

**City of Bisbee  
 Planning and Zoning Commission Meeting  
 City of Bisbee Council Chambers  
 118 Arizona Street, Bisbee, AZ  
 August 21, 2025 @ 5:30 pm**

**Action Agenda**

THE ORDER OR DELETION OF ANY ITEM ON THIS AGENDA IS SUBJECT TO MODIFICATION AT THE MEETING.

**Called to Order: 5:30 pm**

**Roll Call - Commission Members**

	<b>Present</b>	<b>Absent</b>	<b>Excused</b>
<b>Michael Ablin</b>	<b>X</b>		
<b>Charles Dellinger</b>	<b>X</b>		
<b>Douglas Dunn, Chair</b>	<b>X</b>		
<b>Alisia Espiriti</b>	<b>X</b>		
<b>Tim Foster</b>	<b>X</b>		
<b>Sandy Heusman, Vice-Chair</b>	<b>X</b>		
<b>VACANT</b>	---	---	---
<b>Pete Skinner, Council Liaison</b>	---	---	---
<b>J. Emanuel Stuart, Staff Liaison</b>	<b>X</b>		
<b>Xavier Rodriguez, Bldg. Inspector</b>	<b>X</b>		

**CALL TO THE PUBLIC –**

**Agenda Item 1.**

**Review, Discussion and Possible Recommendation to Mayor and Council regarding an Application for the Transfer of Real City Property.**

Review and Discussion of an application for the Transfer of City property submitted by Charles Mills and a Statement of Interest submitted by Eliza Adams under City Code Section 2.6.9. Since multiple parties are interested in this property it will require a Public Auction at Regular City Council meeting.

- The requested property is a portion of the city-owned property off of Locklin Avenue with no parcel number.
- The land area is approximately 3,484.80 square feet (0.080 acres more or less.

**A Possible Recommendation to Mayor and Council**

Consideration of a proposed auction of the City Property

which is a portion of the city owned property off of Locklin Avenue with no parcel number approximately 3,484.80 square feet.

- Staff Presented the Item
- Mr. Dunn opened the meeting up for public comments:
  - Charles Mills spoke in favor of the approval of the transfer of the city property so he could bid on it and acquire it to build a driveway to his existing property.
  - Eliza Adams spoke against the auction of the land in favor of preserving as it already exists.
  - Joseph Dorner spoke against the auction of the land.
  - Jim Mahoney spoke against the auction of the land.
- The Commission discussed the item.

After hearing public comment, the Commission discussed the issues that the sale of the property may raise, such as the impacts to public safety and public benefit, and the potential drawbacks to selling the land in the case that there would be future city infrastructure needs in the area.

**MOTION:** Commissioner Espiriti moved to deny the request for the Transfer of City property.

**SECOND:** Commissioner Foster **MOTION PASSED** 5/1 Mr. Ablin abstained.

## **Agenda Item 2.**

### **Discussion and Possible Recommendation to Mayor and City Council regarding an Application for a Special Use Permit submitted by Andrew Bauer of Trulieve Bisbee for the Purpose of establishing a Medical Marijuana Dispensary.**

A Special Use Permit application has been submitted by Andrew Bauer of Trulieve Bisbee for the purpose of establishing a Medical Marijuana Dispensary at 1191 S. Naco Highway in Bisbee. The City of Bisbee Zoning Code, Article 10A Registered Non-Profit Medical Marijuana Dispensaries, requires a Special Use Permit for the establishment of a medical marijuana dispensary.

#### **All Public Notice Requirements have been met.**

- Staff Report/Applicant Presentation  
The Planner, Emanuel Stuart, presented the staff report and recommended its approval.
- Declare Public Hearing Open and Receive Public Comments:  
Commissioner Dunn opened the public hearing.

**Opposed / In Favor, Speaking time limit three (3) minutes per person.**  
None

- Declare Public Hearing Closed  
Mr. Dunn closed the public hearing.
- **No Additional comments will be made once the Public Hearing is closed.**
- Commission Discussion  
The Commission discussed.
- Any Additional Staff Comments/Recommendations  
None.
- Motion
- Discussion of Motion
- Vote

**MOTION:** Commissioner Ablin moved that the Planning and Zoning Commission recommend that Mayor and Council approve the Special Use Permit submitted by Andrew Bauer of Trulieve Bisbee for the purpose of establishing a Medical Marijuana Dispensary.

**SECOND:** Commissioner Foster

AYES: Ablin, Dunn, Espiriti, Heusman, Foster, Dellinger

NAYS: 0

**MOTION PASSED:** AYES-6 NAYS-0

***Agenda Item 3.***

**Discussion and Possible Recommendation to Mayor and City Council regarding the proposed Amendment to the Zoning Code to create consistency for allowed uses.**

Discussion of the existing Zoning Code in section 5.2.3 C-Zone (Residential/Commercial). This states that any residential is allowed in Commercial Zones. Currently the Zoning Code Matrix restricts types of housing. The Mismatch between the table and the written rules in the zoning code can cause confusion.

**All Public Notice Requirements have been met.**

- Staff Report / Presentation of item  
Emanuel Stuart, Planner, gave the staff report for this item and recommended its approval.
- Declare Public Hearing Open and Receive Public Comments:  
Due to lack of public at hearing, public hearing was not officially opened.

**Opposed / In Favor, Speaking time limit three (3) minutes per person.**

NONE

- Declare Public Hearing Closed
- Commission Discussion  
The Commission discussed the item.
- Any Additional Staff Comments/Recommendations  
The Planner said they would fix the inconsistencies with the matrix and the text as brought up by the Commissioners.
- Motion
- Discussion of Motion
- Vote

**MOTION**

Commissioner Heusman moved to approve that the Planning and Zoning Commission recommended to Mayor and Council the proposed amendment to the Zoning Code to create consistency for allowed uses.

**SECOND** Commissioner Ablin

AYES: Ablin, Dunn, Heusman, Foster, Dellinger

NAYS: Espiriti

**MOTION PASSED:** AYES-6 NAYS-1 Espiriti

**STAFF COMMENTS: (No Discussion)**

Staff asked the Commission to please review the agenda packet materials and share any issues, errors, or concerns before the Planning and Zoning meeting.

**COMMISSIONER COMMENTS:**

Please refrain from any discussion, comments only.

The Commission commented on the sale of City Property.

The Commission suggested the staff refrain from making a recommendation during the staff report until the “Any Additional Staff Comments/Recommendations” section of the public hearing framework.

**FUTURE AGENDA ITEM SUGGESTIONS**

- Discuss the rules of selling City Property, such as criteria for retaining it for future city use or letting an individual buy it.
- Discuss complaints regarding a Special Use Permit.
- Discuss potentially updating the Zoning Code regarding marijuana dispensaries, for example, alignment with state laws for recreational facilities.

**Adjournment:** 7:08 PM