code), Section 14.03.03.C.17.c.iii Medical Marijuana Business, to Revise the Hours of Operation to Match Those in the Arizona Administrative Code Section R-9-17-310.

Staff Presentation

- * Request by applicant to change 2 times in the hours of operation for the current Medical Marijuana business section of the Zoning Code.
- * State Administrative Code different than City Ordinance.
- * Current zoning code only allows between 8 a.m. and 8 p.m.
- * State allows 7 a.m. to 10 p.m.
- * Request to extend hours of operation to 10 p.m.
- * Staff made determination to match State hours of operation of 7 a.m. to 10 p.m.
- * Distribution facility can only be open between hours of 7 a.m. to 10 p.m.

Mr. Bergen asked why this is not handled by City Attorney instead of Planning Commission. Mr. Morris- stated any changes to the Development Code must be heard by the Planning Commission prior to any recommendation to the City Council for a final decision.

Lauren Niehause, applicant, Wellness Health & Recreation, (Harvest of Lake Havasu), participated via technological means and gave a brief presentation in regards to the benefits for the extension of hours of operation to the City.

Chairman Harris opened the Public Hearing. No comments were received for the meeting. Chairman Harris closed the Public Hearing.

Mr. Morris stated the Development Review Committee recommends that the Planning Commission forward a recommendation of approval of item No. 20-2419, amending Lake Havasu City Code Title 14, Zoning (Development Code), Section 14.03.03.C.17.c.iii Medical Marijuana Business, to revise hours of operation to 7:00 a.m. to 10:00 p.m., to match the Arizona Administrative Code.

Mr. Still, made a motion to recommend that the City Council approve item No. 20-2419, amending Lake Havasu City Code Section 14.03.03.C.17.c.iii, to revise the hours of operation to 7:00 a.m. to 10:00 p.m. The motion was seconded by Mr. Gorden, The motion carried by the following vote:

Aye: 6 - Harris, Still, Gorden, Bergen, McGowan and Ballard

Nay: 1 - Nelson

Absent: 1 - Mitchell

7. CALL TO PUBLIC

None.

8. FUTURE MEETING

Due to room availability, the regular meeting for July 15, 2020 has been rescheduled as a Special meeting for July 22, 2020.

9. ADJOURNMENT

Chairman Harris adjourned the meeting at 9:15 a.m.

Jim Harris, Chairman

Maria LaFrano, Recording Secretary