



## Development Services

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1415 Melody Ln, Bdg F  
Bisbee, Arizona 85603

### MEMORANDUM

**TO:** Cochise County Planning and Zoning Commission  
**FROM:** Matthew Taylor, AICP, Planning Manager  
**FOR:** Christine McLachlan, AICP, Director  
**SUBJECT:** SU25-23 (Gaskill Road Marijuana Establishment)  
**DATE:** September 10, 2025

### Docket SU25-23 (Gaskill Road Marijuana Establishment)

A Special Use Authorization request to allow a marijuana establishment. Previous special use approvals include:

- SU18-06 (Green Desert Patient Center): Special use for medical marijuana cultivation and infusion facility
- SU21-06 (Modification): Commission approved modification/expansion
- SU22-14 (Administrative Modification): Staff approved modification/expansion

### I. DESCRIPTION OF SUBJECT PARCEL AND SURROUNDING USES

Applicant: Andrew Bauer  
Location: 5655 E. Gaskill Road (Willcox)  
APN: 305-43-056G  
Property Size: 25 acres  
Zoning: RU-4  
Plan Designation: Rural  
Growth Area: D – Rural Areas  
Existing Use: Abandoned Marijuana Cultivation/Infusion Facility  
Proposed Use: Marijuana Establishment (Retail Sales of Marijuana Products)

### Surrounding Zoning and Uses

North	RU-4	Agriculture
South	RU-4	Single Family Residence, Agriculture
East	RU-4	Agriculture
West	RU-4	Abandoned Greenhouses

### II. SITE HISTORY

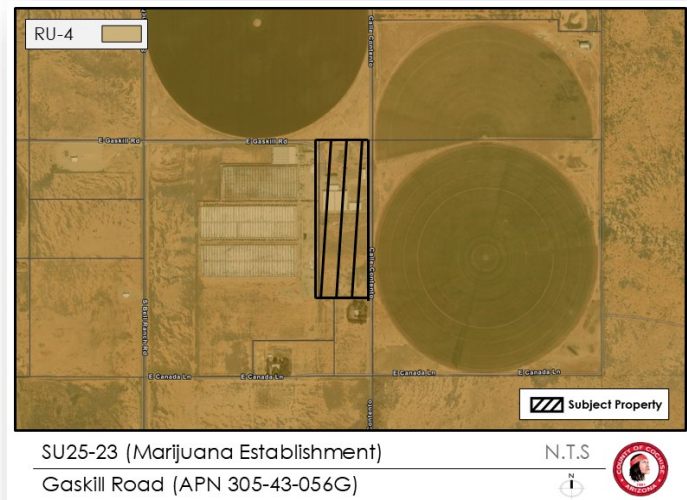
- 2020-2022 (CP20-000002 and 000034; CP21-000036, 000084, and 000144; CP22-000032, 000041, 000087, and 000118): Commercial building permits for greenhouse and office/processing buildings; temporary greenhouses; irrigation house and retention basin; tenant improvements.
  - 2025 (CP25-000091): Tenant improvements for 1311SF of existing office building (doors, ceilings, partitions, ADA restroom). At risk permit issuance pending special use approval.
  - No active code compliance actions.
-

### **III. SPECIAL USE AUTHORIZATION REQUEST**

The applicant requests a special use to allow a State licensed marijuana establishment (retail sale of cannabis products to medical patients and other customers 21 years and older). Site development is determined by the base RU-4 zoning district and additional requirements for marijuana uses are identified in Section 2.51.230 of the zoning regulations (setbacks, distances from other uses).

### **IV. ANALYSIS OF IMPACTS – COMPLIANCE WITH SPECIAL USE FACTORS**

Section 2.48.160 of the Zoning Regulations identifies ten (10) factors to evaluate Special Use applications. These factors determine the suitability of a special use request, whether to recommend approval, and to determine if conditions and/or modifications are needed to mitigate potentially negative impacts on surrounding properties. With the information provided, eight (8) factors apply to this special use request with all applicable factors complying with conditions:



#### **1. Compliance with Duly Adopted Plans: Complies**

The subject property is designated “Rural” by the Comprehensive Plan and falls within Growth Area D (Rural Areas). Existing RU-4 zoning is consistent with the existing rural land use designation and non-residential uses may be appropriate in rural districts if they are in character with existing development and/or provide a service that can be utilized by area residents. Much of the site was previously developed for a cultivation/infusion facility and few site improvements are required beyond building upgrades to establish a retail use.

#### **2. Compliance with the Zoning District Purpose: Complies**

Rural districts allow non-residential activities that provide services serving local needs, recreational support services, and are generally compatible with rural living. These zoning districts, which range in site area from 2 acres to 36 acres, allow residential and non-residential uses compatible with an area’s rural character.

Appropriate special uses can include contractor yards, service stations, and marijuana-related uses in RU-4 or greater (RU-4, RU-10, RU-18, and RU-36). The applicant is specifically requesting special use approval for a retail facility as the previously approved cultivation and infusion is not in operation. Marijuana establishments are defined by the zoning regulations as:

- *A facility licensed for operation by the Arizona Department of Health Services that sells or distributes marijuana to consumers.*

#### **3. Development Along Major Streets: Not Applicable**

The property takes access from Gaskill Road, an unimproved road outside of county maintenance. In 2019 a 25’ concrete apron was installed at Gaskill and Bell Ranch Road (county-maintained Rural Local road). Additional improvements are not required. The intent of this factor is to consider limiting the number of access points on major thoroughfares, arterials, or collectors by using frontage roads, shared access, and

no access easements. Incorporating such measures promotes fewer road cuts to avoid potentially unsafe traffic conflicts, hazardous traffic congestion, and roadway obstruction caused by traffic.

#### 4. Traffic Circulation: Complies

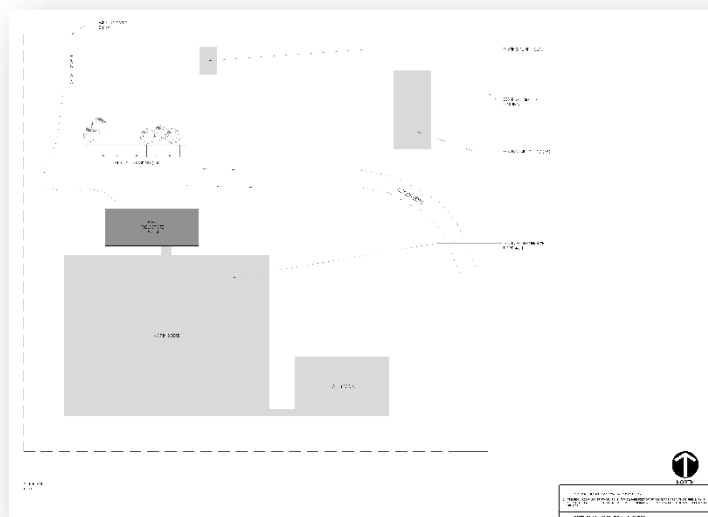
This Special Use Authorization factor stipulates:

1. The request is consistent with the preservation of the functions of surrounding streets as defined in the County Comprehensive Plan.
2. The request does not result in the use of any residential street for non-residential traffic.
3. Consideration of future circulation needs in the surrounding area has been considered through right-of-way dedication and off-site improvements if warranted.

The property has legal access from Gaskill Road, an unimproved road not in county maintenance. Site improvements were made following special use approval for a cultivation/infusion facility between 2020 and 2022. Any required traffic analysis will be identified at permitting. There are no residences or other business that utilize Gaskill Road for access.

#### 5. Adequate Services and Infrastructure: Complies

The property is largely built out with existing wells, septic systems, and numerous structures, including a for office/processing building. Few improvements are required beyond building retrofits that include new doors and partitions and ADA compliant restrooms. The proposed special use does not otherwise require the establishment of new or an expansion of existing services or infrastructure.



#### 6. Significant Site Development Standards: Complies

No new structures are proposed with the special use. Site development must comply with applicable standards identified in the zoning regulations, notably Section 2.15 (*Rural Zoning Districts*) and Section 2.51 (*Marijuana Uses*). Applicable provisions include allowed uses and bulk standards such as setbacks, height, distances between structures, and maximum lot coverage. Given the property's 25 acres, it is reasonable to assume future development will comply with the zoning regulations.

#### 7. Public Input: Complies

Section 2.48.160 of the Zoning Regulations states, "If public concerns have been raised, it is fair to ask if the applicant has made a reasonable effort to address these concerns through the Citizen Review Process." The applicant mailed notices to property owners within 1,000' on July 1, 2025, receiving no responses.

#### 8. Hazardous Materials: Not Applicable

Hazardous materials are not proposed for this special use.

### **9. Off-Site Impacts: Complies**

This factor is intended to ensure adequate measures have been taken to mitigate off-site impacts such as noise, outdoor lighting, odors, smoke, traffic, and dust:

- Noise: As a proposed retail use, business activities will occur indoors with noise generation largely a result of vehicular traffic (employee, customer, and delivery). The nearest residence is located about ¼ mile south of the proposed retail building. There are no residences along Gaskill Road between Bell Ranch Road and the subject property.
- Lighting: The site has existing outdoor lighting. New lighting is not proposed but is subject to Section 2.45 of the zoning regulations relative to brightness and shielding.
- Odors and Smoke: The cultivation and infusion use is not active. Products sold onsite will be pre-packaged and unlikely to generate noticeable odors.
- Parking: Road and parking areas were improved with previous special use approval.
- Landscaping: Growth Area D does not require landscaping.
- Traffic: Proposed hours of operation are Monday through Friday 9am to 5pm with two on-site employees. Estimated customer visits are estimated at 5-10 each day.

### **10. Water Conservation: Not Applicable**

County water conservation requirements apply to non-residential uses and properties. Section 2.51.170 of the zoning regulations requires water saving strategies and applicable water conservation regulations and policies identified in the zoning regulations and comprehensive plan are typically identified at permitting. The site has existing wells and the proposed change in land use would result in a substantial decrease in water consumption.

### **V. PUBLIC COMMENT**

Staff mailed notices to property owners within 1000', published legal notice, and posted the property August 15-20, 2025.

### **VI. WAIVERS**

None.

### **VII. SUMMARY AND CONCLUSION**

The applicant requests sunsetting an existing special use for a marijuana cultivation/infusion facility and replacing with an establishment that offers retail sales of marijuana for medicinal and recreational use. The site is generally developed pursuant to previous special use approval and the applicant seeks to utilize existing site improvements.



### **Factors in Favor of Approval**

1. Complies with seven (7) applicable factors.
2. No opposition from nearby property owners.

3. Adaptive reuse of a developed site.

### **Factors Against Approval**

None identified.

### **VIII. RECOMMENDATION**

Based on the factors in favor of approval, staff recommends approval of Docket SU25-23 to allow a marijuana establishment subject to the following conditions:

1. Special use approval of a marijuana establishment on APN 305-43-056G renders previous special use approvals and associated conditions for the cultivation/infusion facility on this tax parcel void (SU18-06, SU21-06), SU22-14).
2. Marijuana establishment shall comply with standards identified in Section 2.51.230 of the Zoning Regulations.
3. 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 substantial conformance with the approved special use concept plan, the completed Special Use permit questionnaire and application, and appropriate fees. A permit must be issued within 12-months of the Special Use approval otherwise, the Special Use may be deemed void upon 30-day notification to the applicant.
4. 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.
5. 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.

### **Sample Motion**

I move to approve Docket SU25-23 with conditions recommended by staff, the factors in favor of approval constituting the findings of fact.

### **Attachments**

Notice of Action Correspondence (SU18-06, SU21-06, SU22-14)

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**Cochise County**  
**Community Development**  
**Planning, Zoning and Building Safety Division**

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**MEMORANDUM**

April 12, 2018

Ms. Stephanie Wiegold  
Green Desert Patient Center of Peoria, LLC  
5655 E. Gaskill Road  
Willcox, AZ 85643

**RE: Docket SU-18-06 (Green Desert Patient Center) Parcel No. 305-43-056C, located at 5655 E. Gaskill Road in Willcox, AZ 85643.**

Dear Ms. Wiegold,

As you are aware, on Wednesday, April 11, 2018, the Cochise County Planning and Zoning Commission (Commission) voted unanimously (8 – 0) to **conditionally approve** your request to authorize your request to establish a Medical Marijuana Cultivation and Infusion Facility on the above-referenced parcel.

**Note: As a reminder, the Commission's action was to authorize you to apply for the appropriate permits for your requested use; this permission does not relieve you of the obligation to apply for and obtain all required permits such as a County Planning and Zoning Department Use Permit and Building Permit, a Land Clearing Permit, and/or other permits as may be applicable. You should contact the Planning Department Permit Coordinator if you have any questions on what types of permits you need to obtain.**

The Commission imposed the following conditions of approval on these applicable permits:

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;

**Planning, Zoning and Building Safety**

1415 Melody Lane, Building E  
Bisbee, Arizona 85603  
520-432-9300  
520-432-9278 fax  
1-877-777-7958  
planningandzoning@cochise.az.gov

**Highway and Floodplain**

1415 Melody Lane, Building F  
Bisbee, Arizona 85603  
520-432-9300  
520-432-9337 fax  
1-800-752-3745  
highway@cochise.az.gov  
floodplain@cochise.az.gov

3. Any changes to the approved Special Use shall be subject to review by the Planning Department and may require additional Modification and approval by the Planning and Zoning Commission;
4. In advance, or concurrent with, their first Commercial Permit application, the applicant is required to provide a Private Maintenance Agreement for E. Gaskill Road from their driveway to S. Bell Ranch Road;
5. At the commercial permit stage additional site plan details, including a sight distance triangle, per Zoning Regulation 1807.06 and/or Roadway Design Standards D-300, will be needed on the site plan or as a separate illustration. Details on the driveway width, driveway access radii will also be needed: design should comply with the County's Roadway Design Standards;
6. At the commercial permit stage, a maintenance statement stating that they (the owners) will keep all debris, including grass, from obstructing the bottom of the fence and maintain their fence line as to allow water to flow naturally through as to not divert onto other parcels;
7. Within one year of County completion of chip sealing S. Bell Ranch Road, the Applicant shall apply for a permit to construct a private road apron meeting the standards of the Cochise County Road Design Standards, and complete said apron within one year of permit issuance.

We will need your signed Acceptance of Conditions Form and signed and notarized Waiver of Diminution of Value Form (enclosed) by May 11, 2018.

If you or anyone disagrees with the action taken by the Commission, the Zoning Regulations allows for an appeal of the action to the Board of Supervisors. Such appeal must be filed within fifteen (15) days of the Commission's action, April 11, 2018. If you have any questions, please feel free to call me at 432-9300 or email me at [pgardner@cochise.az.gov](mailto:pgardner@cochise.az.gov).

Sincerely,

Peter Gardner, Planner II



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**Development Services**  
Planning, Zoning and Building Safety Division  
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**MEMORANDUM**

April 20, 2021

Green Desert Patient Center of Peoria, Inc  
1155 W Rio Salado Parkway, Suite 201  
Tempe, AZ 85281

***Transmitted Via email***

**RE: Docket SU21-06 (Green Desert Patient Center Mod) Parcel Nos. 305-43-056G and F, 401-01-003E and F, located at 5655 E. Gaskill Road, Willcox**

Dear Mr. Francoeur,

As you are aware, on Wednesday, April 14, 2021, the Cochise County Planning and Zoning Commission (Commission) voted unanimously (8-0-1) to **conditionally approve** your request for a Special Use Authorization modification/expansion of an existing medical marijuana cultivation, storage, and infusion facility. The modifications include the following (all approximate):

**Phase 1:**

- 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 1500m<sup>3</sup> covering 0.3 acres
- 10-acre outdoor cultivation area (in addition to the pre-approved 2.5 acres)
- 12,000 square foot post-harvest support facility

**Phase 2:**

- 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:**

- 460 hoop houses covering 59 acres
- One drying room covering 11 acres

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126 West 5<sup>th</sup> Street, Suite 4  
Benson, AZ 85602  
520-432-9248  
planningandzoning@cochise.az.gov

- One infusion/processing space covering 3 acres
- One irrigation and storage building covering 5 acres

**Note: As a reminder, the Commission's action was to authorize you to apply for the appropriate permits for your requested use; this permission does not relieve you of the obligation to apply for and obtain all required permits such as a County Planning and Zoning Department Use Permit and Building Permit, a Land Clearing Permit, and/or other permits as may be applicable. You should contact the Planning Department Permit Coordinator if you have any questions on what types of permits you need to obtain.**

The Commission imposed the following conditions of approval on these applicable permits:

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 shall be subject to review by the Planning Department and may require additional Modification and approval by the Planning and Zoning Commission;
4. All on-site parking, driveways, and maneuvering areas shall receive at least a two-inch layer of gravel.
5. A detailed, dimensioned site plan shall be provided in conjunction with the permit submittal.
6. 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.
7. 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.
8. All on-site commercial sale/activity is prohibited.
9. 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.
10. 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.

11. 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.

If you have any questions, please feel free to call me at 432-9248 or email me at [rkirschmann@cochise.az.gov](mailto:rkirschmann@cochise.az.gov).

Sincerely,

A handwritten signature in blue ink, appearing to read "Robert Kirschmann", with a stylized flourish at the end.

Robert Kirschmann, Planner II



**Cochise County**  
**Community Development**  
 Planning, Zoning and Building Safety Division  
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**MEMORANDUM**

July 1, 2022

Green Desert Patient Center of Peoria, Inc.  
 ATTN: Andrew Khaled  
 1155 W Rio Salado Parkway  
 Willcox, AZ 85643

***Transmitted Via email***

**RE: Administrative Modification: Docket SU22-14 (Green Desert Patient Center) Previously, SU21-06, SU-18-06, located at 5655 E Gaskill Rd., Willcox Arizona, APNs:305-43-056G,F and 401-01-003E,F**

Dear Mr. Khaled:

This letter is to inform you that the Development Services Department has reviewed and administratively **approved** your request to modify Special Use Permit (SU21-06) for a Medical Marijuana Cultivation facility. The changes include but are not limited to:

**Blossom Farm Special Use Modification Comparison**

Use	Number	Approved		Number	Proposed	
		Square foot	Acres		Square foot	Acres
Hoop Houses	1,016	5,662,800	130	724	4,199,184	92.6
Veg Greenhouses	2	1,045,440	24	2	1,001,880	24.0
Shade Structures	27	304,920	7	132	1,507,176	34.6
Water Storage	2	435,600	10	2	435,600	10
Drying rooms	2	958,320	22	2	958,320	22.0
Phase 3 processing	2	261,360	6	2	261,360	6
Phase 3 Irrigation and Stor	3	261,360	14	1	392,040	9.0
Phase 2 General Managem	1	60,984	1.4	0	0	0.0
Nursery				1	47,916	1.1
Hydration Station				1	31,000	0.7
Freezer containers				20	6,400	
Storage containers				5	1,600	
Phase 2 Processing Bldg				1	102,000	2.3
	1,055	8,990,784	214.4	893	8,944,476	202

**Planning, Zoning and Building Safety**  
 126 W 5<sup>th</sup> Street  
 Benson, Arizona 85602  
 520-432-9248

This request modifies Special Use Permit SU21-06 approved by the Planning and Zoning Commission on April 14,2022, permitting:

- 1,016 hoop houses, 130 acres
- two greenhouses, 24 acres
- 27 shade structure, 7 acres
- two water storage areas, 10 acres
- two drying rooms, 22 acres
- Two infusion/processing spaces, 6 acres
- Three irrigation and storage areas, 6 acres
- One office, 1.4 acres

Your request to administratively modify the approved Special Use Permit is consistent with the Planning and Zoning Commission's finding of facts for approval of Special Use SU21-06. The proposed modification will not violate the Comprehensive Plan or other provisions. The proposed modification will not adversely impact traffic or traffic circulation, drainage, or water conservation measures. The modification does not create a situation where the property's proposed use will create a hazard or nuisance.

If you have any questions regarding this matter, please contact Robert Kirschmann at 520-432-9248 or by email at [RKirschmann@cochise.az.gov](mailto:RKirschmann@cochise.az.gov).

Best regards,



Robert Kirschmann, Planner II