



NOTICE OF MEETING
Cochise County Planning and Zoning Commission

January 9, 2013 at 4:00

Cochise County Complex
Board of Supervisors, Hearing Room
1415 W. Melody Lane, Building G
Bisbee, Arizona 85603

AGENDA

1. 4:00 P.M. - CALL TO ORDER

THE ORDER OR DELETION OF ANY ITEM ON THIS AGENDA IS SUBJECT TO MODIFICATION AT THE MEETING

- 2. ROLL CALL** (Introduce Commission members, explain quorum and requirements for taking legal action.)
- 3. CALL TO THE PUBLIC** (Opportunity for members of the public to speak on any item not already on the agenda).
- 4. APPROVAL OF PREVIOUS MONTH'S MINUTES**
- 5. NEW BUSINESS**

Item 1 –Election of Chairman and Vice-Chairman for 2013.

Item 2 – (Page 1) Introduce docket and advise public who the Applicants are.

PUBLIC HEARING, Docket SU-13-01 (Workman): The Applicant seeks Special Use authorization from the Planning and Zoning Commission for a Contract Construction Services operation, per Section 607.13 of the Zoning Regulations, utilizing the existing Kings Ranch at Coronado Discovery Center on the property. The discovery center is the sales office for the subdivision, consisting of three structures and an asphalt parking lot. The Applicant, RL Workman of Workman Homes, is using the sales center as the headquarters for his business; this company is also the home builder for Kings Ranch at Coronado, and some storage of equipment (indoor) and vehicles (outdoor) will take place.

The subject parcel (104-24-312) is located at 10280 S. Wilderness Road in Hereford, AZ.

ANNOUNCE ACTION TAKEN – (Note: Any individual disagreeing with this action has the right to appeal to the Board of Supervisors within 15 days. An application for appeal is available this afternoon with the Clerk, at our office Monday through Friday between 8 A.M. and 5 P.M., or anytime on our webpage in the “Permits and Packets” link.)

Item 3 – (Page 25) Introduce docket and advise public who the Applicants are.

PUBLIC HEARING, Docket SU-12-23A (Wu): The Applicant seeks Special Use modification of SU-09-23 to construct a Solar Energy Plant, which was approved by the Commission in December 2009 with a condition of approval requiring the developer to make substantial progress within three (3) years from the date of Commission Approval; this request is to modify this condition to allow for additional time to make substantial progress. The location is six (6) contiguous RU-4 zoning districts (Rural; minimum lot size 4 acres) approximately 7 miles southeast of the Bowie townsite.

The property (a site consisting of Parcels 304-01-004; 004A; 004B, 009; 023; 024) takes access via S. Apache Pass Rd. The Applicant is Jian Ming Wu

ANNOUNCE ACTION TAKEN – (Note: Any individual disagreeing with this action has the right to appeal to the Board of Supervisors within 15 days. An application for appeal is available this afternoon with the Clerk, at our office Monday through Friday between 8 A.M. and 5 P.M., or anytime on our webpage in the “Permits and Packets” link.)

Item 4 – (Page 63) Introduce docket and advise public who the Applicants are.

PUBLIC HEARING, Docket R-13-01: A resolution that proposes a number of revisions to the 2008 version of the Cochise County Zoning Regulations (adopted June 20, 2008, Resolution 08-31). The overall intent of the proposed revisions is to: 1) to simplify and clarify the regulations to be understood by staff and the public; 2) build in more flexibility in the administration of the regulations; and 3) bring the regulations into conformance with revisions in the Cochise County Comprehensive Plan and Arizona Revised Statutes (“ARS”). Examples of land use definitions that have been added include: Commercial Kennels, Community Gardens and Farmers’ Markets, and Recycling Transfer Stations. Many other definitions, such as Residential Care Homes and Institutions, were modified for clarity or to meet current ARS requirements. Article 19 has been re-written to conform to ARS. The Commission will be considering revisions to most sections of the Zoning Regulations as part of this Docket.

Applicant: Cochise County Planning and Zoning Commission

ANNOUNCE ACTION TAKEN (If the Commission makes a recommendation, the docket will be heard at the February 13, 2013 regular meeting of the Board of Supervisors at the same location as the Commission meeting).

(Note: Any individual disagreeing with this action has the right to appeal to the Board of Supervisors within 15 days. An application for appeal is available this afternoon with the Clerk, at our office Monday through Friday between 8 A.M. and 5 P.M., or anytime on our webpage in the “Permits and Packets” link.)

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

7. CALL TO COMMISSIONERS ON RECENT MATTERS.

8. ADJOURNMENT

Pursuant to the Americans with Disabilities Act (ADA), Cochise County does not, by reason of a disability, exclude from participation in or deny benefits or services, programs or activities or discriminate against any qualified person with a disability. Inquiries regarding compliance with ADA provisions, accessibility or accommodations can be directed to Chris Mullinax, Safety/Loss Control Analyst at (520) 432-9720, FAX (520) 432-9716, TDD (520) 432-8360, 1415 Melody Lane, Building F, Bisbee, Arizona 85603.

**COCHISE COUNTY PLANNING & ZONING COMMISSION
DRAFT MINUTES**

Wednesday, December 12, 2012

The regular meeting of the Cochise County Planning & Zoning Commission was called to order at 4:00 p.m. by Chair Lynch at the Cochise County Complex, 1415 Melody Lane, Building G, Bisbee, Arizona in the Board of Supervisors' Hearing Room.

Mr. Lynch admonished the public to turn off cell phones, use the speaker request forms provided, and to address the Commission from the podium using the microphone. He explained the time allotted to speakers when at the podium. He then explained the composition of the Commission, and indicated there was a single Special Use Permit on the Agenda. He explained the consequences of a potential tie vote and the process for approval and appeal.

ROLL CALL

Chair Lynch noted the presence of a quorum and called the roll, asking the Commissioners to introduce themselves and indicate the respective District they represent; six Commissioners (Tim Cervantes, Pat Edie, Jim Lynch, Jim Martzke, Carmen Miller, and Liza Weissler) indicated their presence.

CALL TO THE PUBLIC

Chair Lynch opened the "Call to the Public." Jack Cook spoke about various matters. Chair Lynch closed the "Call to the Public."

APPROVAL OF THE MINUTES

Motion: Approve the minutes of the October 10, 2012 meeting as presented.

Action: Approve **Moved by:** Mr. Martzke, **Seconded by:** Ms. Edie

Vote: Motion passed (**Summary:** Yes = 4, No = 0, Abstain = 2)

Yes: Mr. Martzke, Ms. Miller, Chair Lynch, Ms. Edie

No: 0

Abstain: Mr. Cervantes, Ms. Weissler

NEW BUSINESS

Item 1

PUBLIC HEARING, Docket SU-12-15 (Peterson): The Applicant seeks Special Use authorization from the Planning and Zoning Commission for a Guest Lodging operation, per Section 607.01 of the Zoning Regulations.

The intent is to offer the existing 2,800 square foot home, as well as up to six cabins in the future, as a weekend retreat center for fitness events, weddings, family reunions, corporate, religious or social functions.

The subject property (Parcel #203-17-006) is located at 3700 E. Moonlight Road, East of incorporated Willcox, AZ. The Applicants are John and Betty Peterson.

Chairman Lynch called for the Planning Director's presentation of the Docket. Keith Dennis, Planner II, delivered the report, illustrating the facts of the case, utilizing photos, maps and other visual aids. He explained the background of the case and the circumstances surrounding the Special Use Permit under consideration. Mr. Dennis explained the Applicant's site plan and the current and proposed uses on the parcel. Mr. Dennis did note that the concept plan would need additional details at the Non-Residential Permit Phase. Mr. Dennis mentioned that the existing structures were all constructed without permits, but the opinion of Jack Holden, County Building Official, is that the construction is up to code. Issues regarding permitting, access, and parking were discussed. Mr. Dennis did note that Modifications of access and parking requirements were requested by the Applicants. He concluded by offering four factors in favor and one factor against approval. Mr. Dennis asked for questions from the Commissioners. There being no questions, Mr. Lynch invited the Applicant to make a statement.

Mr. Peterson commented on how pleased he was with all interactions with County Staff. Mr. Martzke requested clarification that the Applicant would continue to live on site. Mr. Peterson responded in the affirmative.

Chairman Lynch opened the Public Hearing. There being no members of the Public interested in speaking, Chairman Lynch closed the Public Hearing. After there being no further questions from the Commissioners, Chairman Lynch asked for the Planning Director's summary and recommendation. Mr. Dennis recommended Conditional Approval and explained the requested Conditions. Mr. Lynch asked the Commission if there were questions for staff. There being none he asked for a motion in the affirmative. Mr. Martzke moved to approve Docket SU-12-15 with the conditions recommended by staff in the staff memorandum. Ms. Edie seconded. Mr. Lynch opened the item for discussion. Mr. Lynch asked about the surface of the County maintained road mentioned. There being no further questions, Mr. Lynch explained the motion process to new Commissioner, Liza Weissler, and then called for a vote. The motion passed 6-0.

Motion: Motioned to approve the Special Use authorization for Guest Lodging.

Action: Approve **Moved by:** Mr. Martzke, **Seconded by:** Ms. Edie

Vote: Motion passed unanimously (**Summary:** Yes = 6, No = 0, Abstain = 0)

Yes: Mr. Martzke, Ms. Miller, Chair Lynch, Mr. Cervantes, Ms. Weissler and Ms. Edie.

Item 2

PUBLIC HEARING, Docket Z-12-07 (Jantz): The Applicants are requesting a rezoning of nine contiguous one-acre parcels from SR-43 (single family residential, 1 dwelling per acre) to RU-4 (Rural, 1 dwelling per 4 acres). The Applicants, who reside on the site, are requesting the rezoning as part of an effort to convert the parcels to full time agricultural production.

The properties (a site consisting of Parcels 119-05-244 through 252) are located at 730 N. Skyline Road in Cochise, AZ. The Applicants are Michael and Cynthia Jantz of the same address.

The Applicant not yet present, Chairman Lynch called a short recess. Once the Applicant arrived, the meeting was called back to order.

Keith Dennis, Planner II, delivered the report, illustrating the facts of the case, utilizing photos, maps and other visual aids. He explained the background of the case and the circumstances surrounding the rezoning under consideration. He explained that the parcel was a functioning farm and currently has Agricultural Exempt Status from the Community Development Department. Mr. Dennis explained the Applicant's site plan and the current and proposed uses on the parcel. Mr. Dennis explained that the Mid-Sulphur Springs Valley Area Plan encouraged such downzonings and explained how the proposed zoning is a better fit with the local development pattern. The citizen response was discussed. Mr. Dennis concluded by offering four factors in favor and one factor against approval. Mr. Dennis asked for questions from the Commissioners. Ms. Weissler asked about the adjacent zoning. Mr. Dennis clarified the status of the surrounding area and it was discovered that the Staff memo was in error on this point; the surrounding zoning is SR-43, not RU-4.

Mr. Lynch invited the Applicant to make a statement. Mr. Jantz explained the details of his farm and future plans. Mr. Jantz responded to the concerns from a neighbor regarding keeping poultry. Mr. Lynch asked about water and irrigation. Mr. Jantz commented that there had been an objection regarding this issue but explained that he was using high efficiency irrigation systems.

Chairman Lynch opened the Public Hearing. There being no members of the Public interested in speaking, Chairman Lynch closed the Public Hearing. Mr. Martzke commented that Mr. Jantz's farm is using much less water than would be used if the subdivision was developed with homes. With no further questions from Commissioners, Chairman Lynch asked for the Planning Director's summary and recommendation. Mr. Dennis recommended Conditional Approval and explained the requested Conditions.

Mr. Lynch asked what the implications of the rezoning would be for Mr. Jantz's agricultural options. Mr. Dennis explained that due to the Agricultural Exemption there would be no change, and that the rezoning is primarily for the Applicant's peace of mind. Mr. Martzke moved to approve Rezoning Docket Z-12-07 with the conditions recommended by staff in the staff memorandum. Ms. Edie seconded.

Mr. Lynch opened the item for discussion. Mr. Lynch asked about the surface of the County maintained road mentioned. There being no further questions Mr. Lynch called for a vote and the motion passed 6-0.

Motion: Motioned to recommend conditional approval of the rezoning to the Board of Supervisors.

Action: Approve **Moved by:** Mr. Martzke, **Seconded by:** Ms. Edie

Vote: Motion passed unanimously (**Summary:** Yes = 6, No = 0, Abstain = 0)

Yes: Mr. Martzke, Ms. Miller, Chair Lynch, Mr. Cervantes, Ms. Weissler and Ms. Edie.

PLANNING DIRECTOR'S REPORT

Chairman Lynch then called for the Planning Director's report. Deputy Director Beverly Wilson reported that next month there is a request for an extension of a Special Use approved in 2009 for a Solar Energy Power Plant, and a request for a Special Use for Contract Construction Services from Workman Homes in the King's Ranch Estate Subdivision. Ms. Wilson noted that the Zoning Regulation update would be considered by the Commission as well.

CALL TO COMMISSIONERS

Mr. Lynch reminded everyone that officer elections would take place at the next meeting. Mr. Lynch also recommended a retreat early next year with the Board of Supervisors, and Mr. Martzke concurred. There were no planned absences for next month.

ADJOURNMENT

Mr. Martzke moved to adjourn, Ms. Edie seconded, and the meeting was adjourned at 4:55 p.m.



COCHISE COUNTY COMMUNITY DEVELOPMENT

"Public Programs...Personal Service"

MEMORANDUM

TO: Cochise County Planning and Zoning Commission

FROM: Keith Dennis, Planner II KD

FOR: Beverly J. Wilson, Deputy Director Planning Division

SUBJECT: Docket SU-13-01 (Workman)

DATE: December 28, 2012, for the January 9, 2013 Meeting

APPLICATION FOR A SPECIAL USE

The Applicant seeks Special Use authorization from the Planning and Zoning Commission for a Contract Construction Services operation, per Section 607.19 of the Zoning Regulations, utilizing the existing Kings Ranch at Coronado Discovery Center on the property. The discovery center is the sales office for the subdivision, consisting of three structures and an asphalt parking lot. The Applicant, RL Workman of Workman Homes, is using the sales center as the headquarters for his business; this company is also the home builder for Kings Ranch at Coronado, and some storage of equipment (indoor) and vehicles (outdoor) will take place. The subject parcel (104-24-312) is located at 10280 S. Wilderness Road in Hereford, AZ. The Applicant is Michael Cerepanya, on behalf of R.L. Workman Homes.

I. DESCRIPTION OF SUBJECT PARCEL AND SURROUNDING LAND USES

Parcel Size: 6.19 Acres
 Zoning: Rural (RU-4)
 Growth Area: Category D (Rural)
 Plan Designation: Rural-Density Residential
 Area Plan: Southern San Pedro Valley Area Plan, Sierra Vista Sub-Watershed
 Existing Uses: Kings Ranch at Coronado Sales Office, RL Workman Homes Office

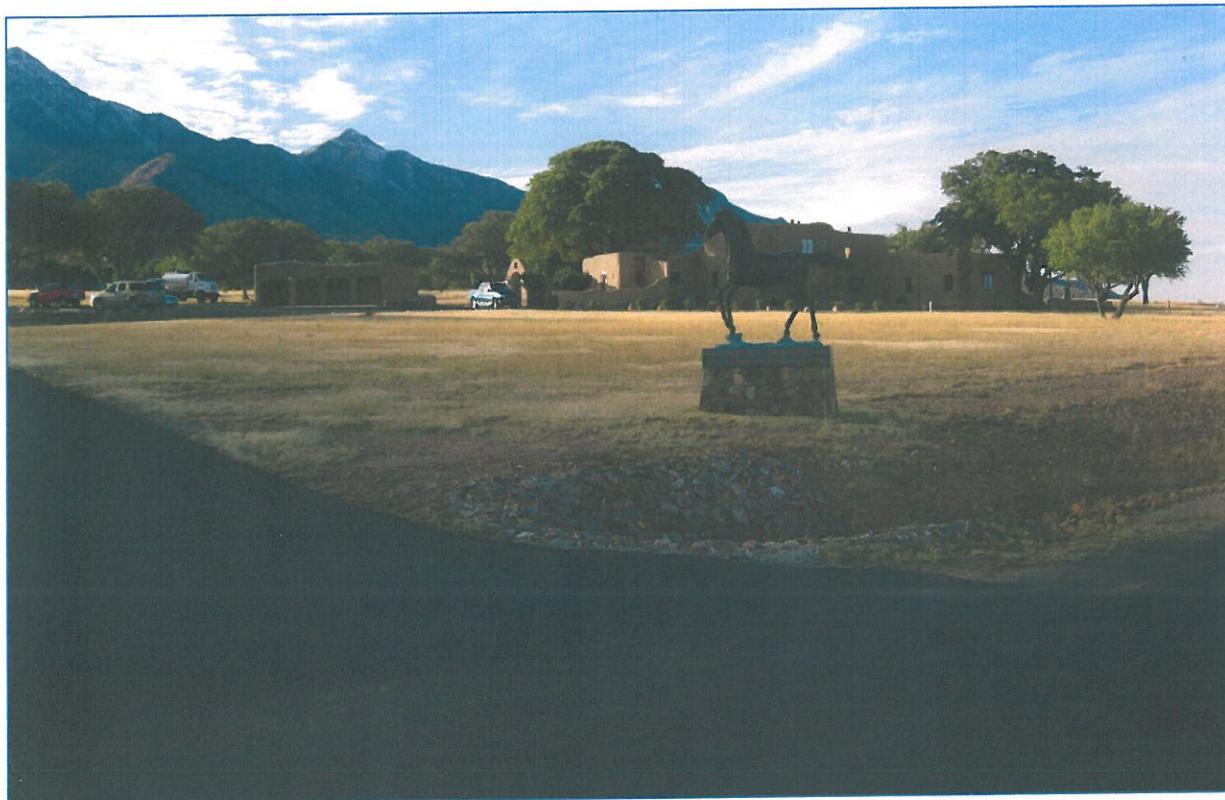
Zoning/Use of Surrounding Properties

Relation to Subject Parcel	Zoning District	Use of Property
North	RU-4	Subdivision Lots
South	RU-4	Subdivision Lots
East	RU-4	Wilderness Road, Subdivision Lots
West	RU-4	Subdivision Lots

II. PARCEL HISTORY

The subject parcel is the site of the original Kinjockity Ranch headquarters, built in 1939. The property has more recently been used as the sales center for the Kings Ranch at Coronado Subdivision.

In the summer of 2012, the homebuilder for the subdivision, R.L. Workman Homes, moved their headquarters into the sales center. The company was then issued a zoning violation for business without a permit (Contract Construction Services).



The Kings Ranch at Coronado Discovery Center, now home to R.L. Workman Homes residential contractor.

III. NATURE OF REQUEST

R.L. Workman homes recently relocated their headquarters from Sierra Vista to the Kings Ranch at Coronado sales center, due in part to the fact that much of their current business consists of building homes in the subdivision. Although there is limited indoor storage of materials and equipment in the existing 2,000 square-foot garage on the property, and some storage of vehicles in the asphalt parking lot, the operation primarily consists of an administrative office and drafting center. Five full-time employees work at the site in the 3,100 and 1,200 square-foot sales center buildings, performing drafting, finance and administrative duties for the company.

Although the business more closely resembles a Professional Services land use, which is also allowed by Special Use in the Rural District, it is the use for indoor storage of equipment and materials, and outdoor storage of vehicles that classifies this land use as Contract Construction Services.

Earlier developers conceived that this property might be a potential site for a restaurant or club for local homeowners. Such a land use, or other potential commercial uses were envisioned as being subject to a public process. Thus, the Kings Ranch at Coronado Final Plat designates this lot for business use through the Special Use process.

IV. ANALYSIS OF IMPACTS – COMPLIANCE WITH SPECIAL USE FACTORS

Section 1716.02 of the Zoning Regulations provides a list of 10 factors with which to evaluate Special Use applications. Staff uses these factors to help determine whether to recommend approval for a Special Use Permit, as well as to determine what conditions and/or Modifications may be needed. Eight of the 10 criteria apply to this request. The project as submitted complies with seven of the eight applicable Special Use factors, as submitted. If the conditions of approval recommended by staff and the Modifications requested by the Applicant are applied, the project would comply with each of the eight applicable factors.

A. Compliance with Duly Adopted Plans: Complies

The Southern San Pedro Valley Area Plan provides for a variety of Special Uses in the plan area; the most relevant policies in the document refer to design standards for non-residential structures. The project is a low-impact, primarily office land use utilizing the historical Kinjockity Ranch headquarters, the design, layout and landscaping of which are examples of the Southwest ranch-style aesthetic called for by the plan.

B. Compliance with the Zoning District Purpose Statement: Complies

Section 601.02 of the Zoning Regulations encourages “those types of non-residential and non-agricultural activities which serve local needs or provide a service and are compatible with rural living.”

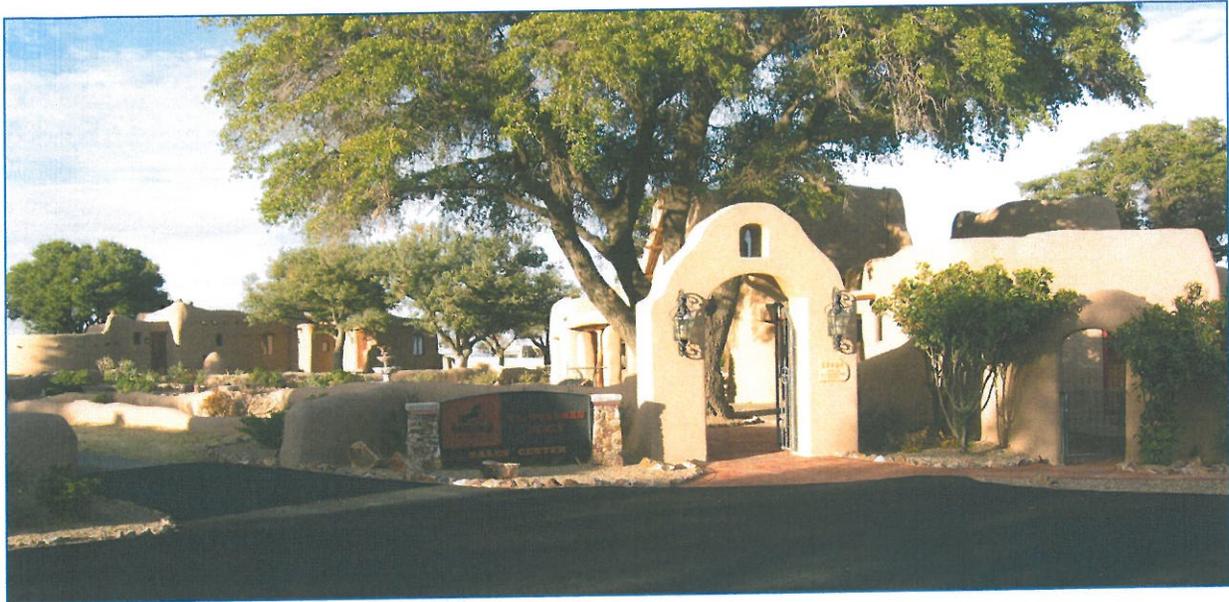
C. Development Along Major Streets: Not Applicable

The property takes access from Wilderness Road, a subdivision road which is proposed to be accepted into the Public Roadway system of Cochise County, and currently under review for such acceptance by the Cochise County Highway Department.

D. Traffic Circulation Factors: Complies

The project site accesses Wilderness Road, the paved, main road providing access to the western portion of the subdivision. A long, paved driveway sets the land use back significantly from this roadway, providing an improved access with good visibility.

Upon completion of review as noted above, the Road will be taken in by the County maintenance system as a 26-foot wide roadway at this location, within a 50-foot right-of-way.



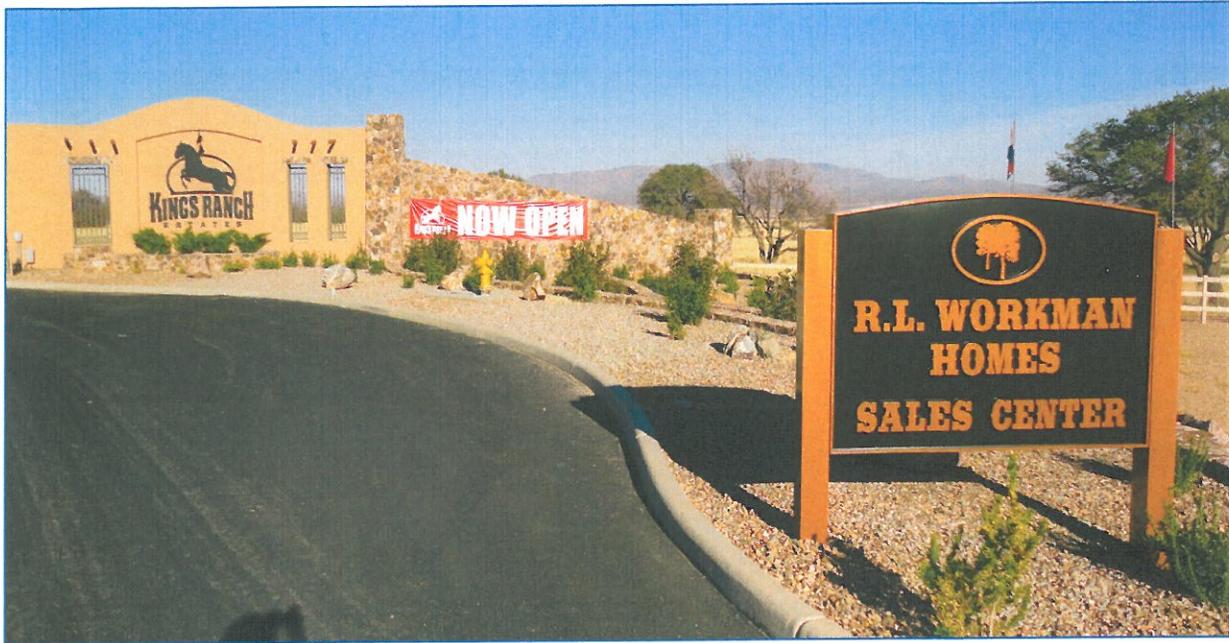
Above and below: Kings Ranch at Coronado Discovery Center/ R.L. Workman Homes offices. The structures are excellent examples of the design standards listed in the Southern San Pedro Valley Area Plan.



E. Adequate Services and Infrastructure: Complies

This factor concerns the ability of the Applicant to provide for necessary street, water, sewer and utility services on the property.

The property is served by the Liberty Water Company; SSVEC provides electric power, and the Palominas Fire Department provides fire protection. As stated, internal surfaces are paved and the property takes access from a paved road improved to County standards.



The sign shown above is inside the future Wilderness Road right-of-way, and may be within 10 feet of the ADOT right-of-way. Condition #2 would require the Applicant to relocate the sign.

F. Significant Site Development Standards: Complies (Subject to Condition #2 and Requested Modifications)

The site, as discussed above, was historically the ranch headquarters, later adapted for use as the sales center for the subdivision. Although there are some minor deficiencies on the site proper, such as a 22-foot wide driveway (24-feet required), and parking spaces which are shorter than allowed by standard (17-feet long instead of the 19-feet required), the property is, overall, developed to a high standard.

With regard to signage, there are some discrepancies that are noteworthy. The identification sign near Highway 92 is less than 10 feet from the ADOT right-of-way, and is also, significantly, inside the future County right-of-way on Wilderness Road. Staff recommends, as Condition #2, that prior to permit issuance, the Applicant relocate the sign to a location 10-feet or more from County and ADOT rights-of-way.

The Applicant has provided staff with a request for Modifications to some development standards. These are discussed in Section VI of this report, below.

G. Public Input: Complies

The Applicant completed the Citizen Review process and received no response.

H. Hazardous Materials: Not Applicable

Per the Applicant, no hazardous materials are to be stored on site.

I. Off-Site Impacts: Complies

The greatest potential for off-site impacts associated with the proposed business are traffic-related, but these are anticipated to be light, given the nature and operating hours of the business proposed. Although some equipment and larger vehicles are stored on site, the majority of traffic to and from the site are passenger vehicles for employees who work on the property, as well as sales center-related traffic. Building materials and larger trucks associated with the business of home-building are transported from off-site locations to specific lots located in the Subdivision, and building materials are therefore not stored on the property.

J. Water Conservation: Complies

As a business utilizing an existing non-residential space, the water conservation policies are not strictly applicable to this development. It should be noted that this site, as well as the Kings Ranch at Coronado subdivision, is within the Sierra Vista Sub Watershed, and fixtures within the buildings comply with these standards. The property is also served by a water company.

V. PUBLIC COMMENT

The Department mailed notices to neighboring property owners within 1,500 feet of the subject property. Staff posted the property on December 21, 2012, and published a legal notice in the *Bisbee Observer* on December 20, 2012. To date, the Department has received one statement of support from a neighboring property owner.

VI. REQUESTED MODIFICATIONS

Owing to a desire to accommodate existing site conditions, the Applicant has requested a number site development standard Modifications as part of this Docket. Each Modification is supported by staff:

1. A Modification to the 24-foot two-way driveway standard for commercial uses; the Applicant requests to allow the existing 22-foot wide, paved driveway to remain;
2. A Modification of the standard requiring parking spaces be 9' x 19', to allow the existing 9' x 17' parking spaces to remain;
3. A request to allow the existing backing space between the parking drive aisles on the west side of the parking area to remain at less than 24 feet;
4. A request to waive the screening requirement for non-residential uses in areas designated on the Comprehensive Plan as "Rural Residential;"and

5. A request to allow the monument sign on the property near Wilderness Road to remain at 9.5-feet in height (8-foot maximum is standard).

VII. SUMMARY AND CONCLUSION

Factors in Favor of Approving the Special Use

1. With the requested Modifications, the request complies with each of the eight applicable Special Use factors used by staff to analyze such requests;
2. The Rural Districts are established for such land use proposals, per Section 601.02 of the Zoning Regulations;
3. The land use would generate no serious off-site impacts, with traffic entering and exiting along a paved road designated for future County maintenance; and
4. One neighboring property owner has expressed support for the request in writing.

Factors Against Allowing the Special Use

1. The Applicant established the land use without a permit; the Special Use request is intended to rectify a violation; and
2. The identification sign near the highway was also installed without a permit, and sits within the clear zone of Highway 92, within the Wilderness Road right-of-way, and must be moved.

VIII. RECOMMENDATION

Based on the factors in favor of approval, Staff recommends **conditional approval** of the Special Use request, subject to the following conditions:

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. Prior to the issuance of a permit, the Applicant shall relocate the Highway 92 identification sign to a location that is no less than 10-feet from the County right-of-way for Wilderness Road, as well as 10-feet or more from the ADOT Highway 92 right-of-way;
3. 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; and
4. 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.

Staff also recommends that the Modifications discussed above be applied to the land use as part of such approval.

Sample Motion: *Mr. Chairman, I move to approve Special Use Docket SU-13-01, with the conditions and Modifications of development standards recommended by staff; the Factors in Favor of approval constituting the Findings of Fact.*

IX. ATTACHMENTS

- A. Special Use Application
- B. Location Map
- C. Site Plans
- D. Agency Comments
- E. Requested Modifications
- F. Citizen Review and Public Comment

SU-13-01



COMMUNITY DEVELOPMENT DEPARTMENT

Planning, Zoning & Building Safety
1415 Melody Lane, Bisbee, Arizona 85603

(520) 432-9240
Fax 432-9278

COCHISE COUNTY COMMUNITY DEVELOPMENT DEPARTMENT COMMERCIAL USE/BUILDING PERMIT/SPECIAL USE PERMIT QUESTIONNAIRE (TO BE PRINTED IN INK OR TYPED)

TAX PARCEL NUMBER: 104-24-020 ZONING DISTRICT R-4

APPLICANT: MGC Consulting, L.L.C. (Michael Cerepanya)

MAILING ADDRESS: 4536 E. Miller Canyon Rd., Hereford, AZ 85615

CONTACT TELEPHONE NUMBER: (520) 909-4707

PROPERTY OWNER (IF OTHER THAN APPLICANT): K Ranch, L.L.C.

ADDRESS: 10280 S. Wilderness Rd.
Hereford, AZ 85615

DATE SUBMITTED: _____

Special Use Permit Public Hearing Fee (if applicable)	\$ <u>300.00</u>
Building/Use Permit Fee	\$ _____
Total paid	\$ <u>300.00</u>

----- PART ONE - REQUIRED SUBMITTALS

1. Cochise County Joint Application (attached).
2. Questionnaire with all questions completely answered (attached).
3. A minimum of (9) copies of a site plan drawn to scale and completed with all the information requested on the attached Sample Site Plan and list of Non-residential Site Plan Requirements. (In addition, if the site plan is larger than 11 by 17 inches, please provide one reduced copy.)
4. Proof of ownership/agent. If the applicant is not the property owner, provide a notarized letter from the property owner stating authorization of the Commercial Building/Use/Special Use Application.
5. Citizen Review Report, if special use.

9 A

6. Proof of Valid Commercial Contractor's License. (Note: any building used by the public and/or employees must be built by a Commercial Contractor licensed in the State of Arizona.)
7. Hazardous or Polluting Materials Questionnaire, if applicable.

OTHER ATTACHMENTS THAT MAY BE REQUIRED DEPENDING ON THE SCOPE OF THE PROJECT

1. Construction Plans (possibly stamped by a licensed Engineer or Architect)
2. Off-site Improvement Plans
3. Soils Engineering Report
4. Landscape Plan
5. Hydrology/Hydraulic Report
6. Traffic Impact Analysis (TIA): **Where existing demonstrable traffic problems have already been identified such as high number of accidents, substandard road design or surface, or the road is near or over capacity, the applicant may be required to submit additional information on a TIA.**
7. Material Safety Data Sheets
8. Extremely Hazardous Materials Tier Two Reports
9. Detailed Inventory of Hazardous or Polluting Materials along with a Contingency Plan for spills or releases

The Commercial Permit Coordinator/Planner will advise you as soon as possible if and when any of the above attachments are required.

PART TWO - QUESTIONNAIRE

In the following sections, thoroughly describe the proposed use that you are requesting. **Attach separate pages if the lines provided are not adequate for your response.** Answer each question as completely as possible to avoid confusion once the permit is issued.

SECTION A - General Description (Use separate sheets as needed)

1. What is the existing use of the property? Sales center for Kings Ranch at Coronado subdivision
2. What is the proposed use or improvement? Combined use as Sales Center for Kings Ranch and Administrative Office for R.L. Workmen Homes
3. Describe all activities that will occur as part of the proposed use. In your estimation, what impacts do you think these activities will have on neighboring properties? No significant impacts

4. Describe all intermediate and final products/services that will be produced/offered/sold.

Will provide all administrative services for all R.L. Workman Homes
such as paying invoices, issuing Purchase Orders, cutting payroll checks,

5. What materials will be used to construct the building(s)? (Note, if an existing building(s), please list the construction type(s), i.e., factory built building, wood, block, metal)

Existing building is constructed with adobe and stucco.

6. Will the project be constructed/completed within one year or phased? One Year _____
Phased ___ if phased, describe the phases and depict on the site plan.

N/A - existing facility

7. Provide the following information (when applicable):

A. Days and hours of operation: Days: 5 Hours (from 8 AM to 4:30 PM)

B. Number of employees: Initially: 5 Future: _____
Number per shift Seasonal changes N/A

C. Total average daily traffic generated:

(1) How many vehicles will be entering and leaving the site.

10.2

(2) Total trucks (e.g., by type, number of wheels, or weight)

Only pickup trucks or vans. Unknown how many

(3) Estimate which direction(s) and on which road(s) the traffic will travel from the site?

From south to north on Wilderness Rd.

(4) If more than one direction, estimate the percentage that travel in each direction

N/A

(5) At what time of day, day of week and season (if applicable) is traffic the heaviest

At 8 AM and 4:30 PM Monday thru Friday

D. Circle whether you will be on public water system or private well. If private well, show the location on the site plan.

Estimated total gallons of water used: per day 500 per year 175,500

E. Will you use a septic system? Yes No If yes, is the septic tank system existing? Yes No
Show the septic tank, leach field and 100% expansion area on the site plan.

F. Does your parcel have permanent legal access*? Yes No
If no, what steps are you taking to obtain such access?

*Section 1807.02A of the Cochise County Zoning Regulations stipulates that no building permit for a non-residential use shall be issued unless a site has permanent and direct access to a publicly maintained street or street where a private maintenance agreement is in place. Said access shall be not less than twenty (20) feet wide throughout its entire length and shall adjoin the site for a minimum distance of twenty (20) feet.

Does your parcel have access from a (check one):
 private road or easement**
 County-maintained road
 State Highway

**If access is from a private road or easement provide documentation of your right to use this road or easement and a private maintenance agreement.

G. For Special Uses only - provide deed restrictions that apply to this parcel if any.
Attached _____ NA _____

H. Identify how the following services will be provided:

Service	Utility Company/Service Provider	Provisions to be made
Water	Bella Vista Water dba Liberty Utilities	
Sewer/Septic	septic-existing	
Electricity	Sulphur Springs Valley Elec. Coop.	
Natural Gas	N/A	
Telephone	Cox Communication/Quest	
Fire Protection	Palomina Fire Dist.	

SECTION B - Outdoors Activities/Off-site Impacts

1. Describe any activities that will occur outdoors.

Maintenance of landscaping

2. Will outdoor storage of equipment, materials or products be needed? Yes No if yes, show the location on the site plan. Describe any measures to be taken to screen this storage from neighboring properties. Some hand equipment and materials will be stored in

the existing 4-car garage

3. Will any noise be produced that can be heard on neighboring properties? Yes No if yes; describe the level and duration of this noise. What measures are you proposing to prevent this noise from being heard on neighboring properties? _____

4. Will any vibrations be produced that can be felt on neighboring properties? Yes No if yes; describe the level and duration of vibrations. What measures will be taken to prevent vibrations from impacting neighboring properties? _____

5. Will odors be created? Yes No If yes, what measures will be taken to prevent these odors from escaping onto neighboring properties? _____

6. Will any activities attract pests, such as flies? Yes No If yes, what measures will be taken to prevent a nuisance on neighboring properties? _____

7. Will outdoor lighting be used? Yes No If yes, show the location(s) on the site plan. Indicate how neighboring properties and roadways will be shielded from light spillover. Please provide manufacturer's specifications. ?

8. Do signs presently exist on the property? Yes No If yes, please indicate type (wall, freestanding, etc.) and square footage for each sign and show location on the site plan.

A. 5.5 sf B. 54 sf C. _____ D. _____

9. Will any new signs be erected on site? Yes ___ No If yes, show the location(s) on the site plan. Also, draw a sketch of the sign to scale, show the copy that will go on the sign and **FILL OUT A SIGN PERMIT APPLICATION** (attached).

10. Show on-site drainage flow on the site plan. Will drainage patterns on site be changed?
Yes ___ No

If yes, will storm water be directed into the public right-of-way? Yes ___ No

Will washes be improved with culverts, bank protection, crossings or other means?
Yes ___ No

If yes to any of these questions, describe and/or show on the site plan.

11. What surface will be used for driveways, parking and loading areas? (i.e., none, crushed aggregate, chipseal, asphalt, other)

asphalt

*12. Show dimensions of parking and loading areas, width of driveway and exact location of these areas on the site plan. (See site plan requirements checklist.)

13. Will you be performing any off-site construction (e.g., access aprons, driveways, and culverts)?
Yes ___ No If yes, show details on the site plan. **Note: The County may require off-site improvements reasonably related to the impacts of the use such as road or drainage improvements.**

SECTION C - Water Conservation and Land Clearing

1. If the developed portion of the site is one acre or larger, specific measures to conserve water on-site must be addressed. Specifically, design features that will be incorporated into the development to reduce water use, provide for detention and conserve and enhance natural recharge areas must be described. The Community Development, Planning, Zoning & Building Safety Department has prepared a *Water Wise Development Guide* to assist applicants. This guide is available upon request. If the site is one acre or larger, what specific water conservation measures are proposed? Describe here or show on the site plan submitted with this application.

Existing facility - is part of conservation subdivision.

2. How many acres will be cleared? N/A
If more than one acre is to be cleared describe the proposed dust and erosion control measures to be used (Show on site plan if appropriate.)

SECTION D - Hazardous or Polluting Materials

Does the proposed use involve hazardous materials? These can include paint, solvents, chemicals and chemicals wastes, oil, pesticides, herbicides, fertilizers, radioactive materials, or biological agents. Engine repair, dry cleaning, manufacturing and all uses that commonly use such substances in the County's experience require completion of the attachment.

No Yes If yes, complete the attached Hazardous Materials Attachment. Engine repair, manufacturing and all uses that commonly use such substances in the County's experience also require completion of the attachment.

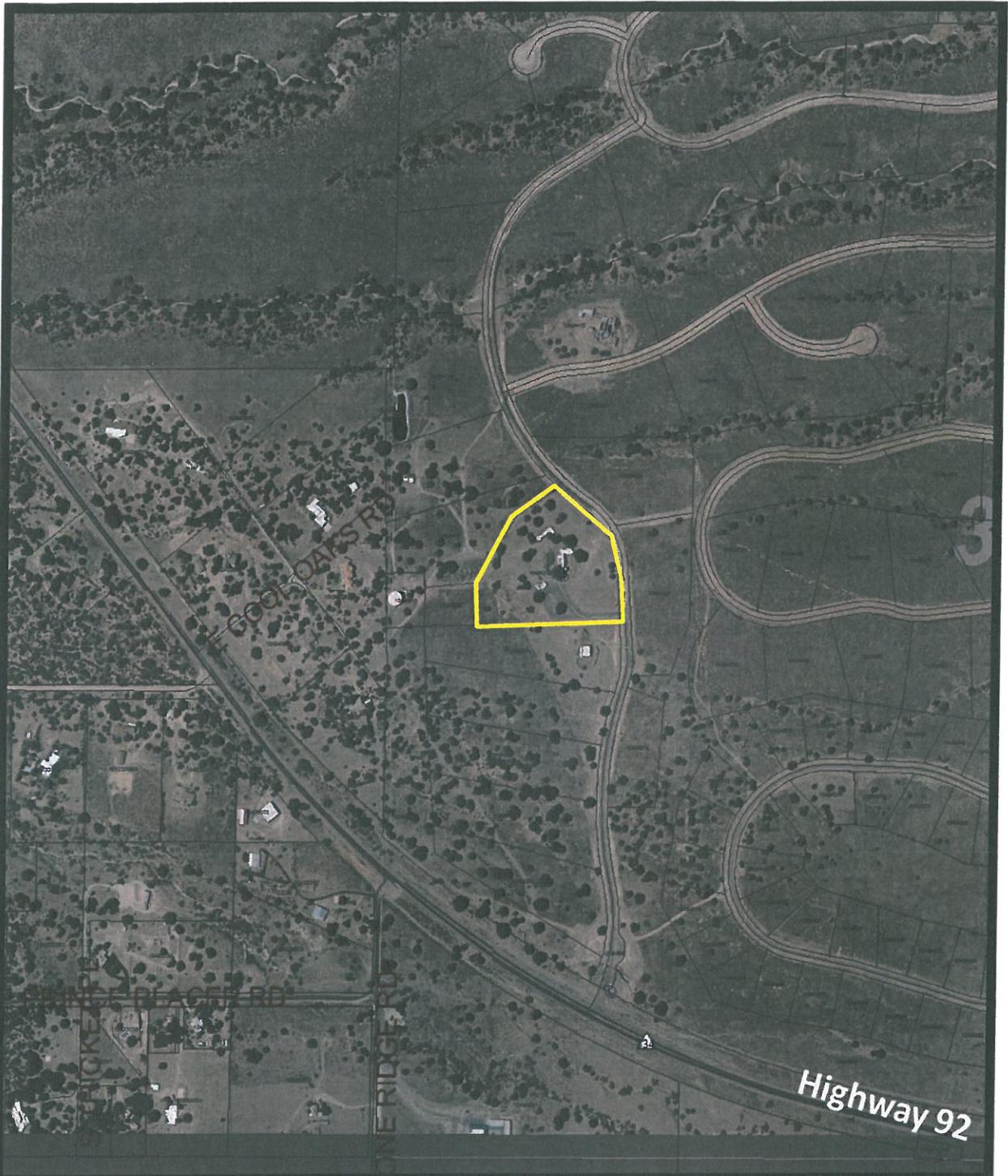
Applications that involve hazardous or polluting materials may take a longer than normal processing time due to the need for additional research concerning the materials' impacts. The Arizona Department of Environmental Quality (ADEQ) Compliance Assistance Program can address questions about Hazardous Materials (1-800-234-5677, ext. 4333.)

SECTION E - Applicant's Statement

I hereby certify that I am the owner or duly authorized owner's agent and all information in this questionnaire, in the Joint Permit Application and on the site plan is accurate. I understand that if any information is false, it may be grounds for revocation of the Commercial Use/ Building/ Special Use Permit.

Applicant's Signature Michael R. Curzon

Date signed 11/20/12



Docket SU-13-01
(Workman)
Location Map

This map is a product of the
Cochise County GIS



0' 1" = 500'

EXISTING BUILDINGS TO REMAIN
AND BE UTILIZED AS FUTURE
"DISCOVERY CENTER" FOR KINGS
RANCH SALES DEPT.
APPROX UTILITY LOCATIONS

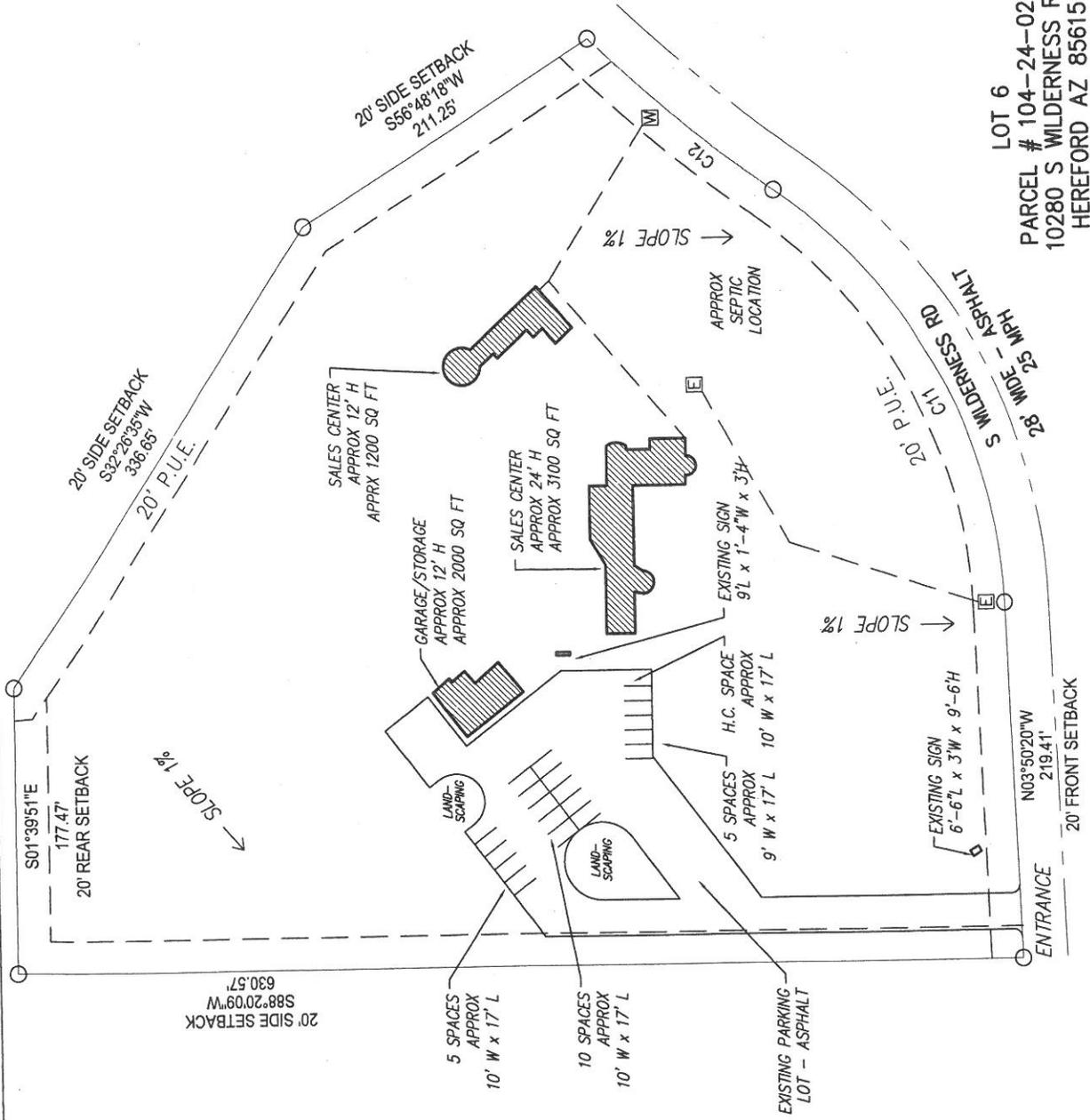
KING'S RANCH
SALES CENTER

PROJECT: KING'S RANCH SALES CENTER
CITY OR COUNTY APPROVAL:
DRAWN BY: J.C.
REVISION: SC
DATE STARTED: 11-15-12
DATE REVISED: 11-20-12
MODEL NUMBER:
PARKING LOT:
SHEET NUMBER:
00000
LOT NUMBER:
00000
SCALE: 1/4" = 1'-0"
DRAWING TITLE:
PARKING LOT
SHEET NUMBER:
1 OF 2



PARKING LOT
SHEET NUMBER:
1 OF 2

LOT 6
PARCEL # 104-24-020
10280 S WILDERNESS RD
HEREFORD AZ 85615



17 C

EXISTING BUILDINGS TO REMAIN
AND BE UTILIZED AS FUTURE
"DISCOVERY CENTER" FOR KINGS
RANCH SALES DEPT.
APPROX UTILITY LOCATIONS

KINGS RANCH
SALES CENTER

CITY OF COUNTY APPROVED



10280 S WILDERNESS
HEREFORD, AZ 85615
PHONE: (520) 454-0711
FAX: (520) 456-6006
www.homesofamerica.com

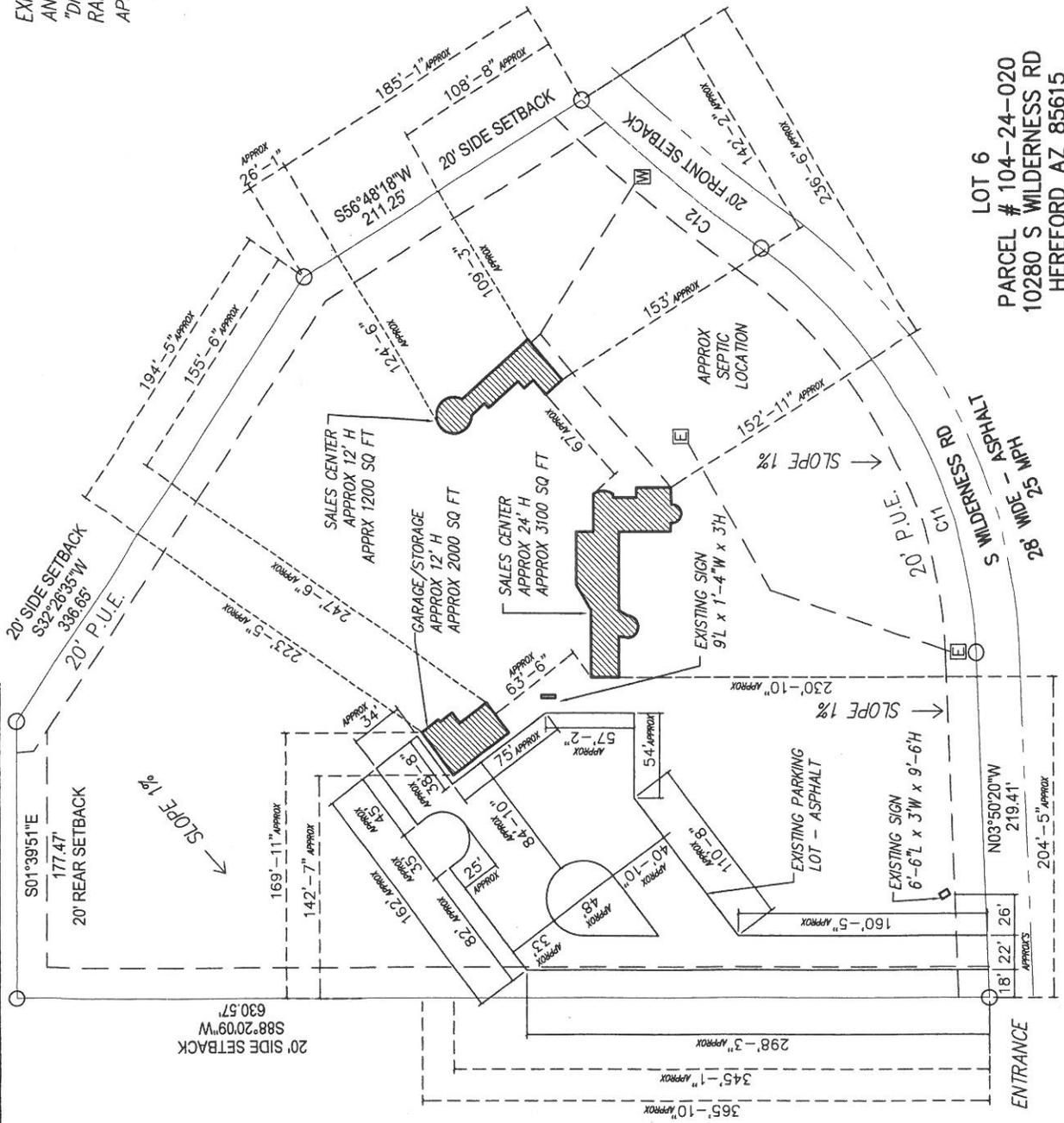
PROJECT:	
DATE:	
REVISION:	
DATE STARTED:	11-15-12
DATE REVISION:	11-20-12
NO. OF SHEETS:	00000
PARKING LOT:	00000
SUBDIVISION:	00000
LOT NUMBER:	00000
SCALE:	1/4" = 1'-0"

DRAWING TITLE:
PARKING
LOT
SHEET NUMBER:
2 OF 2



PARKING LOT
NTS

LOT 6
PARCEL # 104-24-020
10280 S WILDERNESS RD
HEREFORD AZ 85615



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COCHISE COUNTY COMMUNITY DEVELOPMENT

"Public Programs...Personal Service"

MEMORANDUM

Date: December 11, 2012
To: Keith Dennis, Senior Planner
From: Karen L. Lamberton, AICP, County Transportation Planner
Subject: Kings Ranch at Coronado Sales Center: SU 13-01/Parcel #104-24-312

The applicant is applying for a Special Use Authorization to convert an existing building, formally used as the Kings Ranch Discovery Center, into a sales office. This site was formally known as Kinjockity Ranch, now under new ownership as the Kings Ranch at Coronado. Last year this property amended their final plat to include easements for a proposed County Stormwater Recharge Project in exchange for the addition of 20 additional lots. Total trip generation, per the ITE Manual 8th edition, for the full subdivision at build out would likely be 2,879 trips per day with an average of 99 a.m. peak hour trips and 127 p.m. peak hour trips. The amended plat anticipated two lots being used for commercial uses.

This proposed change of use for the formal Discovery Center is not anticipated to change the trip generation for this development in any substantive way. Primary access is from State Highway 92 to Wilderness Rd., a private subdivision roadway.

Improvements for the first phase of lots under the prior subdivision owner included the completion of private roads, underground utilities, and off-site improvements on Highway 92 including left turning lanes, deceleration lanes and full access aprons at both entrances. These off-site improvements and the connecting private local roadway (Wilderness Rd.) are adequate for the potential trip generation from this proposed use.

Recommendation

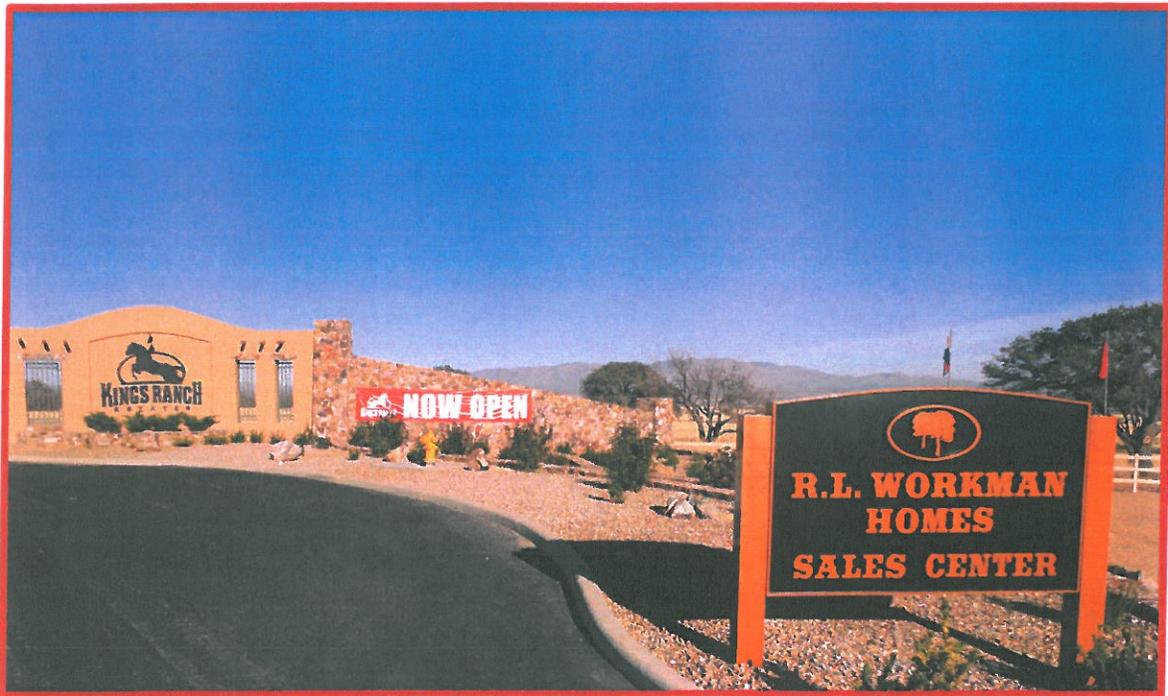
The off-site improvements for this subdivision have been previously completed. Internal roads were initially planned and constructed to remain private and future maintenance was to be provided by the subdivisions Homeowners Association. The new owners and developers of Kings Ranch at Coronado have approached the County about taking these roads (approximately 10.43 miles) into the County's maintenance system. To date the required improvements to bring the existing private roads up to a minimum county standard have not yet been completed and the access roadway remains, at this time, a private road.

It was noted at a site visit conducted on December 10, 2012, that the applicant has already re-signed the Discovery Center as a Sales Center and has placed a new sign advertising the sales center immediately north of their property line and adjacent to the existing curb of Wilderness Rd. The placement of this sign was apparently done prior to obtaining any permit for such a sign and the applicant are advised that

19 D

the placement of this sign is within the proposed future County Right Of Way boundary. The sign also needs to be placed a minimum of 10 feet from the ADOT Right of Way line.

A full inspection of the actual placement of this sign was not done at the site visit; it appears to be located approximately ten feet from the ADOT Right of Way line and there are no specific guidelines regarding the placement of an advertising sign adjacent to a private roadway (other than the sign may not interfere with the roadway clear zone or block sight distance). Should the Special Use Authorization be granted, the applicants then apply for the appropriate Commercial Permit, and an inspection is then done on the sign placement and find that minimum setbacks have not been met the sign will need to be moved to meet required standards. The applicant is advised that advertising signs are not allowed within County Right of Ways and this sign will need to be set back from both the Right of Way boundary and the roadway curb to meet with the County's roadway design standards prior to Wilderness Rd. being transferred into the County's roadway network.



KLL December 11, 2012 Kings Ranch at Coronado Sales Center Sign in Proposed County Right-Of-Way Boundaries

cc: Docket SU-13-01, County Engineer, Highway Dept., ADOT

K RANCH, L.L.C.
1601 Paseo San Luis, Ste. 202
Sierra Vista, AZ 85635

December 26, 2012

Keith Dennis
Cochise County Planning Development
1415 W. Melody Lane
Bisbee, AZ 85603

RE: Kings Ranch at Coronado – Special Use Permit
Parcel Tax ID No: 104-24-020

Dear Mr. Dennis:

On behalf of the owners I am requesting the following modifications to the County Zoning regulations for the above referenced Special Use Permit for their property on Lot 6 at 10280 S. Wilderness Road, Hereford, AZ 85615:

1: Modify the driveway coming off Wilderness Road to its current 22 feet wide width (24 feet required);

2: Modify the parking spaces to 9x17' (9x19 required);

3: The back parking area, towards the west side of the property, has two rows of parking spaces facing each other with less than 24' of clear backing space between these rows – 24 feet is required here. It should be noted, the number of existing spaces exceed the required amount of spaces for the use.

4: Modify the height for the horse monument sign, which is at 9.5 feet above ground, above the 8-foot standard for signage in RU Districts.

5: Because the area is designated on the Comprehensive Plan as "Rural Residential," there is a screening requirement for all non-residential uses. By this standard, the land use area should be screened with a 6-foot high, opaque fence or wall.

All of the items we are requesting modifications to the regulations on are existing structures that were completed under the previous ownership of the property.

If you have any questions regarding the designation, please do not hesitate to call me at (520) 909- 4707.

Sincerely,



Michael G. Cerepanya
Agent
K Ranch, L.L.C.

K RANCH L.L.C.
1601 Paseo San Luis, Suite 202
Sierra Vista, Arizona 85635
Telephone: 520-457-9594

November 5, 2012

SPECIAL USE PERMIT APPLICATION NOTIFICATION LETTER

Re: Kings Ranch at Coronado, Lot 6, Tax Parcel No: 104-24-020

Dear Neighbor:

This letter is to inform you that as the owners of the Kings Ranch at Coronado are applying for a Special Use Permit for the above referenced property per the Cochise County zoning codes. The proposed use is as Professional Services under Section 607.26 under the Cochise County Subdivision Regulations. The current use of the lot is the Sales Center for the subdivision operated by R.L. Workman Homes, the owner. Mr. Workman is also one of the owners of the subdivision as a member of K Ranch, L.L.C. The proposed use is to combine the R.L. Workman administrative operations with the Sales Center operation.

As you may or may not know, K Ranch L.L.C. obtained ownership of Kings Ranch from the previous owners through a foreclosure process that included the old Kinjockity Ranch buildings, which are located on Lot 6. Due to the fact that the home building market continues to be sluggish the decision was made to move the R.L. Workman Homes administrative offices from their location in Sierra Vista where they leased office space, to Kings Ranch Sales Center, which is owned by Mr. Workman and K Ranch L.L.C. The move will place 5 full time employees at the site that also work on actively selling on the site.

If you have any questions, please do not hesitate to call us or send us an email.

Sincerely,

K RANCH LLC



Karol E. George
Manager

Special Use: Docket SU-13-01 (Workman)

YES, I SUPPORT THIS REQUEST

Please state your reasons:

AS A PROPERTY OWNER AT KINGS RANCH AND TO HAVE MR. WORKMAN ON SITE TO DEVELOPE THE RANCH TO HIS HIGH STANDARDS WILL BE AN ASSET TO THE HERZFORD AREA AND COCHISE COUNTY. MR. WORKMAN HAS THE ABILITY TO TURN LEMONS INTO LEMON AID AND SHOULD BE COMMENDED FOR HIS EFFORTS AND VISION TO MAKE KINGS RANCH @ CORONA DO THE STANDARD OF COMMUNITY DEVELOPMENT.

NO, I DO NOT SUPPORT THIS REQUEST:

Please state your reasons:

(Attach additional sheets, if necessary)

PRINT NAME(S): DANIEL L. BANE

SIGNATURE(S): *Daniel L. Bane*

YOUR TAX PARCEL NUMBER: 104-24-255 4 (the eight-digit identification number found on the tax statement from the Assessor's Office)

Your comments will be made available to the Planning Commission. Upon submission this form or any other correspondence becomes part of the public record and is available for review by the applicant or other members of the public. **Written comments must be received by our Department no later than 4 PM on Friday, December 28, 2012 if you wish the Commission to consider them before the meeting. We can not make exceptions to this deadline, however, if you miss the written comment deadline you may still make a statement at the public hearing listed above. NOTE: Please do not ask the Commissioners to accept written comments or petitions at the meeting, as they do not have sufficient time to read materials at that time. Your cooperation is greatly appreciated.**

COCHISE COUNTY

RETURN TO: Keith Dennis, Senior Planner
Cochise County Planning Department
1415 Melody Lane, Building E
Dillon AZ 85602

DEC 17 2012

PLANNING

24 F



COCHISE COUNTY COMMUNITY DEVELOPMENT

"Public Programs...Personal Service"

MEMORANDUM

TO: Cochise County Planning and Zoning Commission
FROM: Peter Gardner, Planner I *PG*
FOR: Beverly J. Wilson, Deputy Director, Planning Division
SUBJECT: Docket SU-09-23A (Wu)
DATE: December 26, 2012, for the January 9, 2013 Meeting

APPLICATION FOR A SPECIAL USE

The Applicant, Mr. Jian Ming Wu, seeks Special Use modification of Docket SU-09-23 approved by the Commission in December 2009 for the construction of a 200 megawatt (MW) Solar Energy Power Plant approximately seven miles south of the Bowie Townsite. Condition 5 of Approval requires the developer to make substantial construction progress on Phase I of the project within three (3) years from the date of approval; this request is to modify this condition to allow for an additional three (3) years to make substantial construction progress.

The six (6) contiguous subject properties are zoned RU-4 (Rural; minimum lot size 4 acres; Parcels 304-01-004; 004A; 004B, 009; 023; 024)) may be accessed via S. Apache Pass Rd.

I. DESCRIPTION OF SUBJECT PARCEL AND SURROUNDING LAND USES

Parcel Size: 1120 acres in total
 Zoning: Rural (RU-4)
 Growth Area: Category D (Rural)
 Plan Designation: Rural
 Area Plan: None
 Existing Uses: None -- Primarily creosote flats with a vacant residence and accessory structures.

Zoning/Use of Surrounding Properties

Relation to Subject Parcel	Zoning District	Use of Property
North	RU-4	Vacant
South	RU-4	Vacant
East	RU-4	Vacant
West	RU-4	Vacant

II. PARCEL HISTORY

There is no record of any permit, violation, or any activity for these parcels



Example of terrain surrounding the site.

III. NATURE OF REQUEST

In 2009 the Commission voted to conditionally issue Special Use Permit SU-09-23 to construct a Solar Energy Power Plant on the subject parcels. One of the conditions required the Applicant to make substantial construction progress on Phase I within three years. The Applicant is requesting a Modification of this Condition to grant an additional three years to make substantial progress

IV. ANALYSIS OF IMPACTS – COMPLIANCE WITH SPECIAL USE FACTORS

Section 1716.02 of the Zoning Regulations provides a list of 10 factors with which to evaluate Special Use applications. Staff uses these factors to help determine recommendations, as well as to determine what Conditions and/or Modifications may be needed.

Staff has found the the overall impacts of this project remain much the same since this Special Use Permit was authorized in 2009. There are however several changes that deserve mention.

The first change is language in Section 601.07 (Purpose) of Article 6 of the Zoning Regulations that reads:

“To allow consideration of some more intense non-residential uses as special uses that are inappropriate in more densely populated urban/suburban areas that may under some circumstances be appropriate in rural areas if designed to be sensitive to the general character of rural districts and natural environment and harmonious and in scale with existing development...”

This language was not included in the 2009 report, and its consideration brings the Project into compliance with Special Use Factor B in the previous attached report to “Complies.”

The other change more directly relates to this request for Modification. In 2009 the request was found “Not In Compliance” with the requirement for adequate infrastructure. Adequate infrastructure has not yet been constructed in the area, which is a major factor in the delay of construction on this project. However there are two major energy transmission infrastructure projects proposed in the northern third of the County (SunZia and Southline). Either of these projects would provide the necessary infrastructure to support this project. Therefore, Staff would consider this project to Conditionally Comply with the applicable criteria.

V. PUBLIC COMMENT

The Department mailed notices to neighboring property owners within one mile of the subject property. Staff posted the property, and published a legal notice in the *Bisbee Observer* on December 13, 2012. To date, the Department has received inquiry correspondence from one neighboring property owner, but no letters of support or opposition.

VI. SUMMARY AND CONCLUSION

The Applicant has requested an additional three years to show substantial construction progress for Phase I for a 200 megawatt (MW) Solar Energy Power Plant located south of the Bowie townsite authorized by the Planning and Zoning Commission in December 2009. The fundamentals of the project have not changed significantly, so Staff is supportive of the request.

Factors in Favor of Approving the Special Use Modification

1. With the additional language in Article 6 of the Zoning Regulations and the proposed major utility infrastructure in proximity to this site, the project is in greater compliance with the Special Use factors than it was upon initial approval in 2009;

2. This project reinforces the efforts to utilize the resources of Cochise County as shown in the attached report from the Arizona Cooperative Extension and The University of Arizona *Renewable Energy Opportunity Analysis Summary Report -- Solar Facility Siting Analysis for Cochise County, Arizona* (April 2012) that has been previously presented to the Commission; and
3. The project would provide a renewable source of energy that would enable Cochise County to participate in achieving the Arizona Corporation's Commission (ACC) mandate to provide for 15% renewable energy production by 2025.

Factor Against Allowing the Special Use Modification

1. None Apparent.

VII. RECOMMENDATION

Based on the factors in favor of approval, Staff recommends **Conditional Approval** of the Special Use request, subject to the following Condition:

1. If substantial construction progress for Phase I for the project has not occurred within three (3) years from the date of approval of the Modification, this Special Use Permit shall be considered for revocation at a public hearing before the Planning and Zoning Commission.

Sample Motion: *Mr. Chair, I move to approve Docket SU-09-23A, with the condition recommended by staff; the Factors in Favor of approval constituting the Findings of Fact.*

VIII. ATTACHMENTS

- A. Special Use Application
- B. Location Map
- C. 2009 Staff Report
- D. Solar Suitability Report

SU-09-23A



COCHISE COUNTY PLANNING DEPARTMENT

1415 Melody Lane, Bisbee, Arizona 85603

(520) 432-9240

Fax 432-9278

Susan Buchan, Director

**COCHISE COUNTY PLANNING DEPARTMENT
COMMERCIAL USE/BUILDING PERMIT/SPECIAL USE PERMIT QUESTIONNAIRE
(TO BE PRINTED IN INK OR TYPED)**

TAX PARCEL NUMBER: 304-01-004; 004A; 004B; 009; 023; 024

APPLICANT: Jian Ming Wu

MAILING ADDRESS: 12658 Palm St, Cerritos, CA 90703

CONTACT TELEPHONE NUMBER: (949) 232-2086

PROPERTY OWNER (IF OTHER THAN APPLICANT): _____

ADDRESS: _____

DATE SUBMITTED: _____

Special Use Permit Public Hearing Fee (if applicable)	\$ _____
Building/Use Permit Fee	\$ _____
Total paid	\$ _____

PART ONE - REQUIRED SUBMITTALS

1. Cochise County Joint Application (attached).
2. Questionnaire with all questions completely answered (attached).
3. A minimum of (6) copies of a site plan drawn to scale and completed with all the information requested on the attached Sample Site Plan and list of Non-residential Site Plan Requirements. **(Please note that nine (9) copies will be required for projects occurring inside the Building Code enforcement area. In addition, if the site plan is larger than 11 by 17 inches, please provide one reduced copy.)**
4. Proof of ownership/agent. If the applicant is not the property owner, provide a notarized letter from the property owner stating authorization of the Commercial Building/Use/Special Use Application.
5. Citizen Review Report, if special use.

6. Proof of Valid Commercial Contractor's License. (Note: any building used by the public and/or employees must be built by a Commercial Contractor licensed in the State of Arizona.)

7. Hazardous or Polluting Materials Questionnaire, if applicable.

OTHER ATTACHMENTS THAT MAY BE REQUIRED DEPENDING ON THE SCOPE OF THE PROJECT

1. Construction Plans (possibly stamped by a licensed Engineer or Architect)
2. Off-site Improvement Plans
3. Soils Engineering Report
4. Landscape Plan
5. Hydrology/Hydraulic Report
6. Sierra Vista Sub-Watershed Water Conservation Overlay Zone Permit Checklist
7. Traffic Impact Analysis (TIA): Where existing demonstrable traffic problems have already been identified such as high number of accidents, substandard road design or surface, or the road is near or over capacity, the applicant may be required to submit additional information on a TIA.
8. Material Safety Data Sheets
9. Extremely Hazardous Materials Tier Two Reports
10. Detailed Inventory of Hazardous or Polluting Materials along with a Contingency Plan for spills or releases

The Commercial Permit Coordinator/Planner will advise you as soon as possible if and when any of the above attachments are required.

PART TWO - QUESTIONNAIRE

In the following sections, thoroughly describe the proposed use that you are requesting. Attach separate pages if the lines provided are not adequate for your response. Answer each question as completely as possible to avoid confusion once the permit is issued.

SECTION A - General Description (Use separate sheets as needed)

1. What is the existing use of the property? None, open undeveloped land
2. What is the proposed use or improvement? 200 MW solar power electric generation facility
3. Describe all activities that will occur as part of the proposed use. In your estimation, what impacts do you think these activities will have on neighboring properties? The construction and operation of concentrating solar power parabolic collectors. Operation monitoring will be remote and maintenance will be mostly mirror cleaning by 4 to eight persons ongoing.

4. Describe all intermediate and final products/services that will be produced/offered/sold.

electrical power

5. What materials will be used to construct the building(s)? (Note: if an existing building(s), please list the construction type(s), i.e., factory built building, wood, block, metal) solar collectors are comprised of glass mirrors, metal mounting frames, metal central pipe tower, underground electrical wiring

6. Will the project be constructed/completed within one year or phased? One Year
Phased if phased, describe the phases and depict on the site plan.

phase I: 10 to 20 MW; Phase II: 10 to 20 MW;
phase III: 10 to 20 MW; phase IV: 140 to 170 MW

7. Provide the following information (when applicable):

A. Days and hours of operation: Days: 7 Hours (from 6 AM to 6 PM) average mean day.

B. Number of employees: Initially: 8 Future: 20
Number per shift Seasonal changes approx. same year around

C. Total average daily traffic generated:

(1) How many vehicles will be entering and leaving the site. After completion
4 to 8 vehicles daily

(2) Total trucks (e.g., by type, number of wheels, or weight)
(During construction) 10 vehicle trips daily.

(3) Estimate which direction(s) and on which road(s) the traffic will travel from the site?
It is assumed that most traffic will enter and leave by way of Baker Road at the SW corner

(4) If more than one direction, estimate the percentage that travel in each direction

N/A

(5) At what time of day, day of week and season (if applicable) is traffic the heaviest?
traffic will be approximately the same year around.

- D. Circle whether you will be on public water system or private well. If private well, show the location on the site plan. *for mirror cleaning only when entire facility is completed*
 Estimated total gallons of water used: per day 500 gals per year 200,000 gals in 2020.
- E. Will you use a septic system? Yes No If yes, is the septic tank system existing? Yes No
 Show the septic tank, leach field and 100% expansion area on the site plan. *unknown at this time*
- F. Does your parcel have permanent legal access*? Yes No
 D. If no, what steps are you taking to obtain such access?

*Section 1807.02A of the Cochise County Zoning Regulations stipulates that no building permit for a non-residential use shall be issued unless a site has permanent and direct access to a publicly maintained street or street where a private maintenance agreement is in place. Said access shall be not less than twenty (20) feet wide throughout its entire length and shall adjoin the site for a minimum distance of twenty (20) feet.

Does your parcel have access from a (check one):
 private road or easement**
 County-maintained road
 State Highway

**If access is from a private road or easement provide documentation of your right to use this road or easement and a private maintenance agreement.

G. For Special Uses only - provide deed restrictions that apply to this parcel if any.
 Attached _____ NA _____

H. Identify how the following services will be provided:

Service	Utility Company/Service Provider	Provisions to be made
Water		<i>well service</i>
Sewer/Septic		<i>septic</i>
Electricity	<i>on site power</i>	
Natural Gas		<i>none</i>
Telephone		<i>TBD</i>
Fire Protection		<i>TBD</i>

SECTION B - Outdoors Activities/Off-site Impacts

1. Describe any activities that will occur outdoors.

all maintenance will be conducted outdoors

2. Will outdoor storage of equipment, materials or products be needed? Yes ___ No if yes, show the location on the site plan. Describe any measures to be taken to screen this storage from neighboring properties. _____
3. Will any noise be produced that can be heard on neighboring properties? Yes ___ No if yes, describe the level and duration of this noise. What measures are you proposing to prevent this noise from being heard on neighboring properties? _____
4. Will any vibrations be produced that can be felt on neighboring properties? Yes ___ No if yes, describe the level and duration of vibrations. What measures will be taken to prevent vibrations from impacting neighboring properties? _____
5. Will odors be created? Yes ___ No If yes, what measures will be taken to prevent these odors from escaping onto neighboring properties? _____
6. Will any activities attract pests, such as flies? Yes ___ No If yes, what measures will be taken to prevent a nuisance on neighboring properties? _____
7. Will outdoor lighting be used? Yes ___ No If yes, show the location(s) on the site plan. Indicate how neighboring properties and roadways will be shielded from light spillover. Please provide manufacturer's specifications.
8. Do signs presently exist on the property? Yes ___ No If yes, please indicate type (wall, freestanding, etc.) and square footage for each sign and show location on the site plan.
- A. _____ B. _____ C. _____ D. _____
9. Will any new signs be erected on site? Yes No ___ If yes, show the location(s) on the site plan. Also, draw a sketch of the sign to scale, show the copy that will go on the sign and **FILL OUT A SIGN PERMIT APPLICATION** (attached).

10. Show on-site drainage flow on the site plan. Will drainage patterns on site be changed?
Yes ___ No

If yes, will storm water be directed into the public right-of-way? Yes ___ No ___

Will washes be improved with culverts, bank protection, crossings or other means?
Yes No ___ *As necessary to prevent erosion*

If yes to any of these questions, describe and/or show on the site plan.

11. What surface will be used for driveways, parking and loading areas? (i.e., none, crushed aggregate, chipseal, asphalt, other)
crushed aggregate

12. Show dimensions of parking and loading areas, width of driveway and exact location of these areas on the site plan. (See site plan requirements checklist.) *Site visits are for occasional cleaning and replacement maintenance. No visitor parking is req'd.*

13. Will you be performing any off-site construction (e.g., access aprons, driveways, and culverts)?
Yes ___ No If yes, show details on the site plan. Note: The County may require off-site improvements reasonably related to the impacts of the use such as road or drainage improvements.

SECTION C - Water Conservation and Land Clearing

1. If the developed portion of the site is one acre or larger, specific measures to conserve water on-site must be addressed. Specifically, design features that will be incorporated into the development to reduce water use, provide for detention and conserve and enhance natural recharge areas must be described. The Planning Department has prepared a *Water Wise Development Guide* to assist applicants. This guide is available upon request. If the site one acre or larger, what specific water conservation measures are proposed? Describe here or show on the site plan submitted with this application.

The only on site water usage will be for mirror cleaning only. Water will drip from mirror surfaces to existing grade for reabsorption.

2. How many acres will be cleared? none, equipment is pole mtd.
If more than one acre is to be cleared describe the proposed dust and erosion control measures to be used (Show on site plan if appropriate.) _____

SECTION D - Hazardous or Polluting Materials

Does the proposed use involve hazardous materials? These can include paint, solvents, chemicals and chemicals wastes, oil, pesticides, herbicides, fertilizers, radioactive materials, or biological agents. Engine repair, dry cleaning, manufacturing and all uses that commonly use such substances in the County's experience require completion of the attachment.

No _____ Yes _____ If yes, ^{NONE} complete the attached Hazardous Materials Attachment. Engine repair, manufacturing and all uses that commonly use such substances in the County's experience also require completion of the attachment.

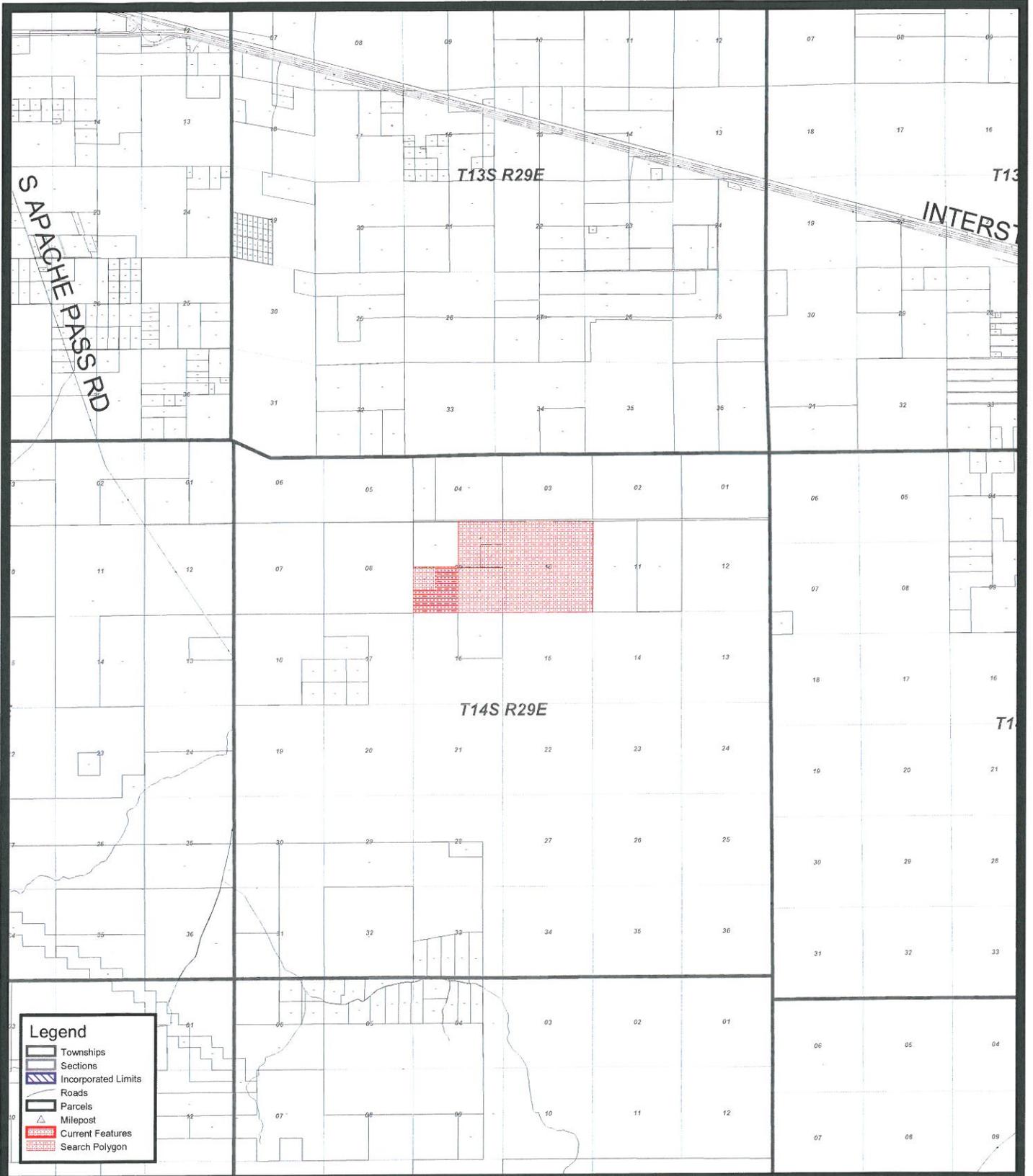
Applications that involve hazardous or polluting materials may take a longer than normal processing time due to the need for additional research concerning the materials' impacts. The Arizona Department of Environmental Quality (ADEQ) Compliance Assistance Program can address questions about Hazardous Materials (1-800-234-5677, ext. 4333.)

SECTION E - Applicant's Statement

I hereby certify that I am the owner or duly authorized owner's agent and all information in this questionnaire, in the Joint Permit Application and on the site plan is accurate. I understand that if any information is false, it may be grounds for revocation of the Commercial Use/ Building/ Special Use Permit.

Applicant's Signature _____ *Jing Wu*

Date signed 10/25/12



SU-23-09A (Wu)
 304-01-004; 004A; 004B;
 009; 023; 024

This map is a product of the Cochise County GIS

B ↑ 36



COCHISE COUNTY PLANNING DEPARTMENT

1415 Melody Lane, Bisbee, Arizona 85603

(520) 432-9240

Fax 432-9278

Susan Buchan, Director

MEMORANDUM

To: Planning and Zoning Commission
 From: Michael Turisk, Planner II
 For: Susan Buchan, Planning Director
 Subject: Dockets SU-09-22 and 23 ('Sustainability Development')
 Date: November 24, 2009 for the December 9, 2009 Planning & Zoning Commission meeting.

APPLICATION FOR TWO SPECIAL USE PERMITS

This memorandum reviews two Special Use Permit applications to develop and operate two Solar Energy Power Plants on two separate sites, per Section 607.50 (Solar Energy Power Plants) of the Zoning Regulations. If approved, each Solar Energy Power Plant would produce up to 200 megawatts (MW) of electrical power.

The 'Oxbow' solar power plant would be constructed on a 1,600-acre site that includes five (5) contiguous RU-4 zoned parcels (Rural; minimum lot size 4 acres) near Kansas Settlement, approximately four miles east of Kansas Settlement Rd. The subject parcels (tax parcel ID numbers 305-43-004D; 009B; 010; 012A; 012B) are accessed via unimproved E. Baker Rd. and E. Kimzey Rd. and are further described as being situated in Township 16S, Range 26E, Sections 3; 10; 11 and 14 of the G&SRB&M, in Cochise County, Arizona.

The 'Bowie' solar power plant would be constructed on a 1,120-acre site that includes six (6) contiguous RU-4 zoned parcels (tax parcel ID numbers 304-01-004; 004A; 004B, 009; 023; 024) located approximately seven miles southeast of Bowie and east of S. Apache Pass Rd.. This site takes access via an unnamed and unimproved road that is east of S. Apache Pass Rd. The subject parcels are further described as being situated in Township 14S, Range 29E, Sections 9 and 10 of the G&SRB&M, in Cochise County, Arizona. The Applicant is Sustainability Development, LLC, Mr. Kim Kristoff, Agent.

Because the same Applicant has proposed both Solar Energy Power Plant projects that are similar in detail and scope, this single memorandum will address both Special Use Permit applications.

I. Description of the Subject Parcels:

Current Zoning: All parcels on both sites are zoned RU-4 (Rural; minimum lot size 4-acres)
 Existing Growth Areas: All parcels on both sites are within Category D Growth Areas
 Existing Plan Designations: All parcels on both sites are designated by the Comprehensive Plan as Rural
 Area Plan(s): None
 Existing Uses: The 'Oxbow' site is primarily fallow agricultural; the Bowie site is primarily creosote flats with a vacant residence and several accessory structures.
 Parcel Size: The 'Oxbow' site near Kansas Settlement is approximately 1,600-acres; the 'Bowie' site is approximately 1,120-acres.
 Flood Zones: Both project sites are in Flood Zones X and to a lesser degree, Flood Zones A

Zoning/Use of Surrounding Properties ('Oxbow' Solar Power Plant Site)

Direction	Zoning	Use(s)
North	RU-4	agricultural
South	RU-4	agricultural
East	RU-4	agricultural
West	RU-4	agricultural

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C

Zoning/Use of Surrounding Properties ('Bowie' Solar Power Plant Site)

Direction	Zoning	Use
North	RU-4	vacant
South	RU-4	vacant
East	RU-4	vacant
West	RU-4	vacant

II. Parcel Histories:

There are no records of history for any of the subject parcels on both sites.

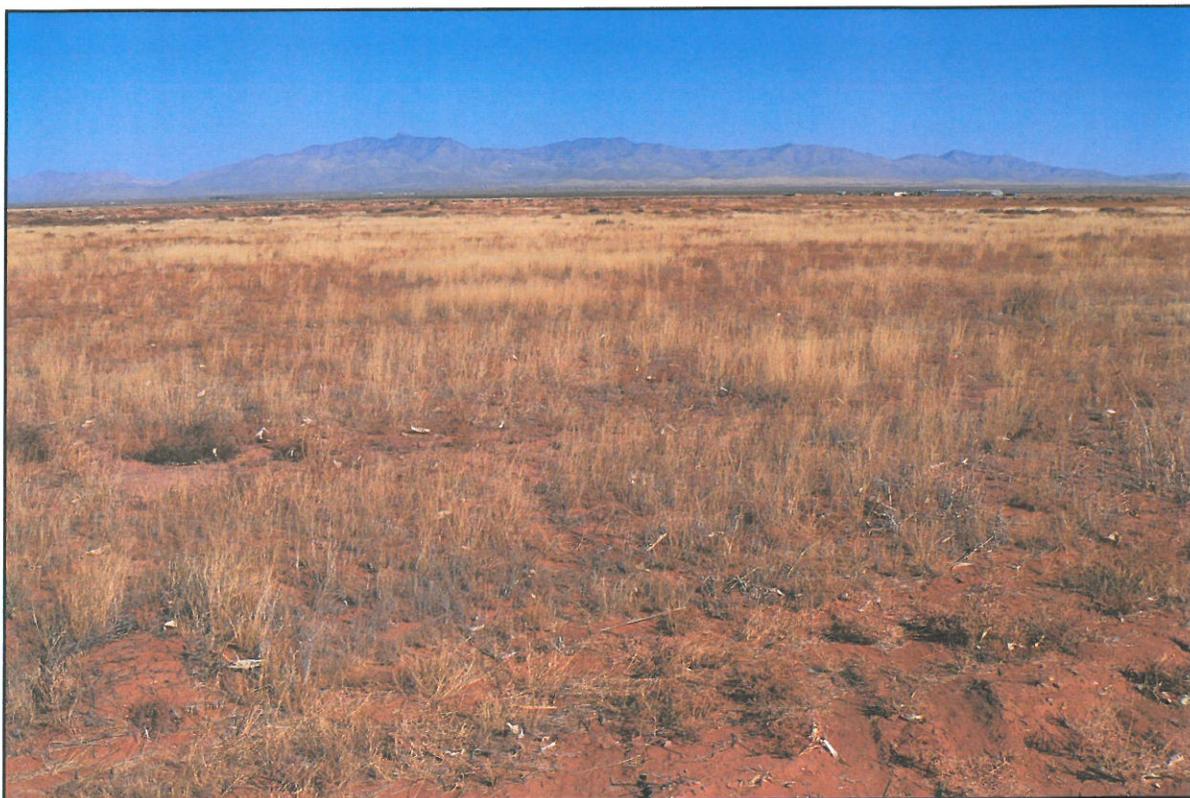


Fig 1; Northeast view to 'Oxbow' site east of Kansas Settlement (Dos Cabezas mountains in background)

III. Nature of the Special Use Requests /General Description of the Projects

In recent years, expanded production of energy from renewable sources has become an important public policy goal. Based on these considerations, expansion of renewable energy production is being actively promoted in order to promote development of local, clean, renewable energy sources to help reduce energy costs and further energy independence. In September, 2009, as a result of the heightened interest in renewable energy production nationwide and in Arizona, the Cochise County Board of Supervisors adopted a Solar Energy Ordinance in an effort to acknowledge that solar energy development will likely play a significant land use role over time due to our abundant solar energy resources and vast open land availability. These requests for the construction and operation of two Solar Energy Power Plants are timely in that they come on the heels of adopting a County-wide Solar Energy Ordinance.

Per Article 2 of the Zoning Regulations, *Solar Energy Power Plants* are defined as follows:

A commercial-scale Solar Energy System, the purpose of which is to supply solar power generated electricity to off-site consumers; accessory structures may include buildings, substations and associated electrical infrastructure. The term does not include stand-alone, small-scale Solar Energy Systems for on-site residential or agricultural use.

The locations of the proposed Solar Energy Power Plants from Sustainability Development, LLC, a Phoenix-based firm, are as follows:

1. The 'Oxbow' Solar Energy Power Plant would be located in the Kansas Settlement area, approximately four miles east of Kansas Settlement Rd. The project would encompass five contiguous RU-4 zoning districts totaling approximately 1,600-acres; and
2. The 'Bowie' Solar Energy Power Plant would be located approximately two miles east of S. Apache Pass Rd. and approximately seven miles southeast of the Bowie townsite. The Bowie Solar Energy Project would encompass six contiguous parcels totaling approximately 1,120-acres.

If one or both Solar Energy Power Plant projects are approved, it/they would represent the first such projects in Cochise County. Each Concentrating Solar Power (CSP) plant would be located on privately owned sites that include lease purchase agreements. Upon build out, each Solar Energy Power Plant would be capable of generating approximately 200 net megawatts (MW) of power. Unlike typical photovoltaic (PV) technology which uses gathered sunlight to cause chemical reactions in PV cells to generate electricity, CSP devices use the sun's heat to provide thermal energy to power a connected turbine or engine to produce electricity. The proposed projects would use SunCatcher technology. SunCatchers incorporate a 25-kilowatt-electrical (kWe) solar dish Stirling engine system which consists of a radial solar concentrator dish structure that supports an array of curved glass mirror facets designed to track the sun and concentrate solar energy onto a Power Conversion Unit (PCU). The PCU is coupled with, and powered by, a Stirling engine that generates power. The PCU converts the focused solar thermal energy into 'grid-quality' electricity. The conversion process in the PCU involves a closed-cycle, high-efficiency four-cylinder, reciprocating Stirling engine utilizing a recycled internal working fluid. The Stirling engine operates with heat input from the sun that is focused by the dish assembly mirrors onto the PCU's solar receiver tubes which contain hydrogen gas. The PCU solar receiver is an external heat exchanger that absorbs the incoming solar thermal energy. This heats and pressurizes the gas in the heat exchanger tubing, and this gas in turn powers the Stirling engine. A generator connected to the Stirling engine produces an electrical current. Waste heat is transferred to the ambient air via a radiator system similar to those used in automobiles. The gas is cooled by a radiator system and is continually recycled within the engine during the power cycle. The conversion process does not consume water, as is required by most thermal-powered generating systems. The only water necessary for the entire operation is the amount needed to wash the glass mirrors. However, the integral factor in the SunCatcher's high efficiency rate is the device's parabolic radial dish design. It is programmed in such a way that it automatically tracks the sun throughout the day. This feature provides increased efficiencies over solar arrays that are flat planes facing a fixed direction, typically toward the southern sky. At sunrise, each SunCatcher automatically rotates to face the sun, and with automation software, tracks, collects, and concentrates the sun's energy onto a single point on the PCU. Per the Applicant, primary operation monitoring will be conducted remotely and off-site via computer generated operating data and remote cameras to provide a constant check of all operating units.

Each project would be built out in four Phases: construction of Phase I would begin in 2010 with anticipated completion of Phase IV in 2012 or 2013. At build-out of Phase IV each 200MW plant would require approximately 66,800 dishes (approximately 6,680 dishes per 20MW). According to the Applicant, the time required to assemble and install each unit would require about 8 man-hours, and the typical practice is to construct a staging area on each site to facilitate the off-loading of building materials; the area required for 20 MW is about 4.5 acres/MW. Security might be employed, so a small residence would be constructed to accommodate personnel.



Fig. 2; SunCatcher' technology proposed for both sites

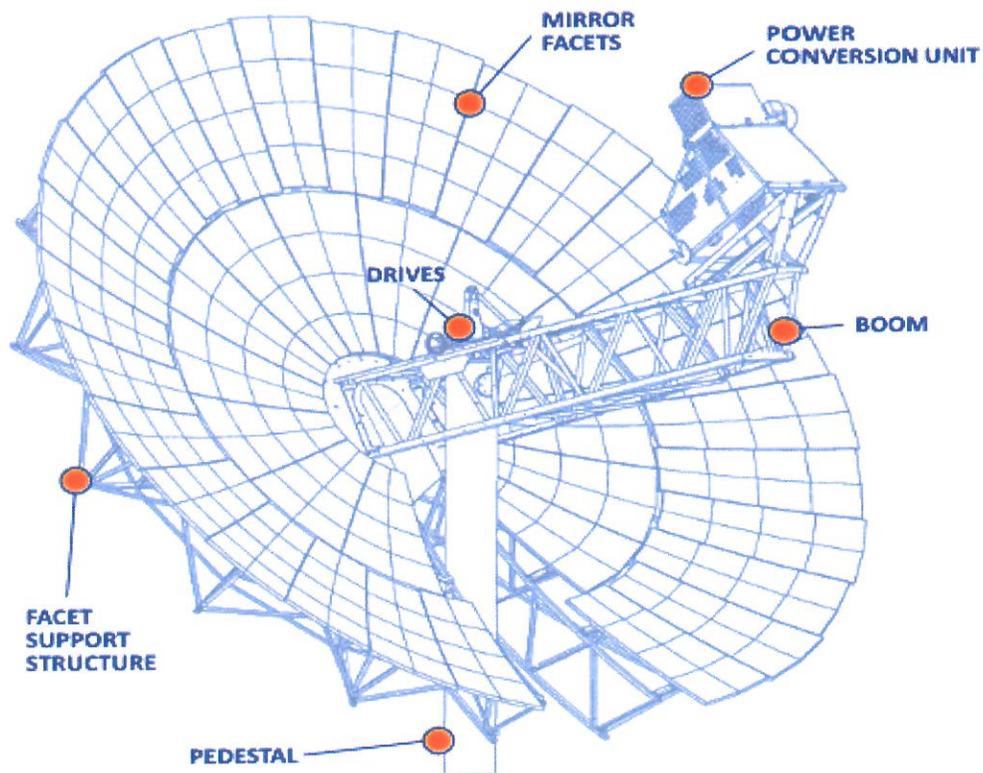


Fig. 3; 'SunCatcher' technology proposed for both sites

IV. Analysis of Impacts

Compliance with Special Use Factors (Section 1716.02)

Section 1716.02 of the Zoning Regulations provides a list of ten (10) criteria or factors to evaluate Special Use applications. Nine (9) criteria are applicable to this request and are considered factors in the decision whether or not to approve these Special Use Permit requests and determine what conditions may be needed to mitigate off-site impacts. The proposed use would comply with five (5) of the applicable factors, would *marginally* comply with one (1) criterion; and, with conditions, would comply with two (2) additional criteria. The proposed use does not comply with one (1) criterion.

A. Compliance with Duly Adopted Plans: Complies

The subject properties are not located within an area plan, nor are they subject to the policies of the Sierra Vista Sub-watershed Water Conservation Overlay Zone. However, all unincorporated areas in Cochise County are subject to the policies of the Comprehensive Plan. The Comprehensive Plan allows a wide range of uses within a given zoning district because adopted site development standards act to reduce the impacts of more intense uses without altering the intent and character of a particular zoning district. All parcels on both sites are designated Rural by the Comprehensive Plan; this land use designation describes outlying rural areas between cities and unincorporated communities that are characterized by a low rate of growth, unimproved roads, low density, large lot rural residential development and agricultural production. Both sites and surrounding areas are in agricultural production and interspersed with large tracts of undeveloped lands.

B. Compliance with the Zoning District Purpose Section: Marginally Complies

Per Article 6 of the Zoning Regulations, the purposes of the Rural (RU) districts are:

- *To encourage those types of non-residential and non-agricultural activities which serve local needs or provide a service and are compatible with rural living;*
- *To preserve the agricultural character of those portions of the County which are capable of resource production;*
- *To provide space for people, minimize traffic congestion, and preserve the existing rural environment of unincorporated areas of the County situated outside of existing communities;*
- *To provide recreational support services that are compatible with rural living;*
- *To protect the quality of the natural environment as it relates to safeguarding the health, safety and welfare of the people in Cochise County; and*
- *To allow consideration of some more intense non-residential uses as special uses that are inappropriate in more densely populated urban/ suburban areas that may under some circumstances be appropriate in rural areas if designed to be sensitive to the general character of rural districts and natural environment and harmonious and in scale with existing development near the proposed site and in conformance with Section 601.06. (To protect the quality of the natural environment as it relates to safeguarding the health, safety and welfare of the people in Cochise County.)*

The project sites are sparsely populated, with the surrounding RU-4 zoning reflective of this characteristic. The Rural zoning districts permit some commercial uses as principal uses and a host of others via the Special Use Permit process, provided that the use is in harmony with the surrounding character, off-site impacts can be effectively mitigated, and the activities provide a service to area residents. The 'Oxbow' site near Kansas Settlement is an area characterized by significant agricultural production, while the 'Bowie' site is creosote scrub. Although the proposed uses do not neatly comply with the purposes listed above, and are in stark contrast with existing uses, Solar Energy Power Plants are typically sited in very rural areas by virtue of open land availability and scant population.

C. Development Along Major Streets: Complies

Access to the 'Oxbow' site near Kansas Settlement is north or south on Kansas Settlement Rd. a County-maintained collector, then eastward for approximately four miles on E. Baker Rd. and E. Kimzey Rd., both unimproved local roads which serve the extensive agricultural uses in this area. Access to the 'Bowie' site is north or south via S. Apache Pass Rd., a County-maintained collector, then eastward on an unnamed and unimproved 'ranch' road. Although construction traffic would be noticeable during construction, post-construction traffic would return to a similar current pattern. Neither project would increase the number of access points on major thoroughfares, arterial streets, or County collectors and would not create unsafe traffic conflicts and hazardous traffic congestion.

D. Traffic Circulation Factors: Complies

The Applicant provided Traffic Statements for both sites, as the proposed development of multi-phased solar power generation projects is expected to add significant traffic during the construction phases, but then return to minimal traffic post build out and during routine operation.

'Oxbow' Power Plant:

The 'Oxbow' property is being served by S. Kansas Settlement Road, an improved, two-lane County collector approximately four miles to the west. Two unimproved secondary roads, Kimzey Rd. and Baker Rd. running east/west to the west frontage of the site and separated by approximately one mile. Current traffic load in this area is comprised of light- and heavy-duty trucks and farm machinery. The Applicant estimates that trip traffic on S. Kansas Settlement Road currently averages 450 vehicle trips per days and the unimproved secondary roads are estimated to carry fewer than 50 vehicle trips per day. The following traffic scenario is estimated and is based upon similar project development.

Per the Applicant, truck traffic delivering 20MW or approximately 6,680 SunCatcher units to each site would require:

- Mirrors - 318 trucks
- Chassis - 186 trucks
- Bi-axial drive - 70 trucks
- Electronics - 45 trucks
- Heat Drive - 102 trucks

The primary traffic to access the subject site will be for mirror washing and maintenance that requires four to eight persons on a routine basis, five days per week for a fully operational 200 MW system, as well as one to three persons delivering cleaning supplies and replacement parts. The average trip count per week day may average 10 to 12 vehicles on weekdays and negligible weekend trips for very rare emergency needs such as broken tracking systems or monitoring gear.

'Bowie' Power Plant:

The Bowie property is being served by one secondary county rural paved road, Apache Pass Road (running northwest to southeast) lying approximately three miles west of the site and a gravel and dirt rural secondary road running east/west to the north frontage of the site. Both secondaries serve serve minimal farming uses today. The existing condition of the road surfaces is average and in good repair, and all roads currently provide year round service with minimum maintenance.

D. Traffic Circulation Factors (cont.):

The current estimated traffic load is comprised of auto, truck and farm machinery on all of the named roads, with the maximum trip traffic occurring on Apache Pass Road averaging 350 vehicle trips per day, divided evenly between auto and truck uses. The unpaved secondaries are estimated to carry fewer than 50 vehicle trips per day also divided evenly between auto and truck uses. The current property has a single residence and a several agricultural-type outbuildings which would be razed. The existing road surfaces are not expected to require substantial repair and maintenance due to the intended construction and operation maintenance; however, if one or both projects are approved, Condition 4 requires the Applicant to return all roads to pre-construction or better condition.

E. Adequate Services and Infrastructure: Does Not Comply

The Applicant does not have a formal power purchase agreement with any utility at this time, although discussions have been initiated with the Sulphur Springs Valley Electric Cooperative (SSVEC) about improving transmission, distribution and obtaining power purchasing agreements. Adequate infrastructure exists to distribute power for Phase I for each project, and the Applicant expects to connect to local substations in the near term for Phase I. However, transmission and distribution infrastructure is inadequate at this time to handle and distribute build out power generating capacity of 200MW on each site. Eventually, significant regional transmission improvements would be necessary to accommodate these projects. The Applicant would have to assist in developing the additional infrastructure required for market distribution.

F. Site Development Standards: Complies

Setbacks: Complies

The minimum setback for all Solar Energy Power Plant structures and components in the RU districts is 40-feet and 20-feet from road travel ways. The submitted site plans for each proposed project indicate that minimum setbacks would be 50-feet from property lines, so this site development standard would be met.

Site Coverage: Complies

Maximum site coverage in the Rural zoning districts is 25%; however, per the County's recently adopted Solar Energy Ordinance, Solar Energy Power Plants are not required to comply with maximum site coverage requirements.

Access: Complies

Access to the 'Oxbow' near Kansas Settlement is via unimproved local roads that serve a number of agricultural uses, The 'Bowie' site also takes access via an unimproved local road. Condition 4 would require the Applicant to return all access roads to pre-construction or better condition.

Landscaping: Not Applicable

The subject parcels for both sites are located within a Category D Growth Areas, thus are not subject to landscaping requirements, per Section 1806.02A.

Outdoor Storage: Not Applicable

There would be no outdoor storage for either project.

F. Site Development Standards (cont.):

Screening: Not Applicable

Screening is not required in Category D Growth Areas.

Parking: Does Not Comply

Per Section 1804.04 of the Zoning Regulations, the Applicant is required to construct at least one 9'x19' unimproved parking space for each unmanned facility. If the Applicant constructs a caretaker's residence, that structure would require at least one dedicated space as well. The submitted site plans for each project do not show any delineated spaces; Condition 1 would require submittal of a revised site plan meeting all on-site parking requirements.



Fig 2; Westward view to Bowie site (approximately 7 miles southeast of Bowie)

Signs: Complies

Each project site would have one on-site identification sign. If these projects are approved, each sign design would need to be approved as part of the commercial permitting phase for each site.

Floodplain: May not comply without mitigation.

Portions of the 'Oxbow' project site near Kansas Settlement are within 100-year flood areas. If approved for Special Use Permits, the Highway and Floodplain Department would carefully review the projects as part of the commercial permit process in order to determine if floodplain mitigation is necessary.

G. Hazardous Materials: Not Applicable

The submitted Special Use applications indicate that no hazardous materials would be stored or used on either project site.

H. Off-site Impacts: Complies with Conditions 2, 3, 4 and 7

Land uses surrounding the 'Oxbow' project site near Kansas Settlement consists of active agricultural activities, while the 'Bowie' project site is vacant and overwhelmingly creosote scrub. This portion of the memorandum contains a discussion of the potential issues that staff has identified to date. Discovery is not yet complete, and other parties have not had an opportunity to identify their concerns. For example, as the lead agency, the Arizona Corporation Commission (ACC) has considerable oversight in the transmission, distribution and regulatory aspects of power plant projects. In addition, the Arizona Department of Water Resources (ADEQ) might weigh-in in the future regarding water use. That said, water use, especially in arid regions, is the most concerning element of any utility-scale project. However, the proposed SunCatcher units are most conscious of water resources of any available utility-scale CSP technology. Water use is addressed in more detail in Section J, below.

Transient dust mitigation, especially during construction, is a serious concern that would be mitigated if approved. The Applicant would employ water trucks to minimize dust intrusion during construction. Post construction, it is imperative for solar energy developers to maintain and regularly clean arrays in order to maximize efficiency and extend life cycles; however, the Applicant has not addressed what measures would be taken to minimize transient dust upon completion of any phase of the projects. Condition 3 would require the Applicant to install pea gravel or an equivalent on all internal driveways, roads and parking areas to reduce transient dust.

I. Public Input: Complies

The Applicants mailed citizen notification letters to neighboring property owners within 1,500 feet of the subject parcels. The Applicant also hosted two public meetings – one at the Sunsites Senior Center in early October and a second at the Bowie High School on 27 October. County staff mailed notices to neighboring property owners within one (1) mile of the subject parcels, published a legal ad in the *San Pedro Valley News-Sun*, as well as posted legal notices on each site. To date, the Department has received one (1) letter in of support and four (4) letters in opposition for the 'Oxbow' project. The Department has received one (1) letter of support both projects. Respondents noted concern over water use and devalued properties.

J. Water Conservation: Complies with Condition 7

Some utility-scale solar energy technologies require significant water resources for cooling, so water use is a particularly important component of any project, especially in arid environments. The southwest has the highest solar energy potential in the country, yet has the fewest water resources. Certainly, it is not in best interest to approve utility-scale solar energy developments that use significant water resources in areas with sensitive water resources. Neither project site lies within the Sierra Vista Sub-Watershed Overlay Zone. Per the Applicant, the proposed SunCatcher /Stirling engine technology to be employed on both sites does not require water for cooling, unlike other solar thermal technologies like parabolic trough systems, so it represents an excellent option for desert installations (Condition 7 would restrict the Applicant to this technology to ensure the highest degree of water conservation).

However, the systems still require water for mirror cleaning in order to maintain high efficiency. Water would be drawn from onsite groundwater wells and no wastewater would be generated. Per the Applicant, five gallons of water from low pressure spray devices would be employed to clean each SunCatcher unit. The Applicant suggests that if each dish is washed with five gallons of water four times per year (20 gallons per year), each site would require about 135,000 gallons annually or .4 acre-feet per year. *However, 6,680 units per 20MW calculates to 66,800 units per site (for 200MW) x 5 gallons x 4 times per year = 1,336,000 gallons per year or 4.1 acre-feet per year.*

J. Water Conservation (cont.):

To put this number into perspective, the 1,000MW Bowie Power Station would use 5,000 acre-feet per year for cooling, so water use is comparatively low, especially in light of the fact that no water would be used for cooling. Also, on average, alfalfa uses 5.5 acre-feet per year *per acre* of cropland.

As part of a dust suppression protocol, the Applicant has indicated that water trucks would be employed to regularly wet each site as necessary during construction. However, the Applicant has not offered an estimate on water use for this facet of the projects. The amount of water used solely for dust suppression would likely be significant.

Table 2: Comparison of consumptive water use of various power plant technologies using various cooling methods

Technology	Cooling	Gallons MWhr	Perform. Penalty*	Cost Penalty**	Reference
Coal / Nuclear	Once-Through	23,000 – 27,000***			1, 3
	Recirculating	400 - 750			1, 3
	Air Cooling	50 - 65			1, 3
Natural Gas					
	Recirculating	200			4
Power Tower	Recirculating	500 - 750			(estm.)
	Combination Hybrid Parallel	90-250	1-3%	5%	10, 11
	Air Cooling	90	1.3%		9
Parabolic Trough	Recirculating	800			5
	Combination Hybrid Parallel	100-450	1-4%	8%	7, Appx. A
	Air Cooling	78	4.5-5%	2-9%	6, 9
Dish / Engine					
	Mirror Washing	20			5
Fresnel	Recirculating	1000			(estm.)

For using a less water intensive cooling technique:

* = Annual energy output loss is relative to the most efficient cooling technique.

** = Added cost to produce the electricity.

V. Summary and Conclusion:

Utility-scale solar energy projects are encouraged for a host of reasons, some of which were mentioned at the beginning of this memorandum. Arizona is blessed with abundant solar energy resources and vast land availability, and the Arizona Corporation Commission’s Renewable Energy Standard (REST) goal of producing 15% of Arizona’s power production using renewable energy by 2025 has helped to spark unprecedented interest in utility-scale projects. However, in the rush toward energy independence, caution should be exercised to ensure a measure of local oversight so that Solar Energy Power Plant projects do not compromise the quality of life for residents and endanger wildlife and water resources.

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V. Summary and Conclusion (cont.):

Sustainability Development, LLC, has requested two Special Use Permits for the construction and operation of two Solar Energy Power Plants in the northeast quadrant of the County. The 1,600-acre 'Oxbow' Solar Energy Project would be located east of Kansas Settlement of off Kansas Settlement Rd. whereas the 1,120-acre 'Bowie' Solar Energy Project would be located east of S. Apache Pass Rd. approximately seven miles southeast of the Bowie townsite. Each power plant would be on privately owned lands with lease purchase agreements and would have a power generating capacity at build out of approximately 200 megawatts (MW) of power. The proposed projects would utilize SunCatchers, which are 25-kilowatt-electrical (kWe) solar dishes with Stirling engine systems. If approved, construction of the Solar Energy Power Plants, from site preparation and grading to commercial operation, is expected to take place from 2010 to through 2012 or 2013. These Special Use applications for Solar Energy Power Plants in the Kansas Settlement and Bowie areas are the first for Cochise County and have generated some concern over water use from several area residents and to a lesser degree, construction and traffic impacts during construction. Despite the lack of detailed water budgets and discrepancy between the Applicant's and staff's per annum water use estimates, water use would be comparatively low because of the proposed SunCatcher technology which is designed with water conservation in mind.

Factors in Favor:

1. Water use would be comparatively less than other Concentrating Solar Power (CSP) technologies and many water-intensive agricultural uses found in the area;
2. These utility-scale projects would offer a clean and renewable source of energy that would enable Cochise County to participate in achieving the ACC mandate for 15% renewable energy production by 2025;
3. Cochise County enjoys abundant solar resources and offers large tracts of suitable land for this type of development;
4. The projects can meet the Solar Energy Power Plant site development standards for the Rural zoning districts;
5. Both sites are ideal from an industry perspective in that they are large, very rural and flat and offer unobstructed solar resources;
6. Post construction traffic would be minimal;
7. Both projects would offer employment opportunities; and
8. To date, the Department has received one (1) letter of support for the 'Oxbow' project and one (1) letter of support for both projects.

Factors Against:

1. Construction activities would generate significant transient dust unless mitigated;
2. At this time, the Applicant does not have- power purchase agreements in place;
3. Transmission and distribution infrastructure in the County would need major upgrades in order to distribute power to markets;
4. The Special Use Applications and Site Plans are lacking in overall detail for projects of this scope and magnitude; and

Factors Against (cont.):

5. To date, the Department has received four (4) letters in opposition to the 'Oxbow' project near Kansas Settlement. Respondents are concerned about water use and devalued properties.

VII. Staff Recommendation:

Based on the factors in favor of approval, Staff recommends **conditional approval** for both Special Use Permit requests for two Solar Energy Power Plants in the Kansas Settlement area and the Bowie area, with the following conditions:

1. Prior to permit issuance, the Applicant shall submit a site plan for the 'Oxbow' Solar Energy Power Plant that shows all required elements, including, but not limited to, setbacks and minimum parking requirements;
2. Prior to permit issuance, the Applicant shall submit a formal and written protocol for dust mitigation during the construction phases and post construction;
3. The Applicant shall install pea gravel or an equivalent on all internal roads, maintenance lanes, driveways and parking areas to mitigate transient dust;
4. The Applicant shall maintain all access roadways in their current or better conditions during construction and post construction;
5. The Applicants shall provide the County signed Acceptance of Conditions and a Waiver of Claims forms for the project arising from ARS Section 12-1134 signed by the property owner of the subject properties within thirty (30) days of approval of the Special Use Permit. The Applicants shall submit and obtain building/use permits within three (3) years of approval, including a completed joint permit application, and demonstrate substantial construction progress for Phase I for the 'Oxbow' Solar Energy Power Plant. If substantial construction progress for Phase I for the project has not occurred within three (3) years from the date of approval, the Special Use Permit shall be considered for revocation at a public hearing before the Planning and Zoning Commission;
6. The building/use permit(s) shall include a site plan in conformance with this approval and meeting all site development standards (except those specifically waived or modified by the Planning Commission as part of this approval), the completed Special Use Permit questionnaires, and appropriate fees;
7. Any changes to the approved Special Use (including any change to the solar energy power plant technology to be deployed) shall be subject to review by the Planning Department and may require additional modification and approval by the Planning and Zoning Commission; and
8. It is the Applicant's responsibility to obtain any additional permits or meet additional conditions, if any, that may be applicable to the proposed activities pursuant to other federal, state, or local laws or regulations.

The Commission also approved the following Site Development Standard Modification:

1. Section 1804.06(3) which requires two-way driveways to be a minimum of 24 feet in width; the Modification allows for less than 24 feet for two-way driveways.

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VIII. Sample Motions:

Mr. Chair, I move to approve Docket SU-09-22 based on the Factors in Favor of Approval as Findings of Fact, with the recommended conditions listed in the staff memorandum.

Mr. Chair, I move to approve Docket SU-09-23 based on the Factors in Favor of Approval as Findings of Fact, with the recommended conditions listed in the staff memorandum.

IX. Attachments:

- A. Special Use Permit Applications
- B. Site Plans
- C. Staff Correspondences with Applicant
- D. Comments from County Staff and Other Agencies
- E. Citizen Review Letter and Public Meeting Reports
- F. Public Comments
- G. Sustainability Development, LLC Informational Package



Image source: NREL

Renewable Energy Opportunity Analysis Summary Report

Solar Facility Siting Analysis for Cochise County, Arizona

April, 2012



Prepared by Cochise County Cooperative Extension with the University of Arizona School of Landscape Architecture and Planning for the Cochise County Planning Department



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INTRODUCTION

Cochise County Cooperative Extension's Land Use Planning and Sustainable Development Program was requested by Cochise County (the County) to conduct an analysis for solar energy development potential on the 6200 square miles within their jurisdiction. Since surpassing 125,000 in population per the 2010 Census, the County is now required by state statute (ARS §11-804.B.4) to amend their comprehensive plan with an Energy Element. It is the hope that this analysis will aid the County in developing sound land use policies for siting renewable energy facilities. The analysis, using the Renewable Energy Opportunity Analysis (REOA) model, was conducted to identify areas of low, moderate and high potential for small and large solar projects on the subject parcel. The resulting outputs should help renewable energy developers and the County begin the more complex task of focusing on specific regions of the County and conducting feasibility studies. This report will explain the methodology behind the analysis, summarize the results, and provide some direction for the use of the outputs.

GENERAL CRITERIA USED FOR SITING SOLAR FACILITIES

While many factors go into siting solar facilities, REOA assesses fundamental physical and economic opportunities and constraints on any given piece of land. First and foremost, the insolation factor, the amount of solar radiation reaching a given area, is high for virtually all of Arizona. United States Solar Resource maps for photovoltaic (PV) and concentrated solar projects (CSP) produced by the National Renewable Energy Lab (<http://www.nrel.gov/gis/solar.html>) show Arizona and the southwest US to have the highest insolation rates in the entire country - on average, greater than 6 kWh per meter² per day. Our analysis weights areas that have a minimum of 7 kWh per meter² per day as the best. The suitability of soils for compaction and anchoring solar facilities is part of this analysis. Topography is taken into account by analyzing the slope of the land, which, for solar installations, needs to be no greater than a 2% grade. In addition, topography is more critically assessed using digital elevation models to look at the potential impact of shading from steep sloped areas. The presence of major washes is taken into consideration by creating a 600' buffer around all major wash centerlines (personal communication, Cochise County Highway and Floodplain). This analysis does not preclude the presence of 100-year floodplains nor minor washes. These would need to be considered in site-specific studies, since construction is feasible in some floodplains, depending on flood elevations. Land jurisdictions that were designated as National Forest, National Park Service, wildlife refuges, and other areas precluded from solar development, were also filtered out. Altogether, these physical factors were applied as a "mask" to eliminate areas, as a primary filter, where renewable energy development would not be feasible at all. Incorporated versus unincorporated areas were not differentiated in this analysis.

The remaining areas were then modeled using the physical and economic factors as weighted criteria for determining high, medium or low suitability for solar development. The Methods section will go into greater detail about the modeling.

The resolution (level of detail) for this REOA is a cell size of 10 meters by 10 meters, or approximately 0.25 acres. A typical solar PV project requires approximately 10 acres per megawatt, so this modeling is aptly suited to understanding not only the spatial opportunities for projects, but also the amount of potential energy output based on available and consolidated acreage.

While REOA is limited to these particular factors regarding the siting of solar facilities, other criteria can be used by the planning jurisdiction or developers to further assess the potential of a particular parcel of land. As data is available, overlays like wildlife corridors, city, county or state designated scenic corridors, open space, archaeological and cultural sites, clusters of address points, recharge areas and

any other constraints, may be applied as transparent layers to preclude certain acreages. For more focused analyses on sub-areas of the county, an overlay of vacant properties and/or properties for sale would be very useful to further narrow the search for areas of high opportunity and available land for any particular renewable energy project.

METHODS

The Renewable Energy Opportunity Analysis (REOA) is a systematic process that uses the concepts of capability and suitability. Capable areas are those areas that are limited by absolute constraints, whereas suitable or potential areas are ranked within those areas that have already been determined to be capable. Incapable areas are any areas that are not considered feasible for siting a solar energy facility, such as those areas with certain land ownerships or management constraints, steep slopes, poor soil conditions, shading, or major washes, as described in the previous section. A mask, or modeling extent, that consists only of those areas that are capable of siting a solar energy facility is generated with all incapable areas removed (Figure 1).



Figure 1 - Capable Areas (Beige) in Cochise County

After capable areas are determined, Goals and Objectives, which are hierarchical statements that define what is to be accomplished (goal) and how to achieve the goal (objectives and sub-objectives), are written to model suitability or potential. Each goal includes physical and economic objectives, as well as a series of sub-objectives that attempt to capture the complexity of land-use suitability or potential. For this analysis, there are two main goals – one to determine the potential for small scale solar projects of 5 MW or less and one for large scale solar projects, greater than 5 MW. Each of the goals has two main objectives - physical and economic factors, and a range of sub-objectives. The objectives and sub-objectives are all assigned weights based on their relative importance to each other, according to expert consensus.

The physical objective used in the modeling was the aspect of land (north facing, south facing, etc.). The economic objectives include the proximity to existing roads, railroads as well as proximity to transmission lines and sub-stations. Proximity to railroads is more important for larger projects since transporting equipment from a railroad siding to a construction site can be very costly, depending on the distance. This objective is not considered at all in the model for small scale projects. Distance to large transmission lines (115-230 kV) becomes a more important objective for larger projects (> 5 MW), especially where capacity in the existing line and regulatory approvals for new lines from the Arizona Corporation Commission (ACC) may be an issue. Proximity to existing sub-stations is an important economic factor as well for larger projects greater than 5 MW (personal communication, David Bryan, SSVEC).

This analysis used a wide range of geographic information system (GIS) data layers in raster and vector formats from a variety of data sources. All of the data was managed in a geodatabase in ArcCatalog and converted to the same projection and coordinate system (NAD 83 UTM Zone 12N) for consistency.

After all of the data were collected and processed, GIS models were created in ArcGIS ModelBuilder. As this spatial modeling is all raster-based, a cell size of 10 meters by 10 meters (1/4 acre), the Cochise County boundary as our project extent, and the capable areas (Figure 1) were used as our project mask. A unique model is created in ModelBuilder for each of the different goals, objectives and sub-objectives. Depending on what the objective or sub-objective asks for, different tools from the

ArcGIS Spatial Analyst Extension are used. For example, the Goals & Objectives refer to proximity to substations, roads, railroads, and transmission lines. To determine proximity, the model uses the Euclidean Distance function, which measures straight-line distance from each raster cell to the closest source. The output of a Euclidean Distance function is a raster that shows the distance from a source to all other sources. Figure 2 shows the proximity ranges for substations in the county. This raster is assigned a weight from the Goals & Objectives, and it is later combined and weighted with all the other rasters to create a final suitability grid with value ranges of 1 (low suitability or potential), 2 (moderate suitability or potential), and 3 (high suitability or potential).

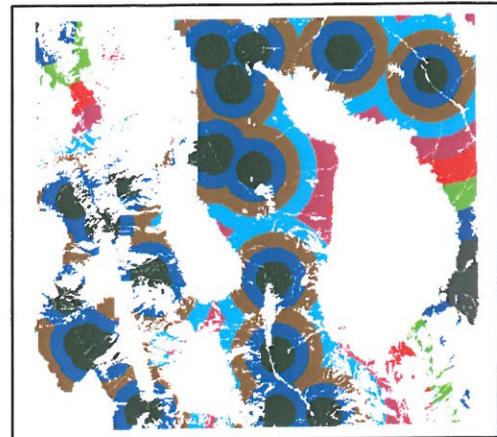


Figure 2 - Euclidean Distance to Substations

RESULTS AND INTERPRETATION

As mentioned previously, the goals of this analysis were to identify opportunities for large and small scale solar facilities within Cochise County. As part of the REOA, the number of acres identified as high, moderate and low potential were calculated and are listed in Table 1. More importantly, the spatial locations of these solar facility opportunity classes are provided in the two maps found in the appendices. A CD is provided as part of this report with map files as well as the ArcCatalog GeoDatabase and opportunity classes GIS shapefiles for this project.

Table 1. Opportunity Analysis Results for Potential Solar Installations in Cochise County

Potential for Solar Installations	Small Projects 5 MW or Less (acres)	Large Projects Greater than 5 MW (acres)
High Potential	343,879	53,461
Moderate Potential	1,185,982	402,002
Low Potential	281,081	1,355,454

The results of the modeling are ranked by suitability or potential on the maps. The color scheme is consistent throughout the maps presented, with red indicating low, yellow indicating moderate, and green indicating high suitability. White areas in the REOA maps along with National Park Service, Forest Service and other conservation properties are those areas that are not capable. There are two map outputs – one for small-scale and one for large-scale solar projects. There are some very noticeable differences between the small and large-scale solar opportunity maps. For example, in the large-scale solar opportunity map, there are many areas that are ranked low-suitability. This is due to the requirement of a specific distance to transmission lines of 115 KV or greater in the Goals & Objectives. In this example, we did not use the Euclidean distance function, but rather a specific distance buffer of 300' to transmission lines (high potential), 300' – 1000' to transmission lines

(moderate potential), and greater than 1000' to transmission lines (low potential). Therefore, when you examine areas that are immediately adjacent to transmission lines, you can see there is often higher suitability. However, suitability is also impacted by the other objectives. For example, if one looks closely at the Willcox area on the large-scale map, they will see many areas of high suitability, but if they look southwest to the community of Cochise, there is only moderate suitability. While both communities have nearby transmission lines and substations, the higher density of roads in the Willcox area gives it an overall higher suitability. However, since transportation routes aren't weighted as heavily for smaller projects, there are greater expanses of highly suitable areas for small-scale solar projects throughout the county (see Table 1).

One can also see the presence of the effects of the different sub-objectives in the final suitability maps. For example, there are often areas of high or moderate suitability that are circular within an area around a substation. This is due in part to the use of the Euclidean distance function. These types of results are to be expected from a spatial modeling process such as this one, and it is important to remember that any model is only as good as the data inputs it uses. Additionally, all models must be ground-truthed, as they are only a first-cut and not a final assessment of the real-world suitability of a given area of land for a specific purpose.

HOW THE RESULTS OF REOA MAY BE USED

As noted earlier in this report, Cochise County is now required to amend its comprehensive plan with an Energy Element. ARS §11-804.B.4 requires jurisdictions with populations greater than 125,000 to include planning for energy use that (a) encourages and provides incentives for efficient use of energy; and (b) identifies policies and practices for greater use of renewable energy. These maps may be adopted by the County as a baseline resource for any new comprehensive plan policies that may be developed forthwith regarding renewable energy development.

Cochise County Zoning Regulations already allow for small scale solar systems as accessory uses on residential, commercial and rural properties as a use by right. However, larger solar energy power plants, as contemplated by this analysis, require a special use permit in the RU (Category D), GB, LI and HI zoning districts. The results of the analysis may be used to develop factors in favor or factors against any one proposal proposed to the County through the special use process.

The Renewable Energy Opportunity Analysis is the first step in helping any renewable energy developer and the County understand, spatially, where the greatest potential for solar energy power plants is within the county's 6200 square mile jurisdiction. The results may also be used by the County's incorporated towns and cities. This analysis, however, is only the first step in determining the on-the-ground feasibility of constructing any utility-scale facility. Further site planning and engineering will certainly be required. With the results of this REOA, the County and potential solar developers may save considerable amounts of time and money by focusing on those geographic areas with moderate to high potential. Any further analysis by the County will most certainly be coupled with other considerations and policies, such as economic impact, ACC permitting requirements, access, impacts to nearby residential neighborhoods, water use, scale and type of solar development.

As an example of economic impact, the Public Service Company of New Mexico is actively siting 5 MW projects around their state to meet their statewide renewable energy goal. Using the standard of 10 acres required for one megawatt of generated power, a typical 5 MW solar PV project requires about 50 acres of land. A project of this size has the potential to power approximately 3,000 to 4,000 homes and generate 60 to 75 construction jobs over a period of two to three months. In New Mexico, PV panels are less than four feet high and require no concrete footing. A typical 5 MW solar PV construction project involves the installation of approximately 79,000 panels mounted on 8,000 posts

at a cost of approximately \$23 million (source: Gary Barnard, Public Service Co. of New Mexico).

The Bureau of Land Management (BLM) has recently conducted a statewide assessment of solar potential in Arizona. Their Draft Environmental Impact Statement says, "The BLM proposes to identify Renewable Energy Development Areas (REDAs) and a Solar Energy Zone (SEZ) for Arizona that include disturbed sites such as brownfields, landfills, retired agricultural lands, or abandoned mines, and lands with low resource sensitivity and few environmental conflicts." (Arizona Restoration Design Energy Project Draft EIS, 2012). However, there are some distinctions between the BLM's analysis and this one conducted for the county worth noting:

BLM analysis

- Utility-scaled solar projects are defined by BLM as 20 megawatts or greater. This analysis (REOA) considers smaller scale projects.
- The BLM assessment looked for sites of 100 acres or more for commercial applications. REOA has a resolution of 1000 square meters (1/4 acre) and therefore considers a much broader range of potential acreage.
- Sensitive Resources and Land Management designations were criteria used by BLM. While property ownership for certain lands was taken into consideration, REOA allows for the consideration of sensitive resources by a developer or jurisdiction as a follow-up to the initial assessment of the county's overall potential for siting utility-scale solar facilities.
- The weighting of distance to transmission lines was less than other factors in the BLM analysis. In REOA, this is a more heavily weighted objective, given the regulatory process, time and money it takes to site and build new transmission lines.
- The BLM's screening and nomination process resulted in only two nominated sites in all of Cochise County for large, utility-scaled solar facilities of 20 MW or greater. These are the old Tombstone Landfill and private agricultural acreage near Naco, Az. REOA provides for a broader range of acreage with high and moderate suitability for siting solar facilities of various sizes. The results of REOA favor smaller scale projects of 5 MW or less.

ABOUT THE UNIVERSITY OF ARIZONA AND COCHISE COUNTY COOPERATIVE EXTENSION

The Land Use Planning and Sustainable Economic Development Programs were established within the University of Arizona and Cochise County Cooperative Extension to create, apply and transfer multidisciplinary knowledge to help people understand community change and identify opportunities. The programs provide and facilitate public issues education so that citizens are actively involved in defining and contributing to the future of their communities and decision makers are better informed about issues addressing use and management of natural resources, the rural-urban interface, economic development, natural disaster response, land use planning and local government structure and operation. Extension Agents develop and generate information/data and conduct and evaluate educational programs on community issues that address priority needs of the county, state and nation.

Funding for this project was provided by a grant from the US Department of Commerce's Economic

Development Administration (EDA) and administered by the University of Arizona's Regional Center for Sustainable Economic Development.

The mission of the College of Architecture and Landscape Architecture (CALA) at the University of Arizona includes the advancement of the college, university, community, and profession through service and outreach. The faculty and outreach units within CALA are engaged in a variety of projects including the Drachman Institute, dedicated to the environmentally sensitive and resource-conscious development of neighborhoods and communities, and individual faculty research, ranging in growth management and land use research with Native American tribes to GIS modeling to identify conflicts among land use stakeholders.

CREDITS

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APPENDIX 1 – GIS Data, Goals, Objectives and Weights

Renewable Energy Opportunity Analysis (REOA) Modeling Details

- Model Extent: Cochise County, AZ
- Raster Cell Size: 0.0025 acres (~33 x 33 feet) or (10 x 10 m)
- Model Mask (ie. Absolute physical constraints for solar siting capability)
 - Land owner: National Park Service lands, US Forest Service lands, AZ State parks & monuments, San Pedro National Riparian Conservation Area, all other wilderness and conservation areas.
 - Major streams: All major streams as classified by ALRIS with 600' total width buffer from centerline of stream.
 - Slope: All lands with 2% slope or greater.
 - Soils: Anchoring and compaction
 - Solar insolation
- Subjective Constraints (to be applied by local jurisdiction on final model output if data are available):
 - Floodplains
 - 404 permit areas
 - Wildlife corridors
 - Scenic corridors
 - Others if available
- Project Size:
 - Small scale: 5 megawatts or less
 - Large scale: greater than 5 megawatts
- Data Storage: ArcCatalog GeoDatabase
- Projection & Coordinate System: North American Datum 1983 Universal Transverse Mercator Zone 12 North (NAD 83 UTM Zone 12N)
- Modeling System: ArcGIS ModelBuilder
- Data Sources:
 - Cochise County GIS
 - Arizona Land Resource Information System (ALRIS)
 - National Renewable Energy Labs (NREL)
 - Southern Arizona Data Services Program
 - University of Arizona
 - US Census Bureau

Cochise County Renewable Energy Opportunity Analysis (REOA)

Goals and Objectives**Scaled Renewable Energy Goals and Objectives – Large Scale Projects (Greater than 5 MW)**

Goal 1: Solar: Identify areas suitable for photovoltaic (PV) arrays and Concentrating Solar Power (CSP).

- 1.1 Physical Suitability – (Weight: .25)
 - 1.1.1 Areas with S, SE, SW, and flat **aspects** (Weight: .75)
 - 1.1.2 Areas with all other **aspects** (Weight: .25)
- 1.2 Economic Suitability – (Weight: .75)
 - 1.2.1 Identify lands proximal to **transmission lines** (within 300' of 115 Kv or greater = high suitability, 300' – 1000' = moderate suitability, and greater than 1000' = low suitability) (Weight: .35)
 - 1.2.2 Identify lands proximal to **sub-stations** (Weight: .35)
 - 1.2.3 Identify lands proximal to **roads** (Weight: .2)
 - 1.2.4 Identify lands proximal to **railroads** (Weight: .1)

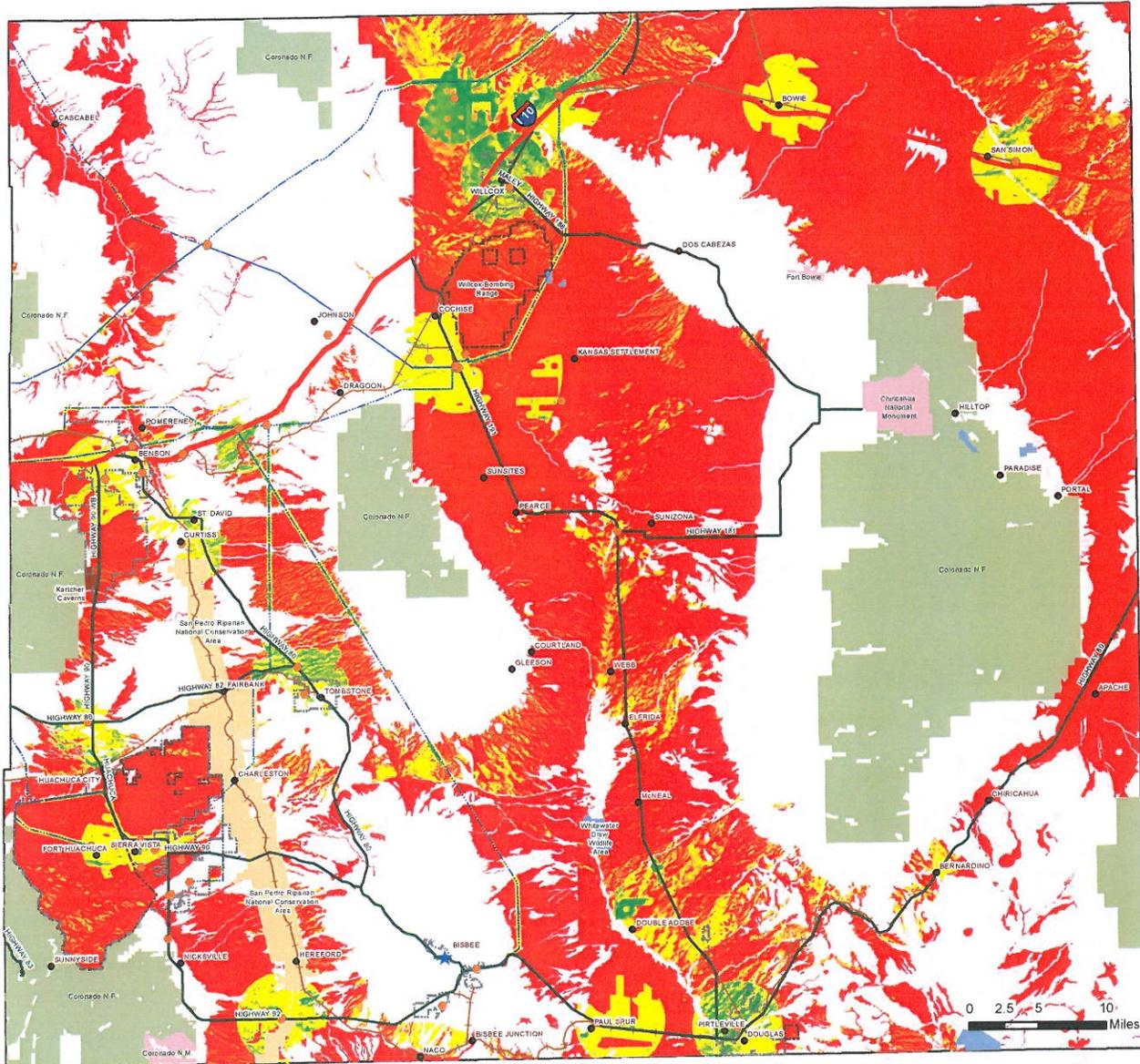
Scaled Renewable Energy Goals and Objectives – Small Scale Projects (5 MW or less)

Goal 1: Solar: Identify areas suitable for photovoltaic (PV) arrays and Concentrating Solar Power (CSP).

- 1.1 Physical Suitability – (Weight: .25)
 - 1.1.1 Areas with S, SE, SW, and flat **aspects** (Weight: .75)
 - 1.1.2 Areas with all other **aspects** (Weight: .25)
- 1.2 Economic Suitability (Weight: .75)
 - 1.2.1 Identify lands proximal to **transmission lines** (69 Kv or greater) (Weight: .4)
 - 1.2.2 Identify lands proximal to **sub-stations** (Weight: .5)
 - 1.2.3 Identify lands proximal to **roads** (Weight: .1)

APPENDIX 2 – Suitability Maps for Large Scale and Small Scale Solar Projects

Large Scale Solar Facility Opportunity Maps Greater Than 5 Megawatts



• Cochise County Communities	▭ Incorporated City Boundaries	■ 1 - Low Potential
★ Bisbee (County Seat)	▭ Military Lands	■ 2 - Moderate Potential
• Substations	▭ National Park Lands	■ 3 - High Potential
— Interstate 10	▭ Coronado National Forest	▭ Cochise County
— State & County Highways		
— Railroads		
— Transmission Lines 115 - 230 KV		

Large Scale Solar Potential Acreage
 Low Potential - 1,355,454 acres
 Moderate Potential - 402,002 acres
 High Potential - 53,461 acres

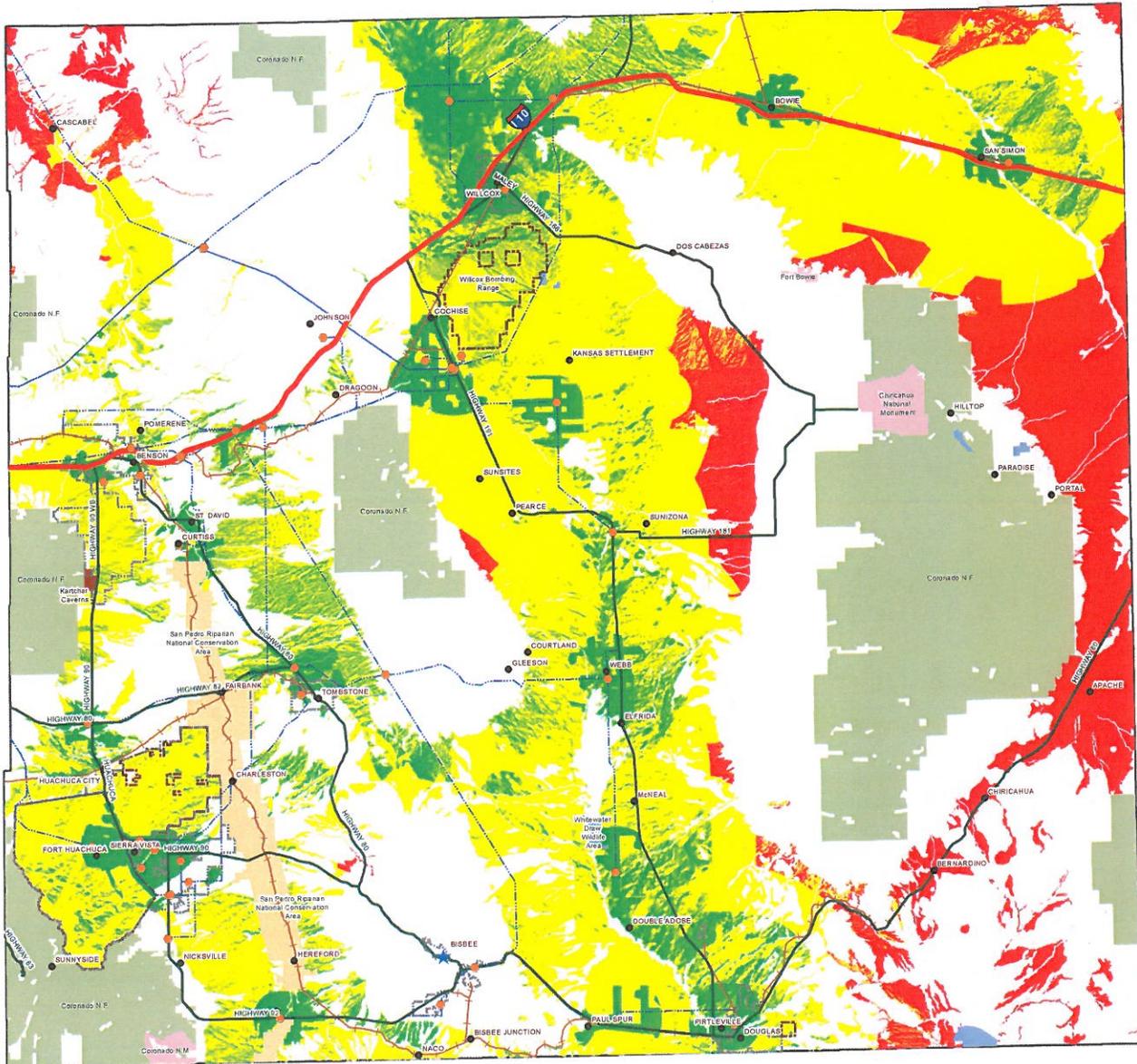
This is not a survey product. The information is derived from various national, state and county GIS databases. The University does not assume any liability for damages arising from errors, omissions, or use of this information. Users of this map are advised to be aware of the locational accuracy, data collection dates, compilation methods, and cartographic format.



Map Author: Melanie Colavito 03/12/12
 NAD 83 UTM Zone 12N
 Data Sources: State of AZ, Cochise County
 Contact: mcm2@email.arizona.edu &
 Mark Apel - mapel@cals.arizona.edu

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Small Scale Solar Facility Opportunity Maps Less Than 5 Megawatts



• Cochise County Communities	Incorporated City Boundaries	1 - Low Potential
★ Bisbee (County Seat)	Military Lands	2 - Moderate Potential
• Substations	National Park Lands	3 - High Potential
Interstate 10	Coronado National Forest	Cochise County
State & County Highways		
Railroads		
Transmission Lines 69 - 230 KV		

Small Scale Solar Potential Acreage
 Low Potential - 281,081 acres
 Moderate Potential - 1,185,982 acres
 High Potential - 343,879 acres

This is not a survey product. The information is derived from various national, state and county GIS databases. The University does not assume any liability for damages arising from errors, omissions, or use of this information. Users of this map are advised to be aware of the locational accuracy, data collection dates, compilation methods, and cartographic format.

COCHISE COUNTY
COMMUNITY DEVELOPMENT
"Public Programs...Personal Service"

MEMORANDUM

TO: Planning and Zoning Commission

FROM: Beverly Wilson, Deputy Director Planning Division *BW*

SUBJECT: Docket R-13-01 (Zoning Regulations)

DATE: December 24, 2012 for the January 9, 2013 Meeting

PROPOSED UPDATE TO THE ZONING REGULATIONS

I. BACKGROUND AND PROPOSED CHANGES

Docket R-13-01 is a resolution that proposes a number of revisions to the 2008 version of the Cochise County Zoning Regulations, last revised and adopted on June 20th of 2008 (Resolution 08-31). The overall intent of these proposed revisions is to simplify and clarify the regulations to be more easily understood by Staff and the public. Attempts were also made to build in more flexibility in the administration of the regulations, and to bring the regulations into conformance with revisions in the Arizona Revised Statutes ("ARS"). A summary listing of the changes as well as the complete draft document (with additions and deletions shown) is also included for consideration.

The purpose of this memorandum is to highlight the most significant changes to the Zoning Regulations. The proposed Draft is the result of a line-by-line examination of the Regulations by Staff over the past two years. It is not intended to be a complete rewrite of the existing Regulations, but rather, an attempt to clarify and standardize the current regulations. Also included in this proposed update are the interpretations used by Staff for confusing language or for issues not addressed in the current Regulations. In compliance with Senate Bill 1598, several new definitions and in many cases, simply a word or two have been inserted into existing language. Following is a brief review of each Article and the changes Staff is proposing.

II. RECOMMENDATION

While formatting and minor grammar and nomenclature changes have been made throughout the Regulations, below follow substantial changes broken down by Article.

Article 2 (Definitions):

- Due to past and potential changes in the numbering of Sections within the Zoning Regulations, as well as Arizona Revised Statutes, references to specific Sections of either

have been replaced with more general references to the Article in which the Section is located. You will find the exception when the Section is within the same Article in which the Section reference appears.

- References to the County Planning Director have been replaced with Zoning Inspector or Community Development Director as applicable.

New Definitions:

Alley: This is a new and necessary definition.

Community Gardens and Farmers' Markets: These are two new categories of land use which have been added as permitted or Special Uses in a number of Zoning Districts, and as such, new definitions are required for clarity. Community Gardens are added as permitted principal uses in Articles 6 through 13. Farmers' Markets are added as principal permitted uses in Articles 6, 11, 12, and 13, and as Special Uses in Articles 8, 9 and 10.

Kennel, Commercial – A place where more than a combined total of six (6) dogs and/or cats six (6) months of age or older are kept and/or bred, or where such animals are received for care, training, and boarding, not including a small animal hospital, clinic, or pet shop.

This new definition would replace the interpretation used in the past by staff in rare situations to address excessive numbers of dogs on a property. Commercial Kennels are allowed as Special Uses in Articles 6, 12, 13 and 14.

Lot Development Administrative Modification – defined.

Recycling Drop-Off Receptacle and Transfer Station: definitions added to clarify that recycling drop-off receptacles are incidental and not the same land use as a recycling center proper. Transfer Station definition further clarifies this.

Regional Sewage Treatment Plant: new definition needed as they are mentioned in most Articles but not defined. Also needed was clarification as to the difference between *regional* versus those which are limited in scope and serve primarily on-site uses (such as on-site or HOA-operated "package" plants within a subdivision).

Repair Services (Large Engine): a truck repair or other large equipment or vehicle repair operation would usually be larger in scale and potential impacts than other repair services such as the existing category already defined in Article 2. Note that "automotive" has been removed from the definition of "Repair Services Automotive and Small Engine" with the number of axles now the distinction between one type and another: repair services for vehicles with two or fewer axles are classified as small engine repair, while more than two axles would be considered large engine repair.

Retaining Wall: definition was needed, to include fact that setbacks do not apply to such structures.

Right-of-Way or Utility Easement: definition was needed.

Substandard Lot: definition added to explain that Lot Modifications, Variances or Rezoning are the remedies for these lots if not already deemed legal nonconforming.

Wholesaling, Warehousing, Distribution or Storage: definition added as it is used in various Articles.

Modified Definitions:

Accessory Living Quarters: “detached bedrooms” added as part of definition.

Airports: definition now includes helipads and heliports.

Building Permit: definition clarified that permits are required for Permitted as well as Special Uses.

Wireless Communication Equipment has been renamed to “**Communication Equipment,**” to reflect industry standards and definition was simplified.

Contract Construction Services: includes indoor as well as outdoor storage of vehicles and equipment.

Dwelling: definition simplified. Previously discussed various types of dwellings including manufactured homes and rehabilitated mobile homes.

Dwelling unit, multiple household: definition simplified.

Dwelling unit, single household: definition simplified and exclusion of RVs made explicit.

Easement: added language allowing for permits to be issued within private easements on the condition that “*No structure or use permitted by this permit shall limit the rights of the owner of any underlying easements which burden a particular site from utilizing their easement.*”

Factory Built Building: edited for clarity, and to explain that such structures are also called “Modular Buildings.”

Fence: definition modified to explain that retaining walls are not fences.

Grocery Stores: definition edited to include accessory uses such as restaurants, banks, postal services, etc. that may occupy the same floor space as the grocery store proper.

Group Quarters: edited to exclude various uses such as halfway houses, offender rehabilitation, and residential care uses.

Height, Building: removed references to average height on pitched roofs and deck lines on mansard roofs; height is now measured from grade to the tallest point of the roof.

Definitions for **Impacts, Intensity, and Monuments** were removed.

Landscaping: definition modified/clarified.

Manufactured Home: excluded rehabilitated mobile homes, factory built buildings and RVs.

Master Development Plan: definition replaced with cross-reference to Article 4.

Mini-Warehouses: definition now includes outdoor storage areas (such as for boats and RVs).

Mobile Home: definition now specifically excludes RVs and manufactured homes.

Mobile Home (Rehabilitated): no longer refers to the ICC building code compliance, but to County certification.

Manufactured Home Park: definition now includes factory built buildings, and clarifies that the land use is determined without regard to whether or not the units are offered for rent.

Out-Building: definition now specifies that items stored are to be used on the property, or for animals, but not for RVs which are allowed as accessory uses.

Personal and Professional Services: no longer includes dental or health services, as these are more properly defined under Health Clinics.

Planned Development: definition replaced with cross-reference to Article 4.

Recreational Facilities: modified to exclude residential lighted accessory roping arenas.

Recreational Vehicle: Language referring to travel trailers simplified.

Recreational Vehicle Parks: no longer include tents (which are considered Guest Lodging, a separate category of land use).

Repair Services, Automotive and Small Engine: the word “automotive” is removed. See above.

Residential Care Homes and Institutions: definitions now exclude domestic violence shelters. Residential Care Homes may now house up to 10 persons (up from six), with a maximum occupancy of 14 persons (counting staff). Classification as a Residential Care Institution is triggered by 10 or more residents. These limits follow current State rules.

Retail Sales and Rentals: provides for up to 40% of floor area to be used for “manufacturing, processing, assembling, treatment, installation and repair of products.”

Article 3 General Provisions:

- Article 3 was not edited.

Article 4 (Plan Area Designations and Master Development Plans):

Beyond some minor changes to the Category B Growth Area designation criteria, changes to this Article consist of added definitions and requirements of Master Development Plans:

- The definition has changed to add requirements for addressing water adequacy, flood control, multi-modal transportation, parks and utility installations.
- Required water conservation measures are spelled out in more detail, as are provisions for alternative energy options (see 406.06.B).

Article 5 (Zoning Districts, Maps, and Boundaries):

- Changes to this Article were editorial or used to clarify language.

Article 6 (RU, Rural Zoning Districts):

- Principal Permitted grocery stores no longer include accessory gasoline sales, and maximum floor area has been increased from 2,000 to 2,500-square feet; grocery stores beyond these thresholds require a Special Use.
- Principal Permitted Wireless Communication Towers come with a 30-foot height limit.
- Clarifying language which permits Recreational Facilities, Civic, Social or Fraternal Organizations as part of a subdivision is added.
- Commercial Kennels are added as a Special Use.

Article 7 (Residential Zoning Districts):

- Section 701.03: A purpose statement referring to “the transition from urban to rural” has been removed.
- Section 706.03: Fences six-feet in height or less were added as Permitted Uses.

Article 8 (SM- Single-household/manufactured home residential zoning districts):

- Changes to this Article were editorial or used to clarify language.

Article 9 (SR- Single-Household Residential Zoning Districts):

- A reference to parcels zoned PR-40 has been added.

Article 10 (MR-Multiple-Housing Zoning Districts):

- Daycare Facilities were added as a Special Use.

Article 11 (NB, Neighborhood Business Zoning District):

- Farmers Markets and Community Gardens were added as permitted uses.

Article 12 (GB-General Business):

- Setbacks for Special Uses on GB Parcels abutting GB, LI or HI are now 10 feet; setback is still 80 feet when abutting other Districts.

- Standard Accessory RV language used in other Articles is now included.

Article 13 (LI-Light Industry Zoning District):

- Farmers Markets and Community Gardens added as permitted uses.

Article 14 (HI-Heavy Industrial Zoning District):

- Added commercial plant nurseries and cemeteries as a permitted principal use.
- Added Medical Marijuana land uses, and Commercial Kennels as Special Uses.

Article 15 (PD-Planned Development Districts):

- Changes to this Article were editorial or used to clarify language.

Article 17 (Administration):

- Section 1704: Modified to allow re-establishment of a discontinued residential use without the need for a new permit if the use was permitted previously.
- Section 1712: Provides for extensions on mobile or manufactured home permits.
- Section 1713: Included reference to Home Occupations.
- 1714: Included language regarding fee waivers that must be approved by Board of Supervisors; surcharges assessed for placing mobile or manufactured homes without a permit.
- 1715.08: Clarified substandard lots and the remedies for these beyond the lot modification process.
- 1716.02: Now references the Comprehensive Plan (previously only referenced applicable area plans or master plans). The change acknowledges the importance of our Comp Plan policies in making staff recommendations regarding Special Use proposals.
- 1720: Temporary Use Permit administration and procedures have been moved from Article 18 to Article 17.

Article 18 (Site Development Standards):

- Added 0.5 parking spaces required for multiple-household dwellings (up from 1.5).
- 1804.07: Allows Zoning Inspector to approve surface requirements.
- 1804.08: Permits not required for unoccupied structures in display areas.
- 1805.03.D: Allow screening to begin at 6" above grade when screening in floodplain.
- Deleted Section 1812.15: "The number of spaces designed for recreational vehicles shall not exceed 20 percent of the total number of spaces in the park."
- 1813: Security fence and parking requirements for wireless towers removed.
- 1815: Livestock fencing differentiated from corrals; and provisions for roping arenas that are accessory to a principal permitted use.
- 1822 and 1823: Minor formatting changes to Wind and Solar regulations.
- 1825 – Medical Marijuana uses allowed in Heavy Industry District.

Article 19 (Sign Code):

- Reorganized this Article to clarify and simplify.
- Per Arizona Revised Statutes, all regulations or restrictions on sign copy have been removed.
- Removed definition of and references to accessory signs.

- Removed Identification Sign classification; all such signs would now be classified under the existing category of “On-site Permanent Sign.”

Article 20 (Exemptions, Exceptions and Nonconformances):

- 2003.01: Added provisions to maintain legal nonconforming status for those lots combined after 1975 when such combinations reduce (but which do not eliminate) said non-conformance.
- 2003.04: Non-conforming business may expand with a permit as long as it can meet current development standards; apartments, mobile home and RV parks may not expand without losing legal nonconforming status.
- 2003.06: Permits may now be issued for re-roof and building code repairs for legal nonconforming lots or parcels.

Article 21 (Boards of Adjustment):

- Changes to this Article were editorial or used to clarify language.

Article 22 (Amendments):

- Changes to this Article were editorial or used to clarify language.

ATTACHMENT

Proposed Zoning Regulations (showing changes)