

DRAFT

PROCEEDINGS OF THE COCHISE COUNTY PLANNING AND ZONING COMMISSION REGULAR MEETING HELD ON Wednesday, APRIL 9, 2025

A regular board meeting of the Cochise County Planning and Zoning Commission was held on Wednesday, APRIL 9, 2025 at 4:00 p.m. in the Board of Supervisors' Hearing Room, 1415 Melody Lane, Building G, Bisbee, Arizona.

Present: Kim DePew, Chair; Nathan Watkins, Member; Jim Martzke, Member; Nancy Welch, Member; Gerry Gonzalez, Member; Albert Young, Member; Randall Limbach, Member; Robert Montgomery, Vice Chair; Larry Saunders, Member

Staff Present: Matthew Taylor, Planner II
Christine McLachlan, Interim Development Services Director/Planning Division Manager
Paul Correa, Chief Civil Deputy County Attorney
Bert Whitehead, Deputy County Attorney

Chair DePew called the meeting to order at 4:00 p.m.

CALL TO ORDER

PLEDGE OF ALLEGIANCE, INTRODUCTION, AND ROLL CALL (Introduce Commission members and explain quorum and requirements for taking legal action).

APPROVAL OF THE PREVIOUS MONTH'S MINUTES

Motion by Member Jim Martzke, Second by Member Gerry Gonzalez

Vote: 9 - 0 Approved

CALL TO THE PUBLIC – This is the time for the public to comment. Members of the Commission may not discuss items that are not specifically identified on the agenda.

No one requested to speak during call to the public.

PUBLIC HEARING

1. Docket SU25-05: An applicant-initiated Special Use Authorization request for a marijuana establishment. The property is located at 1134 W. Business Loop west of Bowie (APN 302-15-001H) and zoned RU-4 (Rural District, one dwelling per 4 acres).

Motion by Member Jim Martzke, Second by Vice Chair Robert Montgomery

Case planner Taylor provided a presentation, which is preserved in the files. Elizabeth Del Deo, applicant, provided a statement.

Chair DePew opened the public hearing. No one present or online spoke in favor or opposition to the request. Chair DePew closed the public hearing.

Commission discussion:

Member Limbach asked about the type of State licensing and the applicant confirmed they would pursue a dual license for both recreational and medicinal sales. Member Limbach asked if the business would include a laboratory or manufacturing and the applicant confirmed retail sales only. Member Limbach asked who the cannabis provider would be and the applicant responded that has not been decided but would be a provider within the State and preferably local. Co-applicant Damon Del Deo added that as a small operator they will purchase and not produce their products.

Member Gonzalez asked if there were plans to expand the business to include growing and the applicant responded no. Member Gonzalez asked if the business would create a traffic problems and the applicant replied no. Member Gonzalez asked about odors and the applicant stated their products would be packaged and not produce odors like other marijuana uses such as growing. Member Gonzalez asked about the economic benefit to the community and the applicant stated possible new jobs with the business potentially having 5 to 7 employees.

Member Watkins asked if the business would be a 24/7 operation and the applicant stated it would likely be 9 to 5 subject to any county restrictions, adding customers would make personal decisions as to when they would use any purchased products.

Member Saunders asked if cards are required to purchase and the applicant stated that medical marijuana users have patient cards but recreational users only need a State issued photo ID such as a driver's license.

Member Montgomery asked about staff recommended condition #3, requiring a special use modification for truck parking. Case planner Taylor clarified that condition was in case the planned truck stop on adjacent properties resulted in spillover to the applicant's property.

Member Fickett asked if there was a difference in what the business could sell to medical users versus recreational users. The applicant stated some products such as edibles for medical users can have higher strengths.

Member Gonzalez asked the applicant the maximum amount that can be purchased without a medical card and the applicant stated 1 ounce.

Member Watkins asked if the amount was per transaction and the applicant replied yes.

Member Saunders asked if purchases were tracked by driver's license and the applicant stated the State tracks transactions by individual.

Chair DePew asked staff how the dual license affects the application and case planner Taylor responded county zoning regulations do not differentiate between medical or recreational uses or whether licensing is single or dual use. Chair DePew

asked if retaining the RU-4 zoning could be considered spot zoning and case planner Taylor said the property has existing RU-4 zoning and the Commission can consider the appropriateness of retaining a rural district with a special use for the marijuana establishment over upzoning the property to a business district. Chair DePew asked why the request is not to rezone the property and case planner Taylor responded it's preferable to include conditions of approval with a special use than with a rezone. Chair DePew asked if separation requirements would prevent a residence from being built for a manager or owner and Interim Development Services Director McLachlan stated development standards for marijuana uses apply to existing residences not future residences.

Staff recommended approval with conditions related to marijuana establishment development standards, screening and landscaping, truck parking, and parking area and driveway improvements.

Vote: 9 - 0 Approved

PLANNING DIRECTOR'S REPORT, INCLUDING PENDING, RECENT AND FUTURE AGENDA ITEMS AND BOARD OF SUPERVISORS' ACTIONS.

CALL TO COMMISSIONERS ON RECENT MATTERS.

ADJOURNMENT

Chair DePew adjourned the meeting at 5:29 p.m.

APPROVED:

Kim DePew, Chair

ATTEST:

Christine McLachlan, Interim Development Services Director