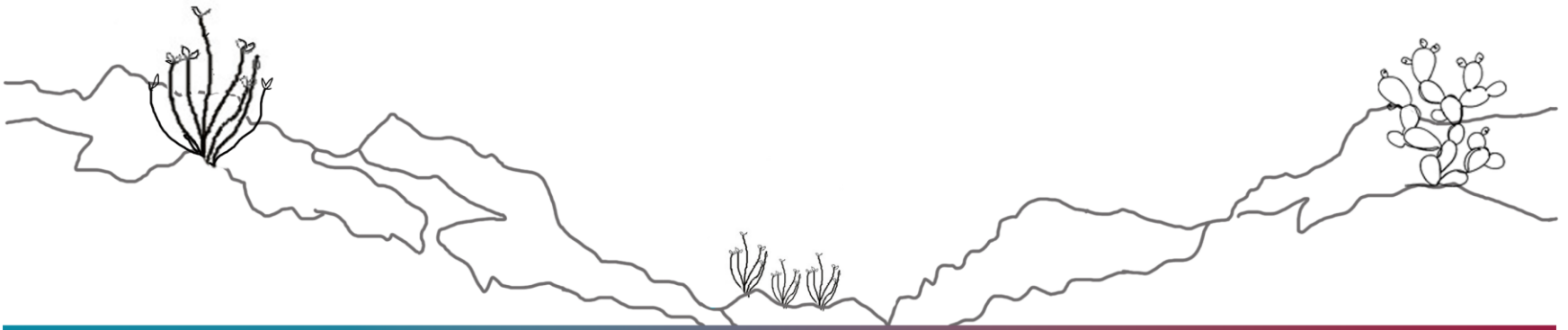


## Docket SU22-08 (Ingram)

A Special Use Modification Request for  
Marijuana Cultivation in the RU-4 Zoning  
District



# DEVELOPMENT SERVICES

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Applicant: Mr. Danny Quihuis  
Location: 8521 N Ingram Rd, Willcox  
APN: 201-27-003  
Parcel Size: 98.89 Acres  
Current Zoning: RU-4 (Rural, one dwelling per 4 acres)  
Growth Area: Category D  
Plan Designation: Rural  
Area Plan: None  
Existing Uses: Vacant and fallow farmland, vacant animal structures, previously approved marijuana cultivation  
Proposed Uses: Indoor marijuana cultivation and processing

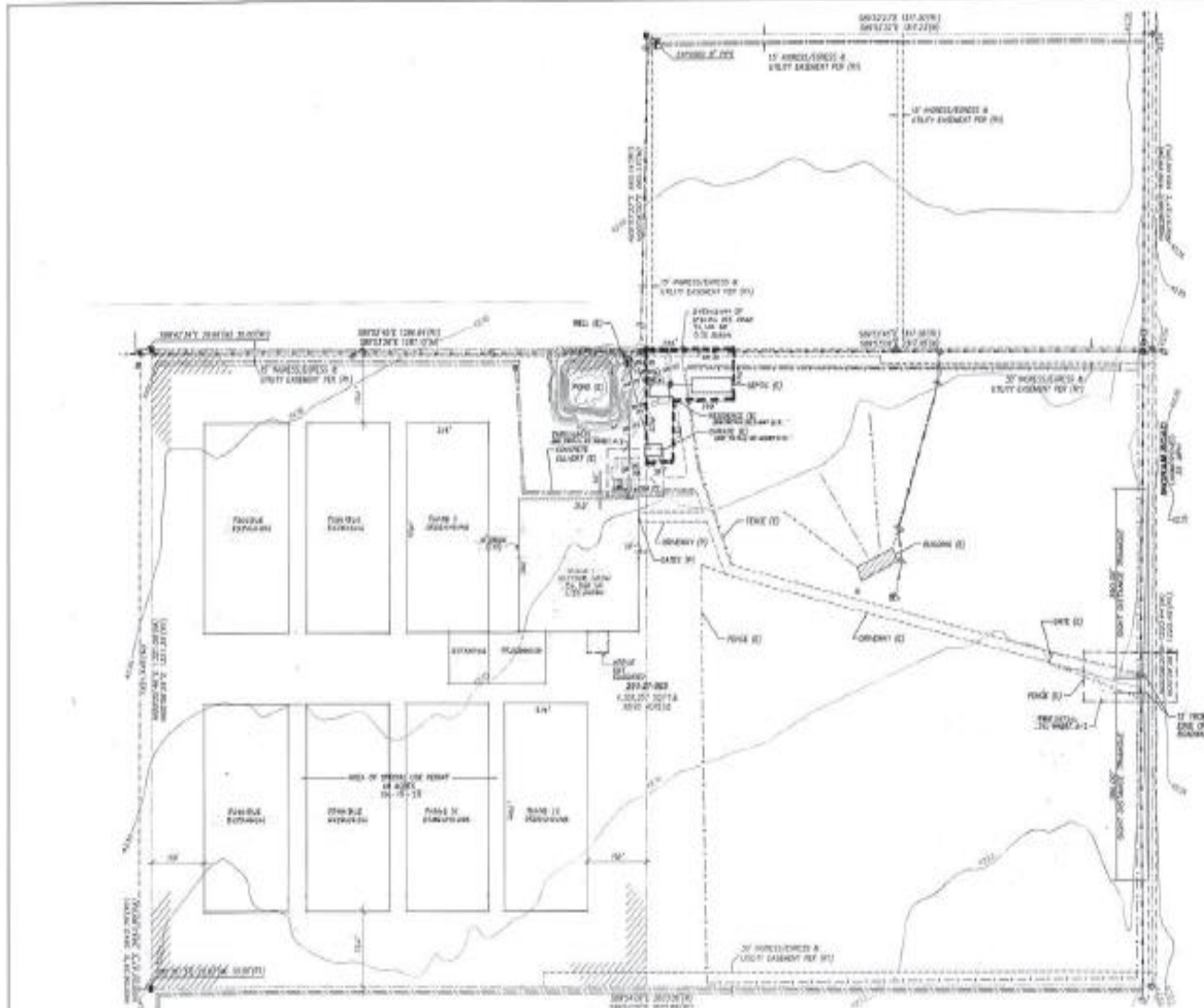


# DEVELOPMENT SERVICES

Location



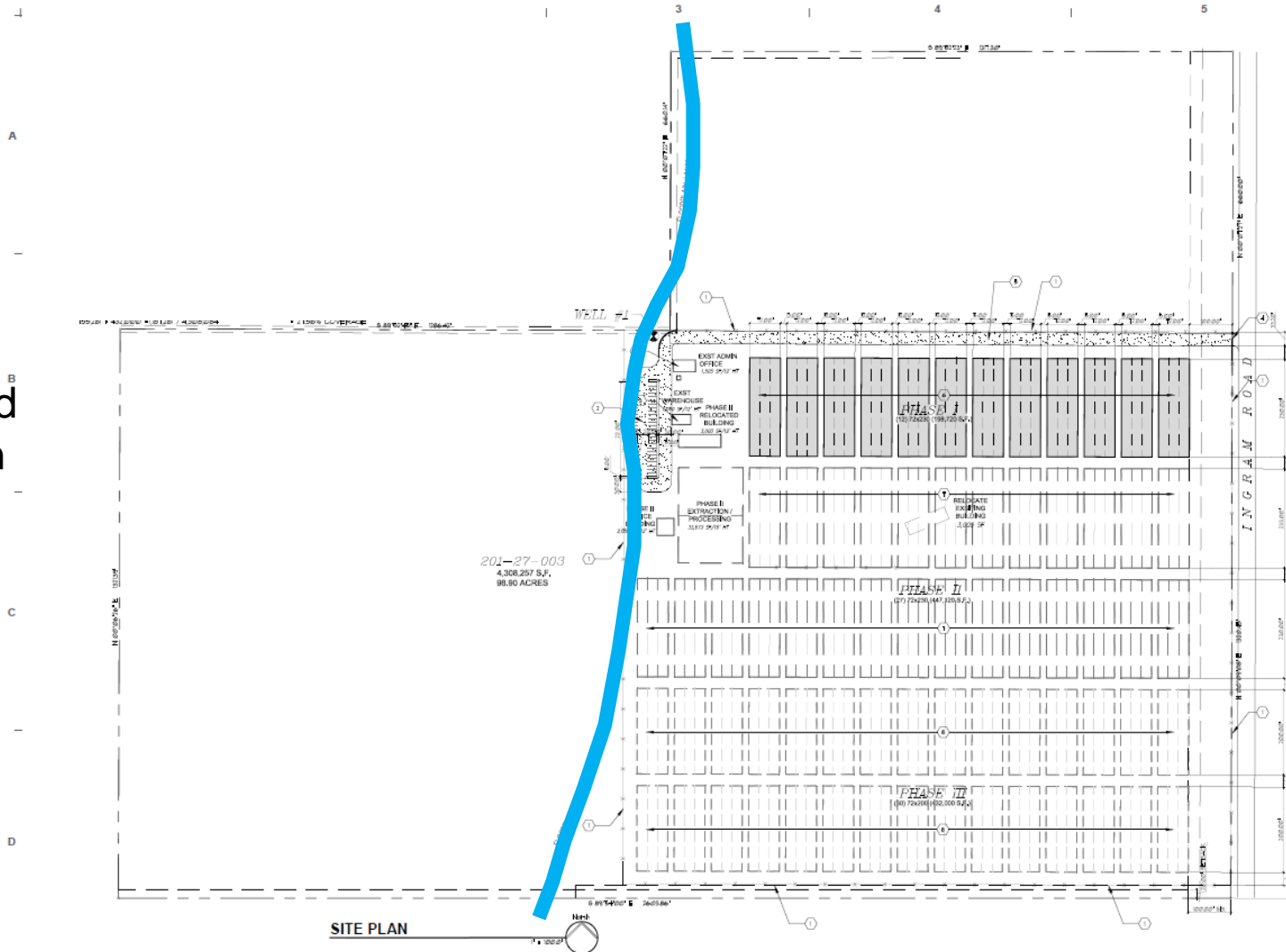
Previous Site Plan



# DEVELOPMENT SERVICES

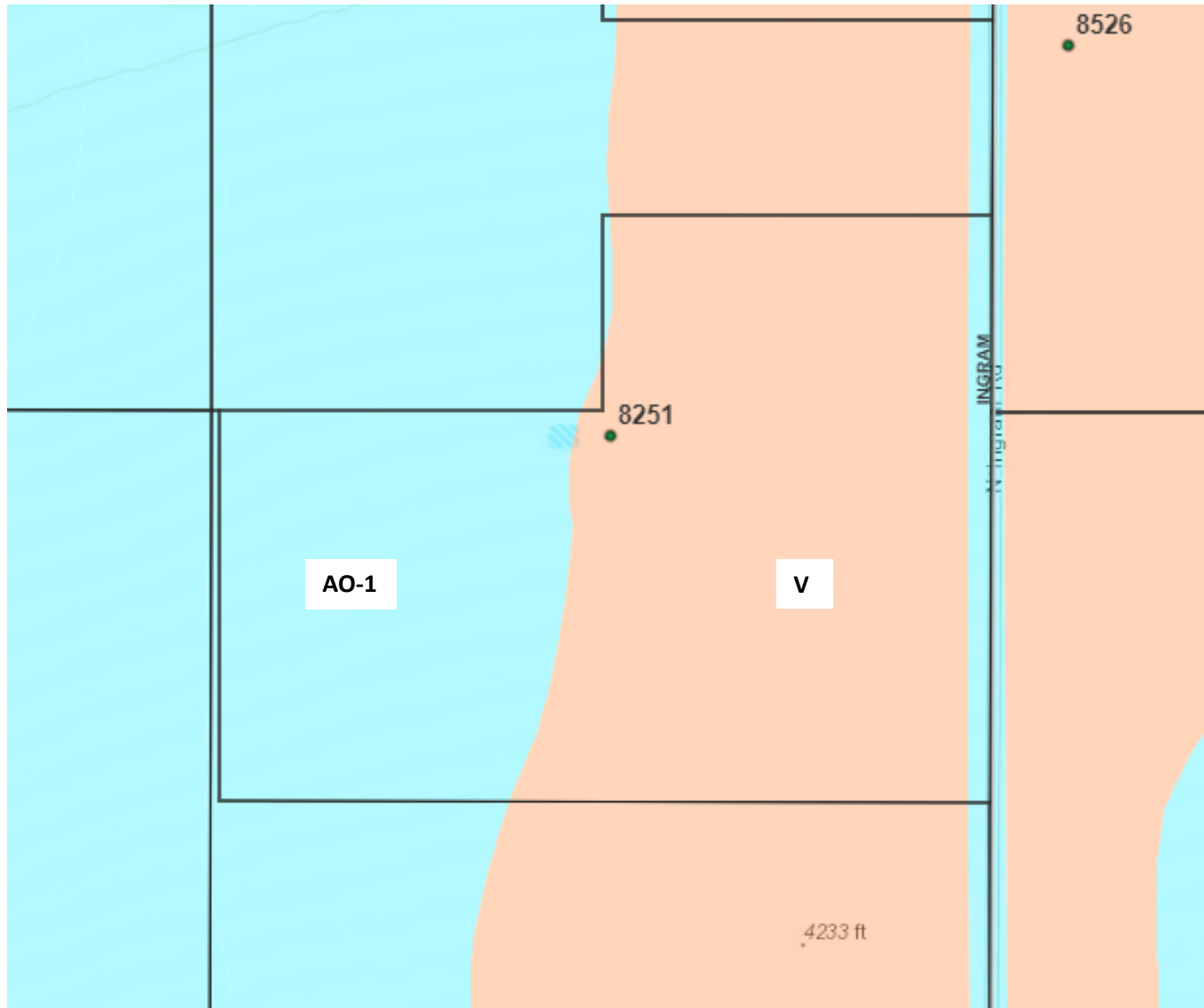


Proposed  
Site Plan



# DEVELOPMENT SERVICES

FEMA Flood



## 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



## Compliance with Duly Adopted Plans: Complies

- **Growth Area:** Category D
- **Comp Plan Designation:** Rural
- **Area Plan:** None
- **Comp Plan:**
  - Agriculture and Ranching Element
  - Economic Development Element
  - Rural Character Element



## Compliance with the Zoning District Purpose Statement: Complies

The Zoning District's purpose statement says:

*To preserve the agricultural character of those portions of the County capable of resource production*

- *At this time solid wall not expected*
- *100-foot setback from Ingram Road*



## Traffic Circulation: Complies with Conditions

- Located on County-maintained dirt road
- COA for Traffic Statement
- ROW Permit/Commercial driveway apron
- Delay agreement if Ingram Road is paved
- Phase 3 improvements to Fort Grant and Ingram Road



## Public Input: Complies

No responses



## Off-Site Impacts: Complies with Conditions

- Odor
  - Greenhouses will help
- Lighting
  - COA for Lighting compliance and black out curtains in greenhouse
- Modest Traffic increase
  - COA for improvements and Traffic statement



## 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 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 18-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 24-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 apply to the proposed use pursuant to other federal, state, or local laws or regulations;
3. Any changes to the approved Special Use may be considered a Modification to this Special Use and may require review and approval of the Planning and Zoning Commission;
4. Any lighting still required shall fully comply with the County's Outdoor Light Regulations. If lighting is proposed in the greenhouse's blackout curtains shall be installed.



## Recommendation: Conditional Approval

5. 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.
6. All on-site commercial sales/activity is prohibited.
7. Lot coverage is limited to 27.5% as shown on the site plan.
8. Any bare ground shall be seeded or otherwise treated to prevent fugitive dust. This includes the grow areas when not planted, parking, and driveways.
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.



## Recommendation: Conditional Approval

10. 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.
11. Prior to or concurrent with the first Commercial Permit application the applicant is required to provide a Basic Traffic Statement to the Engineering & Natural Resources Department describing the phased project traffic impacts and proposed mitigation.
12. 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 Engineering & Natural Resources Department to provide a commercial access apron at the driveway intersection/connection with Ingram as per the Cochise County Roadway Design Standards or as approved by the Engineering & Natural Resources Department County Engineer.



## Recommendation: Conditional Approval

13. The applicant will be asked to sign a delay agreement to provide a 24-foot-wide hard surfaced driveway, with 35 feet radii, should Ingram Road be paved;
14. Off-site mitigation will be required at Phase III/construction of the third greenhouse for an improved intersection access apron at Fort Grant Road and Ingram Road that meet the County Roadway Design Standards or as approved by the County Engineer through the Engineering & Natural Resources Department.
15. The Applicant shall provide further right-of-way dedication for Ingram Road.



## Sample Motion

*Mr. Chairman, I move to approve Docket SU22-08 (Ingram), on parcel 201-27-003 with the Conditions of Approval recommended by staff; the Factors of Approval constituting Findings of Fact.*

