

COCHISE COUNTY

SU21-06 (Green Desert Patient Center)

Special Use Authorization for Medical Marijuana Cultivation and Infusion Facility

Planning & Zoning Commission

April 14, 2021



Public Programs...Personal Service

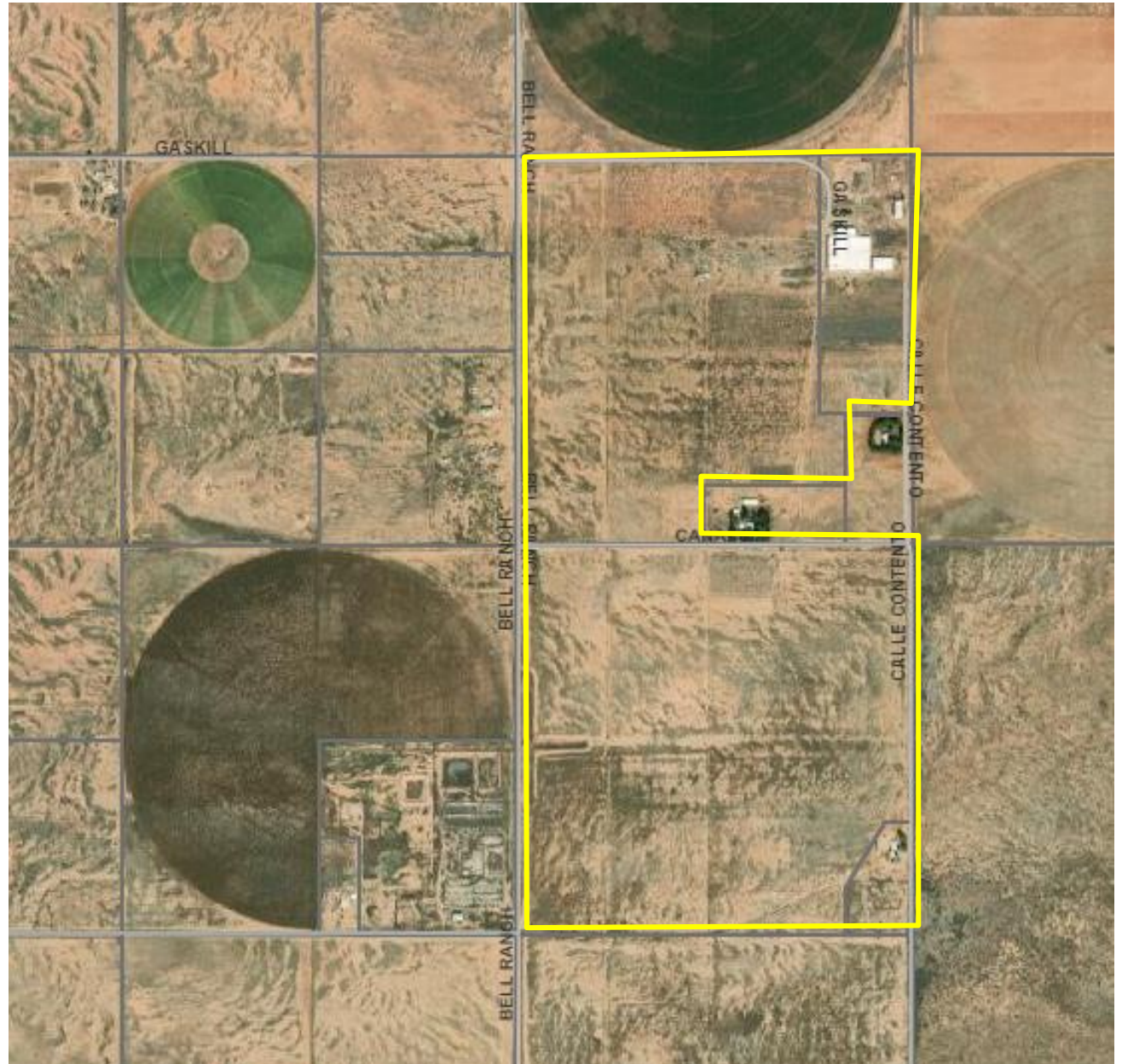
- Special Use Authorization to expand a Medical Marijuana Cultivation and Infusion Facility
- The subject property is located at 5655 East Gaskill Road in Willcox (Kansas Settlement)
- Parcel Numbers are identified as 305-43-056G,F and 401-01-003E, F
- The site is approximately 304.43 Acres
- The Applicant is Green Desert Patient Center of Peoria



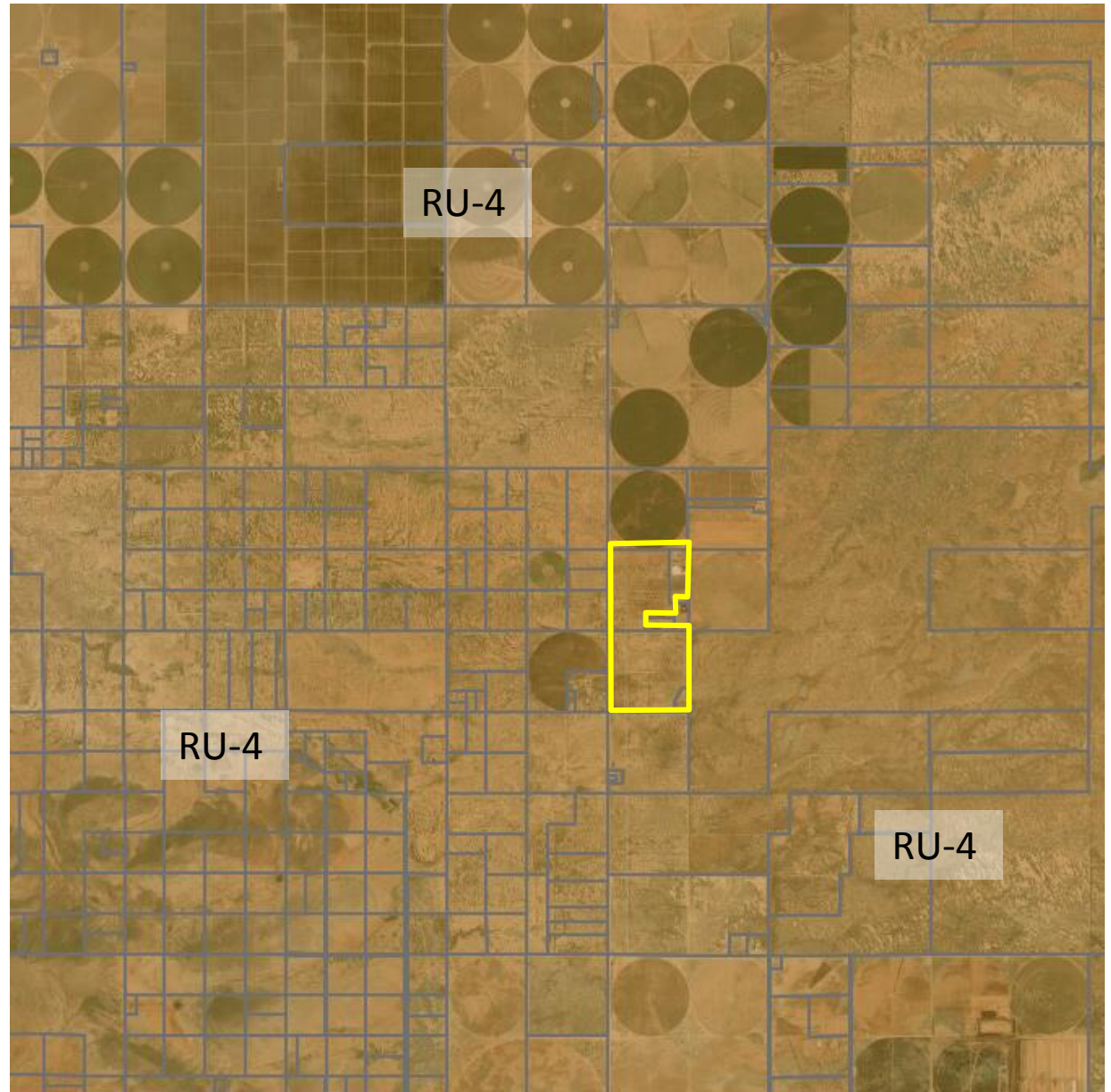
COCHISE COUNTY

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Location



Zoning



Previously approved(SU18-06):

- One 60,000 square foot greenhouse
- One 10,000 square foot greenhouse building
- One, 7,250 square foot storage warehouse
- One, 672 square foot pump house used for the well servicing the property
- One 576 square foot generator building
- One 50' by 100' pellet mill (not in use)
- 2.5 acres of unimproved land approved for cultivation of marijuana



Proposed:

Phase 1 (4 to 6-month duration):

- One irrigation and storage building covering 1 acre
- One flower greenhouse covering 1.09 acres
- 27 cultivation shade structures covering 6.9 acres
- Four water tanks holding 1500m³ covering 0.3 acres
- 10-acre outdoor cultivation area (in addition to the pre-approved 2.5 acres approved)
- 12,000 square foot post-harvest support facility



Proposed:

Phase 2 (6 to 8-month duration):

- 556 hoop houses covering 69.5 acres
- One veg's greenhouse covering 23 acres
- One irrigation and storage building covering 9 acres
- One water storage area covering 9.7 acres
- One drying room covering 11 acres
- One infusion/processing space covering 3 acres
- One leach field and septic area covering 3.4 acres
- One general management office area covering 1.4 acres

Phase 3 (6 to 8-month duration):

- 460 hoop houses covering 59 acres
- One drying room covering 11 acres
- One infusion/processing space covering 3 acres
- One irrigation and storage building covering 5 acres



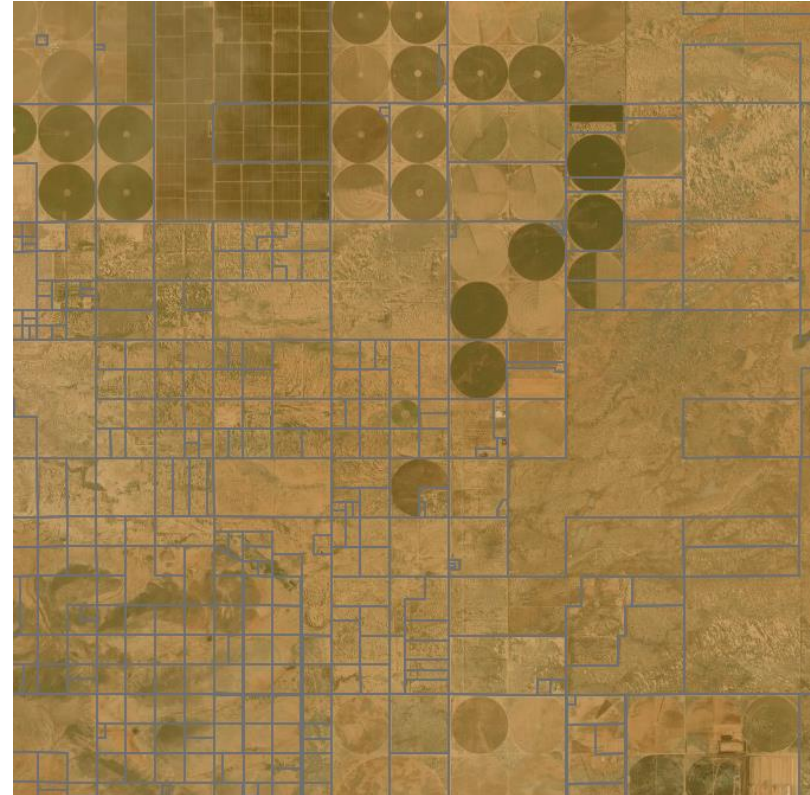
Factors for or Against a Proposed Special Use Authorization

- Zoning Regulations have 10 factors used to evaluate a proposal
 - Ten (10) of the criteria apply to this request
 - As submitted complies with six (6) criteria
 - Four (4) criteria comply with conditions/modifications



Compliance with Duly Adopted Plans: Complies

- **Comp Plan:** Rural
- **Growth Area:** Category D (Rural Growth Areas)
- **Area Plan:** None
- **Comp Plan:**
 - Agriculture and Ranching Element
Continue encouraging the development of agricultural processing...
 - Economic Development Element
Supporting small businesses will not only spur diversified income opportunities and ensure economic competitiveness...
 - Rural Character Element
Scope and scale (wall/buildings/lot coverage not consistent



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Compliance with the Zoning District
Purpose Statement: Complies

- Continues the low-density housing and agricultural uses
- Section 601.07 allows for more intense uses



**Development Along Major Streets: Complies
with conditions**

- Bell Ranch Road, paved County maintained
- Total of five access points proposed to Bell Ranch Road, only three (3) will be allowed
 - Gaskill, Canada and Parker Ranch Roads
 - Improved aprons
 - Cannot prohibit access to State and private land beyond
 - Additional dedication for Bell Ranch Road



**Traffic Circulation Factors: Complies with
Conditions**

- No national or local standard developed for marijuana uses
- Traffic generated would be similar to other types of farms
- Greenhouses and field crop stabilize seasonal variations



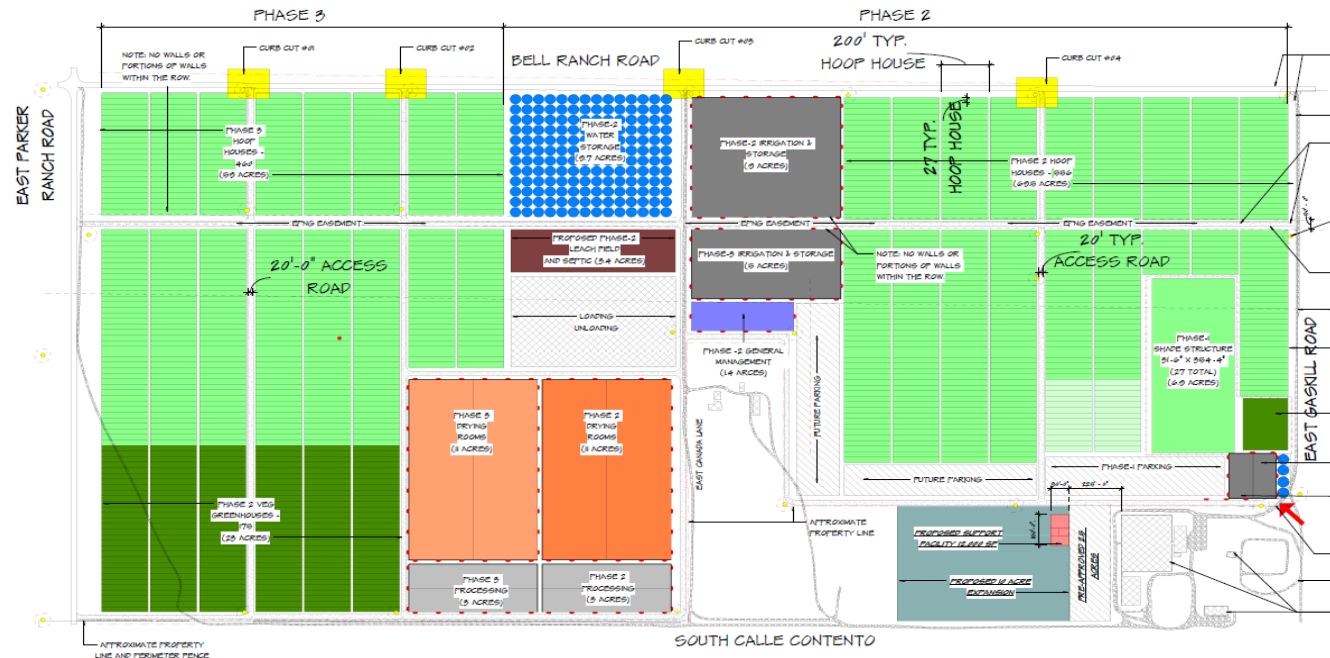
Adequate Services and Infrastructure: Complies with condition

- Located on paved County maintained road
- El Paso Natural Gas and Southwest Gas both have pipelines on the property



Significant Site Development Standards: Complies with Conditions

- Screening
 - Perimeter wall/fence will be required by the State (typically 10 feet)
 - Staff is recommending a wavier allowing a wall/fence up to ten feet



**Significant Site Development Standards:
Complies with Conditions (cont.)**

- **Lighting**
 - Must meet Regulations
 - International Dark Skies (IDA) fixtures proposed
 - Staff recommends limiting the outdoor lighting further
 - Black out curtains on exposed windows
- **Landscaping**
 - Not required



Public Input: Complies

- No public input provided



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Hazardous Materials: Complies with Conditions

- Fertilizers, pesticides, THC storage and disposal

COA Hazardous Materials questionnaire.
Property storage, use and disposal



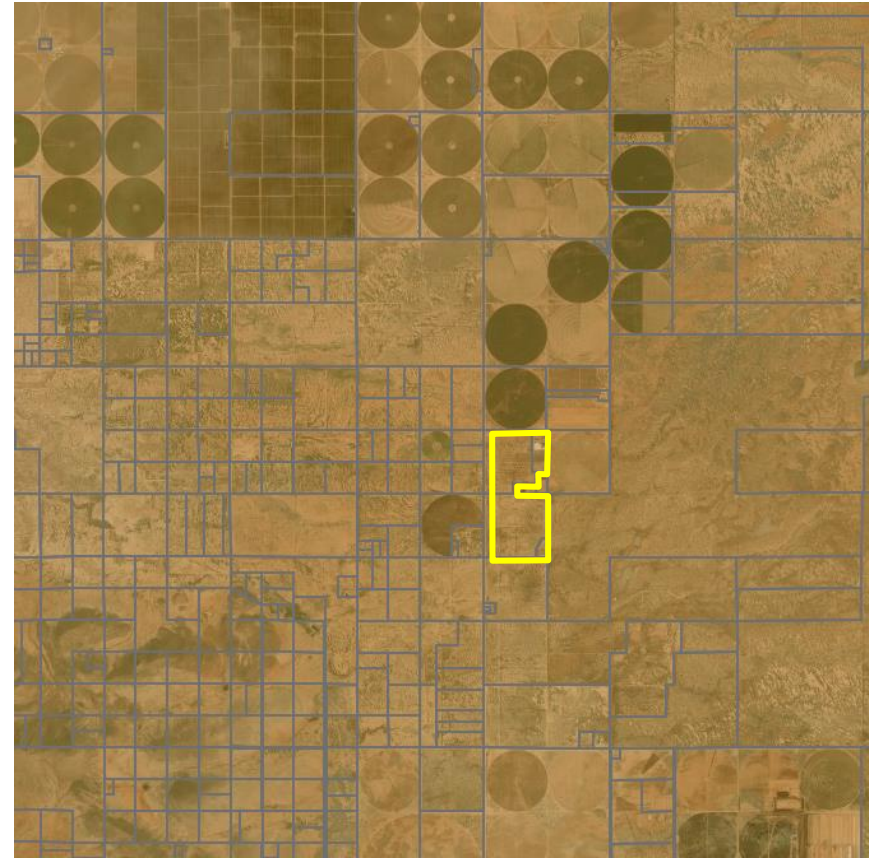
Off-Site Impacts: Complies with Conditions

- With the recommended Conditions, as discussed previously staff believes the offsite impacts can be mitigated



Water Conservation: Complies

- ~6 gallons of water per plant, per day
- Ag is unregulated, fruit, nut trees would be planted unregulated
- Drip irrigation used
- Indoor/shade/hoop houses, lower evaporation



Factors in Favor of Approval

1. The Project is consistent with the applicable policies of the Comprehensive Plan and the Purpose of the Rural Zoning Districts;
2. The Project complies with six (6) of the criteria used to evaluate special use requests. It complies, with the recommended conditions and waivers for the other four (4) criteria;
3. The site plan submitted complies with most applicable site development standards and condition contained in section 1825 of the Zoning Regulations; and
4. The Project will provide employment.

Factor Against Approval

1. Offsite impacts: odor
2. Visual impacts – marijuana farms tend to appear more industrial than other agricultural operations due to their unique security, fencing, and lighting requirements;

Discussion



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.



Recommendation: Conditional Approval

5. All on-site parking, driveways, and maneuvering areas shall receive at least a two-inch layer of gravel.
6. A detailed, dimensioned site plan shall be provided in conjunction with the permit submittal.
7. The applicant submits a hazardous materials questionnaire in conjunction with permitting. All chemicals, fertilizers, or any hazardous product associated with the cultivation of marijuana shall be used, stored, and disposed of in a manner consistent with the manufacturer's instructions and/or any law that governs same. Cannabis remnants, infused products, bi-products, and other waste material shall be rendered unusable and disposed of in a safe, sanitary, and secure manner.



Recommendation: Conditional Approval

4. All lighting shall fully comply with the County's Outdoor Light Regulations. Greenhouses, hoop houses, etc. shall employ the "blackout panels" (or similar equal) to reduce the glow from grow lights, where applicable.
5. The Applicant shall provide an updated hazardous materials questionnaire in conjunction with permitting. All chemicals, fertilizers, or any hazardous product associated with the cultivation of marijuana shall be used, stored, and disposed of in a manner consistent with the manufacturer's instructions and/or any law that governs the same. Cannabis remnants, infused products, bi-products, and other waste material shall be rendered unusable and disposed of in a safe, sanitary, and secure manner.
6. All on-site commercial sale/activity is prohibited.



Recommendation: Conditional Approval

7. The Engineering Department will allow two additional accesses onto Bell Ranch Rd. One (1) at Bell Ranch Rd and East Canada Lane, and one (1) at Bell Ranch Rd and Parker Ranch Road. Chip seal road access aprons are required. Additionally, the project cannot block properties including state land.
8. Prior to the start of construction:
 - a. A Stormwater Pollution Prevention Plan (SWPPP) will be required from the Arizona Department of Environmental Quality (ADEQ). This will also include a Notice of Intent (NOI) to clear land.
 - b. A Clearing Permit is required from Cochise County.
 - c. A Notice to Clear Native Plants must be obtained from the Arizona Department of Agriculture and a copy submitted to Cochise County.
 - d. A Drainage Analysis will be required for all parcels (hydrology and hydraulic report) as well as a Floodplain Use Permit. This includes, but not limited to, Grading Plans, Site Plans, Drainage Reports prepared by an Arizona Registered Civil Engineer.



Recommendation: Conditional Approval

9. Proposed fencing and wall shall not diminish the visual quality of the premises or surrounding area, nor shall it impede surface water flow. Razor wire or similar material is not permitted. Elevations and proposed material of the fencing/wall must be approved by the County prior to its construction.



Sample Motions

Mr. Chairman, I move to approve Special Use Docket SU21-06 (Green Desert Patient Center), located on parcel 305-43-056G,F and 401-01-003E,F, with the Conditions of Approval recommended by staff; the Factors in Favor of Approval constituting the Findings of Fact.

