



# PLANNING & ZONING STAFF SUMMARY REPORT

MEETING DATE: May 02, 2023

CASE # Z 2023-01

REVIEWING BOARD

PLANNING & ZONING COMMISSION

ACTION  
REQUESTED:

Zone Change from  
Zone A- Agriculture to Zone D- Industrial in Area I

LAND OWNER AND  
AGENTS:

Nature's Holding LLC  
Pecos Valley Production

LOCATION:

4000 E. Hobson Road  
Tract 1A of Natures Kustom Boundary Survey

ITEM SUMMARY

In order to comply with Section 5 of Article XXII of the County Zoning Ordinance #7; Cannabis Production, Extraction and Manufacturing shall be located in the Industrial District.

SUPPORTING  
DOCUMENTS

Staff Review, Application, Development & Site Plan, Vicinity Map

SUMMARY BY: Louis Jaramillo–Planning & Zoning Director

# STAFF'S REPORT

CASE # Z 2023-01

Pecos Valley Production has been producing cannabis at this location for approximately ten years. Production of cannabis is a permitted agricultural use in the Agriculture zoning district, per the Chaves County Zoning Ordinance #7. Recent expansions that include extraction and manufacturing of cannabis products and goods has been a goal of PVP since their facility was upgraded in 2021. Extraction for manufacturing of cannabis products and goods must be located in an Industrial zoned district due to the hazardous nature of chemicals used in the extraction process. This facility shall not be permitted to sell cannabis to the public nor consume cannabis of any kind on the property.

The established facility is located on a 39.7-acre parcel of land that accesses onto Hobson Road. The surrounding area is primarily zoned Agriculture, farming or ranching, with the exception of the main house along Hobson Road which is zoned Ag-Residential. The two roads to this area are E. Hobson Road and Menominee Road, both county-maintained roads.

New Mexico approved the use of medical cannabis in 2007 per the Lynn and Erin Compassionate Use Act. On March 31, 2021 New Mexico approved recreational use with the passing of the Cannabis Regulation Act. Chaves County soon established cannabis regulations and requirements in August of 2021 that conformed with State regulations.

Staff is in support of the zone change with the following Conditions of Approval:

1. The PVP facility shall register with the NM Taxation and Revenue Department and shall comply with all NM Building Codes, NM Environmental and Cannabis Control Division regulations: and
2. That all light structures comply with the NM Night Sky Protection Act.

## **Findings of Fact:**

1. The 2016 Chaves County Comprehensive Master Plan does not address cannabis facilities directly but does encourage industrial uses be located in areas that have reasonable access and are not injurious to the residential neighborhoods.
2. The 2016 Chaves County Comprehensive Master Plan states the protection of local agriculture use is a major priority. The Pecos Valley Production has had little impact on the surrounding agricultural properties with its cannabis facility, for the past ten years.

- 3. Pecos Valley Production remains in good standing with the State Cannabis Control Division and is a registered Cannabis Establishment with Chaves County since 2021.**
- 4. Owners within 1,000 feet have been notified by certified mail of this meeting, as required by the Chaves County Zoning Ordinance #7.**
- 5. This case has been advertised in the Roswell Daily Record 3 days prior to this meeting as required by the Chaves County Zoning Ordinance #7 and State Statute.**



ROSWELL- CHAVES COUNTY ETZ/ CHAVES COUNTY ZONING APPLICATION

Case Number: 7 2023-01 Date Received: 4-20-23 Fee: 350<sup>00</sup>

Type of Request:  Rezoning  Special Use  Variance  Change of Use

Owner's Name: Nature's Holdings LLC

Mailing Address: 3508 N. Kalaruma Ave  
Scottsdale AZ 85251 Phone Number: \_\_\_\_\_

Agent's Name: Clinton or Jason Greathouse

Mailing Address: 5106 S. Main  
Roswell NM 88203 Phone Number: 505-595-500-2781

Roswell-Chaves County ETZ  Chaves County

Case Address: 4000 E. Hobson Road

Legal Description: Tract 1A Nature's Kustom Boundary Survey

Parcel Number: 4143067112054

Present Land Use: Cannabis Producer

Intended Land Use: Cannabis Producer, Manufacturer and extraction

Present Zoning: Agriculture Requested Zoning: Industrial Zone D

Reason for Requested: (Attach Letter if necessary) New extraction facility -

Comply with Section 5.B. of Article XXII  
Continue normal operation of the PVP facility.

**PLEASE INCLUDE ALL DEVELOPMENT PLANS, SITE PLANS, AND /OR BUSINESS PLANS**

**I ACKNOWLEDGE THAT I HAVE BEEN INFORMED OF THE DATES, TIMES, AND LOCATIONS OF THE PUBLIC HEARINGS FOR WHICH I OR MY AGENT SHALL ATTEND IN ORDER TO FULFILL THE REQUIREMENTS OF THIS APPLICATION.**

Owner's Signature [Signature]

Date 4/19/23





