

**COCHISE COUNTY**

# **SU21-15 (The Pharm Expansion)**

## **Special Use Authorization for Medical Marijuana Cultivation and Processing**

**Planning & Zoning Commission  
May 12, 2021**



***Public Programs...Personal Service***

- Special Use Authorization to expand a medical marijuana cultivation, storage, and infusion facility
- The subject property is located at 5900 Greenhouse Road in Willcox
- Parcel Numbers are identified as 201-20-001D
- The site is approximately 73.5 Acres
- The Applicant is Quihuis Architecture



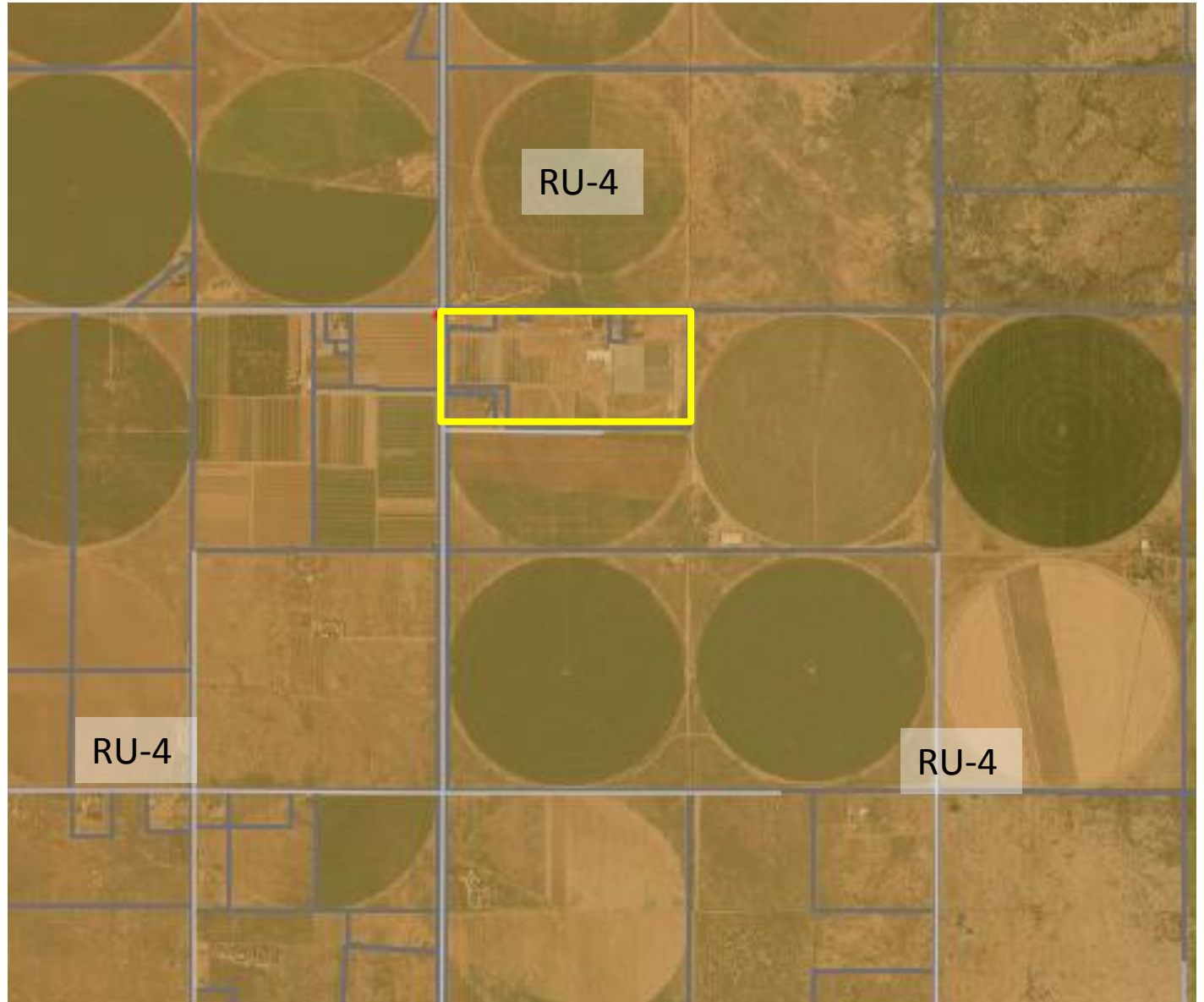
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**Location**



**Zoning**

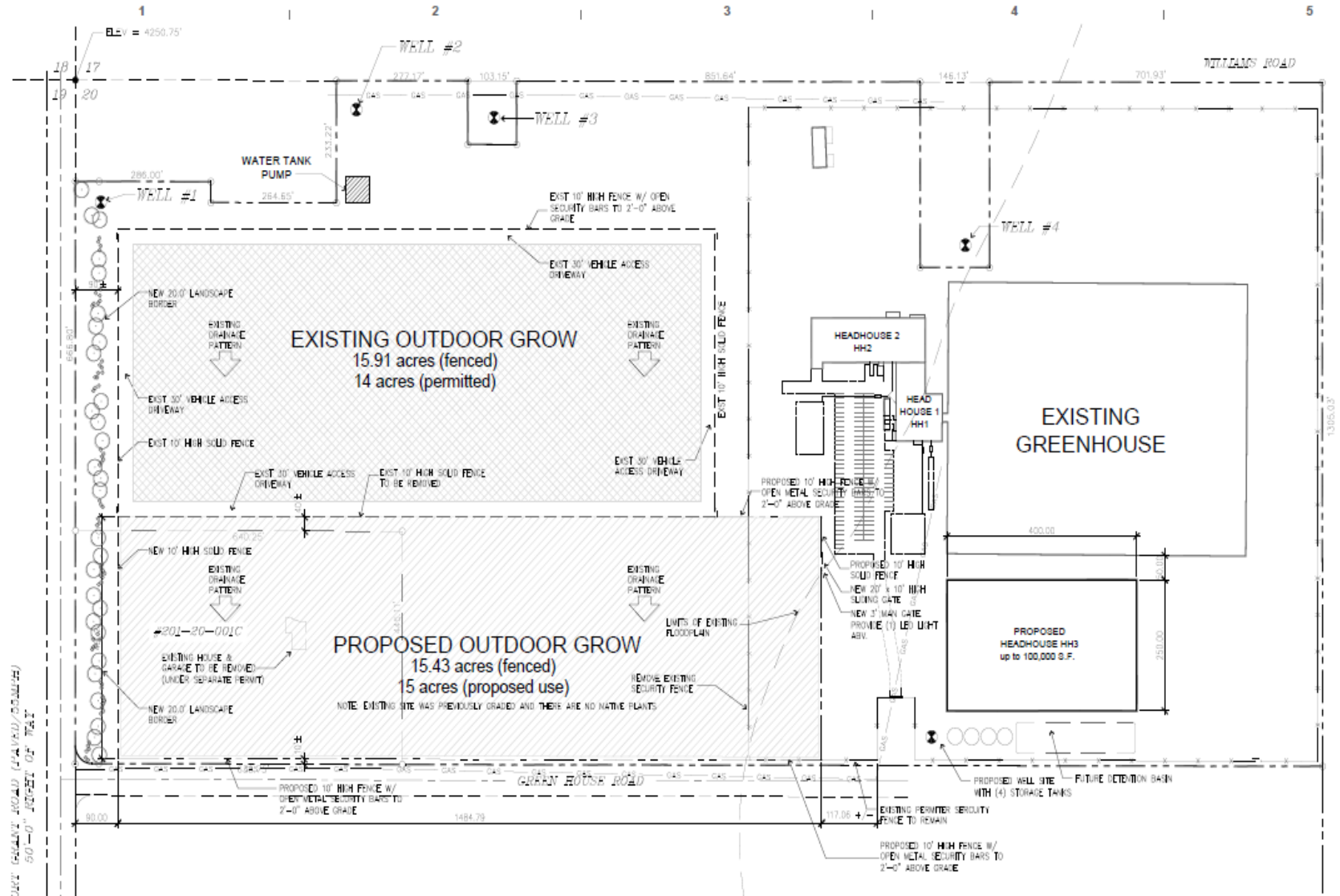


**Previously approved(SU13-14A):**

- 7.75-acre greenhouse
- Miscellaneous processing/storage/etc buildings
- 14 acres of Outdoor Grow



Proposed:



50'-0" OFFSET OF 75.1'

PROPOSED OUTDOOR GROW  
15.43 acres (fenced)  
15 acres (proposed use)

EXISTING OUTDOOR GROW  
15.91 acres (fenced)  
14 acres (permitted)

EXISTING GREENHOUSE

PROPOSED HEADHOUSE HH3  
up to 100,000 S.F.

NOTE: EXISTING SITE WAS PREVIOUSLY GRADED AND THERE ARE NO NATIVE PLANTS

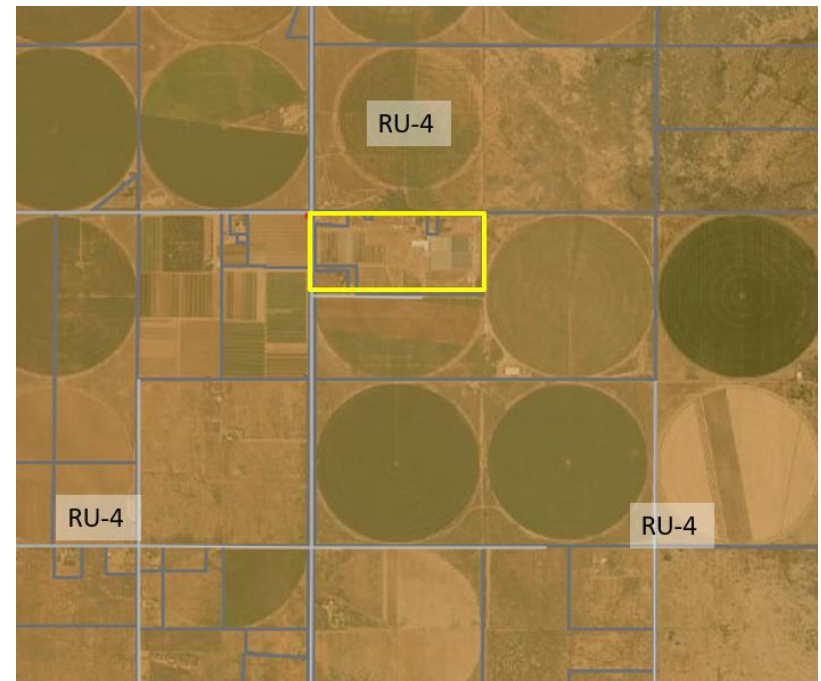
## Factors for or Against a Proposed Special Use Authorization

- Zoning Regulations have 10 factors used to evaluate a proposal
  - Ten (10) of the criteria apply to this request
  - As submitted complies with five (5) criteria
  - Four (4) criteria comply with conditions/modifications
  - One partially complies



## Compliance with Duly Adopted Plans: Complies with conditions

- **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*
- **COA:** Landscaping to be provided along Fort Grant Road



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## Compliance with the Zoning District

### Purpose Statement: Partially Complies

- Concern about blending into surrounding uses/Cumulative impacts
- Neighbors state odor is issue already
- Applicant states they can not mitigate outdoor odor
- COA: Only 20% (As recommended to the north) of the area shall be outdoor grow
- Results in additional .7 acre



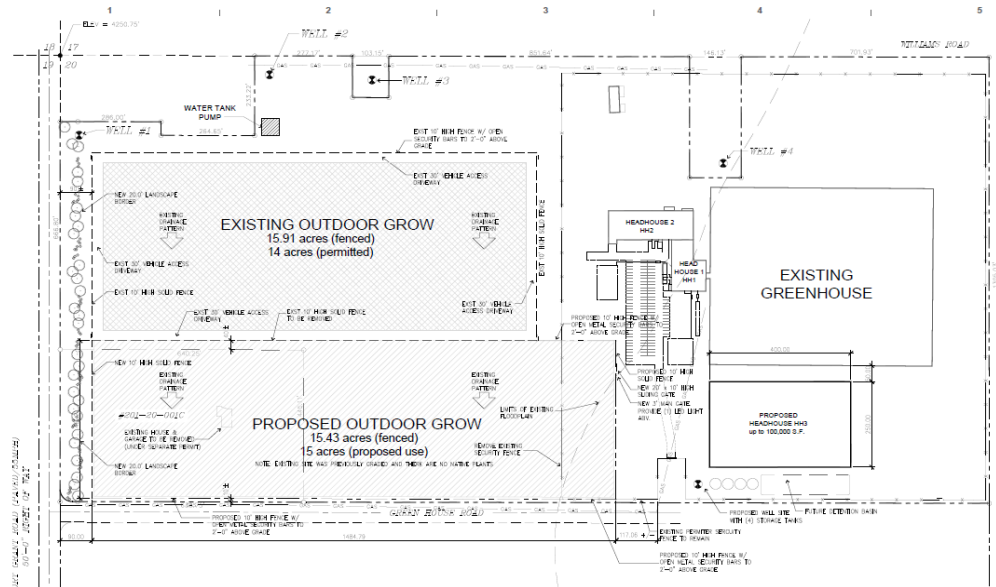
**Development Along Major Streets/Traffic Circulation/  
Adequate Services and Infrastructure: Complies**

- Fort Grant Road, paved County maintained
- Greenhouse Road private dirt
- Existing roads can handle additional traffic
- Existing wells, septic and power onsite



Significant Site Development Standards:  
Complies with Conditions and Waiver

- **Screening:**
  - Perimeter wall/fence will be required by the State (typically 10 feet)
  - Staff is recommending a waiver allowing a wall/fence up to ten feet
  - COA landscaping along Fort Grant Road
- **Setback:**
  - 20' required from Greenhouse Road, only 10 Shown
  - COA to meet requirement
- **Lot Coverage:**
  - 25% allowed, ~19% proposed
- **Lighting:**
  - Only one new proposed
  - Required to comply with regs



## Public Input: Complies

- Two letters in opposition
  - One across Fort Grant, other ~1 mile northwest
- Two letters in Support
  - One to east, other applicant/owner



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## **Hazardous Materials: Complies with Conditions**

- Fertilizers, pesticides, THC storage and disposal

COA Hazardous Materials questionnaire.  
Proper storage, use and disposal



Off-Site Impacts: Complies with Conditions

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



## Water Conservation: Complies

- Not located in Sierra Vista Sub-watershed
- Served by private wells
- Drip irrigation used



## **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 five of the criteria used to evaluate special use requests. It complies, with conditions and a waiver with four additional criteria and partially complies with one criterion;
3. The site plan submitted complies with most applicable site development standards and condition contained in section 1826 of the Zoning Regulations; and
4. The project would generate 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;

## 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 and fencing;
3. General compatibility concerns – there is scattered residential in the area and a nearby agritourism farm; and
4. Two letters of opposition was received.

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**Discussion**



*Public Programs...Personal Service*

# **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**

4. The (~1,000 by 90') landscape buffer, as indicated in the site plan adjacent to Ft Grant Road, shall include drought-tolerant vegetation, with proposed shade trees spaced no greater than 40' on center. This buffer shall be irrigated. The installation of this buffer shall occur prior to final inspection.
5. Any lighting still required shall fully comply with the County's Outdoor Light Regulations.



## Recommendation: Conditional Approval

6. 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 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.
7. All on-site commercial sales/activity is prohibited.
8. Outdoor grow is limited to no more than 20% (14.7 acres) of the total parcel acreage.



## Recommendation: Conditional Approval

9. In conjunction with the commercial permit submittal, the site plan shall be revised to show a minimum 20-foot setback from the southern property line.
10. Any bare ground shall be seeded or otherwise treated to prevent fugitive dust. This includes the grow areas when not planted, parking, and driveways.
11. In conjunction with the commercial permit submittal, the site plan shall provide complete area tabulations (proposed and existing) demonstrating less than a 25% lot coverage.
12. 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.



## **Recommendation: Conditional Approval**

13. All new indoor facilities shall be equipped with odor control filtration and ventilation system(s) based on current industry-specific best control technologies and best management practices. No operable windows or exhaust vents shall be located on any building façade that abuts a residential use or zone. Exhaust vents on rooftops shall direct exhaust away from residential uses and Ft Grant Road.
14. All outdoor grow shall be equipped with odor control based on current industry-specific best control technologies and best management practices to reduce the odor from cannabis.



## Sample Motions

*Mr. Chairman, I move to approve Docket SU21-15, on parcels 201-20-001G and 201-20-001D with the Conditions of Approval recommended by staff; the Factors of Approval constituting Findings of Fact.*

