

COCHISE COUNTY

Docket Z-20-08 (Seed Capital)

Request for a Rezoning and Special Use Authorization

Board of Supervisors

September 15, 2020



Public Programs...Personal Service

COCHISE COUNTY

Docket Z-20-08 (Seed Capital)

- Two requests:
 - Rezoning (downzone): R-36 (residential one dwelling per 36,000 square feet) to RU-4 (Rural one dwelling per four acres).
 - Special Use(approved by planning and zoning Commission): Request to allow phased medical cannabis grown and packing facility
- The subject property is located northwest corner of Fort Grant Road and Harguess Way, north of Willcox
- Parcel Number is identified as 201-30-007A
- The site is approximately 62 Acres, less than 4 acres for Special Use
- The Applicant is Seed Capital LLC, represented by Mr. Ron Redburn

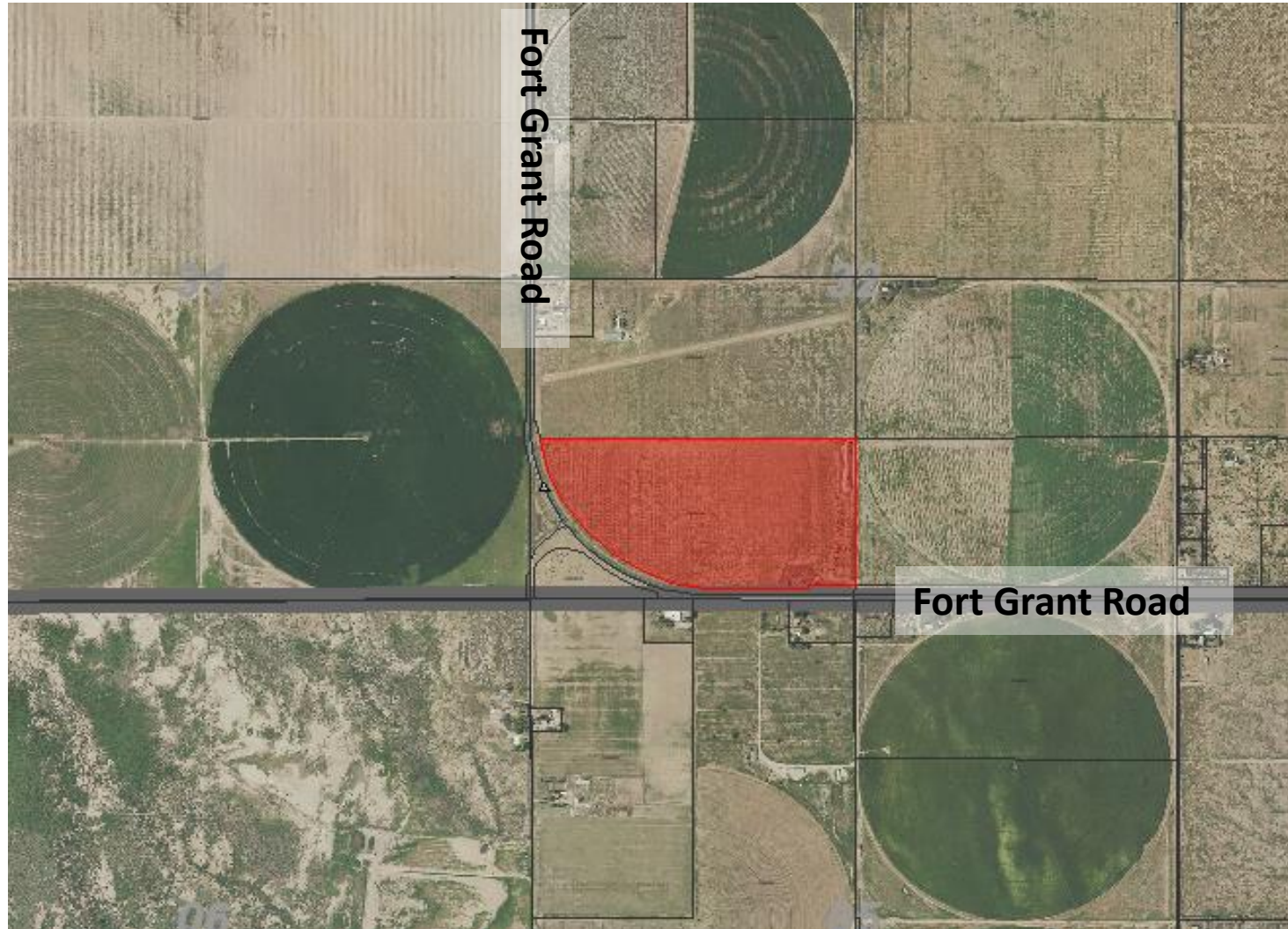


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Location



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Phase one:

- ~28,000 square feet in greenhouses,
- ~3,000 square foot office
- ~3,500 square feet storage.

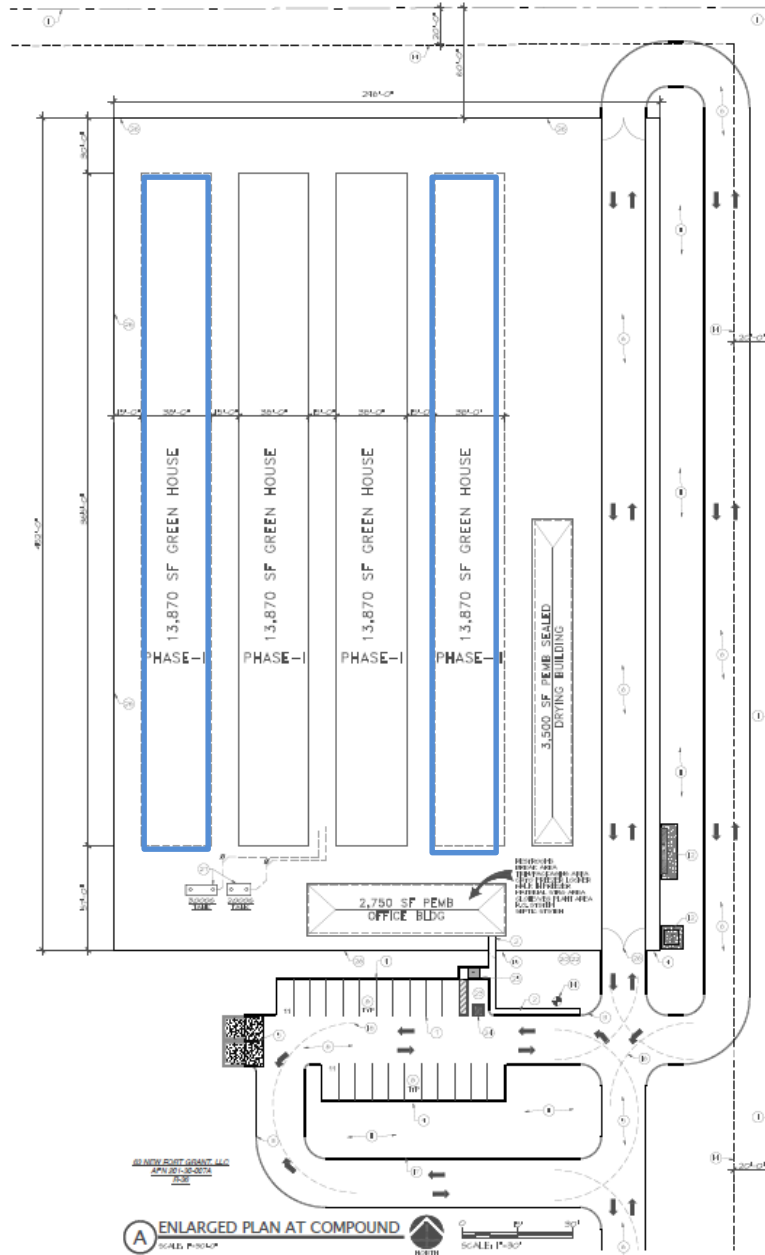
Phase two:

- Additional ~ 28,000 square feet in greenhouses.



Fort Grant Road

Site Plan

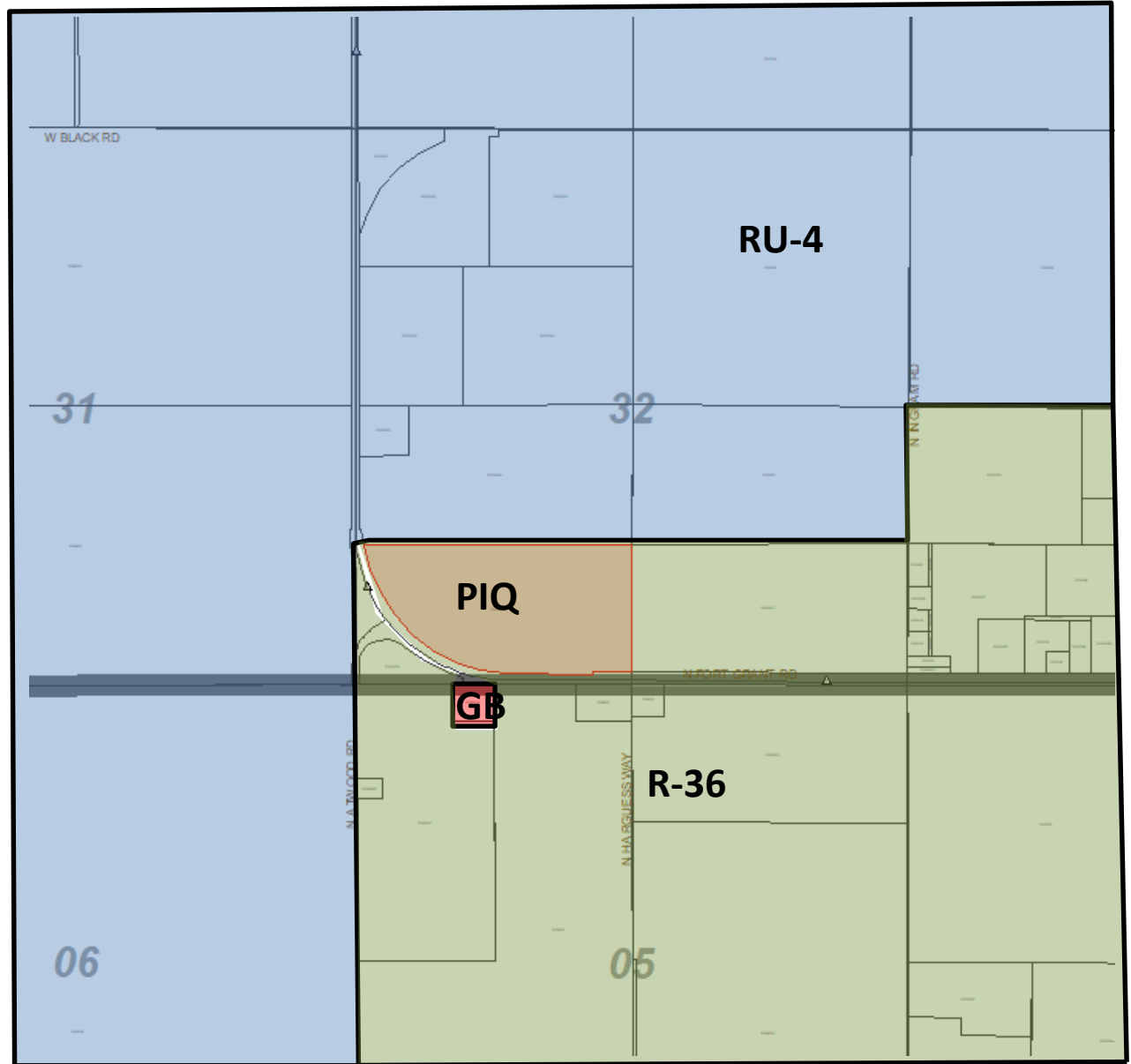


Factors for or Against a Proposed Rezoning Application

- Zoning Regulations have 15 factors used to evaluate a proposal
 - Twelve of the criteria apply to this request
 - As submitted complies with six criteria
 - Five criteria comply with conditions/modifications
 - One Does not comply (discussed in detail under SU)



Zoning

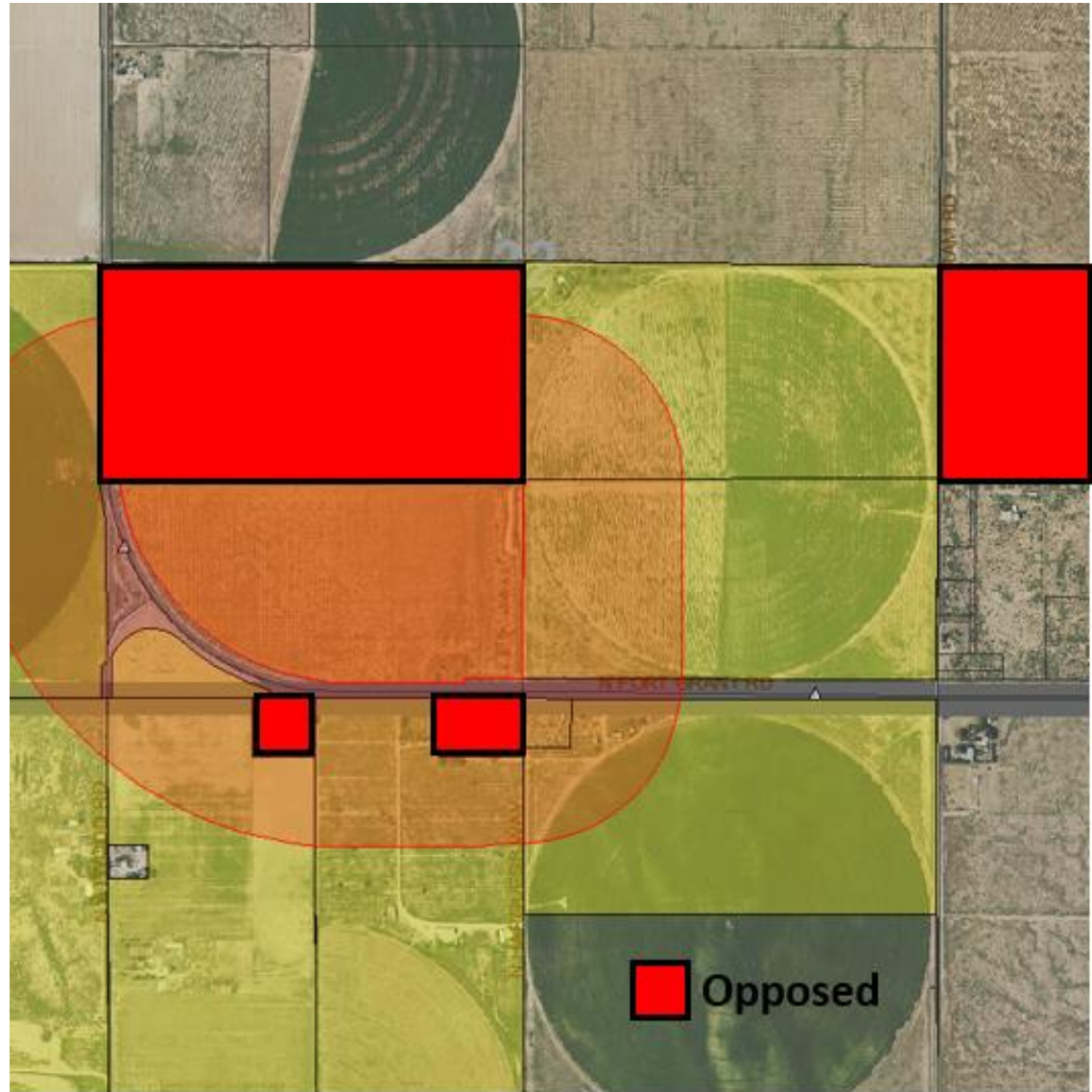


- **Comp Plan:** Rural
- **Growth Area:** Category D (Rural Growth Areas) R-36 not appropriate in the area
- **Comp Plan:**
 - Agriculture and Ranching Element
 - Economic Development Element
 - Rural Character Element



Public Input: Does not Comply

- 7 Letters in opposition- not specific to rezoning
- No letters in support
- Issues cited:
 - Odor
 - Disapproval of the product grown
 - Lighting
 - Type of greenhouse
 - Ten foot wall



Factors in Favor of Approval

1. The request complies with eleven of the applicable Rezoning factors used by Staff to analyze this request;
2. With the recommended Conditions the request would be in keeping with the character of the existing development in the area;

Factor Against Approval

1. Though not specifically on the rezoning, seven letters in opposition were received;
2. The request does not comply with one factor (public input).

Planning Commission Recommendation: Conditional Approval

1. Within 30-days of approval of the Special Use, the Applicant shall provide the County a signed Acceptance of Conditions form and a Waiver of Claims form arising from ARS Section 12-1134. Prior to operation of the Special Use, the Applicant shall apply for a building/use permit for the project within 12-months of approval. The building/use permit shall include a site plan in conformance with all applicable site development standards (except as modified) and with Section 1705 of the Zoning Regulations, the completed Special Use permit questionnaire and application, and appropriate fees. A permit must be issued within 18-months of the Special Use approval, otherwise the Special Use may be deemed void upon 30-day notification to the Applicant;
2. It is the Applicant's responsibility to obtain any additional permits, or meet any additional Conditions, that may be applicable to the proposed use pursuant to other federal, state, or local laws or regulations;
3. Any changes to the approved Special Use will be considered a Modification to this Special Use and will require review and approval of the Planning and Zoning Commission.



Planning Commission Recommendation: Conditional Approval

4. The applicant is required to obtain a Cochise County Right-of-Way/Encroachment Permit in advance or concurrent with their Commercial Permit application and coordinate with the Highway Department to provide a commercial access apron at the driveway intersection/connection with Fort Grant Road as per the Cochise County Roadway Design Standards or as approved by County Engineer;
5. At the Commercial permit, the Applicant shall submit documentation to the Floodplain department demonstrating compliance with the Floodplain regulations.
6. The ten(10) foot tall wall shall be screened with mature (trees shall be a minimum 24" box or equivalent ,placed 25' on center) drought tolerant vegetation on all four sides.



Planning Commission Recommendation: Conditional Approval

7. The applicant shall utilize a drone security system (or similar) to reduce the required lighting. Any lighting still required shall fully comply with the Outdoor Light Regulations.
8. The greenhouses shall employ the “blackout panels” or similar to reduce the glow from when grow lights are required.
9. The Owner shall dedicate an additional 50 feet of right-of-way for Fort Grant Road.
10. An Ecosorb or similar odor elimination system shall be utilized and included in the commercial permit submittal.

