

Docket SU25-23

Special Use Authorization for a Marijuana Establishment

Planning and Zoning Commission
September 10, 2025



Sample Motion

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

DEVELOPMENT SERVICES



Applicant: Andrew Bauer

Location: 5655 E. Gaskill Road (Willcox)
APN 305-43-056G

Zoning: RU-4

Plan Designation: Rural

Growth Area: D – Rural Areas

Current Use: Abandoned Marijuana
Cultivation/Infusion Facility

Proposed Uses: Marijuana Establishment (Retail sales)

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Property Location and Zoning



SU25-23 (Marijuana Establishment)
Gaskill Road (APN 305-43-056G)

N.T.S



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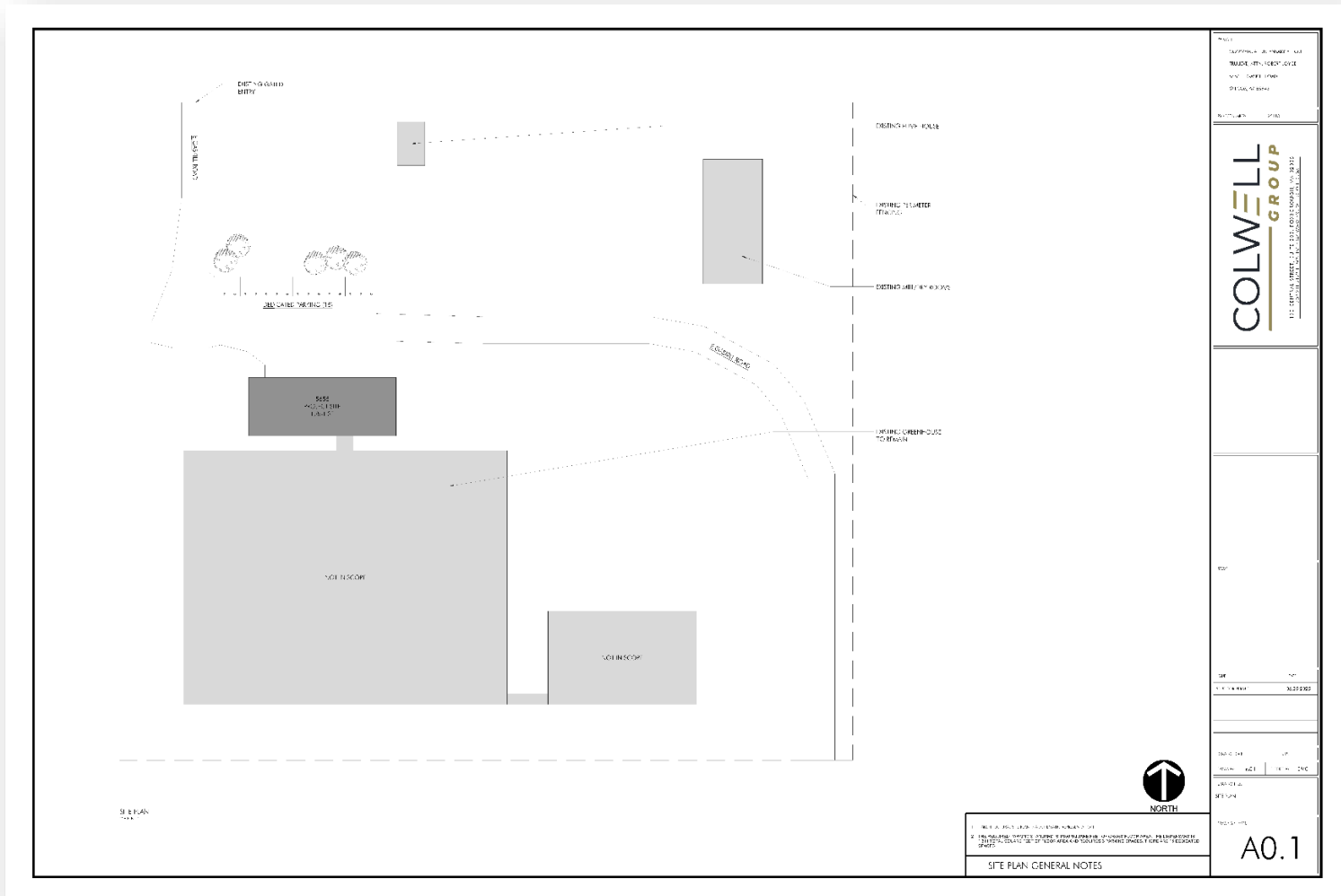
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Site Plan



PROJECT: [REDACTED]
 CLIENT: [REDACTED]
 DATE: [REDACTED]
 SCALE: [REDACTED]

COLWELL GROUP
 10000 N. [REDACTED] AVENUE, SUITE [REDACTED]
 TULSA, OKLAHOMA 74116

DATE: [REDACTED]
 DRAWN BY: [REDACTED]
 CHECKED BY: [REDACTED]
 PROJECT NO.: [REDACTED]

SCALE: 1" = 100'-0"

A0.1

SITE PLAN - GENERAL NOTES

1. ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE NOTED.
2. THE SHADING INDICATES THE EXISTING FOOTPRINTS AND THE UNSHADING INDICATES THE PROPOSED FOOTPRINTS.

Marijuana Establishments

- Definition
 - Retail sales of marijuana and related products
 - No cultivation, infusion, or testing
- Licensing
 - AZ Department of Health Services
- Section 2.51 of the zoning regulations
 - Minimum 1000' from other marijuana uses; libraries; schools; childcare centers; churches; youth facilities
 - Minimum 300' from any residence on property with residential zoning district (property line to property line)
 - Must occur within a permanent building; outdoor seating areas prohibited
- Previous special use approvals for cultivation/infusion facility

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Special Use Authorization Factors

- | | |
|--|-----------------------|
| 1. Compliance with adopted plans | Complies |
| 2. Compliance with zoning district purpose | Complies |
| 3. Development along major streets | Not Applicable |
| 4. Traffic circulation | Complies |
| 5. Adequate services and infrastructure | Complies |
| 6. Significant site development standards | Complies |
| 7. Public input | Complies |
| 8. Hazardous materials | Not Applicable |
| 9. Off-site impacts | Complies |
| 10. Water conservation | Complies |

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Factors in Favor of Approval

- Complies with applicable factors
- No opposition from nearby property owners
- Adaptive reuse of a developed site

Factors Not in Favor

- None identified

Citizen Review / Public Notice

- 15 July
 - Applicant letters
- 15-20 August
 - Notices
 - Posting
 - Legal ad



Applicant Presentation / Discussion



Staff Recommendation

Based on the factors in favor of approval, staff recommends approval of Docket SU25-23 to allow a marijuana establishment with 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.

Staff Recommendation (cont.)

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.

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