



PINAL COUNTY
wide open opportunity

**NOTICE OF PUBLIC MEETING AND AGENDA
of
PINAL COUNTY PLANNING AND ZONING COMMISSION
Regular Meeting**

9:00 a.m.

Thursday, March 19, 2015
EOC Room – Building F
31 N. Pinal St. Florence, Arizona

There may be a supplemental agenda for this hearing, please check with the Community Development Department at 520-866-6442.

Please turn off cell phones and other electronic devices or place in silent mode.

Action means discussion/recommendation for approval or denial to the Board of Supervisors on the following Planning Cases. (Numbers are shown for administrative convenience only. All interested persons should be aware that the cases may be heard in an order different than that shown on the agenda).

A work session is not a public hearing. For matters that are not listed as “public hearings” the public may attend and listen to the proceedings, but may only address the Commission with its permission.

COMMISSION MEMBERS

- | | |
|----------------------------|----------------------------|
| () RIGGINS, Chairman | () HARTMAN, Vice-Chairman |
| () AGUIRRE-VOGLER, Member | () SALAS, Member |
| () GUTIERREZ, Member | () MORITZ, Member |
| () DEL COTTO, Member | () GRUBB, Member |
| () SMYERS, Member | () PUTRICK, Member |

AGENDA

1. **CALL TO ORDER:**
2. **DISCUSSION OF ACTION ITEM REPORT**
 - **Action Item Report**
3. **PLANNING MANAGER’S DISCUSSION ITEMS:**
 - PZ-C-001-14, Outdoor Medical Marijuana Ordinance
 - Presentation on Impact Fees by Community Development Director Himanshu Patel (to be discussed after public hearing cases)
 - Changes in Agenda Procedures/Action Item Order (to be discussed after public hearing cases)
4. **REPORT ON BOARD OF SUPERVISORS ACTION ON P & Z CASES**
 - **February 18, 2015 No Cases**
 - **March 4, 2015 No Cases**

COMMUNITY DEVELOPMENT

NEW CASES:

5. **SUP-001-15 – PUBLIC HEARING/ACTION:** Papago Properties, LLC, landowner. Ponderosa Botanical Care, dba Ponderosa Releaf, applicant, Andy Workman, agent requesting a Special Use Permit to operate the Ponderosa Botanical Care medical marijuana dispensary on a 3.3± acre parcel in the CB-2 zone (**PZ-430-74**); situated in a portion of the NW¼ of Section 19, T5S, R3E G&SRB&M, tax parcel 510-64-005 (legal on file) (located on the south side of Papago Rd, east of White Rd in the Maricopa area).
6. **PZ-C-001-15 DISCUSSION/APPROVAL/DISAPPROVAL** to initiate, in accordance with A.R.S. § 11-813(D) and PCDSC 2.165.030.A and at the request of the Pinal County Community Development Department, a zoning regulation amendment to Title 2 of the Pinal County Development Services Code amending Section 2.205.040 to consider adding language that would allow new wireless communications facilities to be permitted through a Special Use Permit process in areas zoned with Planned Area Development (PAD) overlay district zoning.

ADJOURNMENT

The Planning and Zoning Commission may go into executive session for purposes of obtaining legal advice from the County's attorney(s) on any of the above agenda items pursuant to A.R.S. § 38-431.03 (A)(3).

Supporting documents for the above-listed matters are available at the Pinal County Community Development Office for public inspection at least 48 hours prior to the meeting at the Pinal County Community Development Department, Pinal County Complex, Building F, 31 N. Pinal Street, Florence, Arizona, Monday through Friday between the hours of 8:30 a.m. and 4:30 p.m. and on the internet at:

<http://pinalcountyaz.gov/COMMUNITYDEVELOPMENT/PLANNING/Pages/PZCommission.aspx>

Persons with a disability may request a reasonable accommodation, such as a sign language interpreter, by contacting the Community Development Department at 520-866-6442 at least five business days prior to the meeting.



PINAL COUNTY
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**PINAL COUNTY PLANNING AND ZONING COMMISSION
REGULAR MEETING
ACTION REPORT OF February 19, 2015**

PRESENT

Mr. Riggins, Chairman	Mr. Gutierrez, Member
Mr. Hartman, Vice Chairman	Ms. Aguirre-Vogler, Member
Mr. Salas, Member	Mr. Smyers, Member
Mr. Del Cotto, Member	Ms. Moritz, Member
Mr. Grubb, Member	Mr. Putrick, Member

ABSENT

Mr. Riggins, Chairman

LEGAL STAFF PRESENT

Mr. Langlitz, Deputy County Attorney

PLANNING STAFF PRESENT

Mr. Abraham, Planning Manager	Mr. Denton, Planner II
Mr. Balmer, Planner I	Ms. Fisk, Drafting Specialist
Ms. McDonald	

PUBLIC WORKS STAFF PRESENT

Mr. Chow, Development Section Chief

The meeting was called to order at 9:06 a.m., this date by Vice-Chairman Hartman in the Pinal County Emergency Operations Center, Florence, Arizona.

PLANNING MANAGER DISCUSSION ITEMS

Re-Appointment of Commissioner Mary Aguirre-Vogler

Date set for Joint BOS/ Planning Commission Work Session is March 24, 2015 at 9:30 am

Date set for tour of Pinal Air Park is March 13, 2015 at 10:00 am.

DISCUSSION OF MEETING MINUTES/ Action Item Report

Action Item Report

REPORT ON BOARD OF SUPERVISORS ACTION ON P & Z CASES

January 28, 2015 No Cases

February 4, 2015 No Cases

NEW CASES:

PZ-PD-016-14 - DISCUSSION/APPROVAL/DISAPPROVAL: requested by San Tan Heights Homeowners Association, landowner/applicant, Iplan Consulting, agent, requesting approval of an amendment to the San Tan Heights (PAD) Overlay District (**PZ-PD-037-99**) to allow development of community facilities and recreational amenities in the CR-1 and CR-3 zones; situated in a portion of the SW ¼ of Section 11, T03S, R07E G&SRB&M, tax parcels 516-01-645 through 516-01-652 and 516-01-653A (legal on file) (located on the NEC of Thompson Road and Roberts Road in the San Tan Valley area).

MOTION

Commissioner Salas made a motion to send PZ-PD-016-14 to the Board of Supervisors with a recommendation for denial. Commissioner Moritz seconded seconded the motion. Vice Chair Hartman asked for a call of votes.

Commissioner Putrick	Yes
Commissioner Grubb	No
Commissioner Mortiz	Yes
Commissioner Salas	Yes
Commissioner Smyers	Yes
Commissioner Del Cotto	No
Commissioner Gutierrez	No
Commissioner Aguirre-Vogler	No
Commissioner Hartman	Yes

Motion passed for denial 5-4

PZ-013-14 - PUBLIC HEARING/ACTION: Vowell, Charles Edward and Pamela Kay TRS, applicant/landowner, Brian Vowell, agent, requesting approval of a zone change from CB-1 (Local Business Zone) (**PZ-001-00**) to C-3 (General Commercial Zoning District) on 8.05± acres; situated in a portion of the SW ¼ of Section 18, T02S, R08E G&SRB&M, tax parcel 104-25-003D (legal on file) (located on the NEC of Ocotillo Road and Meridian Drive in the San Tan Valley area)

MOTION:

Commissioner Salas made a motion to forward PZ-013-14 to the Board of Supervisors with a favorable recommendation. Commissioner Grubb seconded the motion.
Motion passed unanimously. (9-0)

These Items Were Discussed Together

PZ-015-14 – PUBLIC HEARING/ACTION: Westcor Queen Creek, LLC landowner/applicant, Iplan Consulting, agent, requesting approval of a zone change from GR (General Rural), CR-1A (Single Residence Zone), and CR-3 (Single Residence Zone) (**PZ-009-00**), to R-7 (Single Residence Zone) on 88 ± acres to plan and develop the 290 lot Circle Cross Ranch North residential development; pending and in conjunction with Board of Supervisors Planned Area Development (PAD) Overlay District approval under Planning Case (**PZ-PD-015-14**); situated in Section 31, T02S, R08E G&SRB&M, tax parcel 104-22-013P (legal on file) (located adjacent to the east side of Gary Road and north of Charbray Drive in the San Tan Valley area).

PZ-PD-015-14 – PUBLIC HEARING/ACTION: Westcor Queen Creek., LLC, landowner/applicant, Iplan Consulting, agent, requesting approval of an amendment to the Circle Cross Ranch Planned Area Development (PAD) Overlay District (**PZ-PD-009-00**) to amend the development plan and development standards in the R-7 zoning district to develop a 290 lot single family dwelling unit development; situated in Section 31, T02S, R08E G&SRB&M, tax parcel 104-22-013P (legal on file) (located adjacent to the east side of Gary Road and north of Charbray Drive in the San Tan Valley area).

MOTION:

Commissioner Mortiz made a motion to forward PZ-015-14 with 2 stipulations to the Board of Supervisors with a favorable recommendation. Commissioner Salas seconded the motion.
Motion passed. (7-2)

Commissioner Grubb made a motion to forward PZ-PD-015-14 with 18 stipulations to the Board of Supervisors with a favorable recommendation. Commissioner Mortiz seconded the motion. Motion passed. (7-2)

MOTION TO ADJOURN

Commissioner Aguirre-Vogler made a motion to adjourn Commissioner Salas seconded the motion.

RESPECTFULLY submitted March 19, 2015.



Steve Abraham, Planning Manager



Greg Stanley
County Manager

P I N A L • C O U N T Y
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TO: Pinal County Planning & Zoning Commission

MEETING DATE: March 19, 2015

Attached please find a copy of the approved Medical Marijuana Outdoor Cultivation Ordinance. Staff will have a power point presentation prepared to go over the highlights of the final adopted version.

When recorded return to:
Clerk of the Board
P.O. Box 827
Florence AZ 85132

ORDINANCE NO. PZC-001-14

AN ORDINANCE OF THE PINAL COUNTY, ARIZONA, BOARD OF SUPERVISORS AMENDING THE PINAL COUNTY DEVELOPMENT SERVICES CODE, CHAPTER 2.191, SECTION 2.191.010, SUBSECTION (C), MEDICAL MARIJUANA DISPENSARY OFF-SITE CULTIVATION LOCATION, REGARDING OUTDOOR CULTIVATION LOCATIONS; AND DIRECTING ITS PUBLICATION

WHEREAS, pursuant to Arizona Revised Statutes § 36-2806.01, the Board of Supervisors ("Board") is authorized to enact reasonable zoning regulations that limit the use of land for registered nonprofit medical marijuana dispensaries including off-site cultivation locations; and

WHEREAS, the Board held a work session on this Ordinance on January 14, 2015; held a public hearing on this Ordinance after the aforesaid work session on February 18, 2015, giving no less than 15 days notice thereof; and made copies of this Ordinance available to all Justice Courts, Supervisors' District Offices, the Office of the Clerk of the Board and the County web site at least 15 days prior to the aforesaid public hearing; and

WHEREAS, the Board has determined it is necessary for the health, safety and general welfare of the public to amend the Pinal County Development Services Code, Chapter 2.191, Section 2.191.010, Subsection (C), Medical Marijuana Dispensary Off-Site Cultivation Location, regarding outdoor cultivation locations.

NOW, THEREFORE, BE IT ORDAINED by the Pinal County Board of Supervisors as follows:

Section 1: Pinal County Development Services Code, Chapter 2.191, Section 2.191.010, Subsection (C), Medical Marijuana Dispensary Off-Site Cultivation Location is hereby amended as follows:

Deleted text in ~~strikethrough~~
Added text in UNDERLINED CAPS

C. Medical Marijuana Dispensary Off-Site Cultivation Location. As long as the Arizona Revised Statutes remain in full force and effect to allow medical marijuana dispensaries, a medical marijuana dispensary off-site cultivation location is permitted as a ~~conditional~~ SPECIAL use subject to the following conditions:

1. Minimum Notification Area. The minimum notification area for a ~~conditional~~ SPECIAL use permit for a medical marijuana dispensary is 1,000 feet.

2. Supplemental Application. In addition to the application required by Chapter 2.150 PCDSC, an applicant for a ~~conditional~~ SPECIAL use permit for a medical marijuana dispensary off-site cultivation location shall complete an application that includes all of the following information:

a. If the application is by an agent for the owner, the authorization must include an explicit acknowledgment from the owner that the owner knows that the proposed use of the property is as a medical marijuana dispensary off-site cultivation location.

b. The legal name and address of the affiliated medical marijuana dispensary.

c. The name, address and date of birth of each principal officer and board member of the medical marijuana dispensary affiliated with the off-site cultivation location and the name, address and date of birth of each medical marijuana dispensary agent.

d. A copy of the operating procedures adopted in compliance with ARS 36-2804(B)(1)(c).

e. A notarized certification that none of the principal officers or board members for the medical marijuana dispensary affiliated with the off-site cultivation location has been convicted of one of the following offenses:

i. A violent crime as defined in ARS 13-901.03(B) that was classified as a felony in the jurisdiction where the person was convicted;

ii. A violation of state or federal controlled substance law that was classified as a felony in the jurisdiction where the person was convicted including an offense for which the sentence, any term of probation, incarceration or supervised release was completed within the 10 years prior to applying for the application for the off-site cultivation location, or an offense involving conduct that would be immune from arrest, prosecution or penalty under ARS 36-2811 except that the conduct occurred before the effective date of that statute or was prosecuted by an authority other than the state of Arizona.

f. A notarized certification that none of the principal officers or board members for the medical marijuana dispensary affiliated with the off-site cultivation location has served as a principal officer or board member for a registered nonprofit medical marijuana dispensary that has had its registration certificate revoked.

g. A floor plan showing the location, dimensions of and type of security measures demonstrating that the medical marijuana dispensary off-site cultivation location will ~~be conducted completely within an enclosed locked building and~~ meet the definition of “enclosed locked facility” contained in ARS 36-2801(6).

h. A SECURITY PLAN THAT MEETS OR EXCEEDS ARIZONA DEPARTMENT OF HEALTH SERVICES (AZDHS) REQUIREMENTS, WHICH SHALL BE SUBMITTED TO THE PINAL COUNTY SHERIFF’S OFFICE FOR REVIEW AND COMMENT PRIOR TO THE APPLICANT’S SPECIAL USE PERMIT HEARING.

3. Permitted Location. A medical marijuana dispensary off-site cultivation location is only permitted in the A CB-2 (general business) zone ZONING DISTRICT, GR (GENERAL RURAL) ZONING DISTRICT, and the OR C-3 (general commercial) zoning district.

4. Community Impacts. The board may or may not approve a medical marijuana dispensary off-site cultivation location at a location if substantial evidence is presented that locating the cultivation location at the proposed site will negatively impact neighboring property values or if substantial evidence is presented that shows that locating the cultivation location at the proposed site will create an unreasonable risk to the health, safety or general welfare in the area.

5. Development Standards.

a. A medical marijuana dispensary off-site cultivation location must ~~be located in a permanent building~~ MEET THE DEFINITION OF AN “ENCLOSED LOCKED FACILITY” UNDER ARS 36-2801(6) AND THE DEFINITION OF “ENCLOSED AREA” UNDER ARIZONA ADMINISTRATIVE CODE R9-17-101 (16) and may not be located in a trailer, cargo container or motor vehicle.

b. A medical marijuana dispensary off-site cultivation location shall be set back a minimum of 2,000 feet from all other medical marijuana dispensary off-site cultivation locations measured from the parcel boundaries.

c. A medical marijuana dispensary OFF-SITE CULTIVATION LOCATION shall be set back a minimum of 1,500 feet from schools, community service agencies, activity facilities and/or activities where children may be enrolled, measured from the parcel boundaries.

d. A medical marijuana dispensary off-site cultivation location shall be set back a minimum of 1,500 feet from a childcare center.

e. A medical marijuana dispensary off-site cultivation location shall be set back a minimum of 1,500 feet from a library or public park.

f. A medical marijuana dispensary off-site cultivation location shall be set back a minimum of 1,500 feet from a church.

g. A medical marijuana dispensary off-site cultivation location shall be set back a minimum of 1,500 feet from a residential substance abuse diagnostic and treatment facility or other drug or alcohol rehabilitation facility.

h. A MEDICAL MARIJUANA DISPENSARY OFF-SITE CULTIVATION LOCATION SHALL BE SET BACK A MINIMUM OF 1,500 FEET FROM ANY SINGLE FAMILY RESIDENTIAL ZONE, MULTIFAMILY RESIDENTIAL ZONE, TRANSITIONAL ZONE, MIXED DWELLING ZONE AND RU-C ZONE, AS MEASURED FROM THE PARCEL BOUNDARIES.

i. A medical marijuana dispensary off-site cultivation location may not have outdoor seating areas.

l j. ALL DRYING, CURING AND STORAGE OF MEDICAL MARIJUANA AT A MEDICAL MARIJUANA DISPENSARY OFF-SITE CULTIVATION LOCATION MUST TAKE PLACE INSIDE A COMPLETELY ENCLOSED PERMANENT BUILDING WITH CONTROLLED ACCESS AND CANNOT BE LOCATED IN A TRAILER, CARGO CONTAINER, OR MOTOR VEHICLE.

~~i. The maximum floor area of a medical marijuana dispensary off-site cultivation location is 2,000 square feet.~~

~~j. The secure storage area for the medical marijuana stored at the medical marijuana dispensary off-site cultivation location shall not exceed 1,000 square feet.~~

~~j k. A medical marijuana dispensary off-site cultivation location must have a legible copy of a valid medical marijuana dispensary agent registry identification card, the original of which is issued by the state of Arizona, plainly displayed inside of the doorway at all times.~~

~~k l. Must have the address of the medical marijuana dispensary that the off-site cultivation location supplies plainly displayed inside of the doorway at all times.~~

l m. A MEDICAL MARIJUANA DISPENSARY OFF-SITE CULTIVATION LOCATION MUST BE ACCESSIBLE BY A PAVEMENT TO PAVEMENT ROADWAY.

m n. A MEDICAL MARIJUANA DISPENSARY OFF-SITE CULTIVATION LOCATION NOT LOCATED WITHIN A COMPLETELY ENCLOSED

PERMANENT BUILDING SHALL NOT EXCEED 5 ACRES, ABSENT A SHOWING OF UNNECESSARY HARDSHIP.

n o. THE COUNTY SHALL NOT PERMIT MORE THAN ONE (1) OFF-SITE CULTIVATION LOCATION FOR EACH DISPENSARY LOCATED IN THE COUNTY, ABSENT A SHOWING OF UNNECESSARY HARDSHIP.

6. Permit Conditions. The board may include any conditions it finds necessary to conserve and promote the public health, safety, convenience and general welfare. The board must include the following permit conditions for issuance of the special use permit for a medical marijuana dispensary off-site cultivation location:

a. An expiration date for the special use permit that requires reapplication or renewal of the permit after ~~two years~~ ONE YEAR or less.

b. A requirement that the medical marijuana dispensary off-site cultivation location meets security requirements adopted by the Arizona Department of Health Services.

c. A requirement that the storage facilities for the medical marijuana stored or grown on site prevent the emission of dust, fumes, vapors or odors into the environment.

d. A requirement that the owner secure a certification from the State Fire Marshall or from another acceptable entity responsible for fire safety in the area in which the medical marijuana dispensary off-site cultivation location is to be located stating that the structure complies with all fire code requirements and supply a copy of that certification to the building and safety department.

e. A requirement that the medical marijuana dispensary off-site cultivation location is prohibited from permitting anyone to consume marijuana on the premises.

f. A requirement that the medical marijuana dispensary off-site cultivation location comply with applicable sections of the Pinal County sanitary code.

G. A REQUIREMENT THAT THE APPLICANT SHALL PROVIDE NOT LESS THAN THREE (3) DAYS ADVANCE NOTICE TO THE PINAL COUNTY SHERIFF'S OFFICE WHEN MEDICAL MARIJUANA IS TO BE HARVESTED AT THE CULTIVATION LOCATION AND WHEN MEDICAL MARIJUANA IS TO TRANSPORTED FROM THE SITE TO A MEDICAL MARIJUANA DISPENSARY.

H. A REQUIREMENT THAT PRIOR TO OPERATION OF A MEDICAL MARIJUANA DISPENSARY OFF-SITE CULTIVATION LOCATION THE APPLICANT SHALL SUBMIT FOR REVIEW AND APPROVAL A SPECIFIC SITE PLAN AS REQUIRED BY PCDSC, CHAPTER 2.200.

7. Enforcement. The provisions of this subsection may be enforced through the use of the civil penalty procedure provided for by PCDSC 2.160.140 or by injunction or other civil proceeding as provided by ARS 11-80815(H). Notwithstanding any other provision of this code, this subsection shall not be enforced under ARS 11-80815(C) as a misdemeanor.

8. Fees. The fee for application and hearing is a combination of the existing fees for special use permit application filing fee, the site analysis submittal fee and the notice of public hearing fee included in the most current development services department fee schedule.

Section 2: This Ordinance shall be published at least once in a newspaper of general circulation in the County seat after its adoption.

PASSED AND ADOPTED this 18th day of Feb, 2015, by the PINAL COUNTY BOARD OF SUPERVISORS.

Cheryl Chan
Chair of the Board

ATTEST:

Shari Clegg
Clerk/Deputy Clerk of the Board *2/18/15*



APPROVED AS TO FORM:

[Signature]
Deputy County Attorney



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MEMORANDUM

TO: Pinal County Planning and Zoning Commission

FROM: Bridget Fisk, Drafting Specialist
Planning & Development

DATE: March 19, 2015

SUBJECT: **BOARD OF SUPERVISORS (BOS) ACTION ON P&Z CASES**

BOS HEARING OF February 18, 2015

No Cases

BOS HEARING OF March 4, 2015

No Cases

SUP-001-15



PINAL COUNTY
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MEETING DATE: March 19, 2015

TO: PINAL COUNTY PLANNING & ZONING COMMISSION

CASE NO.: **SUP-001-15 (Ponderosa Releaf Medical Marijuana Dispensary)**

CASE COORDINATOR: Ashlee MacDonald

Executive Summary:

This is an SUP to allow a Medical Marijuana Dispensary in a CB-2 zoned shopping center, the dispensary was previously approved under case SUP-001-13, which by Ordinance/Stipulation is set to expire.

If This Request is Approved:

The medical marijuana dispensary will continue its operations at the location specified below.

Staff Recommendation/Issues for Consideration/Concern:

Staff recommends approval of the request with the attached stipulations. There are two approved Medical Marijuana Dispensaries in Pinal County (one operating).

LEGAL DESCRIPTION: a 3.3± acre parcel situated in a portion of the NW¼ of Section 19, T5S, R3E G&SRB&M, tax parcel 510-64-005 (legal on file)

TAX PARCEL: 510-64-005

LANDOWNER: Papago Properties, LLC 49237 W Papago Rd., Maricopa, AZ 85139

APPLICANT: Clary Childers, 2480 E Stephens Rd, Gilbert, AZ 85296

REQUESTED ACTION & PURPOSE: Papago Properties, LLC, landowner, Ponderosa Botanical Care, dba Ponderosa Releaf, applicant, Andy Workman, agent requesting a Special Use Permit to operate the Ponderosa Botanical Care medical marijuana dispensary on a 3.3± acre parcel in the CB-2 zone (**PZ-430-74**).

LOCATION: Located on the south side of Papago Rd, east of White Rd in the Maricopa area

SIZE: 3.3± acres.

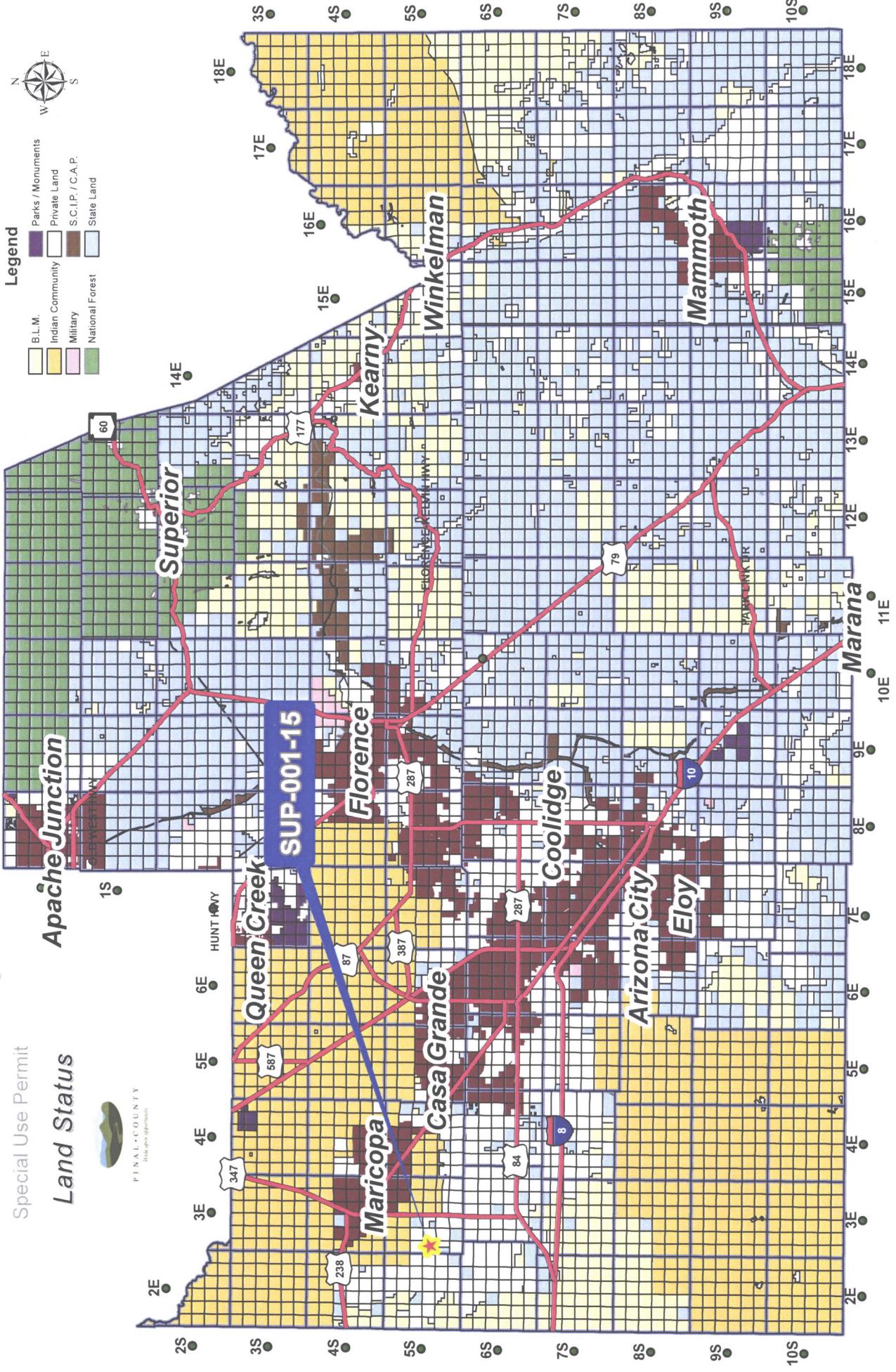
COMPREHENSIVE PLAN: The site is designated as Moderate Low Density Residential. The surrounding properties are also designated Moderate Low Density Residential. Commercial uses are allowed up to 20 acres within this designation.

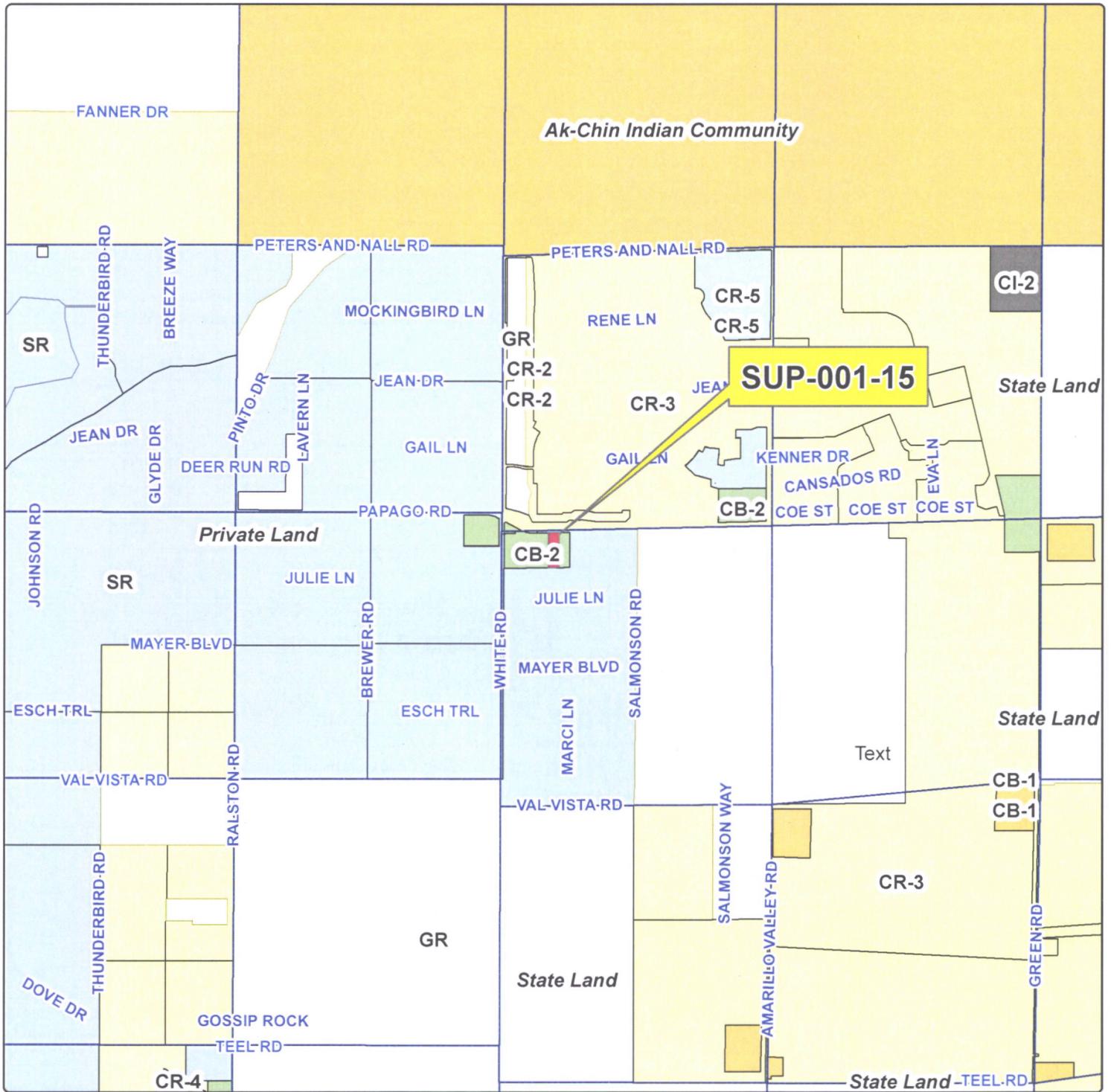
EXISTING ZONING AND LAND USE: The subject property is zoned CB-2. The medical marijuana dispensary is currently in operation as approved under SUP-001-13; in addition to the dispensary, there are other various commercial uses.

Pinal County

Special Use Permit

Land Status





Special Use Permit

Community Development



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PAPAGO PROPERTIES LLC

Legal Description:

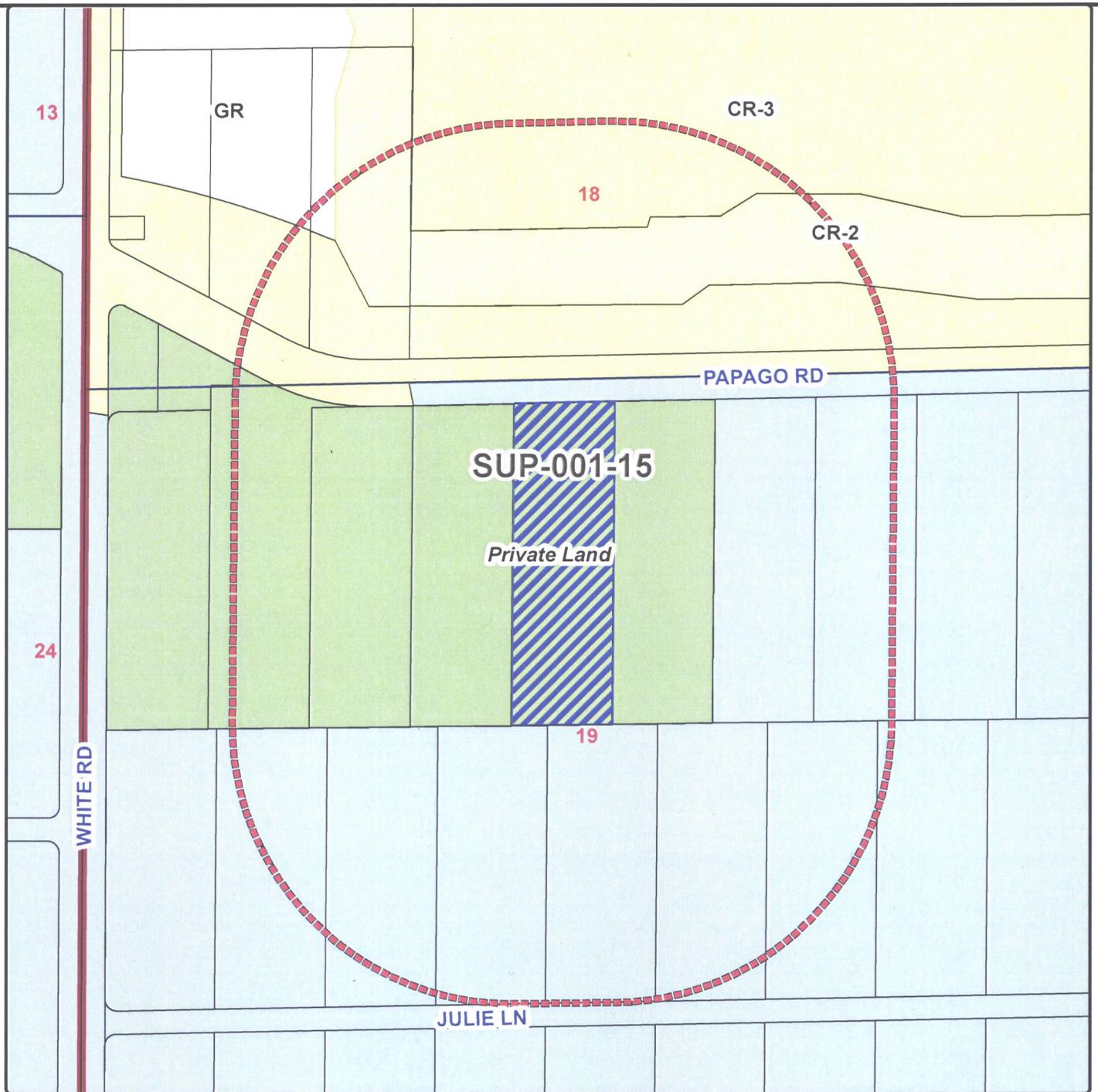
Situated in a portion of the Section 19, T05S,R03E, G&SR&M, Parcel 510-64-005 (legal on file). (Located on the south side of Papago Rd, east of White Rd in the Maricopa area).

T05S-R03E Sec 19



PAPAGO PROPERTIES LLC

Drawn By: GIS / IT / LJT	Date: 02/10/2015
Sheet No. 19	Case Number: SUP-001-15
Township 05S	Range 03E



Special Use Permit

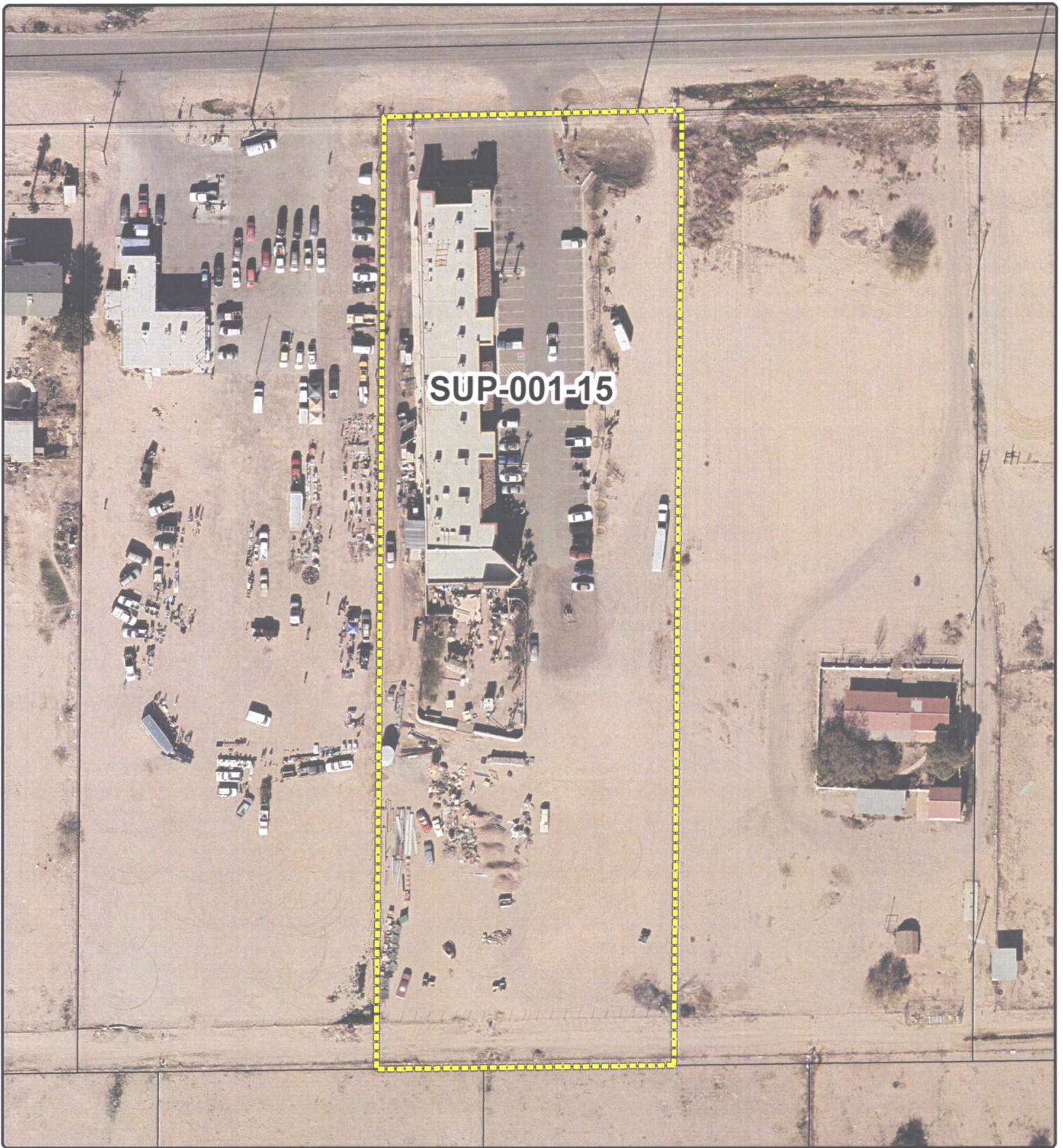
SUP-001-15 – PUBLIC HEARING/ACTION: Papago Properties, LLC, landowner. Ponderosa Botanical Care, dba Ponderosa Releaf, applicant, Andy Workman, agent requesting a Special Use Permit to operate the Ponderosa Botanical Care medical marijuana dispensary on a 3.3± acre parcel in the CB-2 zone (PZ-430-74); situated in a portion of the NW¼ of Section 19, T5S, R3E G&SRB&M, tax parcel 510-64-005 (legal on file) (located on the south side of Papago Rd, east of White Rd in the Maricopa area).

Current Zoning: CB-2
 Request Zoning: Special Use Permit
 Current Land Use: MLDR



Legal Description:
 Situated in a portion of Section 19, T05S, R03E, G&SRB&M, Parcel 510-64-005, (legal on file); located on the south side of Papago Rd, east of White Rd in the Maricopa area.
 T05S-R03E Sec 19

Owner/Applicant: PAPAGO PROPERTIES LLC			
Drawn By: GIS / IT / LIT	Date: 02/19/2015		
Sheet No. 1 of 1	Sections 19	Township 05S	Range 03E
Case Number: SUP-001-15			



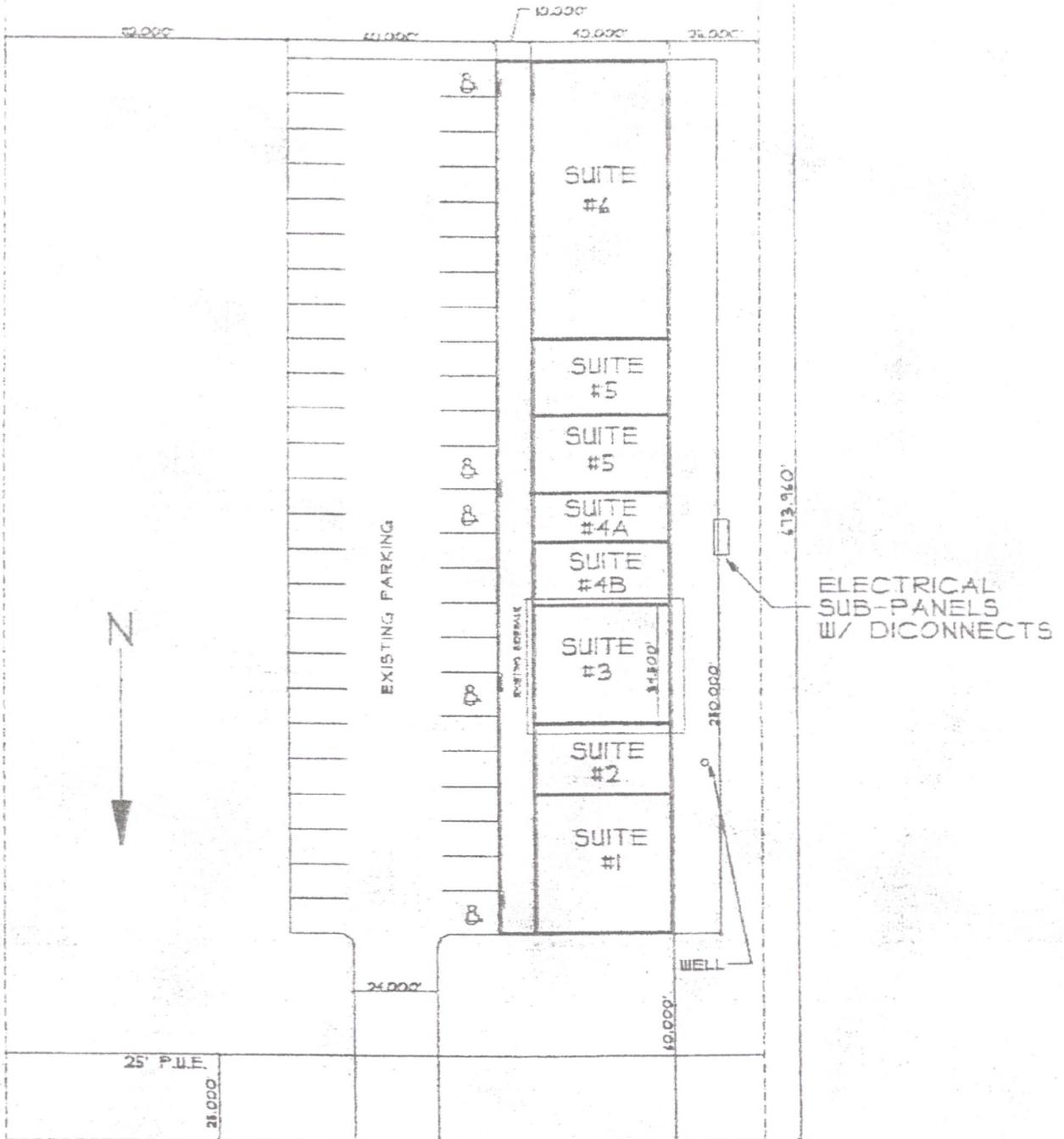
Special Use Permit



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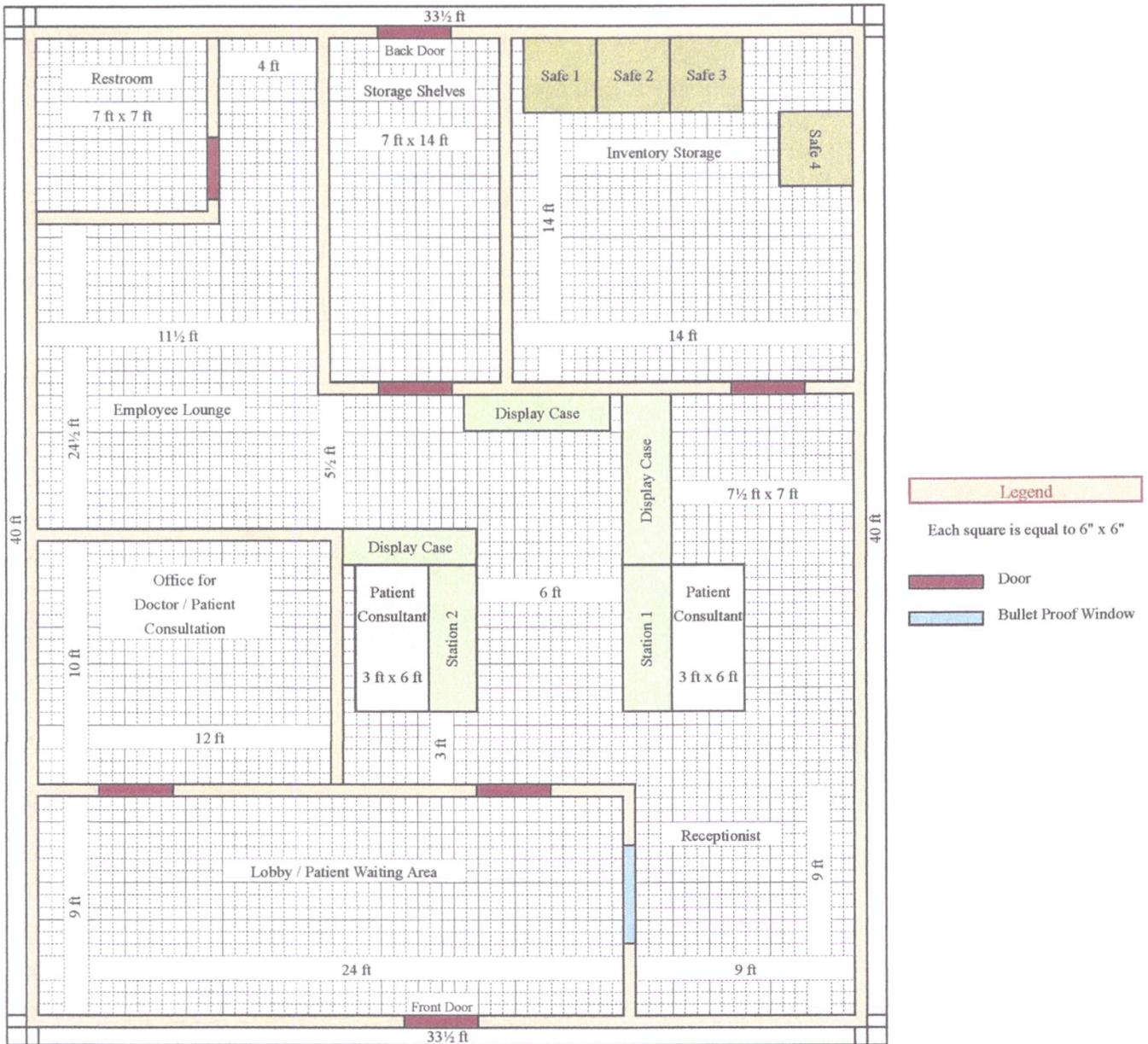
SUP-001-15



W. PAPAGO RD.

scale 1" = 40.00'

Ponderosa Botanical Care, Inc.
 Dispensary Floor Plan and Layout Design



2014 Updates

SURROUNDING ZONING AND LAND USE:

North: CR-2/PAD and CR-3/PAD (PZ-PD-028-02) - Vacant
 East: CB-2 (PZ-430-74) - Residential
 South: SR (PZ-367-73) - Residential/vacant
 West: CB-2 (PZ-430-74) – Restaurant and Convenience Store

FINDINGS:

Site data:

Flood zone: "x" an area that is determined to be outside the 100 year floodplain.
 Access: The site is accessed from Papago Rd.

PUBLIC PARTICIPATION:

Neighborhood Meeting: January 9, 2015
 Neighborhood and agency mail out: February 12, 2015
 News paper Advertising: Week of February 23, 2015
 Site posting: Applicant: February 17, 2015
 Site posting: County: February 27, 2015

HISTORY: The subject property was rezoned from GR to CB-2 under planning case number PZ-430-74. The site has been developed with commercial suites and has various commercial uses. In April of 2013 a Special Use Permit (SUP-001-13) was granted allowing the operation of a medical marijuana dispensary. This SUP was issued for 2 years, and as such a new SUP is required to allow for the continued operation of this existing dispensary.

ANALYSIS: The applicant is requesting a Special Use Permit to allow the continued operation of a medical marijuana dispensary on a 3.3± acre parcel in the CB-2 zone.

The Subject property is located within the Moderate Low Density Residential land use designation of the Comprehensive Plan. The Comprehensive Plan allows for the location of neighborhood commercial under 20 acres in any land use category provided the land use and property meet the planning guidelines. Planning guidelines for Neighborhood commercial include adequate access, buffers and compatibility with surrounding land uses, location in close proximity to residential, and location on collector or arterial streets.

The applicant is not proposing cultivation at this dispensary. A stipulation has been added to reflect this.

The SUP the Commission is considering is for a medical marijuana dispensary. The zoning ordinance identifies factors for consideration when reviewing special use permit requests under section 2.151.010(N). These factors include, but are not limited to:

- **traffic conditions;**
- **provision of services and utilities to the site;**
- **the relationship of the proposed special use and surrounding uses;**
- **whether the proposed use is beneficial to the public health, safety and general welfare of the community;**
- **access to streets that are adequately designed and constructed to handle the volume generated by the use;**

- does not result in the use of a residential street for non residential through traffic;
- whether adequate measures have been taken to mitigate off-site impacts such as dust, smoke, noise, odors, lights or storm water runoff;
- the need for the proposed special use in the neighborhood/community;
- public input.

If the Commission deems there is sufficient evidence to grant this SUP staff has included stipulations relating to the operation and permitting of the facility.

To date, no letters in support or in opposition have been received regarding the requested special use permit.

The **Pinal County Department of Public Works** department reviewed the proposal and had no comments.

The **Pinal County Air Quality Control District** provided comments which are included within the correspondence section of this staff report.

The **Pinal County Flood Control Section** reviewed the proposal and had no other comments other than it is in a Flood zone "X"

At the public hearing, the Commission needs to be satisfied that the health, safety and welfare of the County and adjacent properties will not be negatively impacted by this SUP under Planning Case **SUP-001-15**. Furthermore, the Commission must determine that this SUP will promote the orderly growth and development of the County, at this location and time, and this proposed development is compatible and consistent with the applicable goals and policies of the Pinal County Comprehensive Plan.

THE BURDEN OF PROOF IS UPON THE APPLICANT TO PROVIDE THE NECESSARY AND REQUIRED INFORMATION AT THE PUBLIC HEARING. THE APPLICANT NEEDS TO BE PREPARED TO ADDRESS AND MITIGATE, AS APPLICABLE, THE FOLLOWING ISSUES AND CONCERNS:

- A) **LAND USE, PERIMETER WALLS, SIGNAGE, SETBACKS, INGRESS/EGRESS & LANDSCAPING**
- B) **PUBLIC SERVICES - SEWER, WATER, UTILITIES, DRAINAGE**
- C) **NEIGHBORHOOD IMPACT**
- D) **FLOOD CONTROL**
- E) **TRAFFIC IMPACT**
- F) **COMPATIBILITY/CONSISTENCY WITH PINAL COUNTY COMPREHENSIVE PLAN**
- G) **BENEFITS/DETRIMENTS TO PINAL COUNTY**

STAFF SUMMARY: The applicant, Ponderosa Botanical Care, dba Ponderosa Releaf, has submitted the proper application and evidence sufficient to warrant a staff recommendation as provided in the Ordinance. Staff provides the following findings together with the information on Page 1 of this staff report:

1. This land use request is for approval of an SUP.
2. To date, no letters in support or in opposition have been received.
3. The site is accessed from Papago Rd.

4. The subject property is located within the “Moderate Low Density Residential” designation of the Pinal County Comprehensive Plan.
5. Granting of the SUP will require, at the time of application for development, that the applicant/owner submit and secure from the applicable and appropriate Federal, State, County and Local regulatory agencies, all required applications, plans, permits, supporting documentation and approvals.

STAFF RECOMMENDATION:

After a detailed review of the request, Pinal County Comprehensive Plan, and the PCDCS, Staff recommends approval of this request.

However, in addition to staff recommendations, should the Commission find, after the presentation of the applicant and together with the testimony and evidence presented at the public hearing, that this SUP request is needed and necessary at this location and time, will not negatively impact adjacent properties, will promote orderly growth and development of the County and will be compatible and consistent with the applicable goals and policies of the Pinal County Comprehensive Plan, then staff recommends that the Commission forward **SUP-001-15** to the Board of Supervisors with a favorable recommendation with the attached stipulations. If the Commission cannot find for all of the factors listed above, then staff recommends that the Commission forward this case to the Board of Supervisors with a recommendation of denial.

- 1) The special use permit for the Ponderosa Botanical Care, dba Ponderosa Releaf medical marijuana dispensary is issued for two (2) years from the date of the Board of Supervisors approval;
- 2) the layout, design and set up of the Ponderosa Botanical Care, dba Ponderosa Releaf Medical Marijuana Dispensary shall be as shown and set forth on the applicant’s submittal documents and site plan;
- 3) all State and County regulations shall be adhered to and all required approvals, plans, submittal documents and permits be submitted and obtained, including but not limited to, planning clearance, building, sewage disposal, right-of-way use permit, handling and disposal of waste water, air quality permit, security lighting, fire protection, landscaping, signage, etc.;
- 4) all proposed outdoor lighting must conform to the applicable requirements of the Pinal County Development Services Code;
- 5) the applicant shall keep the property free of trash, litter and debris;
- 6) the dispensary shall meet the security requirements adopted by the Arizona Department of Health Services;
- 7) the applicant/owner/operator shall ensure that the storage facilities for the medical marijuana prevent the emission of dust, fumes, vapors and odors;
- 8) the applicant/owner shall secure certification from the State Fire Marshall or from another acceptable entity responsible for fire safety in the area in which the medical marijuana dispensary is to be located stating that the structure complies

with all fire code requirements and supply that certification to the building and safety department;

- 9) the applicant/owner/operator shall ensure compliance with applicable sections of the Pinal County sanitary code;
- 10) off-site delivery of medical marijuana from the dispensary to a patient is prohibited;
- 11) outdoor seating is prohibited;
- 12) hours of operation shall be limited to between the hours of 9:00 a.m. and 7:00 p.m.;
- 13) there shall be no cultivation of marijuana at the dispensary;
- 14) the applicant/owner/operator shall not permit the consumption of marijuana on the premises;
- 15) violation of these conditions at any time may invoke revocation proceedings by the Pinal County Planning & Development Services Department.

Date Prepared: 03/11/2015 - arm
Revised:

Ponderosa Botanical Care, Inc.

Db: Ponderosa Releaf

49237 W. Papago Rd. Suite 003

Maricopa, AZ 85139

SUP Application for Renewal

Medical Marijuana Dispensary

Concept Review #: Z-PA-071-14

Submission Date: January 16, 2015

Agent/Representative:

Andy Workman



Ponderosa Botanical Care Purpose Statement

The purpose of this application is to receive a renewal of our Special Use Permit (SUP) to continue operating a Medical Marijuana Dispensary in an unincorporated area of Pinal County. Ponderosa Botanical Care is a non-profit, patient-centric wellness center with an off-site cultivation facility (not in Pinal County). We currently treat over 1,000 qualified patients in Pinal County. PBC is constantly striving to improve business practices and the availability of affordable medical marijuana.

Ponderosa Botanical Care opened for business on July 3, 2013. Since then, we have not encountered any public issues. We take the Arizona state laws very serious and abide by all rules and regulations set forth by the Arizona Department of Health Services (AZDHS). During the past year and half in which we have been open, we have passed two state inspections governed by the AZDHS. We ask for your consideration once again to renew our Special Use Permit so we may continue to supply medication to patients in Pinal County.

The effects on the following are as follows:

Traffic: We are considered a moderate to low-density business. There have not been noticed effects on traffic within the shopping mall area. We see about 25 customers per day and about 1-2 deliveries per week. The deliveries are unnoticeable, as they do not include large commercial vehicles.

Parking: The current parking spaces in the lot are more than sufficient enough to meet our needs and the surrounding business suites.

Noise: There has been no impact on noise level. We never had more than a handful of people in the building at any given time (customers and employees).

Nearby Properties: We have had no complaints this year and have a good rapport with them. Our landlord is one of our neighbors.

Heath & Safety: There are very strict rules and regulations put in place by AZDHS regarding safety and security. We have nine security cameras with over 30 days

recording storage and four heavy industrial safes. There are alarms on every entry point and motion detects throughout interior spaces.

Utilities and Services: We do not have any unique requirements for utilities and services. We have normal electrical usage and have always paid our bills on time.

Site Plan

Submission date: December 26, 2014

Legal Description: a 3.3 acre parcel situated in a portion of the NW1/4 of Section 19, T5S, R3E G&SRB&M, tax parcel 510-64-005

Landowner: Papago Properties, LLC 49237 W. Papago Rd.
Maricopa, AZ 85139

Applicant: Ponderosa Botanical Care, Inc. DBA: Ponderosa Releaf
Representative: Andy Workman -2415 E. Cloud Dr., Chandler AZ 85249

Location: Located on the south side of Papago road, east of White road in the Maricopa area

Existing Zoning and Land Use: the subject is zoned CB-2 and the site is currently an Arizona State and Pinal County approved medical marijuana dispensary

Surrounding Zoning and Land Use:

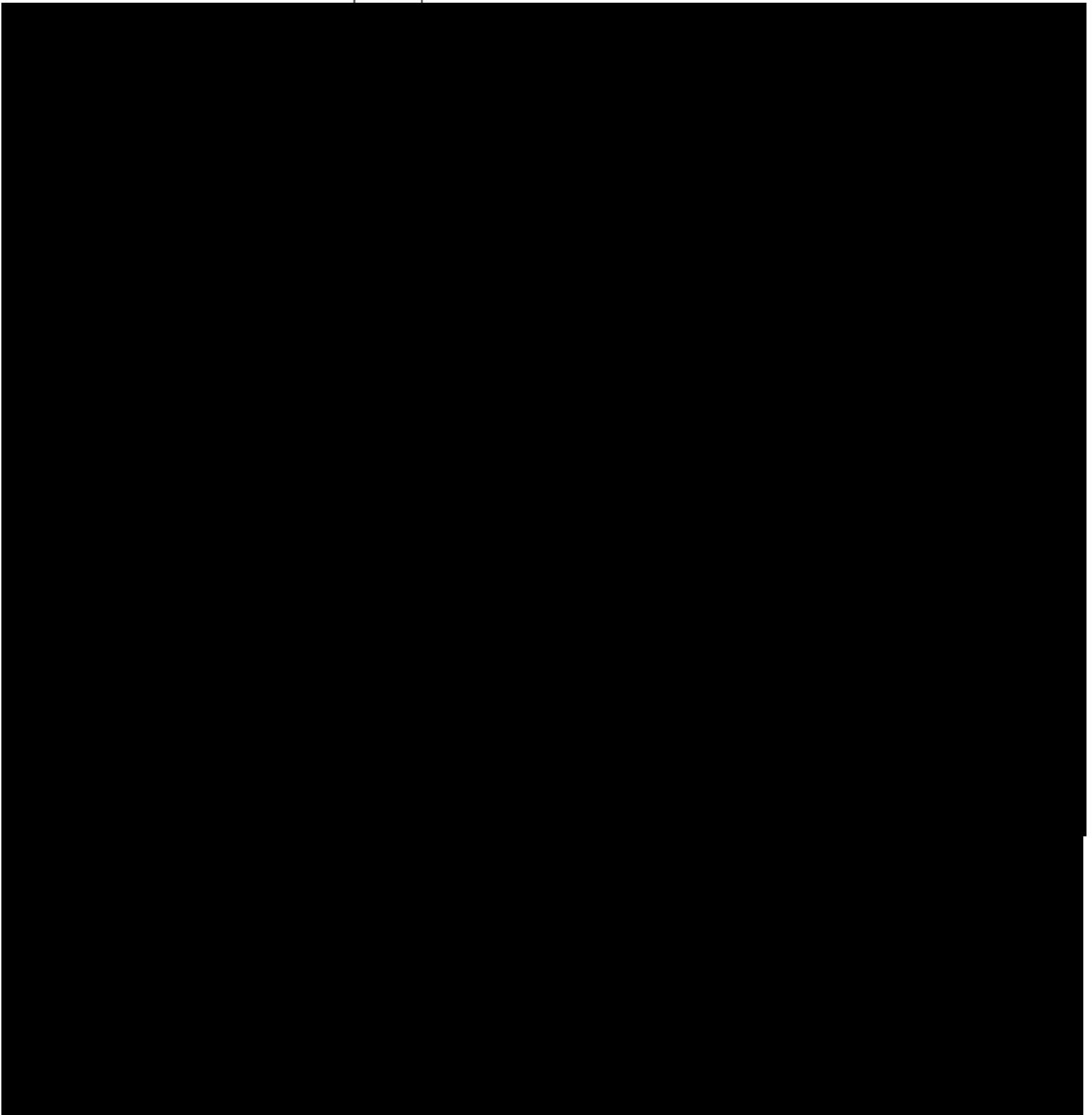
North: CR-2/PAD and CR-3/PAD (PZ-PD-028-02) = Vacant

East: CB-2 (PZ-430-74) = Residential

South: SR (PZ-367-73) = Residential/Vacant

West: CB-2 (PZ-430-74) = Restaurant and Convenience store

Ponderosa Botanical Care, Inc.
Dispensary Floor Plan and Layout Design with Security Features





P I N A L • C O U N T Y
wide open opportunity

MEMORANDUM FROM AIR QUALITY

Date: February 27, 2015
To: Evan Balmer
Cc: P & Z Review Committee
From: Anu Jain - Permit Engineer
Re: Planning & Zoning Cases

I have reviewed the following Planning & Zoning cases:

Date	Case #	Applicant	Project	*Response
3/19/15	PZ-(PD)-001-15	Resolution Copper Mining	PAD – Copper Concentrate Filtration	See Comments 1 & 2
3/19/15	SUP-001-15	Ponderosa Botanical Care, Inc.	Medical Marijuana Dispensary	See Comments 1 & 2

***Comments:**

1. The above proposed Planning and Zoning cases should have a paved road arterial access to the project, paved road access within the project and paved parking lots.
2. Dust registration is required if 0.1 acres or more land is disturbed.

Note:

All construction activity must conform to the earthmoving activity requirements of the Pinal County Air Quality Control District.

December 27, 2014

Pinal County Concept Review: # Z-PA-071-14

Dear Property Owner,

WHY: We would like to give notice and invite you to attend a Community/Neighborhood meeting.

LOCATION: Ponderosa Releaf – 49237 W. Papago Rd. STE 003, Maricopa, AZ 85139

DATE: Friday, January 9, 2015

TIME: 7:30 pm (mst)

PURPOSE: The purpose of this meeting is to discuss the renewal of the Special Use Permit for Ponderosa Botanical Care’s medical marijuana dispensary in an unincorporated area of Pinal County, Arizona. The meeting will be held at our business establishment, Ponderosa Releaf (Suite 003 of the Papago Plaza just North of the Raceway Bar & Grill). There will be a short presentation and then devoted time for questions and discussions.

Thank you,

Ponderosa Botanical Care, Inc
Dba: Ponderosa Releaf

Ponderosa Releaf
49237 W Papago Rd. Ste 003
Maricopa, AZ 85219

Time
Stamped →



PHOENIX AZ 852
29 DEC 2014 PM 3 L

Mindy Workman
2415 E. Cloud Dr.
Chandler, AZ 85249

85249378015 

Ponderosa Releaf Neighborhood Meeting Minutes

- **Andy Workman (Ponderosa Releaf representative) arrived at 7:00 pm for the scheduled 7:30 pm meeting time to organize meeting space at the proposed location in Maricopa, AZ.**
- **A sign-up sheet was provided and signed by all attendees**
- **Andy called the meeting to order at 7:40 pm**
- **Andy gave an overview about the SUP renewal process, provided estimated time frames regarding the process, and explained how our medical marijuana dispensary has benefited the county of Pinal.**
- **Andy opened up the floor for questions and answers. There were no questions, comments, or concerns brought to Andy's attention**
- **Nobody outside of our known associates and employees showed up to the meeting**
- **Meeting adjourned at 8:15 pm**

51063035B QUINONES MARIO & MARTA, 11700 N WHITE RD MARICOPA, AZ 85139	510630560 JOHNSON MARY PATRICIA , MOSIER FREDRICK 2320 CAMPBELL RIVER RD #6 CAMPBELL RIVER,	510630770 WHITAKER DEE VERN & A KAY, 13681 BASELINE.5 RD SE MOSES LAKE, WA 98837
510640040 AS INVESTMENT PROPERTIES LLC, 6160 E WOODRIDGE DR SCOTTSDALE, AZ 85254	510640050 PAPAGO PROPERTIES LLC, 1800 RICHMOND RD LEXINGTON, KY 40502	510640060 RAINIER CAPITAL GROUP LLC, 11221 PACIFIC HWY SW LAKEWOOD, WA 98499
510640070 BARRETT EVELYN, CHITWOOD DEBRA L PO BOX 695 MARICOPA, AZ 85139	510640080 VASQUEZ LAURO R & EDITH GODINEZ, 6418 W EARLL DR PHOENIX, AZ 85033	510640090 BOWLAND MARY K, 2212 COTTONTAIL DR LEANDER, TX 78641
510640100 BROCK FAMILY TRUST, BROCK RONALD W & PO BOX 8267 SURPRISE, AZ 85374	510640110 FERGUSON KELLY L, 48839 W PAPAGO RD MARICOPA, AZ 85139	510640140 ROCK GEORGE EDWARD & TINA MARIE , 48864 W JULIE LN MARICOPA, AZ 85139
510640150 DE LA CRUZ EVANGELINA, DE LEON VALORI PO BOX 329 MARICOPA, AZ 85139	510640160 SARVER MICHAEL & VERONICA, 49038 W JULIE LN MARICOPA, AZ 85139	510640170 VANTAGE RETIREMENT PLANS LLC , JCD F 51556 W DEER RUN RD MARICOPA, AZ 85139
510640180 SABAL CLAUDIO C & MARIPET, 89 BILTMORE EST PHOENIX, AZ 85016	510640190 MENDEZ CARLOS & CELESTE S TRS, 305 W CROFTON ST CHANDLER, AZ 85225	510640200 SABAL GERARDO C JR TR, 317 W CROFTON ST CHANDLER, AZ 85225
510640210 DOUBLE B INVESTMENTS LLC, 49937 W JULIE LN MARICOPA, AZ 85139	510640220 ALCOMENDAS FROILAN E & ROSITA S REV TR, / 6104 COSTA DEL REY LONG BEACH, CA 90803	510640230 GARNER CLIFFORD A & LISA L, 49494 W JULIE LN MARICOPA, AZ 85139
510640240 ELLIS DAVID R & ANGELA C, 49495 W JULIE LN MARICOPA, AZ 85139	510640250 BUTTERFIELD MARIA RR2 ST 14 BOX 6 PONOKA,	510640260 MIRANDA MELCHOR FARIAS, 49375 W JULIE LN MARICOPA, AZ 85139
510640270 LERMA ARTURO O & ADELA O, 49285 W JULIE LN MARICOPA, AZ 85139	510640280 MILLER THAD A & PAULINE F, 49215 W JULIE LN MARICOPA, AZ 85139	510640290 ESTRADA YADIRA , 402 W 12TH ST ELOY, AZ 85131
510640300 YARGA SANDRA S, CASANAVE MADELINE 49095 W JULIE LN MARICOPA, AZ 85139	510640310 WALP JERRY L & JUDITH S CO-TRS, 49005 W JULIE LN MARICOPA, AZ 85139	510640320 ABELLA ANGEL R & GINA D TRUST, ABELLA 5619 S SPYGLASS RD TEMPE, AZ 85283

510820010
PAPAGO BUTTE DOMESTIC WATER IMPROVI
PO BOX 630
MARICOPA, AZ 85139

510820020
DELCOTTO ROBERT R & SOPHIA,
50010 W JULIE LN
MARICOPA, AZ 85139

510820030
CRICKET HOLDINGS LLC,
26223 N 17TH DR
PHOENIX, AZ 85085

510820040
AS INVESTMENT PROPERTIES LLC,
6160 E WOODRIDGE DR
SCOTTSDALE, AZ 85254

510820050
PALOMINO RANCH PARTNERS LLC,
11624 SE 5TH ST
BELLEVUE, WA 98005

510820060
PALOMINO RANCH PARTNERS LLC,
11624 SE 5TH ST STE 200
BELLEVUE, WA 98005

510820070
PALOMINO RANCH PARTNERS LLC,
11624 SE 5TH ST
BELLEVUE, WA 98005

510820080
PALOMINO RANCH PARTNERS LLC,
11624 SE 5TH ST
BELLEVUE, WA 98005

510820090
CRICKET HOLDINGS LLC,
26223 N 17TH DR
PHOENIX, AZ 85085

510820100
CRICKET HOLDINGS LLC,
26223 N 17TH DR
PHOENIX, AZ 85085

510850030
PALOMINO RANCH PARTNERS LLC,
11624 SE 5TH ST
BELLEVUE, WA 98005

APPLICATION FOR A SPECIAL USE PERMIT FOR A MEDICAL MARIJUANA DISPENSARY IN AN UNINCORPORATED AREA OF PINAL COUNTY, ARIZONA

(all applications must be typed or written in ink)

1. Pinal County Staff Coordinator: Ashlee MacDonald

2. Date of Concept Review: 01/13/2015 Concept Review Number: Z-PA-071-14

3. The legal description of the property: a 3.3 ± acre parcel situated in a portion of the NW 1/4 of Section 19, T5S, R3E G & SRB & M, tax parcel 510-64-005 (legal on file)

4. Tax Assessor Parcel Number: 510-64-005

5. Current Zoning: CB-2

Subdivision Papago Butte Ranchos Unit/Block-2 Lot #93

6. Parcel size: 3.3 acres

7. The existing use of the property is as follows: medical marijuana dispensary

8. The exact use proposed under this request: renewal of SUP for current medical marijuana dispensary

9. Is the property located within three (3) miles of an incorporated community?
YES NO

10. Is an annexation into a municipality currently in progress?
YES NO

11. Is there a zoning violation on the property for which the owner has been cited?
YES NO If yes, Zoning Violation Number: _____

12. Discuss any recent changes in the area that would support your application i.e.: zone change(s), subdivision approval, Planned Area Development (PAD), utility or street improvements, adopted Comprehensive/Area Plan(s) or similar changes.

We had a SUP request approved in April of 2013. This is a renewal request so we can continue serving the citizens of Pinal county.

13. Explain why the proposed development is needed and necessary at this time.

our establishment, a medical marijuana dispensary, has been serving Pinal County residents for over one year now. We are in need of renewing our SUP to continue our success and growth

RECEIPT #: _____ AMT: _____ DATE: _____ CASE: _____

SUPPORTING INFORMATION FOR A Medical Marijuana Dispensary

1. What is the legal name of the Medical Marijuana Dispensary? ~~PDR~~ Ponderosa Botanical
DBA Ponderosa Relief Care, Inc.
2. Is the proposed dispensary located on property zoned CB-2 or CB-2/PAD?
 YES NO
3. Is the proposed dispensary setback a minimum of 10 miles from all other medical marijuana dispensaries measured from the parcel boundaries? YES NO
4. Is the proposed dispensary setback a minimum of 1,500 feet from schools, community service agency, activity facility and/or activity where children may be enrolled, measured from the parcel boundaries? YES NO
5. Is the proposed dispensary setback a minimum of 1,500 feet from a childcare center, library or public park, church, residential substance abuse diagnostic and treatment facility or other drug or alcohol rehabilitation facility measured from the parcel boundaries? YES NO
6. Does the proposed dispensary have a drive-thru service or outdoor seating areas?
 YES NO
7. Does the proposed dispensary have a floor area greater than 2,000 square feet?
 YES NO
8. Does the proposed dispensary have a secure storage area for the storage of medical marijuana of less than 400 square feet?
 YES NO
9. Have you discussed possible conditions that may be placed on the permit with the Planning Department? YES NO
10. Do you understand that the permitted hours of operation for a dispensary are between the hours of 9:00 a.m. and 7:00 p.m. (MST) daily
 YES NO
11. Do you understand that the Pinal County Board of Supervisors may include any conditions it finds necessary to conserve and promote public health safety convenience and general welfare? YES NO
12. Do you understand that if a condition is violated, that there is a public process by which your permit may be revoked and declared null and void?
 YES NO
13. What is the amount of traffic to be generated? (# of trips/day, deliveries/week). Show ingress/egress on the site plan. about 20 customers/day
1-2 deliveries/week
14. How many parking spaces are to be provided (employees and customers). Indicate these parking spaces on the site plan. 5-8 at any given time
There has never been a parking issue
15. Is there a potential for excessive noise (I.E.; children, machinery) or the production of smoke, fumes, dust or glare with this proposed land use? If yes, how will you alleviate these problems for your neighbors?
NO

16. What type of landscaping are you proposing to screen this use from your neighbors?
N/A - Established Strip mall
17. What type of signage are you proposing for the activity? Where will the signs be located?
There is one sign above frontage of suite
18. If the proposed land use involves any type of manufacturing or production process, provide a short synopsis of the processes utilizing diagrams, flowcharts and/or a short narrative.
N/A
19. Explain how the appearance and operation of the proposed land use will maintain the integrity and character of the zone in which the Special Use Permit is requested
There will be no changes needed

PROPERTY OWNERSHIP LIST
(required for filing all applications)

*see attached addresses

Instructions: Print Name, Address, City, State, Zip Code and Tax Parcel Number for each property owner within 1000 feet of the subject parcel boundary.

Parcel No.: _____
Name: _____
Address: _____
City/ST/Zip: _____

Parcel No.: _____
Name: _____
Address: _____
City/ST/Zip: _____

Parcel No.: _____
Name: _____
Address: _____
City/ST/Zip: _____

Parcel No.: _____
Name: _____
Address: _____
City/ST/Zip: _____

Parcel No.: _____
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Parcel No.: _____
Name: _____
Address: _____
City/ST/Zip: _____

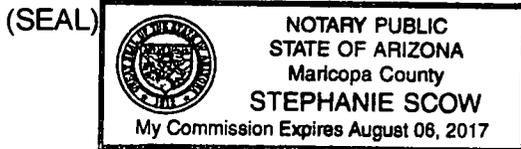
Parcel No.: _____
Name: _____
Address: _____
City/ST/Zip: _____

I hereby verify that the name list above was obtained on the 20th day of Dec., 2014, at the office of Pinal County and is accurate and complete to the best of my knowledge.

[Signature]
Signature

1/13/2015
Date

Acknowledged before me by Andy Workman on this 14 day of January, 2015.



[Signature]
Signature of Notary Public

(If additional copies of this form are needed, please photocopy)

I certify the information included in this application is accurate, to the best of my knowledge. I have read the application and I have included the information, as requested. I understand if the information submitted is incomplete, this application cannot be processed.

Ponderosa Retreat 49237 W. Papago Rd. STE 003
Name of Applicant Address Phone Number
Mesa, AZ 85139

Andy Workman (owner)
Signature of Applicant E-Mail Address

Andy Workman 2415 E. Cloud Dr
Name of Agent/Representative Address Phone Number
Chandler, AZ 85249

Andy Workman
Signature of Agent/Representative E-Mail Address

The Agent/Representative has the authority to act on behalf of the landowner/applicant, which includes agreeing to stipulations. The agent will be the contact person for Planning staff and must be present at all hearings. Please use attached Agency Authorization form, if applicable.

Papago Properties LLC 49237 W. Papago Road
Name of Landowner Address Phone Number
Mesa, AZ 85139
Paul Del Cotto
Signature of Landowner

If landowner is not the applicant, then applicant must submit a signed notarized consent form from the landowner with this application. Please use attached Consent to Permit form, if applicable.

(If a corporation or company, use the following signature block and acknowledgment)

Booze Properties, LLC
(Insert Company Name)

[Signature]
(Signature of Authorized Officer)

Title Managing Member

Dated 1/15/15

STATE OF AZ

COUNTY OF PINAL

On this 15 day of January, 2015, before me the undersigned Notary

Public, personally appeared Rand Del Cotto

acknowledged himself to be Managing Member of Booze Properties, LLC
(Insert Signor's Name) (Insert Name of Company)

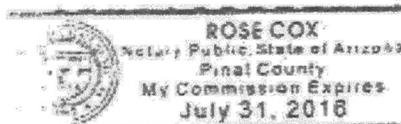
of the AZ and being authorized to do so on

behalf of said entity executed the foregoing instrument for its purposes; therein appearing

[Signature]

Notary Public

My Commission Expires July 31, 2016



[Corporate PROPERTY OWNER signature block and acknowledgment The appropriate Corporate officer or trustee signs this signature block NOT the block on the previous page.]

PONDEROSA Botanical Care, Inc.
[Insert Company or Trustee's Name]

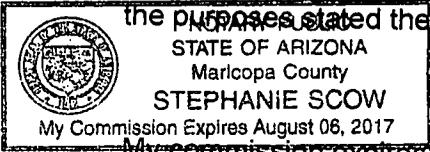
By: Jerry Workman
[Signature of Authorized Officer or Trustee]

Its: Vice-President
[Insert Title]

Dated: Feb 3, 2015

STATE OF Arizona)
COUNTY OF Maricopa) ss.

The foregoing instrument was acknowledged before me, this 3 day of Feb, by Jerry Workman, Vice President of Ponderosa Botanical Care Inc, an Arizona Corp and who being authorized to do so, executed the foregoing instrument on behalf of said entity for the purpose stated therein.



Stephanie Scow
Notary Public

My commission expires: 8-6-17

ALTERNATE: Use the following acknowledgment only when a second company is signing on behalf of the owner:

STATE OF _____)
COUNTY OF _____) ss.

On this _____ day of _____, before me, the undersigned, personally appeared

[Insert Signor's Name] Who acknowledged himself/herself to be _____ of _____ [Title of Office Held] of _____ [Second Company]

As _____ [i.e. member, manager, etc.] for _____ [Owner's Name], and who being authorized to do so, executed the foregoing instrument on behalf of said entities for the purposes stated therein.

Notary Public

My commission expires: _____

PRINCIPAL OFFICER, BOARD MEMBER AND DISPENSARY IDENTIFICATION LIST
 Please list all Principal Officers, Board Members and Dispensary Agents of the non-profit
 medical marijuana dispensary

* See attached ~~exhibit A~~ ~~exhibit B~~ ~~exhibit C~~ ~~exhibit D~~ ~~exhibit E~~ ~~exhibit F~~ ~~exhibit G~~ ~~exhibit H~~ ~~exhibit I~~ ~~exhibit J~~ ~~exhibit K~~ ~~exhibit L~~ ~~exhibit M~~ ~~exhibit N~~ ~~exhibit O~~ ~~exhibit P~~ ~~exhibit Q~~ ~~exhibit R~~ ~~exhibit S~~ ~~exhibit T~~ ~~exhibit U~~ ~~exhibit V~~ ~~exhibit W~~ ~~exhibit X~~ ~~exhibit Y~~ ~~exhibit Z~~ ~~exhibit AA~~ ~~exhibit AB~~ ~~exhibit AC~~ ~~exhibit AD~~ ~~exhibit AE~~ ~~exhibit AF~~ ~~exhibit AG~~ ~~exhibit AH~~ ~~exhibit AI~~ ~~exhibit AJ~~ ~~exhibit AK~~ ~~exhibit AL~~ ~~exhibit AM~~ ~~exhibit AN~~ ~~exhibit AO~~ ~~exhibit AP~~ ~~exhibit AQ~~ ~~exhibit AR~~ ~~exhibit AS~~ ~~exhibit AT~~ ~~exhibit AU~~ ~~exhibit AV~~ ~~exhibit AW~~ ~~exhibit AX~~ ~~exhibit AY~~ ~~exhibit AZ~~ ~~exhibit BA~~ ~~exhibit BB~~ ~~exhibit BC~~ ~~exhibit BD~~ ~~exhibit BE~~ ~~exhibit BF~~ ~~exhibit BG~~ ~~exhibit BH~~ ~~exhibit BI~~ ~~exhibit BJ~~ ~~exhibit BK~~ ~~exhibit BL~~ ~~exhibit BM~~ ~~exhibit BN~~ ~~exhibit BO~~ ~~exhibit BP~~ ~~exhibit BQ~~ ~~exhibit BR~~ ~~exhibit BS~~ ~~exhibit BT~~ ~~exhibit BU~~ ~~exhibit BV~~ ~~exhibit BW~~ ~~exhibit BX~~ ~~exhibit BY~~ ~~exhibit BZ~~ ~~exhibit CA~~ ~~exhibit CB~~ ~~exhibit CC~~ ~~exhibit CD~~ ~~exhibit CE~~ ~~exhibit CF~~ ~~exhibit CG~~ ~~exhibit CH~~ ~~exhibit CI~~ ~~exhibit CJ~~ ~~exhibit CK~~ ~~exhibit CL~~ ~~exhibit CM~~ ~~exhibit CN~~ ~~exhibit CO~~ ~~exhibit CP~~ ~~exhibit CQ~~ ~~exhibit CR~~ ~~exhibit CS~~ ~~exhibit CT~~ ~~exhibit CU~~ ~~exhibit CV~~ ~~exhibit CW~~ ~~exhibit CX~~ ~~exhibit CY~~ ~~exhibit CZ~~ ~~exhibit DA~~ ~~exhibit DB~~ ~~exhibit DC~~ ~~exhibit DD~~ ~~exhibit DE~~ ~~exhibit DF~~ ~~exhibit DG~~ ~~exhibit DH~~ ~~exhibit DI~~ ~~exhibit DJ~~ ~~exhibit DK~~ ~~exhibit DL~~ ~~exhibit DM~~ ~~exhibit DN~~ ~~exhibit DO~~ ~~exhibit DP~~ ~~exhibit DQ~~ ~~exhibit DR~~ ~~exhibit DS~~ ~~exhibit DT~~ ~~exhibit DU~~ ~~exhibit DV~~ ~~exhibit DW~~ ~~exhibit DX~~ ~~exhibit DY~~ ~~exhibit DZ~~ ~~exhibit EA~~ ~~exhibit EB~~ ~~exhibit EC~~ ~~exhibit ED~~ ~~exhibit EE~~ ~~exhibit EF~~ ~~exhibit EG~~ ~~exhibit EH~~ ~~exhibit EI~~ ~~exhibit EJ~~ ~~exhibit EK~~ ~~exhibit EL~~ ~~exhibit EM~~ ~~exhibit EN~~ ~~exhibit EO~~ ~~exhibit EP~~ ~~exhibit EQ~~ ~~exhibit ER~~ ~~exhibit ES~~ ~~exhibit ET~~ ~~exhibit EU~~ ~~exhibit EV~~ ~~exhibit EW~~ ~~exhibit EX~~ ~~exhibit EY~~ ~~exhibit EZ~~ ~~exhibit FA~~ ~~exhibit FB~~ ~~exhibit FC~~ ~~exhibit FD~~ ~~exhibit FE~~ ~~exhibit FF~~ ~~exhibit FG~~ ~~exhibit FH~~ ~~exhibit FI~~ ~~exhibit FJ~~ ~~exhibit FK~~ ~~exhibit FL~~ ~~exhibit FM~~ ~~exhibit FN~~ ~~exhibit FO~~ ~~exhibit FP~~ ~~exhibit FQ~~ ~~exhibit FR~~ ~~exhibit FS~~ ~~exhibit FT~~ ~~exhibit FU~~ ~~exhibit FV~~ ~~exhibit FW~~ ~~exhibit FX~~ ~~exhibit FY~~ ~~exhibit FZ~~ ~~exhibit GA~~ ~~exhibit GB~~ ~~exhibit GC~~ ~~exhibit GD~~ ~~exhibit GE~~ ~~exhibit GF~~ ~~exhibit GG~~ ~~exhibit GH~~ ~~exhibit GI~~ ~~exhibit GJ~~ ~~exhibit GK~~ ~~exhibit GL~~ ~~exhibit GM~~ ~~exhibit GN~~ ~~exhibit GO~~ ~~exhibit GP~~ ~~exhibit GQ~~ ~~exhibit GR~~ 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Name	Title	Address	Date of Birth
	exhibit A		
Name	Title	Address	Date of Birth
Name	Title	Address	Date of Birth
Name	Title	Address	Date of Birth

I hereby certify that none of the above listed principal officers or board members has served as a principal officer or board member for a registered non-profit medical marijuana dispensary that has had its registration certificate revoked or been convicted of one of the following offenses:

- i. A violent crime as defined in A.R.S. § 13-901.03(B) that was classified as a felony in the jurisdiction where the person was convicted;
- ii. A violation of state or federal controlled substance law that was classified as a felony in the jurisdiction where the person was convicted including an offense for which the sentence, any term of probation, incarceration or supervised release, was completed within the 10 years prior to applying for the application for the dispensary or an offense involving conduct that would be immune from arrest, prosecution or penalty under A.R.S. §36-2811 except that the conduct occurred before the effective date of that statute or was prosecuted by an authority other than the State of Arizona.

Jerry A Workman
 [Signature]
 Dated: 1-14-15

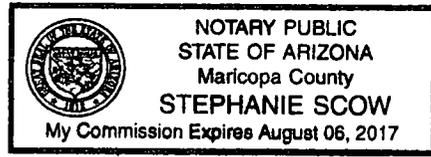
Melinda S. Workman
 [Signature]
 Dated: 1-14-15

STATE OF Arizona
)
) ss.
 COUNTY OF Maricopa

The foregoing instrument was acknowledged before me, the undersigned Notary Public, this 14 day of January, 2015, by Jerry A. Melinda S. Workman
 [Insert Name of Signor(s)]

Stephanie Scow
 Notary Public

My Commission Expires: 8-6-17



Ponderosa Botanical Care, Inc. Db a Ponderosa Releaf			
Information for Dispensary Board Seats and Dispensary Agents			
Name	Title	Address	Date of Birth
Jerry Workman	Board Member	2415 E. Cloud Dr., Chandler, AZ 85249	
Mindy Workman	Board Member	2415 E. Cloud Dr., Chandler, AZ 85249	
Nora Waibel	Board Member	5022 W. Esch Tr., Maricopa, AZ 85139	
George Waibel	Board Member	5022 W. Esch Tr., Maricopa, AZ 85139	
Ann Childers	Board Member	2480 E. Stephens Rd., Gilbert, AZ 85296	
Clary Childers	Board Member	2480 E. Stephens Rd., Gilbert, AZ 85296	
Mohit Asani	Board Member	4222 E. Deer Dancer Wy., Tucson, AZ 85712	
Andy Workman	Dispensary Agent	2415 E. Cloud Dr., Chandler, AZ 85249	
Rick Belknap	Dispensary Agent	1149 W Oakland St., Chandler, AZ 85224	
Stephanie Deno	Dispensary Agent	53880 W. Cardinal Rd., Maricopa, AZ 85139	
LaVonta Bentley-Wells	Dispensary Agent	55635 W. Miller Rd., Maricopa, AZ 85139	
Maria Campanano	Dispensary Agent	44038 W. Neely Dr., Maricopa, AZ 85138	
Randall Deremiah	Dispensary Agent	36945 W. Leonessa Ave., Maricopa, AZ 85138	
Clint Fallow	Dispensary Agent	1628 E Southern Ave. #9-142, Tempe, AZ 85282	

Policies & Procedures

Ponderosa ReLeaf



1 HOURS OF OPERATION

The hours of operation are Monday – Saturday from 10 AM to 7 PM. Sunday 10AM-4PM.

This may be subject to change depending on patient needs and/or any changes with the local government.

2 JOB DESCRIPTIONS AND EMPLOYMENT CONTRACTS (R9-17-310 (A)(2)(A.)(I-V))

2.1 JOB DESCRIPTIONS

2.1.1 PERSONNEL DUTIES AND RESPONSIBILITIES

2.1.1.1 THE MEDICAL DIRECTOR SHALL:

Develop and provide training to registered dispensary agents/employees on an annual basis from the initial date of the dispensary's registration certificate on the following subjects:

- Guidelines for providing information to qualifying patients related to risks, benefits and side effects associated with medical marijuana
- Guidelines for providing support to qualifying patients related to the qualifying patient's self-assessment of the qualifying patient's symptoms, including a rating scale for pain, cachexia or wasting syndrome, nausea, seizures, muscle spasms and agitation
- Recognizing signs and symptoms of substance abuse

Guidelines for refusing to provide medical marijuana to an individual who appears impaired or abusing MM

1. **Determine the Qualifying Patient or Caregiver is impaired from using medical marijuana or sufficiently impaired from any reason so as to be a danger to themselves or the General Public. For the purpose of Denying Medical Marijuana; Impaired is defined as: A patient with observed Diminished Physical or Mental Function, which any reasonable person would be concerned for the Patient's and Public Safety.**
2. **Once Impairment has been determined report to the onsite manages for verification.**
3. **Complete the *Refusal of Medical Marijuana Form*.(see attached)**
4. **A copy of the form will be given to the patient and one will be kept on file.**

The Medical Director will assist in the development and implementation of review and improvement processes for patient education and support provided by Ponderosa ReLeaf.

The Medical Director shall provide oversight for the development and dissemination of educational materials for qualifying patients and designated caregivers that include:

- Alternative medical options for the qualifying patient's debilitating medical condition
- Information about possible side effects of and contraindications for medical marijuana including possible impairment with use and operation of a motor vehicle or heavy machinery, when caring for children, or of job performance
- A patient may notify his/her certifying physician if/when the patient exhibits side effects or contraindications.
- Guidelines for notifying the physician who provided the written certification for medical marijuana if side effects or contraindications occur:

Complete the *Physician Notification of Side Effects or Contraindications from Medical Marijuana Form*. Instructions for completing the form are as follows: (see attached form)

- Fill in the Prescribing Physician name and address.
- Fill in the Patient's name.
- Email to Dr. Ozalan at: [REDACTED]
- Dr. Ozalan will sign and return to you.
- Make 2 copies of the signed form and Patient Self-Assessment Log.
- Place signed copy and the original Patient Self-Assessment Log in the patient's file.
- Give one copy to the patient. Instruct the patient they are to notify their Physician as soon as possible.
- Send on 2 copies by certified mail to the Prescribing Physician.
- File the Certified Receipt in the Patient's file.
- A description of the potential for differing strengths of medical marijuana strains and products(see attached AZMD Patient Self-Assessment Log)
- Information about potential drug-to-drug interactions, including interactions with alcohol, prescription drugs, non-prescription drugs and supplements
- Techniques for the use of medical marijuana and marijuana paraphernalia
- Information about different methods, forms and routes of medical marijuana administration
- Signs and symptoms of substance abuse, including tolerance, dependence and withdrawal
- A listing of substance abuse programs and referral information(see attached list)
- A system for a qualifying patient or the qualifying patient's designated caregiver to document the qualifying patient's pain, cachexia or wasting syndrome, nausea, seizures, muscle spasms, or agitation that includes:
 - i. A log book, maintained by the qualifying patient and or the qualifying patient's designated caregiver, in which the qualifying patient or the qualifying patient's designated caregiver may track the use and effects of specific medical marijuana strains and products
 - ii. A rating scale for pain, cachexia or wasting syndrome, nausea, seizures, muscles spasms, and agitation
 - iii. Guidelines for the qualifying patient's self-assessment or, if applicable, assessment of the qualifying patient by the qualifying patient's designated caregiver
 - iv. Guidelines for reporting usage and symptoms to the physician providing the written certification for medical marijuana and any other treating physicians
 - v. The Medical Director will be responsible for driving policies and procedures for refusing to provide medical marijuana to an individual who appears to be impaired or abusing medical marijuana.

- vi. As per AZDHS rules and Ponderosa ReLeaf policy, the Medical Director shall not provide a written certification for medical marijuana for any qualifying patient

2.1.1.2 DISPENSARY MANAGER AND CULTIVATION SITE MANAGER

The Dispensary Manager and Cultivation Site Manager have responsibility for compliance with AZ DHS regulations, leading day-to-day operations, supervise staff, scheduling, analyze operations for efficiency, lead and support all employees with performance management and are responsible for inventory reconciliation. The Managers (dispensary and cultivation) will hold quarterly meetings to train employees and adherence to confidentiality requirements. They will document this with a dated sign in sheet. Sign in sheets will be on file at both the cultivation and the dispensary.

Both the Dispensary Manager and the Cultivation Site Manager will be responsible for disciplinary actions regarding employees. Some of the reasons for disciplinary action would be not following AZDHS rules, not following security protocol and not performing job requirements to an acceptable level. There will be up to 3 written warnings followed by dismissal. (See Attached Employee Warning Notice)

Essential Duties:

Dispensary Manager and Cultivation Site Manager supervises all personnel at their respective facilities
Direction and oversight of all dispensary or cultivation operations
Performance management goal-setting/reviews of employees
Implement policies and procedures
Opening and closing

2.1.1.3 PATIENT CARE CONSULTANT AND CULTIVATION SITE GROWER

The Patient Care Consultant assists patients about the benefits and side effects about medical marijuana. The patient care consultant also must be knowledgeable about strains, effects and different modalities of medicating with medical marijuana. The primary function of the Patient Care Consultant is to dispense medical marijuana to qualifying patients as per AZDHS rules. The Patient Care Consultant reports to the Dispensary Manager.

Essential Duties:

- Assist/educate the patient with the selection of medicine and other products
- Provide patients with a “menu” of currently available medical marijuana products
- Input/access patient records; confirm identity and eligibility to purchase
- Offer patients all printed information materials
- At the time of each purchase, verify an individual’s status as a qualified patient or caregiver with a valid identification card
- Maintain patient/caregiver records on site or have them reasonably available
- Check for patients’ and caregivers’ medical marijuana 14 day allocation and identification card expiration

- Exclude patients whose identification card or physician recommendation is invalid or has expired

Cultivation Site Grower

The Cultivation Site grower is responsible for irrigation, fertilization, taking cuttings, planting and harvest.

Trimmer

The Trimmer is responsible for taking harvested flowers and trimming off excess leaves.

2.1.1.4 TRAINING

On a daily basis, the manager shall verify that the security alarm system is operational. The manager shall be responsible for ensuring that the Patient Care Consultant verifies the eligibility of each patient to receive medical cannabis and shall confirm said eligibility with the AZDHS. The manager will prepare weekly reports indicating the number of patients seen, the type and quantity of medical marijuana dispensed and the gross revenue generated. All dispensary site reports will be submitted electronically to the Directors on a weekly basis. dispensary directors' will either be onsite or conduct random site visits at each site to ensure compliance with the stated policies.

2.2 QUALIFICATIONS

2.2.1 QUALIFICATIONS FOR DISPENSARY MANAGER:

- 5+ years retail or business operations experience
- BS or MBA preferred
- Leadership experience
- Ability to make informed decisions, complete tasks and problem solve
- Results oriented
- Effective oral and written communication skills
- Computer proficient, can easily learn software

2.2.2 QUALIFICATIONS FOR PATIENT CARE CONSULTANT:

- Ability to dispense medicine accurately and efficiently
- Have knowledge of medical effects of marijuana
- Ability to communicate with other associates and customers in all situations
- Ability to adhere to the highest customer service with staff and the public at all times
- Ability to meet the needs of the staff and patients without direction
- Ability to maintain high standards in a fast paced, constantly evolving environment
- Ability to communicate clearly and effectively in all situations
- Knowledgeable on strains, genetics, growing and effects of cannabis and medication
- Ability to use math skills for Point of Sale (POS) system and cash register
- Needs to have high level of organization, patience, and flexibility

2.3 PERSONNEL SUPERVISION

The Dispensary Manager is responsible for supervising the Patient Care Consultants.

2.4 TRAINING & CONFIDENTIALITY

The Medical Director has developed and will provide training to the dispensary's dispensary agents at least once every 12 months from the initial date of the dispensary's registration certificate on the following subjects:

Guidelines for providing information to qualifying patients related to risks, benefits and side effects associated with medical marijuana

Guidelines for providing support to qualifying patients related to the qualifying patient's self-assessment of the qualifying patient's symptoms, including a rating scale for pain, cachexia or wasting syndrome, nausea, seizures, muscle spasms and agitation

Recognizing signs and symptoms of substance abuse; and

Guidelines for refusing to provide medical marijuana to an individual who appears to be impaired or abusing medical marijuana

Employees will be trained by the medical director to dispense medical marijuana and maintain patient confidentiality using the method below. This will be documented by issuing "Comprehensive Training Completion" certificates to every employee who has completed training in confidentiality, POS operations, patient verification, denial of sale and inventory reconciliation. When multiple employees are trained at once, attendance sheets will be signed and maintained in the dispensary's record books.

When a qualified patient enters the dispensary, he/she must be checked into the waiting area using the Arizona Department of Health Services issued card. The employee must also check for the following signs:

- Use of marijuana with alcohol
- Use of marijuana with illegal psychoactive drugs
- Use of marijuana with prescription medications (this can be asked to the patient to reduce the possibility of adverse drug effects)
- Dose escalation/over-use
- Patient mentions diversion of marijuana to non-cardholders
- Use of marijuana at the dispensary

If the employee sees a high probability of abuse, the patient should be asked to leave the premises. However, if diversion is admitted, then the employee must also report the description of the event to the AZDHS. These incidents are documented in a log that is kept on the premises.

2.4.1 CONFIDENTIALITY

No employee may share patient information with inappropriate people. The following people would be considered inappropriate:

- Other patients
- Competition
- Vendors
- Third parties
- Family members and friends

Any disclosure of confidential information will result in disciplinary action up to and including discharge.

No employee is authorized to speak to the media unless specifically designated by the Directors of Ponderosa ReLeaf.

Only the Directors are authorized to make or approve public statements pertaining to Ponderosa ReLeaf or its operations.

Ponderosa ReLeaf employees are prohibited from giving out any confidential information at any time. What is overheard, seen or directly mentioned to them must not be told to others unless it is an issue that must be relayed to a manager. The following security safeguards for maintaining records and confidential information will be followed:

- Identify all forms in which the information will reside and protect accordingly, whether it is an electronic file or other portable media. Restrict access password protection and use file encryption. Label the file and the media "do not copy or reproduce" and maintain a record of files or media in a control log. The information is proprietary and cannot be reproduced in any form without the express approval of the Directors.
- If transmitted, use only internal transmission. Do not transmit on the Internet using an unsecured connection.

Loss of confidential information at any time will immediately be reported to the Manager and the Executive Director as soon as discovered. A Critical Incident Report (see attached) must also be completed. The form will be given to the Manager for immediate follow-up with the AZDHS.

2.5 PERFORMANCE EVALUATIONS

Performance evaluations will be conducted one time per year and will be based upon patient service, product knowledge, punctuality and adherence to the company's policies and procedures. The attached performance evaluation document will be used as a guideline. (See attached *Hourly Performance Appraisal Form*)

2.6 DISCIPLINARY ACTIONS

Disciplinary actions will include suspension and potentially discharge for repeat violations. Actions will be taken for any violations of the company policies and procedures and will be documented. (See attached *Employee Warning Notice form*)

Arizona is a "at will" employment state. Therefore employees can be terminated without cause.

- a. Description of duties
- b. Compensation
- c. Benefits
- d. Termination
- e. Covenants
- f. Indemnification for third party claims
- g. Mediation and binding arbitration
- h. Limitation of damages

- i. Attorneys' fees and costs
- j. Miscellaneous provisions

RECORDS

Purchases, sales, payroll and other transactions that have generated supporting documents such as invoices and receipts will be maintained. Supporting documents include sales slips, paid bills, invoices, receipts, deposit slips and canceled checks. Employees will be required to keep them in an orderly fashion and in a safe place. For instance, organize them by year and type of income or expense.

EMPLOYEES MUST KEEP THE FOLLOWING RECORDS:

- 1) **Gross receipts:**
 - a) Cash register tapes
 - b) Bank deposit slips
 - c) Receipt books
 - d) Invoices
 - e) Credit card charge slips
 - f) Forms 1099-MISC
- 2) **Purchases:**
 - a) Canceled checks
 - b) Cash register tape receipts
 - c) Credit card sales slips
 - d) Invoices
- 3) **Expenses:**
 - a) Canceled checks
 - b) Cash register tapes
 - c) Account statements
 - d) Credit card sales slips
 - e) Invoices
 - f) Petty cash slips for small cash payments
 - g) Travel, transportation, entertainment and gift expenses
- 4) **Assets:**
 - a) When and how the assets were acquired
 - b) Purchase price
 - c) Deductions taken for depreciation
 - d) Deductions taken for casualty losses, such as losses resulting from fires or storms
 - e) How the asset was used
 - f) Asset sale price
 - g) Expenses of sale

2.7 RETENTION

2.7.1 METHOD(S)

Business records will be maintained using MJ Freeway, QuickBooks and by scanning and storing original documents. Reconciliation will be done using Microsoft Excel or QuickBooks. Receipts and liabilities are kept in paper files and/or electronic files.

2.7.2 TIME-FRAME

Business records will be maintained for 3 years. Patient records will be maintained for 5-years.

3 INVENTORY CONTROL (R9-17-316 (A-E))

Ponderosa ReLeaf will utilize MJ Freeway as its inventory control system.

3.1 INVENTORY CONTROL SYSTEM

Ponderosa ReLeaf will use the inventory reports in MJ Freeway™ GramTracker™ to show current inventory levels, which can also be filtered by day. Each day's ending inventory would be the next day's beginning. Each item has a transaction history that shows every sale (sold weight and actual weight), addition and removal from inventory, as well as providing a date/time stamp of the event and the user id of the person who executed the event. Customizable entries designate reasons for inventory adjustments and varying costs can be associated with these adjustments. Additions can also be made through non-monetary orders with donation information for medical marijuana acquired from qualified patients and caregivers. Purchase orders and invoices will be generated for medical marijuana acquired or provided to another dispensary. All recorded information is visible to users with Admin levels of access only. All purchase transactions are tied to patient records.

Cultivation site shall show rooted plants, date of planting, date of harvest, wet weight of flower, trim and non-usable plant matter. Also, the date of completion of cured product, weight of flower and trim.

A list of nutrients, pesticides and fungicides used in the cultivation of the plants shall be noted for each strain. Each rooted plant shall have a barcode assigned to it. Plants of the same strain shall be batched in inventory and physically marked with a single identifying tag.

Marijuana will be packaged in 1 lb. plastic bags. Each bag will have a bar code with the pertinent information from cultivation including registry ID number, strain, additives, date of harvest and batch number.

3.2 DISPOSAL OF UNUSABLE MARIJUANA

The dispensary will either grind to an unusable form or provide it to local law enforcement to dispose of medical marijuana. Medical marijuana is considered unusable if it is too wet, too dry, moldy, returned by a customer, packaged incorrectly or has become stale. Unusable plant material may be disposed of after recording of the weight through general community accepted disposal services. Such waste disposal may be noted in MJ Freeway. The product will be stored in unmarked bags in the safe room of the dispensary. The disposal documentation will include the description of and reason for the marijuana being disposed of including, if applicable, the number of failed or other unusable plants, the date of disposal, and the method of disposal; and the name and registry identification number of the dispensary agent responsible for the disposal.

The Cultivation Site will burn with the assistance of the local fire department.

Sample form:

Today's Date:	
Dispensary Agent Name:	
Dispensary Agent ID:	
Flowers being disposed: _____ oz./ lbs. (circle one) <input type="checkbox"/> N/A	
Plants being disposed: _____ <input type="checkbox"/> N/A	
Reason for disposal:	
Method of disposal:	

3.3 DESIGNATED DISPENSARY AGENT

The Dispensary Manager is responsible for maintaining the Inventory Control System and will be responsible for documenting when dispensary agents are given access to the Inventory Control system. This documentation will include the date and dispensary agent ID. The Dispensary Manager must also verify that the administration panel of MJ Freeway has stored this information.

3.4 METHODS OF ACQUIRING MEDICAL MARIJUANA

Initially the dispensary will purchase wholesale marijuana from registered dispensaries and will acquire it from qualified patients and caregivers. Ponderosa ReLeaf now has an attached offsite cultivation location to the facility.

When a qualified patient or caregiver donates medical marijuana to the dispensary, the following steps shall occur:

The medical marijuana will be inspected for mold and quality and may be lab-tested by a third party depending on the source.

A Board Member or the Dispensary Manager will be responsible for inspecting the quality of the medical marijuana being donated.

If the marijuana is determined to meet the efficacy standards of the dispensary, the dispensary agent shall document the following using MJ Freeway:

- A description of the medical marijuana acquired including the amount and strain
- The name and registry identification number of the qualifying patient or designated caregiver who provided the medical marijuana
- The name and registry identification number of the dispensary agent receiving the medical marijuana on behalf of the dispensary
- The date of acquisition

USING MJFREEWAY TO DOCUMENT THE PROCESS:

Caregivers can be attached or linked to patients in GramTracker™. Unlimited supporting documents can be uploaded to a patient profile to provide "hard copy" backup (.pdf, .doc, .jpg and many other formats are allowed). Purchase orders are used to receive inventory from 3rd party vendors, patients or caregivers. The dispensary agent shall attach supporting documentation for these 3rd parties using designated data fields and in scans of uploaded documents, such as state-issued licenses.

When Ponderosa ReLeaf purchases wholesale marijuana from another dispensary, the following steps shall occur:

The medical marijuana will be inspected for mold and quality and may be lab-tested by a third party depending on the source.

A Board Member or the Dispensary Manager will be responsible for inspecting the quality of the medical marijuana being donated.

If the marijuana is determined to meet the efficacy standards of the dispensary, the dispensary agent shall document the following using MJ Freeway:

- A description of the medical marijuana acquired including the amount, strain, and batch number
- The name and registry identification number of the dispensary providing the medical marijuana
- The name and registry identification number of the dispensary agent providing the medical marijuana
- The name and registry identification number of the dispensary agent receiving the medical marijuana on behalf of the dispensary
- The date of acquisition

Dispensary agents must use the MJ Freeway™ system to generate purchase orders that include the product vendor, as well as product batch ID, ingredients, weight and other required fields. The batch ID entered from the receiving vendor will follow the marijuana through to the patient and will always tie back to the source of the product.

3.5 PACKAGING

The Patient Care Consultant at the dispensary will use prescription bottles to package the medical marijuana using the following steps:

- Qualifying patient chooses the strain of medical marijuana
- Patient Care Consultant weighs the medical marijuana using the AZDWM-certified scale
- Patient Care Consultant records the weight dispensed using MJ Freeway
- Patient Care Consultant records the transaction in the AZDHS transaction system
- Patient Care Consultant dispenses medical marijuana into prescription bottle using tongs or gloves
- Patient Care Consultant attaches label to bottle
- Patient Care Consultant receives payment for medical marijuana including all state and local taxes
- Patient Care Consultant places prescription bottle in a prescription bag and delivers the medical marijuana to patient
- Tongs and bowls must be cleaned daily

The GramTracker™ system will be used by Ponderosa ReLeaf records each individual item purchased on every order. The software must also be used to capture the weight sold and the actual weight removed from inventory, should these two differ even slightly. This ensures that actual weight distributed to the patient is captured, whether the product is pre-packaged or weighed on an ad hoc basis. The legal for trade .01-gram scale must be used at all times so all actual weights can be captured.

The MJ Freeway™ GrowTracker™ software is to be used to track harvested and cured product and assigns it a batch number and a package ID before it is distributed to the dispensary. Once received into the dispensary inventory, the package ID and associated batch number remain with that unit of inventory until it is distributed to the patient.

Packaging at the Cultivation Site will be in one half pound and one pound sealed bags with a attached bar code for tracking within the MJ Freeway system.

3.6 AUDITS

The individual designated in subsection (A) shall conduct and document an audit of the dispensary's inventory that is accounted for according to generally accepted accounting principles at least once every 30-calendar days.

The software system allows Ponderosa ReLeaf to easily reconcile bulk inventory, even if it is in multiple different locations (shelf, safe, grow, etc.). All products harvested and waste is captured as part of GrowTracker™.

- i) If the audit identifies a reduction in the amount of medical marijuana in the dispensary's inventory not due to documented causes, the dispensary shall determine where the loss has occurred and take and document collective action.
- ii) The MJ Freeway™ Inventory Report shows real-time quantity on hand for every strain and total overall quantity on location. Any action performed on any product is captured within that product's inventory transaction history. The system also allows for unlimited store defined reconciliation justifications. Any type of known reduction can be documented at any time. If the dispensary reconciles inventory with diligence, unexplained reductions in inventory can be dealt with immediately and documented within the appropriate product's history itself.
- iii) If the reduction in the amount of medical marijuana in the dispensary's inventory is due to suspected criminal activity by a dispensary agent, the dispensary shall report the dispensary agent to the Department and to the local law enforcement authorities.
- iv) Every action performed on inventory is time stamped and User/Agent stamped.

3.7 RECORDS RETENTION

Inventory transaction history is held securely on redundant servers and cannot be deleted, even by Admin (full privilege) users. MJ Freeway™ provides a DVD backup of any data, which could be submitted to AZDHS if required. In addition, administrators of the system can produce reports on an ad hoc basis to substantiate any Department request.

4 **PROCEDURE(S): (PROVIDE STEP-BY-STEP INSTRUCTIONS FOR COMPLETING THESE TASKS)

4.1 FOR ACQUIRING MEDICAL MARIJUANA FROM A QUALIFYING PATIENT OR DESIGNATED CAREGIVER:

4.1.1 A. A DESCRIPTION OF THE MEDICAL MARIJUANA ACQUIRED INCLUDING THE AMOUNT AND STRAIN;

Orders used to receive inventory include the actual weight received, as well as the reported weight and any variance and map the received product to specific inventory items in GramTracker™, which include strain, genetics, organic, grow medium, description, etc.

- a. The name and registry identification number of the qualifying patient or designated caregiver, who provided the medical marijuana; Caregivers can be attached or linked to patient profiles in GramTracker™. Unlimited supporting documents can be uploaded to a patient profile to provide “hard copy” backup of identification and state licensure (.pdf, .doc, jpg and many other formats are allowed). Orders are used to receive inventory from 3rd party vendors, patients or caregivers. Supporting documentation for these 3rd parties is captured in designated data fields and in scans of uploaded documents, such as state- issued licenses.
- b. The name and registry identification number of the dispensary agent receiving the medical marijuana on behalf of the dispensary
- c. Orders are used to receive inventory from 3rd party vendors, patients or caregivers Supporting documentation for these 3rd parties is captured in designated data fields and in scans of uploaded documents, such as state-issued licenses. The user ID of the dispensary agent and date/time of a purchase order check-in is captured
- d. The date of acquisition; Receipt of orders and the corresponding increase in inventory levels are all date and time stamped

4.2 FOR ACQUIRING MEDICAL MARIJUANA FROM OR SELLING PRODUCTS TO ANOTHER DISPENSARY:

4.2.1 A. A DESCRIPTION OF THE MEDICAL MARIJUANA ACQUIRED INCLUDING THE AMOUNT, STRAIN, AND BATCH NUMBER;

Purchase orders used to receive inventory include the actual weight received, as well as the reported weight and any variance and map the received product to specific inventory items in GramTracker™, which include strain, genetics, organic, grow medium, description, etc. Batch ID is also required when receiving inventory from a 3rd party. That batch ID will then follow the product through to its sale to the patient.

- 1. The name and registry identification number of the dispensary providing the medical marijuana;
 - a. Purchase orders are used to receive inventory from 3rd party vendors, patients or caregivers. Supporting documentation for these 3rd parties is captured in designated Vendor data fields and in scans of uploaded documents, such as state-issued licenses.
- 2. The name and registry identification number of the dispensary agent providing the medical marijuana;
 - a. Supporting documentation for 3rd party vendors is captured in designated Vendor data fields and in scans of uploaded documents, such as state-issued licenses. The user ID of the dispensary agent checking it in and date/time of a purchase order check-in is captured.
- 3. The name and registry identification number of the dispensary agent receiving the medical marijuana on behalf of the dispensary;
 - a. The user ID of the dispensary agent checking it in and date/time of a purchase order check-in is captured. The user ID captures personal identification information for the dispensary agent, as well as state issued license numbers and scans of identification, licenses and supporting documentation.

Receipt of purchase orders and the corresponding increase in inventory levels are all date and time stamped.

SUGGESTED SUPPLEMENTAL DOCUMENTATION:

- 1) DISPOSAL FORM
- 2) LOSS OR THEFT REPORT FORM

5 QUALIFYING PATIENT RECORDS (R9-17-315 (A-C))

5.1 ESTABLISHING AND MAINTAINING RECORDS

MJ Freeway will be used to establish and maintain qualified patient records. Ponderosa ReLeaf will not deliver medical marijuana to patients and will retain records for inspection by AZDHS using MJ Freeway.

5.1.1 AUTHORIZATIONS

An entity in a qualifying patient record: Is recorded only by a dispensary agent authorized by dispensary policies and procedures to make an entity.

Only those agents with specific permissions to modify a patient record may do so. Those permissions are granted to Dispensary Managers and Patient Care Consultants. Permissions are not mutually exclusive, so a Director could also be granted Patient Access if deemed appropriate by store management.

Dispensary Agents may only access systems using their unique credentials and they are accountable for the use of their unique user ID when transacting, making entries on patient records, etc. If Dispensary Agents are not accountable for their unique credentials then they will be reprimanded with a write up and after 2 write-ups they may be dismissed.

Dispensary Agents are to use the following protocol when logging in/out of the MJ Freeway system and the AZDHS MMJ Verification System:

When Dispensary Agent is checking-in a patient into the dispensary they must be logged into MJ Freeway with their own personal login ID and Password. On the same computer they must also be logged into the AZDHS MMJ Verification System with their unique login ID and Password. The Dispensary Agent is required to verify that each time they move from one computer to the other computer that they are the one logged into both of the above-mentioned websites.

When a Dispensary Agent is dispensing Medical Marijuana they must be logged into MJ Freeway with their own personal login ID and Password. On the same computer they must also be logged into the AZDHS MMJ Verification System with their unique login ID and Password. Once the sale transaction is complete they must enter the amount of medical marijuana dispensed into the AZDHS MMJ Verification System. The Dispensary Agent is required to verify that each time they move from one computer to the other computer that they are the one logged into both of the above-mentioned websites.

When two Dispensary Agents are working together, they must ensure the correct person is logged into MJ Freeway and the AZDHS MMJ Verification System depending on (1) whether they are checking a patient in at the reception desk computer or (2) whether they are dispensing medical marijuana at the POS computer.

5.1.2 ELECTRONIC RECORDS – LIMITATIONS

Is dated and signed by the dispensary agent.

Is not changed to make the initial entry legible.

All transaction information is electronically time and user stamped and recorded into the system. This includes the dispensary agent's registry identification number, and User/Agent login ID is attached to every action performed on a patient record (Patient History). The registry identification number for the dispensary agent is captured in the user ID record.

5.1.3 RECORDS

An entry must be made on the qualified patient record anytime a patient visits the dispensary and enters the dispensing area.

5.1.3.1 PATIENT INFORMATION

Qualifying patient information that includes:

- a. The qualifying patient's name and patient ID number
- b. The qualifying patient's date of birth
- c. The name of the qualifying patient's designated caregiver and ID number, if applicable

This information is natively captured in the system and can be pulled from their driver's license swipe when creating a new record or validating an existing patient.

5.1.3.2 Education & Support Materials Provide

Documentation of any patient education and support materials provided to the qualifying patient or the qualifying patient's designated caregiver, including a description of the materials and the date the materials were provided will be recorded.

Any services that the patient/caregiver utilizes can be captured in the patient profile. Description of the service can be provided in the product description and date and time stamp are generated and recorded by the

completion of an order containing the service. The system can record free of charge items, and the product setup will capture any cost incurred by the dispensary.

5.1.3.3 DENIALS OF SALE

Patients who do not have a valid card, are over the 2.5 oz/14 day medical marijuana limit, have a card revoked by the AZDHS or seem intoxicated will not be allowed to enter the dispensing area of Catalina Hills Care. All available information such as the patient's name, date of birth, ID card, and Qualifying Patient card ID must be recorded using MJ Freeway.

For each time the qualifying patient requests and does not obtain medical marijuana or, if applicable, the designated caregiver requests on behalf of the qualifying patient and does not obtain medical marijuana from the dispensary, the following:

- a. The date

The software can be used to capture date and exact time of any action-taking place in the system.

- b. The name and registry identification number of the individual who requested the medical marijuana

Registry identification will always be associated with an individual's file once they are initially entered.

- c. The dispensary's reason for refusing to provide the medical marijuana

The administrator or manager has permission to add comments to any order, even after it has been closed. Those comments remain with the record.

5.1.3.4 DELIVERY METHOD (IF APPLICABLE)

We will not be delivering medical marijuana unless it is to another dispensary and in such case route plan procedures shall be complied with.

5.1.3.5 CONFIDENTIALITY

There are safeguards to prevent unauthorized access, and the system offers Individual User/ Agent logins, any of which can be disabled or modified by the admin at any time from any location with Internet access. Dispensary agents will be provided setup coaching regarding disabling web browser password memory and other procedural safeguards. When creating user accounts, the software rates the 'strength' of passwords being associated with the user accounts. These and many other features are required to follow HIPAA guidelines for patient security.

The date and time of an entry in a qualifying patient's file is recorded electronically by an internal clock when the event occurs. Any modification to the patient record or patient status change (record created, patient checked-in, order completed, order canceled, etc.) is currently recorded in 'Patient History' along with a time stamp and the user/agent that performed the action.

5.1.3.6 RETENTION

Ponderosa ReLeaf shall maintain the documentation required at the dispensary for five years from the date on the document.

Inventory transaction history is held securely on redundant servers and cannot be deleted, even by Admin (full privilege) users.

6 DISPENSING MEDICAL MARIJUANA (R9-17-314)

Ponderosa ReLeaf shall dispense medical marijuana flowers that can be smoked or vaporized and may procure edibles from another dispensary that is licensed to manufacture infused goods.

6.1 AGENT RESPONSIBILITIES

1. At the time of each purchase, verify an individual's status as a qualified patient or caregiver with a valid identification card
2. Have the individual agree not to distribute medical marijuana to non-patients
3. Have the individual agree not to use the medical marijuana for other than medical purposes
4. Maintain patient/caregiver records on site or have them reasonably available
5. Track when patients' and caregivers' medical marijuana recommendations and/or identification card expires
6. Exclude patients whose identification card or physician recommendation is invalid or has expired, or who are caught diverting medical marijuana for non-medical use

7. Refuse to transfer medical marijuana to any person or entity, even if legally qualified, if there is reason to believe such person or entity is using medical marijuana for non-medical reasons or is likely to divert such medical marijuana to persons or entities unauthorized to possess it under state law
8. Monitor transactions and program controls to prevent a patient and/or caregiver from purchasing more than the legal amount of medical marijuana that a patient may receive in a 14-day period

6.2 ELECTRONIC VERIFICATION SYSTEM (AZDHS POINT OF SALE SYSTEM)

Before a dispensary agent dispenses medical marijuana to a qualifying patient or a designated caregiver, the dispensary agent shall:

1. Verify the qualifying patient's or the designated caregiver's identity
2. Offer any appropriate patient education or support materials
3. Enter the qualifying patient's or designated caregiver's registry identification number on the qualifying patient's or designated caregiver's registry identification card into the medical marijuana electronic verification system
4. Verify the validity of the qualifying patient's or designated caregiver's registry Identification card
5. Verify that the amount of medical marijuana the qualifying patient or designated caregiver is requesting would not cause the qualifying patient to exceed the limit on obtaining no more than two and one-half ounces of medical marijuana during any 14- calendar-day period
6. Enter the following information into the medical marijuana electronic verification system for the qualifying patient or designated caregiver
 - a. The amount of medical marijuana dispensed
 - b. Whether the medical marijuana was dispensed to the qualifying patient or to the qualifying patients designated caregiver
 - c. The date and time the medical marijuana was dispensed
 - d. The dispensary agent's registry identification number
 - e. The dispensary's registry identification number

6.3 DENIAL OF SALE

A sale shall be denied if the qualified patient or caregiver demonstrates unacceptable behavior. Unacceptable behavior shall include appearing at Ponderosa ReLeaf under the influence of alcohol of drugs, failure to comply with a directive issued by a member of the staff or engaging in any other conduct not permitted on the premises.

Upon arrival, patients must show their Qualifying Patient ID and documentation and check in at Reception before entering the Sales Floor. The Patient Care Consultant must verify their ID using the AZDHS

Verification System. Patients will wait in line in the line cue until the next Sales Associate is ready to assist them. Patients exit the dispensary at the same door they entered.

STEP 1: Greet

Greet the patient.

STEP 2: SELECTION

In the "Selection" stage, determine what the patient WANTS (type of medicine), NEEDS (quantity), and can AFFORD (price).

STEP 3: PURCHASE

Once all items have been selected, do a final run-through with the patient, checking every item by name and size to assure it's what the patient wanted to purchase. The patient record in MJ Freeway must be updated with the selection and the AZDHS transaction record must be updated prior to payment.

IF THE SALE IS DENIED FOR ANY REASON, THIS MUST BE RECORDED IN MJ FREEWAY.

STEP 4: PAYMENT

Verbally verify the total amount due.

The orientation of every employee of Ponderosa ReLeaf will include a training session regarding our right to involuntarily dis-enroll any patient from our list of qualifying patients for engaging in unacceptable behavior. Unacceptable behavior shall include appearing at Ponderosa ReLeaf under the influence of alcohol of drugs, failure to comply with a directive issued by a member of the staff or engaging in any other conduct not permitted on the premises. We may also dis-enroll a patient for "disruptive behavior." Disruptive behavior is defined as behavior that substantially impairs our ability to arrange or provide care for you or another qualifying patient member. Patients will be further advised that Ponderosa ReLeaf may decline your enrollment if you have been dis-enrolled for disruptive behavior

SUGGESTED SUPPLEMENTAL DOCUMENTATION:

- 1) COPY OF QUALIFIED PATIENT RECORD

7 PATIENT EDUCATION & SUPPORT (R9-17-313 (C-D))

Patients who enter the dispensary will see a "No Smoking" sign and any patients who are violating this policy will be asked to leave by the Dispensary Manager. The Patient Record – Notes section will be updated with any violations. The police will be called if a patient refuses to leave.

The Medical Director will validate and or update the educational materials on an annual basis and will provide the dispensary with a change log. Patients will be provided with the attached documents.

The Patient Care Consultant will provide the patient with following information:

Documents related to risks, benefits and side effects associated with medical marijuana

Support to qualifying patients related to the qualifying patient's self-assessment of the qualifying patient's symptoms, including a rating scale for pain, cachexia or wasting syndrome, nausea, seizures, muscle spasms and agitation

Recognizing signs and symptoms of substance abuse and contraindications

Ponderosa ReLeaf has developed patient educational materials that are overseen by the Medical Director. The Medical Director shall also train employees using these educational materials. The materials will be reviewed every year and individual strain information will be updated on an ad-hoc basis.

7.1 DEVELOPMENT

Ponderosa ReLeaf will provide education materials distributed to qualified patients and designated patient caregivers which includes:

- Availability & effects of different strains of marijuana
- Methods, forms and routes of administration
- Prohibition on the smoking of medical marijuana in public places
- Alternate medical options
- Information about possible side-effects of and contraindications of marijuana use (including possible impairment with use and operation of motor vehicles or heavy machinery; caring for children; or job performance)
- Information about potential drug-to-drug interactions to include alcohol, prescription drugs, non-prescription drugs and supplements
- Techniques for the use of medical marijuana and marijuana paraphernalia
- Signs and symptoms of substance abuse to include tolerance, dependency and withdrawal
- A list of substance abuse programs and referral information

7.1.1 DISTRIBUTION

The dispensary will distribute educational material to patients prior to their medical marijuana purchases. The acceptance or refusal of patient educational materials will be documented in MJ Freeway.

Steps:

The Patient Care Consultant will offer educational materials to the patient.

If the patient accepts the educational materials, the patient record will be updated with the acceptance.

If the patient rejects the educational materials, the patient record will be updated with the rejection.

This will be made available to AZDHS upon request.

7.1.2 DOCUMENTATION

MJ Freeway will be used to track the distribution of education and support materials to qualified patients and caregivers.

7.1.3 TRACKING EFFECTS

A patient logbook and scales to document the qualified patient's pain, cachexia or wasting syndrome, nausea, seizures, muscle spasms, or agitation will be distributed with guidelines for self-assessment and reporting guidelines that the patient can provide to the certifying physician.

8 GENERAL (R9-17-310 (A)(4))

8.1 POLICY & PROCEDURE REVIEW

Policies and procedures will be reviewed every year and a change log will be maintained with updates that have been updated in every subsequent version. The reviews are documented with the changes, the officer(s) that approved the changes, and will be made AZDHS to verify the review process.

9 SECURITY (R9-17-318)

9.1 AUTHORIZED ACCESS

The dispensary and cultivation site will be locked at all times unless a principal officer, board member, or authorized dispensary agent is entering or exiting the facility. Ponderosa ReLeaf will not allow any individual who is not a principal officer, board member, or dispensary agent into the dispensary or cultivation site. Only qualified patients and caregivers will be allowed into the retail area after their state-issued cards have been verified in the waiting area. There will be a "No Loitering" sign posted outside the dispensary and cultivation site. Law enforcement will be notified if any suspicious activity is observed. Employees must conduct daily checks of the security cameras and recording system at the start of every shift. If a problem is detected with the electronic monitoring system, it must be logged in the Critical Incident Report under "Alarm/Monitoring". Employees must activate a panic button when an immediate danger is posed in situations such as a bomb threat, forced intrusion, robbery, hostage situation, active shooter, or other critical incident.

9.2 UNAUTHORIZED ACCESS

A Monitronics alarm system has been installed at Ponderosa ReLeaf which includes motion detection, door/window sensors, glass-break sensors and will provide push notifications to directors' mobile phones if there is an intrusion. Panic buttons have been installed in key locations in both the dispensary and cultivation site and certain staff will have wearable panic buttons. Video cameras with motion detection have also been installed in critical locations. Additional infrared perimeter lighting and incandescent lighting is installed at the cultivation site to identify any possible breach of the fence line. The lighting makes visible for recording purposes any possible intruders 24 hours per day. Video backup shall be maintained for a 30 day period and cameras are supported by a one hour UPS protector for back-up.

9.3 IDENTIFICATION

Staff will be required to wear badges at all times and will be provided unique access codes to the dispensary. Employee only areas are marked and storage areas will be locked at all times. Storage areas may only be accessed under the supervision of the dispensary manager.

9.4 SECURITY EQUIPMENT

The building will be equipped with the following:

- Cameras and DVR
- Access controls for all necessary doors (e.g. - inventory room).
- Safe for excess money
- Exterior and interior lighting during non-business hours
- State of the art alarm system

The cultivation site will be equipped with the following:

- Cameras and DVR
- Access controls all necessary doors(e.g.-inventory room)
- Safe room for storage of excess product
- Exterior infrared or low level lighting during non-business hours
- Panic button alarm system

9.4.1 INTRUSION DETECTION

The Monitronics alarm system provides sophisticated alerting for intrusion detection.

9.4.2 EXTERIOR LIGHTING

All areas within the building will be properly lit, to include the main lobby, stairwells, hallways and common areas.

Security lights throughout the building will be lit 24 hours a day.

All lights, to include emergency lighting, will be maintained in good repair and inspected regularly.

Lighting that will sufficiently illuminate all portions of the establishment and patron parking areas, consistent with Pinal County Policy for exterior and site lightening.

Lights will be positioned strategically in all establishment and patron parking areas, and will be constructed of vandal resistant light fixtures, all which will be consistent with the Pinal County policy for exterior and site lightening.

All lights will be maintained in good working order and repaired and inspected regularly.

9.4.3 ELECTRONIC MONITORING

Electronic monitoring is being provided using the Swann D-1 and 10 PRO-536 multi-purpose cameras with a 720x480 resolution.

Camera locations:

- Front of building (exterior)
 - Lobby area
 - Reception area
 - Dispensing area
 - Storage room
 - POS
 - Back of building (exterior)
 - Hallway
1. A Monitronics/Alarm.com alarm system with panic buttons that communicates via radio with customer interaction from any computer and most smart phones. Also includes open / close reports and the ability to set alerts and control thermostats. Devices that have been installed include 1 keypad, 2 motion detectors, 3 door contacts and 2 panic buttons.
 2. Install camera system including 5 indoor cameras and 4 exterior cameras to provide coverage of all entrances to and exits from the building. The cameras are positioned to identify any activity occurring in or adjacent to the building. The battery backup to the camera system lasts for 30 minutes. All recorded and live video is web based and can be viewed from any computer and most smart phones.

Cameras will be distributed in the following locations with additional cameras being added as necessary:

- At the point of sale - dispensary agents must identify the qualifying patient or caregiver and ensure that they fall within the POS camera's line of sight
- In the storage area – although the cameras are capable of identifying activity occurring within the storage room in low light conditions, employees must ensure that items are not blocking the storage room camera's line of sight.
- The alarm handler is a feature of the D-1 and includes the following failure notification system that provides an audible and visual notification of any failure in the electronic monitoring system including email and text messaging

Alarm triggers

- External sensors (dry contacts)
- Motion detection (via VMD)
- Loss of video

Programmable actions

- Alarm verification (pre / post) high resolution video clip send to central station and/or mobile device

9.4.4 PANIC BUTTONS

The panic buttons are located in the reception area, the dispensing area, and the storage area. They are to be activated anytime a critical incident occurs.

An alarm system has been installed at the cultivation site which includes motion detection, door sensors. Panic buttons have been installed in key locations in both the dispensary and cultivation site and certain staff will have wearable panic buttons. Video cameras with motion detection have also been installed in critical locations. Additional infrared perimeter lighting and incandescent lighting is installed at the cultivation site to identify any possible breach of the fence line. The lighting makes visible for recording purposes any possible intruders 24 hours per day. Video backup shall be maintained for a 30 day period and cameras are supported by a one hour UPS protector for back-up.

9.4.5 LOITERING

There will be a “No Loitering” sign posted outside the dispensary and cultivation site. Law enforcement will be notified if any suspicious activity is observed. Employees must conduct daily checks of the security cameras and recording system at the start of every shift.

9.4.6 TRANSPORTATION

A dispensary agent may transport marijuana, marijuana plants, and marijuana paraphernalia between the dispensary and:

- The dispensary's cultivation site
- A qualifying patient
- Another dispensary

9.4.6.1 TRIP PLANS (IF APPLICABLE)

A dispensary agent must complete a trip plan anytime medical marijuana is being transported to or from the dispensary or to or from the cultivation site.

9.4.6.1.1 CONTENTS

The trip plan must include:

1. The name of the dispensary agent in charge of transporting the marijuana
2. The date and start time of the trip
3. A description of the marijuana, marijuana plants, or marijuana edibles being transported; and
4. The anticipated route of transportation
5. The dispensary agent must provide a copy of the trip plan to the dispensary

9.4.6.1.2 AGENT RESPONSIBILITIES

Authorized dispensary agents may transport marijuana and marijuana plants between the dispensary and the cultivation site, a qualifying patient, and another dispensary. Before transporting the above items, a dispensary agent must use the shipping module in MJ Freeway and record the following information to create a trip plan.

- The name of the dispensary agent in charge of transporting the marijuana
- The date and start time of the trip
- A description of the marijuana or marijuana plants being transported including the strain, amount (weight/units), number of plants (if applicable) and batch number (if applicable)

The dispensary agent must plan the anticipated delivery route. A copy of the trip plan must also be kept with the dispensary agent transporting the items. Details regarding the trip should not be shared with anyone outside the dispensary. When loading the items, employees must arrange items in a manner that will not draw attention during the trip. Before beginning the trip, employees must ensure that marijuana or marijuana plants are not visible. If the employee passes through a documented cellular “dead zone”, he/she must call the dispensary when cell phone service is available if another employee is trying to contact him or her. Violations of this policy may result in immediate termination of employment.

After the trip has been completed, the employee must document the end time of the trip and any deviations from the original trip plan. The trip plan must then be filed in a manner that makes it easily accessible. If the AZDHS requests a copy of a trip plan, it must be provided within one business day.

9.4.6.1.3 RECORD/ RETENTION

MJ Freeway™: GrowTracker™ has a wholesale module that will allow for shipping manifests and a trip plan that includes this information.

9.4.6.1.4 VERIFYING ACCESS PRIVILEGES

Only employees who have completed a background check and received their dispensary agent cards will be allowed on premises. This will be implemented by providing them a key to the dispensary and a unique code with the Monitronics alarm system.

Access to the cultivation site is limited solely to dispensary agents. Only authorized dispensary agent personnel with keys to the locked gates have access to the property. As the need arises repair, maintenance personnel and grow-site consultants will be granted limited access to the cultivation site. Individuals will be escorted at all times by a dispensary agent. The individuals' drivers' license number and reason for access will be noted on the security log.

9.4.6.1.5 TRANSPORTING OR DELIVERING MARIJUANA PLANTS

Authorized dispensary agents may transport marijuana and marijuana plants between the dispensary and the cultivation site, a qualifying patient, or another dispensary. Before transporting the above items, a dispensary agent must use the shipping module in MJ Freeway and record the following information to create a trip plan:

1. The name of the dispensary agent in charge of transporting the marijuana
2. The date and start time of the trip
3. A description of the marijuana or the marijuana plants being transported including the strain, amount (weight/units), number of plants (if applicable) and batch number (if applicable)

The dispensary agent must plan the anticipated route of transportation. A copy of the trip plan must be kept with the dispensary agent transporting the items. Details regarding the trip should not be shared with anyone outside the dispensary.

9.4.6.1.6 CONDUCTING ELECTRONIC MONITORING

At both the dispensary and the cultivation site, on a daily basis, the manager shall verify that the security alarm system is operational. The manager shall also check that all cameras are functional.

9.4.6.1.7 PROHIBITING LOITERING

There will be a "No Loitering" sign posted outside the dispensary and cultivation site. Law enforcement will be notified if any suspicious activity is observed. Employees must conduct daily checks of the security cameras and recording system at the start of every shift.

9.4.6.1.8 USE OF PANIC BUTTONS

If the following situations occur, panic buttons must be utilized immediately:

- A robbery or invasion of Ponderosa ReLeaf property or private property located on Ponderosa ReLeaf premises
- Bomb threats to company facilities
- Assaults, attacks, molestation, or threats upon employees while on company property or in the performance of their work

A CRITICAL INCIDENT REPORT MUST BE FILED FOR ANY SUCH EVENT.

9.5 CRITICAL INCIDENT REPORT FORM

Case number: _____

Name	
Title	
Date	
Date of Incident	
Time	
Time of Incident	
Incident (Check all that apply)	
Alarm/Monitoring	
Assault	
Break-In/Burglary	
Confidential Information Breach	
Inventory Loss	
Inebriated Employee	
Fire	
Medical Emergency	
Property Damage	
Sexual Harassment	
Temperature	
Water Leak	
Other	
Theft	

The above incident has been reported to the Arizona Department of Health Services

Yes **No**

Comments:

(Refusal)

DENIAL IS FOR VER 2.502

7.3 DENIAL OF SALE FOR BEING UNDER INFLUENCE

MORE SPECIFIC - WHAT ACTIONS MORE CLEAR ON BEHAVIOR

SUGGESTION - COMBINE DENIAL OF SALE →

REFUSE SALE → CONDUCT

OVER AMT. CARE NOT VALID

PATIENTS DIRECTED TO PERSONAL PHYSICIAN

MUD DIRECTOR TO GIVE GUIDANCE -

20 WCE / MONTH 8. DISPENSARIES

2.6 * ATTACH PERFORMANCE EVALUATION FORM

↳ FORM REFLECTIVE OF POLICY & PROCEDURE

2.7 - AT WILL EMPLOYMENT

CONTRACT TEMPLATE - ELIMINATE

INSERT

OPTIONS FOR DISCIPLINE

1ST WARNING ETC.

2ND DAY OFF (EXAMPLE)

3RD TERMINATION

→

JOHN - DATA DOCTORS

3.1 RECORDS

NEED DIRECTION ON EMPLOYER

(MORE ASSERTIVE DIRECTIONS

ON POLICY

HOW ARE WE GOING TO KEEP RECORDS

→ QUICK BOOK

→ SPREADSHEETS

RETENTION

KEPT IN FILES

REFUSAL — EMPARCOMBUT
 VS ^{↑ (SUBJECT)}
 DENIAL LOG — VOID, LOST, EXPIRED, OVER LIMIT

QUARANTINED PATIENT

DATE	NAME OR DESCRIPTION	TIME OF DAY	DESCRIPTOR OF EVENT OR REASON FOR DENIAL
------	---------------------	-------------	--

~~PRODUCTION~~ CULTIVATION

2.1 JOB DESCRIPTION
 GENERAL MANAGER — ASST
 TRIMMERS → PERSONNEL SUPERVISION
 IRRIGATION SPECIALS
 SECURITY

CONFIDENTIALITY & TRAINING

* PERFORMANCE EVALUATION

~~TABLE~~
~~NOTE THAT~~
~~TOP PART~~

→ ATTACH FORM TO BALM

DISCIPLINARY — REPORTED TO DISPENSARY

→ FORM OR PROCESS

4.2 BOKASHI → ~~ELIMINATED~~ — PUT IN ~~GRAND~~ LOCAL BURN/PD

FROM CARUGI

4.4 STRICTLY DONATION

~~INGREDIENT~~ LIST ADDITIVES LIST

HOW PACKAGING — JAR

HOW BATCHED — MS FREWAM

CAREGIVER FORM

TRIMMER
CARD

4.5 PACKAGING

PACKAGING FOR CULTIVATION SITE

UPDATE - PAGE ON ~~THE~~ FRONT

10.4.4 PANIC BUTTON MOVE INFO FROM 10.2 UNAUTHORIZED ACCESS

Paul ←

- COPY OF SCALE CERTIFICATION —
- PICTURE WITH DATE STAMP —
- QUARTERLY TRAINING & CONFIDENTIALITY
SIGN IN SHEET ON FILE
- PERFORMANCE EVALUATIONS
- AUDIT OF PLANTS —
- REGISTRY ID # — UNABLE TO PRINT
- NEED TO PRINT LABEL

~~WHEN PATIENT IS IMPAIRED & REFUSED~~

~~STBPN~~

- NEED TO KEEP LOG FOR DENIAL
- REASONS CARD REVOKED
 - OVER LIMIT
 - EXPIRED CARD

QUALIFIED
PATIENT

DATE	NAME OR DESCRIPTION	TIME OF DAY	DESCRIPTION OF EVENT OR REASON FOR DENIAL
------	---------------------	-------------	---

PZ-C-001-15



PINAL COUNTY
wide open opportunity

MEETING DATE: March 19, 2015

TO: PINAL COUNTY PLANNING & ZONING COMMISSION

CASE NOS.: **PZ-C-001-15 (Cell Towers in PAD's)**

CASE COORDINATOR: Steve Abraham

REQUESTED ACTION & PURPOSE:

PZ-C-001-15: DISCUSSION/APPROVAL/DISAPPROVAL to initiate, in accordance with A.R.S. § 11-813(D) and PCDCS 2.165.030.A and at the request of the Pinal County Community Development Department, zoning regulation amendment to Title 2 of the Pinal County Development Services Code amending Section 2.205.040 to consider adding language that would allow new wireless communications facilities to be permitted through a Special Use Permit process in areas zoned with Planned Area Development (PAD) overlay district zoning.

HISTORY: The current zoning ordinance requires a two step process to permit new cell tower is in areas that have PAD overlay zoning. The first step is to modify/amend the PAD, the second would be to apply for a Special Use Permit.

ANALYSIS: This request is to initiate a text amendment to Title 2 of the Pinal County Development Services Code amending section amending Section 2.205.040 to consider adding language that would allow new wireless communications facilities to be permitted through a Special Use Permit process in areas zoned with Planned Area Development (PAD) overlay district zoning. Approval of this code amendment would allow Cell tower providers to only request a SUP, rather than a PAD amendment and an SUP.

STAFF RECOMMENDATION: Staff recommends the Commission approve Case PZ-C-001-15 to initiate the Ordinance Amendment and allow Staff to proceed with the Zoning Ordinance Amendment process. Staff will begin the standard public outreach process and report back to the Commission in the coming months.

Date Prepared: 3/13/15 – sja
Revised:

COMMUNITY DEVELOPMENT
PLANNING DIVISION

Chapter 2.205
WIRELESS COMMUNICATIONS FACILITIES

Sections:

- 2.205.010 Purpose.
- 2.205.020 Applicability.
- 2.205.030 Definitions.
- 2.205.040 General provisions for all wireless communication facilities ("facilities").
- 2.205.050 Design standards.
- 2.205.060 Permitted use.
- 2.205.070 Exempt facilities.
- 2.205.080 Application process and requirements.

2.205.010 Purpose.

To regulate the placement of wireless communications facilities; to establish zoning standards that will protect the integrity, character and identity of neighborhoods; to encourage co-location, stealth design and camouflaged facilities; to maximize the use of existing communication towers; and to minimize the adverse visual effects of towers through careful design, siting and screening. [Ord. PZ-C-005-10 § 1].

2.205.020 Applicability.

All wireless communications facilities shall be subject to this section except for commercial radio and TV, amateur radio, wireless communication facilities used by a governmental agency for its governmental functions, wireless communication facilities used exclusively by public educational institutions for its communication purposes, and devices necessary for the use of a subscription to a commercial wireless provider service such as wireless internet and satellite TV. [Ord. PZ-C-005-10 § 1].

2.205.030 Definitions.

"Antenna" means any exterior transmitting or receiving device mounted on a tower, building or structure and used in communications that radiates or captures electromagnetic waves, digital signals, analog signals, radio frequencies (excluding radar signals), wireless telecommunications signals or other communication signals.

"Exempt" means facilities that are not required to obtain a special use permit as required in PCDSC 2.151.010. Such facilities are required to attend the pre-application meeting and meet the requirements set forth in PCDSC 2.205.040 and 2.205.050.

"Tower, communications" means a structure that is designed and constructed primarily for the purpose of supporting one or more antennas for telephone, radio and similar communication purposes, including monopole towers. The term includes radio and television transmission towers, microwave towers, common-carrier towers, cellular telephone towers, stealth tower structures and the like.

"Wireless communications facilities" means any combination of one or more antennas, towers and/or structures with equipment used for the transmission of wireless communications except for commercial radio and TV, amateur radio, wireless communication facilities used by a governmental agency for its governmental

functions, wireless communication facilities used exclusively by public educational institutions for its communication purposes and devices necessary for the use of a subscription to a commercial wireless provider service such as wireless Internet and satellite TV. [Ord. PZ-C-001-13 § 6; Ord. PZ-C-005-10 § 1].

➔ **2.205.040 General provisions for all wireless communication facilities ("facilities").**

- A. Attachment to Existing Structure. The antennas must be attached to an existing pole or structure that has been in existence for at least one year and that otherwise meets applicable provisions of this chapter to be considered a co-location with the exception of antennas located on new utility poles/towers.
- B. Building Permit. A building permit is required for all facilities, new or co-locations, and accessory structures.
- C. Certification. A certification is required from a licensed engineer that the facilities will comply with all Federal Aviation Administration ("FAA"), Federal Communication Commission ("FCC") and other applicable regulations.
- D. Co-Location. Monopole and lattice tower facilities shall be designed in a manner that will allow for the co-location of at least one additional antenna array on the facility.
- E. Parking. One parking space for the maintenance of the facility must be provided on site. Said parking space shall be treated with materials which reduce the emission of dust.
- F. Removal and Restoration. When the operation of the wireless communications facilities is discontinued for a period of six months or a special use permit expires, the facilities shall be removed and the site shall be restored to its natural state and topography and vegetated consistent with the natural surroundings at the expense of the owner of the facility.
- G. Signs. No advertising is permitted anywhere upon or attached to the facilities. Signage is limited to small nonilluminated warning and identification signs.
- ➔ **H) Special Use Permit.** Facilities that are not a permitted use within a zone or facilities that do not meet the requirements of PCDSC 2.205.050 require a special use permit ("SUP").
- I. Storage. Long-term vehicle storage and other outdoor storage are prohibited.
- J. Structurally Engineered. All communications towers, poles and co-location structures must be structurally engineered to show they are capable of supporting the proposed facilities and will meet the requirements of the county-adopted building code. [Ord. PZ-C-005-10 § 1].

2.205.050 Design standards.

- A. Color. The color of wireless communication facilities shall be compatible with the surrounding environment. Muted colors, earth tones, and subdued hues, such as gray,

shall be used. All associated structures such as equipment buildings, including the roofs, shall be painted with earth tone colors.

B. Fencing. New facilities, other than flagpoles, utility poles, or other camouflaged facilities, shall be enclosed by an eight-foot-tall solid masonry wall to prevent trespass.

C. Generators. All permanent generators associated with any facilities shall be located behind the eight-foot-tall solid masonry wall.

D. Ground-Mounted Equipment. Ground-mounted equipment shall be located behind an eight-foot-tall solid masonry wall.

E. Lighting. Lighting on any new facility is prohibited unless required by the FAA or by other applicable state or federal requirements. Motion detector security lighting may be approved if the lights are fully shielded. Any outdoor lighting requires a separate lighting permit.

F. Stealth Design. New communication towers located on a parcel adjacent to residential zones shall be stealth design. A stealth facility shall be designed and constructed in a scale substantially in conformity with and/or architecturally integrated with surrounding building designs or natural settings to minimize the adverse visual impact and ensure the facility is compatible with the environment in which it is located. Methods of stealth design include:

1. Design that mimics surrounding vegetation such as palm trees (monopalms), pine trees (monopines) and saguaro cacti.

- a. Setback requirements for monopalm, monopine, and saguaro cactus facilities:

- i. The facility shall be required to meet setback requirements of primary buildings or structures of the zone in which they are located, unless otherwise specified herein.

- ii. If a facility exceeds the height requirements of the zone in which it is located, the facility shall be set back from the property line that abuts land located in a rural or residential zone by one foot for every one foot in height of the facilities.

- iii. If a facility exceeds the height requirements of the zone in which it is located, the facility shall be set back from the property line that abuts land located in zones other than rural or residential by one foot for every one foot in height above the maximum height permitted in the zone in which the facility is to be located.

- b. Monopalm facilities shall conform to the following development standards:

- i. Not to exceed 70 feet in height;

- ii. Antennas shall be located within the palm frond cluster and painted a green color to match the palm fronds;
 - iii. No antennas shall extend beyond the palm frond coverage;
 - iv. Monopalm shall contain a minimum of 55 palm fronds;
 - v. The trunk of the monopalm shall be clad with faux bark starting at the base (at grade) to the height of the first palm frond;
 - vi. Co-location on a monopalm facility shall be limited to antennas located within the trimmed leaf cluster (often referred to as the "pineapple" or "bulb") of the monopalm trunk, located below the base of the palm fronds;
 - vii. The diameter of the pole shall not exceed 26 inches at its widest point, with the exception of the trimmed leaf cluster;
 - viii. No climbing pegs are permitted on the pole structure; and
 - ix. There shall be no unpainted metal on the monopalm facility.
- c. Monopine facilities shall conform to the following development standards:
- i. Not to exceed 90 feet in height;
 - ii. Antennas shall be mounted within the foliage of the monopine and all branches at the height of the antennas shall extend beyond the antenna panels and all mounting hardware;
 - iii. All branches shall be arranged in a natural order with the widest branches at the lowest portion of the monopine tapering to the shortest branches at the top of the monopine;
 - iv. Antennas shall have camouflaged foliage covers;
 - v. The monopine branches shall have a density of 2.5 branches for each one vertical foot of pole;
 - vi. The monopine branches shall begin at no greater than 12 feet above finished grade and continue to the top of the pole;
 - vii. The monopine shall be painted a color to match the appearance of the surrounding pine trees;
 - viii. The trunk of the monopine facility shall be constructed to incorporate full bark cladding provided on the tree trunk starting at the base (at grade) to the top of the monopine;

- ix. The diameter of the pole structure shall not exceed 36 inches at the base and shall taper to no greater than 28 inches at the top of the monopine;
- x. All cables shall be concealed within the pole structure;
- xi. No climbing pegs are permitted on the monopine structure; and
- xii. There shall be no unpainted metal on the monopine facility.

d. Saguaro cacti facilities shall conform to the following development standards:

- i. Not to exceed 50 feet in height;
- ii. The diameter of the pole structure shall not exceed 30 inches at its widest point;
- iii. The saguaro cactus facility shall be painted and designed to mimic a natural saguaro cactus;
- iv. Antenna panels and cables shall be entirely concealed within the cactus structure;
- v. No climbing pegs are permitted on the pole structure; and
- vi. There shall be no unpainted metal on the saguaro cactus facility.

2. Using church steeples, clock towers, bell towers, roof features or other such vertical architectural elements to conceal antennas and equipment.

- a. All antennas, mounting hardware and cables shall be completely concealed within the structure.
- b. Equipment cabinets, service panels and service connections shall be screened by a solid wall, painted to match the structure. [Ord. PZ-C-005-10 § 1].

2.205.060 Permitted use.

A. Applicable Zones. Wireless communications facilities are a permitted use in CI-B, industrial buffer zoning district; CI-1, light industry and warehouse zoning district; CI-2, industrial zoning district; C-3, general commercial zoning district; I-1, industrial buffer zoning district; I-2, light industrial and warehouse zoning district; and I-3, industrial zoning district.

B. Setback Requirements.

1. Wireless communication facilities shall be required to meet the setback requirements of primary buildings or structures of the zone in which they are located, unless otherwise specified herein.

2. If a facility exceeds the height requirements of the zone in which it is located, the facility shall be set back from the property line that abuts land located in a rural or residential zone by one foot for every one foot in height of the facilities.
3. If a facility exceeds the height requirements of the zone in which it is located, the facility shall be set back from the property line that abuts land located in zones other than rural or residential by one foot for every one foot in height above the maximum height permitted in the zone in which the facility is to be located. [Ord. 011812-ZO-PZ-C-007-10 § 23; Ord. PZ-C-005-10 § 1].

2.205.070 Exempt facilities.

The following are exempted from obtaining an SUP, but are not exempted from attending the pre-application meeting and the requirements set forth in PCDSC 2.205.040 and 2.205.050:

- A. Building-mounted antennas on nonresidential structures where the equipment does not extend beyond 12 inches from the face of the building and the equipment is painted to match the building.
- B. Rooftop-mounted equipment on nonresidential buildings where the equipment is 10 feet or less in height and is fully screened from view.
- C. Co-locations on existing communication poles or towers where the antenna array width is four feet or less or the width of the antenna array does not exceed the width of the largest existing array on the pole or tower.
- D. Co-locations on existing school and park ball field light poles or towers that add no more than 12 feet in height to the pole or tower and the antenna array width is four feet or less.
- E. Co-locations on existing electrical utility poles with a minimum of 69 kilovolts that add no more than 12 feet in height to the pole and the antenna array width is four feet or less.
- F. Co-locations on existing electrical utility lattice towers with a minimum of 69 kilovolts that extend no more than three feet from the tower.
- G. Co-locations on existing flagpoles (stealth) that are no more than 16 inches in diameter, and all pole-mounted equipment is located inside the pole.
- H. Stealth designed facilities in nonresidential zones. [Ord. PZ-C-001-13 § 6; Ord. PZ-C-005-10 § 1].

2.205.080 Application process and requirements.

- A. A pre-application meeting is required except where the facilities are a permitted use.
- B. Pre-Application Meeting Procedure. Schedule a meeting to gather information and review the applicable procedure. The following information is required:

1. Legal description and parcel number of the subject property;
2. A site plan showing the location of the facilities; and
3. Drawings of the equipment and facilities.

C. When the facility is a permitted use within a zone or an exempt facility, the applicant shall, as part of their building permit, submit:

1. A scaled site plan with sufficient information to show that the facility meets all design criteria in PCDSC 2.205.050 and other conditions of this title are met. The site plan shall also contain:

- a. Access.
- b. All appurtenances.
- c. Antenna diagrams, including the width of the antenna arrays.
- d. Elevations.
- e. Equipment area.
- f. Parking area.
- g. Screen wall.
- h. Setbacks.
- i. Surrounding zoning.
- j. Any other information deemed necessary by the county.

2. Before and after photo simulations showing the tower and the surrounding area.

3. Descriptions of the proposed colors for the facility.

D. When the facility is not a permitted use within a zone, or does not meet the criteria described in PCDSC 2.205.050, the applicant shall follow the SUP procedure as set forth in PCDSC 2.150.020. Applicants for an SUP for a wireless communication facility shall be required to submit as part of the SUP application the following:

1. A map that shows all other wireless communications monopoles or towers, regardless of ownership, within two miles of the proposed site;
2. A written narrative which describes any neighborhood opposition, either written or verbal, received by the applicant;
3. A scale elevation drawing which shows the height and configuration of the monopole or tower, including the location of the antennas;

4. A scale site plan which shows the width of the antenna array, access, parking and any ground-based equipment;
5. A description of the proposed color for the antennas and for the monopole or tower;
6. A description of possibilities for camouflage that have been explored, and why the proposed option was chosen;
7. A description of alternative sites that have been explored;
8. A description of the possibility for co-location on existing monopoles, towers, or electrical poles and towers that have been explored;
9. A description of possibilities for using a greater number of shorter monopoles or towers in place of the proposed facility;
10. Information on provisions for removal of the monopole or tower after it is no longer being used;
11. Information on the willingness of the landowner and the service provider to allow other service providers to co-locate on the proposed facility; and
12. A description of potential gaps that could impede the provision of services if this monopole or tower is not approved. [Ord. PZ-C-001-13 § 6; Ord. PZ-C-005-10 § 1].

The Pinal County Development Services Code is current through Ordinance PZ-C-002-13, passed October 30, 2013.

Disclaimer: The Clerk of the Board's Office has the official version of the Pinal County Development Services Code. Users should contact the Clerk of the Board's Office for ordinances passed subsequent to the ordinance cited above.

County Website: <http://pinalcountyz.gov/>
(<http://pinalcountyz.gov/>)
County Telephone: (800) 208-6897
Code Publishing Company
(<http://www.codepublishing.com/>)

Chapter 2.151
PERMITS: SPECIAL USE, SPECIAL DENSITY, TEMPORARY USE AND SPECIAL
EVENT

Sections:

- 2.151.010 Special use permit (SUP).
- 2.151.020 Special density permit (SDP) for assisted living.
- 2.151.030 Temporary use permit (TUP).
- 2.151.040 Special event permit.

2.151.010 Special use permit (SUP).

The commission and the supervisors recognize and permit certain uses that because of their inherent nature, extent and external effects require special care in the control of their location, design and methods of operation to ensure that their location in a particular district is appropriate, to ensure the use is made compatible with the permitted uses in a specific zoning district or other adjacent permitted uses which may be adversely affected and to ensure the public health, safety and general welfare are protected. Such uses are designated as special uses and allowed only with a special use permit (SUP). This section sets forth procedures for submitting, reviewing and approving an application for a special use permit and for the issuance of such permits.

A. Special Uses.

1. The following list of special uses is for consideration only for the following zoning districts: SR, SH, CAR, GR, CR-1A, CR-2, CR-3, CR-4, CR-5, TR, CB-1, CB-2, CI-B, CI-1, CI-2, MH, RV, MHP, and PM/RV.
 - a. Airport, heliport or landing field.
 - b. Amusement park or outdoor theater.
 - c. Cemetery or mausoleum.
 - d. Circus or carnival grounds.
 - e. Community building or recreation field.
 - f. Hospital, clinic or institution, nursing home, convalescent home, group home of 11 or more residents and assisted living center. An "assisted living center" is defined as a residential care institution that provides or contracts to provide supervisory care services, or directed care services for 11 or more residents. No such nursing home, convalescent home, group home or assisted living center shall be located on a lot with a property line within 1,200 feet, measured in a straight line in any direction, of the lot line of another such facility.
 - g. Medical Marijuana Dispensary. A medical marijuana dispensary is permitted as a conditional use subject to the conditions as set out in Chapter 2.191 PCDSC.

- h. Privately and commercially operated recreational lake, swimming pool or tennis court.
- i. Public or governmental buildings.
- j. Race track.
- k. Signs.
- l. Sport arena.
- m. Stable.
- n. Zoo, public or private.
- o. Such other uses as the planning commission may deem appropriate in the public interest.

2. Special uses for zoning districts RU-10, RU-5, RU-3.3, RU-2, RU-1.25, R-43, R-35, R-20, R-12, R-9, R-7, MD, MR, AC-1, AC-2, AC-3, O-1, O-2, C-1, C-2, C-3, I-1, I-2, I-3, MH-8, MHP-435, PM/RVP-435 will be found under the specific zoning district. If a special use is not listed in a specific zoning district, it is prohibited.

B. SUP General Provisions.

1. A special use permit is granted at the discretion of the supervisors, and nothing in this title shall be construed to require the granting of a special use permit.
2. A special use is not a matter of right and refusal to grant a special use permit is not the denial of a right.
3. An SUP granted prior to February 18, 2012, shall be permitted to continue; provided, that it is operated and maintained in accordance with the conditions prescribed at the time it was granted, if any.
4. An SUP granted under the provisions of this section runs with the land covered by the SUP and shall be binding on the property owner and where applicable also the lessee of the property covered by the SUP.
5. An SUP authorizes a use to be developed in a particular way as specified by the permit and its conditions.
6. An SUP imposes on the applicant the responsibility of ensuring that the authorized special use continues to comply with the conditions of the permit as long as the permit remains valid.
7. An SUP shall be valid for the duration of the special use, provided the use remains in conformance with the conditions of approval and is not discontinued for 12 consecutive months.

8. Issuance of an SUP does not relieve the applicant from the responsibility of obtaining site plan approval, a building permit or any other permit or approval required by any other applicable law.

→ 9. The SUP process cannot be used to eliminate or modify an entire PAD overlay zoning district and/or the uses within the PAD overlay zoning district.

C. Conformity with Comprehensive Plan. An SUP shall be consistent with and conform to the comprehensive plan. In the case of uncertainty in constructing or applying the conformity of any part of a proposed SUP to the county's comprehensive plan, the proposed SUP shall be construed in a manner that will further the implementation of and not be contrary to the goals, policies and applicable elements of the comprehensive plan. Among the zone classifications listed in PCDSC 2.15.040 which have special uses listed in the individual zoning districts, those special uses with the conditions attached by the supervisors will be considered in conformity with the comprehensive plan as long as the subject zoning district is in conformity with the comprehensive plan.

D. Initiation of SUP. Application for an SUP may be made by:

1. The property owner or the property owner's authorized agent.
2. The lessee of the property or the lessee's authorized agent.

E. Amendment to the Comprehensive Plan. An SUP application requiring an amendment to the comprehensive plan shall not be approved until the necessary comprehensive plan amendment has been approved by the supervisors and the referendum period for the comprehensive plan amendment expired; or if a referendum petition is filed, when the comprehensive plan amendment is successfully defended against the referendum.

F. Restriction on Application. An SUP application shall not be accepted for processing for any special use where that special use was part of a special use permit application on the same property and for the same or substantially the same special use that was denied by the supervisors in the previous six months.

G. Withdrawal of Application. After submittal and acceptance of a completed application, applicant, without any action by the supervisors, may withdraw the SUP application up to the time the notice of the supervisors' public hearing on the SUP application has been published. After the notice of the public hearing has been published, the applicant may make a request to the supervisors to withdraw the rezoning application. The supervisors, at their discretion, may grant the withdrawal request or hear the SUP application.

H. Pre-Application Meeting. Prior to filing an application, the applicant or the applicant's authorized agent shall attend a pre-application meeting with the planning and development department and other appropriate county staff to familiarize staff with the proposed special use and identify and discuss any issues related to the proposal and to review the application requirements. The pre-application meeting shall not be

interpreted as staff approval for the proposed special use and does not commit the county to approving any proposed special use.

I. Pre-Application Submittal.

1. An SUP pre-application shall contain all information and documentation that is identified on the application form provided by the county and checklist provided at the concept review meeting and shall:

- a. Identify the applicant.
- b. Describe the proposed special use.
- c. Provide justification of compliance with the comprehensive plan.

2. An SUP application shall be accompanied by:

- a. A nonrefundable filing fee in accordance with the fee schedule adopted under the authority of PCDSC 2.160.050.
- b. Either a preliminary site plan or specific site plan for the proposed special use or uses as required in Chapter 2.200 PCDSC. If the site plan is a preliminary site plan it shall be drawn to scale, showing structures, heights, property lines, lot sizes, setbacks, adjacent roads, yards, parking and traffic flow, drainage, proposed sign location and design, location of leach fields or sewers, and any other information needed to properly evaluate the request.
- c. Building floor plans and elevations of the proposed improvements, in detail.
- d. A written statement accompanied by data demonstrating:
 - i. That there are special circumstances or conditions applicable to the location of the property referred to in the application, which would make the proposed special use appropriate on this property, though not in the zoning district at large.
 - ii. That the specific treatment of the proposed special use will not contribute to a worsening of traffic safety or otherwise have a negative impact on nearby properties or otherwise affect the health and safety of persons residing or working in the area.
- e. Information addressing the factors listed for consideration in subsection O of this section.

J. Application Submittal.

1. An SUP application shall contain all information and documentation that is identified on the application form provided by the county and checklist provided at the concept review meeting and shall: