

MINUTES OF THE REGULAR MEETING OF THE SHOW LOW PLANNING AND ZONING COMMISSION HELD ON TUESDAY, SEPTEMBER 23, 2025, AT 7:00 PM IN THE CITY COUNCIL CHAMBERS, 181 NORTH 9TH STREET, SHOW LOW, NAVAJO COUNTY, ARIZONA

1. Call to Order.

Chairman Barlow called the meeting to order at 7:00 p.m.

2. Roll Call.

COMMISSION MEMBERS PRESENT: Chairman Barlow, Commissioner Schnepf, Commissioner Hatch, Commissioner Wilson, Commissioner Clark

COMMISSION MEMBERS ABSENT: Commissioner Adams and Commissioner Whipple.

STAFF MEMBERS PRESENT: Planning and Zoning Director; Justen Tregaskes, Planner, Moriah Saline, Planner; Katie Fechtelkotter, and City Attorney; Anna Atencio

GUESTS: Andrea Bos, John Haugh, David Householder and Doug Roberts

3. Invocation.

Commissioner Schnepf gave the invocation.

4. Pledge of Allegiance.

Commissioner Wilson led the Commission and audience in the pledge of allegiance.

5. **OLD BUSINESS:**

A. Consideration of Election of Vice Chair.

Chairman Barlow asked for nominations for the position of Vice Chair.

COMMISSIONER HATCH MOVED TO NOMINATE COMMISSIONER WILSON FOR POSITION OF VICE CHAIR; SECONDED BY COMMISSIONER CLARK; PASSED 5 TO 0 WITH CHAIRMAN BARLOW, COMMISSIONER SCHNEPF, COMMISSIONER HATCH, COMMISSIONER WILSON, AND COMMISSIONER CLARK VOTING IN FAVOR.

6. **NEW BUSINESS:**

A. Consideration of Conditional Use Permit 602-04-277 submitted by Health Center Navajo, Inc. to allow for a marijuana dispensary located at 1350 N. Penrod Rd., that being A.P.N. 210-49-123 (Moriah Saline)

Ms. Saline said Health Center Navajo, Inc. has submitted a Conditional Use Permit (CUP) to allow for a marijuana dispensary located at 1350 N. Penrod Rd., that being A.P.N. 210-49-123, the current location of Compassionate Care of AZ, Inc.

In November 2010, Arizona voters approved Proposition 203, which allowed the use of marijuana for medical purposes. The proposition indicated that local governments are not allowed to preclude medical marijuana dispensaries; however, municipalities can implement reasonable zoning laws that restrict the placement of registered non-profit marijuana dispensaries to designated zones. Recreational marijuana was subsequently also made legal. During its scheduled meeting on September 1, 2020, the City Council approved a request for a zoning change to rezone the specified property from I-1 (Light Industrial) to C-2 (General Commercial), for the purpose of allowing for a marijuana dispensary at the subject property. Per Title 19.120.040(A) of City Code, marijuana dispensaries are limited to the C-2 zone through a CUP.

At its regular meeting on October 27, 2020, the Planning and Zoning Commission granted approval for CUP 602-04-233 presented by Compassion Care of AZ, Inc., permitting a medical marijuana dispensary at the specified location. Following this, in November 2020, Arizona voters passed Proposition 207, which legalized marijuana for recreational use. In December 2021, Compassion Care of AZ, Inc. submitted another CUP request to switch from operating as a medical marijuana dispensary to a general marijuana dispensary which was approved. Two years later, on October 17, 2023, City Council approved Compassion Care of AZ, Inc. proposed amendment to condition 15 of their CUP in order to extend the operating hours from 9:00 am – 6:00 pm to 9:00 am – 8:00 pm for a one-year period. At the end of the one-year period, staff was authorized to review the CUP. There have been no issues with the extended hours and the extended hours have remained in place.

The applicant, Health Center Navajo Inc., intends to assume ownership of the current marijuana facility owned by Compassionate Care of AZ, Inc. Condition two of the current CUP specifies that the CUP is non-transferable and requires a new CUP if there are changes in ownership or location. Staff has reviewed the application and has found that it meets Page 3 of 43 requirements outlined in Show Low City Code, 19.120 Marijuana-Related Facilities and recommends the same conditions as Compassionate Care of AZ, Inc.

FINDINGS OF FACT

1. Health Center Navajo, Inc. has submitted a CUP to allow for a marijuana dispensary located at 1350 N. Penrod Rd. that being APN 210-49-123.
2. The applicant intends to obtain ownership of the current dispensary; however, based on the current CUP conditions they will need a new CUP.
3. Current zoning of the surrounding properties include:
 - North: I-1 (Light Industrial)
 - South: I-1 (Light Industrial)
 - East: C-2 (General Commercial)
 - West: I-1 (Light Industrial)
4. The current land uses of the surrounding properties include:
 - North: Vacant Light Industrial
 - South: Jarmco Concrete LLC

East: Northern Arizona Automall
West: Jarmco Concrete LLC

5. Transmittal memos were sent to all affected agencies. One comment from ADOT was received. The applicant will need to submit an Encroachment Permit application for their driveway.
6. The property was posted, and letters were sent to all property owners within three hundred (300) feet of the subject property. No applicable comments were received.

STAFF RECOMMENDATIONS

After reviewing the Standards for Review, Findings of Facts, discussions with the applicant, the City of Show Low Zoning and Land Ordinances, and the City of Show Low General Plan, staff recommends that the Planning and Zoning Commission approve Conditional Use Permit 602-04-277 submitted by Health Center Navajo, Inc. to allow for a marijuana dispensary located at 1350 N. Penrod Rd., that being A.P.N. 210-49-123, subject to the following conditions:

1. All development shall comply with all applicable state and local requirements including Arizona Department of Health Services requirements, city zoning, and business permit requirements.
2. This conditional use permit is non-transferable. Should a change in ownership or location occur, a new conditional use permit shall be required.
3. The applicant shall comply with all documents submitted to the city as part of this conditional use permit, including the Operational Procedures and supplemental materials.
4. Signage shall only display the facility name.
5. Submission of an application for a dispensary registration certificate constitutes permission for the city to enter and inspect the dispensary.
6. An on-site inspection of the dispensary shall occur at a date and time agreed to by the dispensary and the city that is no later than five working days after the date the city submits a written request to the dispensary to schedule the certification or compliance inspection, unless the city agrees to a later date and time.
7. The city may, after receiving allegations of the dispensary's noncompliance with this conditional use permit or state law from a verified source, inspect the property for compliance with notice.
8. If the city identifies a violation of City Code Chapter 19.120 or any condition of approval, the city may schedule a hearing related to the revocation of this conditional use permit.
9. The applicant shall be responsible for installing and maintaining exterior lighting to facilitate surveillance.

10. A security plan meeting the approval of the Arizona Department of Health Services with a copy provided to the city shall be required prior to the opening of the business. All alarm systems shall comply with Chapter 7.25, Alarm System Regulations, of the City Code. Panic buttons shall be installed in the interior of the building. A security guard shall be on the premises at all times the dispensary is open for business.
11. No loitering shall be permitted on the exterior of the proposed business.
12. Only qualifying individuals, employees of the business, or other qualified individuals, including city and state staff members, shall be permitted inside the proposed business.
13. The dispensary shall not dispense, deliver, or otherwise transfer marijuana to an entity other than another dispensary with a valid dispensary registration certificate issued by the Arizona Department of Health Services, a qualifying patient with a valid registry identification card, or a designated caregiver with a valid registry identification card; or acquire usable marijuana from any entity other than another dispensary with a valid dispensary registration certificate issued by the Arizona Department of Health Services, or cultivation facility with a valid cultivation registration certificate issued by the Arizona Department of Health Services, or a qualified recreational client.
14. This permit is for the sale of marijuana and related paraphernalia only. On-site cultivation is prohibited.
15. The hours of operation are limited to six days a week from 9:00 AM to 8:00 PM for a one-year period. At the end of the one-year period, staff is authorized to review this Conditional Use Permit. If there are no issues with the extended hours of operation, then the Director of the Planning and Zoning Department will be able to extend the conditional use permit Page 6 of 43 for an additional five years and thereafter review the hours of operation to ensure that there is compliance and no substantial issues with the extended hours of operation.

Chairman Barlow said his understanding is that these are essentially the same conditions from the previous CUP and asked if there were any differences to the new conditions.

Director Tregaskes said that was correct, the only change is on condition number 13, in reference to the changes in state law that now allows for recreational users, which added "for qualified recreational users".

Chairman Barlow asked if the hours of operation were due to city code or if that was a previous CUP condition.

Director Tregaskes said originally there was a different facility at a different location that had applied for a CUP, which stipulated they would operate from 9:00 A.M. to 6:00 P.M. six days a week. When this location opened, staff recommended that they match the same hours of operation because staff felt it was fair to require it of both facilities. After the second dispensary opened, the first dispensary ended up going out of business, and the second dispensary came back to council and asked for an extension of the hours. Since the first dispensary, which had stipulated to the original hours, was no longer in the

picture, the council did agree to extend those hours from 9:00 A.M. to 6:00 P.M. to 9:00 A.M. to 8:00 P.M.

Vice Chair Wilson clarified that this CUP is required because of the change of ownership and the condition that the CUP was non transferrable.

Director Tregaskes said that was correct.

Commissioner Clark asked if the new owners will have the same standards, same security that was currently in place.

Director Tregaskes said that was correct.

COMMISSIONER CLARK MOVED TO APPROVE CUP 602-04-277 SUBMITTED BY HEALTH CENTER NAVAJO, INC. TO ALLOW FOR A MARIJUANA DISPENSARY LOCATED AT 1350 N. PENROD RD., THAT BEING A.P.N. 210-49-123, SUBJECT TO STAFF RECOMMENDATIONS.; SECONDED BY VICE CHAIR WILSON; PASSED 5 TO 0 WITH CHAIRMAN BARLOW, COMISSIONER SCHNEPF, COMMISSIONER HATCH, VICE CHAIR WILSON, COMMISSIONER CLARK VOTING IN FAVOR.

Director Tregaskes said there is a seven-day appeal period. If no appeal is received by the City Clerk from an aggrieved individual, then the CUP will become effective.

7. **CALL TO THE PUBLIC:**

Any citizen desiring to speak on a matter that is within the jurisdiction of the Planning and Zoning Commission may do so at this time. Comments may be limited to three minutes per person and shall be addressed to the Planning and Zoning Commission as a whole, and not to any individual member. Issues raised shall be limited to those within the jurisdiction of the Planning and Zoning Commission. Pursuant to the Arizona Open Meeting Law, the Planning and Zoning Commission cannot discuss or act on items presented at this time. At the conclusion of the call to the public, individual Planning and Zoning Commission members may (1) respond to criticism made by those who have spoken, (2) ask staff to review a matter, and (3) ask that a matter be put on a future agenda.

None.

8. **APPROVAL OF MINUTES:**

A. Planning and Zoning Commission Regular Meeting of August 12, 2025.

VICE CHAIR WILSON MOVED TO APPROVE THE PLANNING AND ZONING COMMISSION REGULAR MEETING MINUTES OF AUGUST 12, 2025; SECONDED BY COMMISSIONER CLARK; PASSED 5 TO 0 WITH CHAIRMAN BARLOW, COMISSIONER SCHNEPF, COMMISSIONER HATCH, VICE CHAIR WILSON, COMMISSIONER CLARK VOTING IN FAVOR.

9. **SUMMARY OF CURRENT EVENTS:**

A. Commission Members

Commissioner Hatch said it was a great day in Show Low.

Commissioner Schnepf implored the community to be safe with homecoming and the memorial services for the firefighters over the weekend.

Commissioner Clark agreed with Commissioner Schnepf.

Vice Chair Wilson said there have been lots of reports of bears and to be careful due this time of year.

Chairman Barlow had no report.

B. Planning and Zoning Director

Director Tregaskes said that the memorials for the Timber Mesa Fire and Medical District Firefighters will be at the end of the week. The memorial for Brenna Kulikowski will be on Friday, the 26th with a procession starting around 9:45 AM. There will also be a memorial on Saturday the 27th for Damon Thompson at 9:45 AM following the same route from Owens Livingston Mortuary to the School District Auditorium so he requested the public please be aware and plan for possible delays.

Director Tregaskes said in happier news this week is homecoming, so you'll see several different activities at the high school this week and wished the Cougars the best on Friday night. Finally, he said not to forget about the boys' and girls' soccer teams who appear to be pretty good as well.

10. ADJOURNMENT:

There being no further business to be brought before the Commission,
**CHAIRMAN BARLOW ADJOURNED THE REGULAR MEETING OF THE SHOW
LOW PLANNING & ZONING COMMISSION MEETING OF SEPTEMBER 23,
2025, AT 7:23 P.M.**

ATTEST:



Zach Barlow, Chairman

APPROVED:

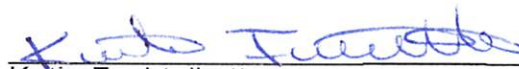


Planning and Zoning Director

CERTIFICATION

I hereby certify that the foregoing minutes are a true and correct copy of the minutes of the Regular Meeting of the Planning and Zoning Commission of Show Low held on September 23, 2025. I further certify that the meeting was duly called and held and that a quorum was present.

Dated this 29th day of October, 2025.


Katie Fechtelkötter