



Cochise County Planning Commission

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

Regular Meeting
May 11, 2016
4:00 p.m.

AGENDA

- 1. 4:00 P.M. - CALL TO ORDER**
- 2. ROLL CALL** (Introduce Commission members and explain quorum and requirements for taking legal action).
- 3. APPROVAL OF PREVIOUS MONTH'S MINUTES**
- 4. CALL TO THE PUBLIC – CALL TO THE PUBLIC** - Pursuant to A.R.S . § 38-431.01 (H) this is an opportunity for the public to comment. Individuals are invited to address the Commission on *any issue within the Commission's jurisdiction*. Since Commissioners may not discuss items that are not specifically identified on the agenda, Commission action taken as a result of public comment will be limited to directing staff to study the matter, responding to any criticism or scheduling the matter for further consideration and decision at a later date.
- 5. NEW BUSINESS**
 - Item 1- (Page 1) – PUBLIC HEARING – Docket SU-16-06 (Frazier)** A request for a Special Use authorization to approve a facility for the cultivation and infusion of medical marijuana on 9.78 acres of a 40-acre RU-4, D-Rural zoned property located at 11429 N. Moore Rd., Elfrida, AZ. The Applicant is Tim Frazier.

Item 2- (Page 87) – PUBLIC HEARING – Docket SU-16-

08 (Reaves). A request for an indoor recreation center for the purposes of hosting children parties and events on two R-18, Residential zoned properties, Comprehensive Plan B-Neighborhood Conservation, located at 2136 N. Coronado Frontage Rd. near Huachuca City, AZ. The Applicant is Carla Reaves.

Planning Commission

The Planning Commission meets the second Wednesday of the month at 4:00 p.m. in the Board of Supervisors' Hearing Room. All meetings are open to the public. Those who wish to speak are asked to complete a "Speaker Information" form (available at the meeting) and submit it to County staff before the Call to Order.

The order and/or deletion of any item on the agenda is subject to modification at the meeting. Actions of the Planning Commission may be appealed to the Board of Supervisors by any interested party by submitting an application for appeal within 15 days. An application for appeal is available this afternoon with the Clerk, at the Community Development Department's office Monday through Friday between 8 A.M. and 5 P.M., or anytime on our webpage in the "Permits and Packets" link.

Packets and staff reports are available for review at the Community Development Department. Questions or concerns may be directed to Planning Department, at 520-432-9300. Agendas and minutes are posted on Cochise County's home page in the "Public Meeting Info" link.

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.

COMMUNITY DEVELOPMENT DEPT.
HOURS OF OPERATION
Monday through Friday
7:30 a.m. to 5:00 p.m.
Phone: 520.432.9240
Fax: 520.432.9278

Item 3 - Initiation of text amendments to the Cochise County Zoning Regulations.

Item 4 - (Page 124) – PUBLIC HEARING – Docket SU-16-01 (Update of the Zoning Regulations) A request for recommendation to the Board of Supervisors to approve text amendments to the Cochise County Zoning Regulations to clarify and simplify the existing regulations, and to incorporate changes from the Arizona Department of Fire, Building and Life Safety. The last revision of the Cochise County Zoning Regulations were on December 2, 2014 by Zoning Ordinance 14-10.

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

**Next P&Z Commission meeting
June 8, 2016**

- a. SU-16-09 (Kramme) request for Tire Aggregate Storage near Willcox
- b. SU-99-09 (Muhammad) revocation of SUP for airstrip in abandoned Foremost subdivision
- c. SU-16-10 (Wharton Clovis) medical marijuana cultivation and infusion near Sunizona
- d. SU-16-11 (Wharton Hwy 181) marijuana cultivation and infusion near Sunizona

Upcoming

- a. Rezoning from RU-4 to RU-2 for 10 acres at Parker Lakeview Estates
- b. Special Use request for Dog Boarding near Siera Vista

Upcoming Board of Supervisors

- a. SUA-16-04 (Kriaris) Appeal of April 13, 2016 P&Z Commission approval medical marijuana cultivation and infusion at 6950 S. Covered Wagon Rd. Willcox, AZ

7. CALL TO COMMISSIONERS ON RECENT MATTERS.

8. ADJOURNMENT

COCHISE COUNTY PLANNING & ZONING COMMISSION
DRAFT MINUTES
April 13, 2016
REGULAR MEETING at 4:00 p.m.

The regular meeting of the Cochise County Planning and Zoning Commission was called to order at 4:00 p.m. by Chairman Greene at the Cochise County Complex, 1415 Melody Lane, Building G, Bisbee, Arizona in the Board of Supervisors' Hearing Room. Mr. Greene 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 that there were five Special Use Dockets and one Special Use Modification Docket on the agenda. Mr. Greene explained the consequences of a potential tie vote and the process for approval and appeal.

ROLL CALL

Mr. Greene noted the presence of a quorum and called the roll, asking the Commissioners to introduce themselves and indicate the respective District they represent; seven Commissioners (Carmen Miller, Gary Brauchla, Tom Borer, Patrick Greene, Liza Weissler, Nathan Watkins and Pat Edie indicated their presence. Staff members present included; Paul Esparza, Planning Director; Jesse Drake, Planning Manager; Britt Hanson, Chief Civil Deputy County Attorney; Peter Gardner, Planner I; and Jim Henry, Planner I.

APPROVAL OF THE MINUTES

Motion: Approve minutes of the March 9, 2016 meeting **Action:** Approve

Moved by: Mr. Watkins **Seconded by:** Ms. Weissler

Vote: Motion passed (**Summary:** Yes = 5, No = 0, Abstain = 2)

Yes: Ms. Miller, Mr. Greene, Ms. Weissler, Mr. Watkins, and Ms. Edie

No: 0

Abstain: Mr. Brauchla and Mr. Borer

CALL TO THE PUBLIC:

Mr. Jack Cook of Bisbee spoke on matters of personal concern.

OLD BUSINESS

Item 1 PUBLIC HEARING Docket SU-16-01 (AEPCO)

A request for approval of a solar energy project in phases on approximately 202 acres of Heavy Industry (HI) and RU-4, D-Rural zoned property in and around the Arizona Electric Power Cooperative Inc. plant site located at 3525 N. Highway 191 in Cochise AZ. The applicant is Arizona Electric Power Cooperative Inc.

Chairman Greene called for the Planning Director's report. Planner Jim Henry presented the Docket, explaining the background of the request utilizing photos, maps, and other visual aids. Mr. Henry also explained Staff's analysis of the request. He closed by listing factors in favor of and against approval and invited questions from the Commission.

Mr. Greene then opened the Public Hearing. The Applicant's representative and attorney, Ms. Jana Flagler spoke, explaining the rationale for the requested waivers. Ms. Flagler emphasized that much of the opposition was based on the status of the subdivision as opposed to her client's proposal. She noted that the existing fossil fuel power plant had been in place for decades. She closed by inviting questions from the Commission.

Mr. Guy Shoaf of Bisbee spoke, indicating support for renewable energy in the area.

There being no further speakers, Mr. Greene closed the Public Hearing. Mr. Greene then asked for Staff's recommendation. Mr. Henry recommended Conditional Approval with the requested Modifications. Mr. Greene called for a motion. Mr. Borer made a motion of Conditional Approval, with the Conditions and Modifications recommended by Staff. Ms. Weissler seconded the motion. Ms. Miller asked if the screening was being waived in perpetuity. Mr. Henry stated that the waiver was tied to the solar plant use only. Ms. Miller asked about cooperation with Game and Fish. Mr. Henry stated that the County could not require such cooperation, but noted that the Applicant was cooperating with Game and Fish. There being no further discussion, Mr. Greene called for a vote on the motion. The motion passed 7-0.

Motion: Motioned to Approve the Docket with the Conditions and Modifications recommended by Staff

Moved by: Mr. Borer **Seconded by:** Ms. Weissler

Vote: Motion passed (**Summary:** Yes = 7, No =0, Abstain = 0)

Yes: Ms. Miller, Mr. Brauchla, Mr. Borer, Mr. Greene, Ms. Weissler, Mr. Watkins, and Ms. Edie

No: 0

Abstain: 0

Item 2 PUBLIC HEARING SU-06-14C (CO Palominas)

A request for a Special Use modification to approve a new wall sign and an over-height sign at the Copper Queen Palominas Clinic, a 1.76-acre, R-36, Residential zoned property located at 10524 Highway 92, Hereford, Arizona. The Applicant is Copper Queen Community Hospital/Palominas-Hereford Clinic.

Chairman Greene called for the Planning Director's report. Planning Manager Jesse Drake presented the Docket, explaining the background of the request utilizing photos, maps, and other visual aids. Ms. Drake also explained Staff's analysis of the request, including the requested Modifications. She noted the support and opposition received, and closed by listing factors in favor of and against approval and then invited questions from the Commission. Mr. Greene asked for clarification that the sign was a replacement for the existing sign.

Mr. Greene then opened the Public Hearing. The Applicant's representative, Mr. Guy Shoaf spoke, explaining the request, noting that the request was a compromise solution after concerns were raised at the previous meeting regarding the sign height and base. Mr. Shoaf showed other signs in the area, and explained how the Applicant had worked to design the sign in a way that would comply with the Southern San Pedro Area Plan.

There being no speakers, Mr. Greene closed the Public Hearing. Ms. Weissler commented on several of the signs and lights that Mr. Shoaf showed in his presentation. Mr. Watkins and Ms. Miller thanked the Applicant and Staff for working together to find a compromise solution. Mr.

Greene then asked for Staff's recommendation. Ms. Drake recommended Conditional Approval with the requested Modifications. Mr. Greene called for a motion. Ms. Weissler made a motion of Conditional Approval, with the Conditions recommended by Staff. Ms. Miller seconded the motion. There being no further discussion, Mr. Greene called for a vote on the motion. The motion passed 7-0.

Motion: Motioned to Approve the Docket with the Conditions recommended by Staff

Moved by: Ms. Weissler **Seconded by:** Ms. Miller

Vote: Motion passed (**Summary:** Yes = 7, No =0, Abstain =0)

Yes: Ms. Miller, Mr. Brauchla, Mr. Borer, Mr. Greene, Ms. Weissler, Mr. Watkins, and Ms. Edie

No: 0

Abstain: 0

NEW BUSINESS

Item 3 PUBLIC HEARING Docket SU-16-03 (Levine)

A request for a Special Use modification to approve a dog kennel/animal boarding facility on a 39-acre RU-4, Rural zoned property located at 6475 S. Jeffords Trail, Willcox, AZ. The proposed use is considered a Special Use in RU-4 Rural Zoning Districts under Section 607.06 of the Zoning Regulations. The Applicants are Alvin and Sileigh Levine.

Chairman Greene called for the Planning Director's report. Planning Manager Jesse Drake presented the Docket, explaining the background of the request utilizing photos, maps, and other visual aids. Ms. Drake also explained Staff's analysis of the request, including the requested Modifications. She noted the support and opposition received, and closed by listing factors in favor of and against approval and then invited questions from the Commission.

Chairman Greene then opened the Public Hearing. Mr. Alvin Levine spoke, explaining the background and scope of the request. Mr. Levine explained the need for such a business in the area, and the input that he had received from neighboring property owners. He closed by offering to take questions.

There being no speakers in support or opposition, Mr. Greene invited the Applicant to add anything else. Mr. Levine returned to the podium to describe the construction of the kennels.

Mr. Greene closed the Public Hearing and invited discussion. Mr. Brauchla asked about the number of dogs. Mr. Levine stated that the maximum would be 12, but the intent was to keep no more than 8. Ms. Weissler asked about signage. Mr. Levine stated that the intent was for a four square foot sign at each driveway. Staff noted that those would be acceptable, and would not require additional Commission approval. Mr. Greene asked about plans to control barking. Mr. Levine stated that he did not, as the sound of dogs and coyotes were commonly heard in the neighborhood. Mr. Greene thanked Mr. Levine for his candor.

There being no further discussion, Mr. Greene asked for Staff's recommendation. Mr. Greene called for a motion. Mr. Watkins made a motion to approve the docket with the Conditions and Modifications recommended by Staff. Ms. Weissler seconded the motion. There being no further discussion, Mr. Greene called for a vote on the motion. The motion passed 7-0.

Motion: Motioned to Approve the Docket with the Conditions and Modifications recommended by Staff

Moved by: Mr. Watkins **Seconded by:** Ms. Weissler

Vote: Motion passed (**Summary:** Yes = 7, No =0, Abstain =0)

Yes: Ms. Miller, Mr. Brauchla, Mr. Borer, Mr. Greene, Ms. Weissler, Mr. Watkins, and Ms. Edie

No: 0

Abstain: 0

Item 4 PUBLIC HEARING SU-16-04 (Kriaris)

A request for a Special Use modification to approve a facility for the cultivation and infusion of medical marijuana on 40 acre RU-10, D-Rural zoned property located at 6952 S Covered Wagon Rd, Willcox, AZ. The Applicant is Nick Kriaris/NGK Enterprises Inc. Chairman Greene called for the Planning Director's report. Planning Manager Jesse Drake presented the Docket, explaining the background of the request utilizing photos, maps, and other visual aids. Ms. Drake also explained Staff's analysis of the request. Ms. Drake noted the support and opposition received, and closed by listing factors in favor of and against approval and then invited questions from the Commission. Mr. Watkins asked if the Private Maintenance Agreement would require the Applicant to maintain the roads to the County Maintained Road. Ms. Drake answered that this was correct.

Mr. Greene then opened the Public Hearing. The Applicants' representative, Mr. Adam Trank, spoke explaining the request. Mr. Trank explained the request, noting the location and scope. He noted that the Applicant operated a Medical Marijuana Dispensary and small Cultivation site in Phoenix, and that the proposed Cultivation site would supply that Dispensary. He stated that the subject and surrounding parcels, also controlled by the Applicant, would continue to grow pistachios and support cattle. Mr. Trank explained that the Applicant was the end user rather than a speculator, and had a proven track record. In addition, he noted that no Modifications were being requested and that the Cultivation greenhouses would fit in with the other existing agricultural uses on the site. He explained the staffing and where the workers would be housed. Mr. Trank closed by explaining the security measures and water usage.

Mr. Richard Frank expressed opposition without speaking.

Ms. Brenda Frank expressed opposition without speaking.

Ms. Cindy Traylor of Willcox spoke, opposing the project. Ms. Traylor stated that she felt that the proposal was an industrial use in a residential area. She expressed concerns about butane being used in the infusion process, fire protection, police protection, road maintenance, and odors.

Ms. Peggy Ottens of Willcox spoke, opposing the project. Ms. Ottens added concerns about the possibility of fire and the potential difficulty in firefighting efforts. She stated that she had never seen a police presence in the area other than Border Patrol. She stated that the proposed facility would be attractive to criminals. Ms. Ottens closed by stating that the presented proposal had changed from the initial notification.

Mr. Paul Ottens of Willcox spoke, opposing the project. Mr. Ottens identified himself as a registered engineer, and expressed concerns about grading and the existence of a wash on the site. He also expressed concern about the unreliability of services, and stated that he had not received satisfactory answers to questions from the Applicant.

There being no further speakers, Mr. Greene invited the Applicant to rebut. Mr. Trask stated that the neighborhood was rural, not residential, and the use was agricultural rather than industrial. He stated that the Applicants had fully vetted the site and were prepared to invest in the site. Mr. Trask addressed the butane concerns stating that the Applicants also used carbon dioxide and water in the infusion process. He reminded the speakers that the Building Department would analyze the requests for code compliance. Mr. Trask closed by noting the regulations applicable to the project and stating that existing possible illegal activities were not relevant.

Mr. Greene then closed the Public Hearing. Mr. Brauchla asked for clarification that the Commission was only approving the agricultural use. Ms. Drake stated that this was correct. Mr. Greene asked about the vetting process for employees. Mr. Trask explained that the State performed background checks and fingerprinting on all employees prior to being granted authorization to work in the industry. He stated that there would be no migrant workers, but rather licensed, professional workers. Mr. Watkins asked about the fencing. Mr. Trask stated that the existing barbed wire fence would remain around the site, and that there would be a ten-foot high chain link fence around the greenhouse sites per state requirements. Ms. Miller asked about light pollution. Mr. Trask stated that there would be no grow lights on during darkness hours. Ms. Miller asked if there would be water storage on site, which could be used for fire suppression. Mr. Trask stated that this was correct. Mr. Greene asked about the possibility of odors. Mr. Trask explained that charcoal filters would be used to mitigate odors. Mr. Greene asked Ms. Drake for clarification that if the request were for any other crop would it be before the Commission. Ms. Drake stated that it would not. Mr. Greene then asked for Staff's recommendation. Ms. Drake recommended Conditional Approval. Mr. Greene called for a motion. Ms. Weissler made a motion of Conditional Approval, with the Conditions recommended by Staff. Ms. Edie seconded the motion. There being no further discussion, Mr. Greene called for a vote on the motion. The motion passed unanimously.

Motion: Motioned to Approve the Docket with the Conditions recommended by Staff

Moved by: Ms. Weissler **Seconded by:** Ms. Edie

Vote: Motion passed (**Summary:** Yes = 7, No =0, Abstain = 0)

Yes: Ms. Miller, Mr. Brauchla, Mr. Borer, Mr. Greene, Ms. Weissler, Mr. Watkins, and Ms. Edie

No: 0

Abstain: 0

Item 5 PUBLIC HEARING SU-16-07 (Brown)

A request for a Special Use modification to approve an animal boarding and a doggy daycare facility on a vacant 2.3-acre General Business (GB), zoned property located approximately one-quarter mile north of the intersection of E Hazen Rd. and S. Wardle Rd. near Sierra Vista, AZ. The Applicant is Nicole Brown.

Chairman Greene called for the Planning Director's report. Planner Jim Henry presented the Docket, explaining the background of the request utilizing photos, maps, and other visual aids. Mr. Henry also explained Staff's analysis of the request. Mr. Henry noted the support and

opposition received, and closed by listing factors in favor of and against approval and then invited questions from the Commission. Ms. Weissler asked for clarification about the location of the nearest home, and noted that other potential uses would be less intrusive than dog boarding. Mr. Henry deferred the explanation to the Applicant.

Mr. Greene then opened the Public Hearing. The Applicant, Ms. Nicole Brown spoke, explaining the request. Ms. Brown explained that the portion of the site that is closest to the adjacent home would only be used for day care during regular business hours Monday through Friday. Ms. Brown explained her experience with dog boarding for the Army and in Washington D.C., along with her personal experience with pets. She stated that the location was chosen close to town in response to requests from individuals and veterinarian clinics in Sierra Vista and Fort Huachuca. She explained the construction of the facilities and the insulation that would muffle sound. Ms. Brown also showed that the turnout areas would be oriented toward the existing commercial facilities rather than the residential areas. She explained the sound mitigation, erosion mitigation, and security measures, which would include the ability to remotely monitor the dogs. She also stated that neighbors would be able to contact an on-call employee with any problems, including noise issues. Ms. Brown closed by explaining clean up and waste disposal procedures, along with the private road maintenance.

Ms. Helen Mele of Sierra Vista spoke in opposition, expressing concern about the possibility of devaluation of their home and adjacent vacant lots of sale. Ms. Mele stated that there were other existing similar facilities not near residential areas. She compared the request to the previous docket in a rural area and stated that it was more appropriate. Ms. Mele stated that potential traffic would be a huge problem for her home and for potential buyers for her lots.

There being no further speakers, Mr. Greene invited the Applicant to rebut. Ms. Brown reminded the Commission that the site is zoned Commercial, and after annexation, the proposed use would be permitted by right. She clarified that there is currently only one other true boarding facility in operation, and that the others were vet clinics that offer overnight care. She pointed out the existing construction yard and junkyard on the road, that her patrons will, and the neighbors already drive by.

Mr. Greene then closed the Public Hearing. Ms. Weissler asked for clarification of the entrance location. Ms. Brown pointed it out on the overhead view. Mr. Borer asked for clarification of the opposition speaker's location. Mr. Henry pointed them out on the map. Mr. Greene then asked for Staff's recommendation. Mr. Henry recommended Conditional Approval with the requested Modifications. Mr. Greene called for a motion. Mr. Borer made a motion of Conditional Approval, with the Conditions and Modifications recommended by Staff. Ms. Edie seconded the motion. Mr. Borer asked for clarification that if the parcel were annexed then the use would be permitted by right. Mr. Henry confirmed that was the case. Ms. Weissler asked for confirmation that the parcel was zoned commercial. Mr. Henry confirmed that the parcel is zoned General Business. There being no further discussion, Mr. Greene called for a vote on the motion. The motion passed unanimously.

Motion: Motioned to Approve the Docket with the Conditions and Modifications recommended by Staff

Moved by: Mr. Borer **Seconded by:** Ms. Edie

Vote: Motion passed (**Summary:** Yes = 7, No = 0, Abstain = 0)

Yes: Ms. Miller, Mr. Brauchla, Mr. Borer, Mr. Greene, Ms. Weissler, Mr. Watkins, and Ms. Edie

No: Mr. 0
Abstain: 0

Item 6 PUBLIC HEARING SU-16-05 (Canna Sun glow)

A request for a Special Use modification to approve a facility for the cultivation and infusion of medical marijuana on 3.46 acres of a 393 acre RU-4, Rural zoned property located at 14066 S Sun glow Rd, Pearce, AZ. The Applicant is Canna Consultants Inc.

Chairman Greene called for the Planning Director's report. Planning Manager Jesse Drake presented the Docket, explaining the background of the request utilizing photos, maps, and other visual aids. Ms. Drake also explained Staff's analysis of the request. Ms. Drake noted the support and opposition received, and closed by listing factors in favor of and against approval and then invited questions from the Commission.

Mr. Greene then opened the Public Hearing. The Applicant, Mr. Luke DeBatty, Vice President of Canna Consulting, spoke explaining the request. Mr. DeBatty explained that the location was chosen based on its existing commercial development. He explained his firm's background and staff. He continued with the details of the proposal, emphasizing that there would not be a Dispensary component. Mr. DeBatty also discussed security measures and the sustainability aspects of the proposal. He expounded on the water report that was submitted and their plans to capture and recycle water. He stated that there would be no light trespass based on existing technology. Mr. DeBatty closed by emphasizing their commitments to the community and medical research.

Ms. Alanna Riggs of Willcox spoke in opposition, stating that she represents the Riggs family ranches and citing concerns about water resources. She asked if the full build out could be supported by rainwater.

Ms. Mary Jones of Elfrida spoke in support. Ms. Jones noted personal experience with the benefits of medical marijuana, and that her research indicated the Applicant was a reputable organization. She stated that she sits on the Elfrida School Board, and that the Applicant had donated to the school district.

Mr. Richard Frank of Willcox noted opposition without speaking.

Ms. Brenda Frank of Willcox noted opposition without speaking.

Mr. John Kalas of Pearce spoke in opposition, citing concerns about light pollution as a member of the Tucson Amateur Astronomy Association. Mr. Kalas stated that he felt the proposal was inappropriate for the location in a pristine area. He cited further concerns about odor, sound, water, and security.

Ms. Nancy Radle of Pearce spoke in opposition, citing environmental impact concerns. She stated that the site was ecologically sensitive, and that the use would negatively impact the environment.

Mr. Jeffery Hoff of Pearce spoke in opposition, citing the residents' efforts to improve the local environment, and the belief that the proposal would negatively impact their efforts. Mr. Hoff expressed doubt regarding the Applicant's water calculations.

Ms. Catherine Martin of Pearce spoke in opposition, citing her research about environmental harm from large greenhouses. She cited issues with carbon dioxide, pesticides, water, contamination, and odor.

Mr. Michael Barnacastle of Pearce spoke in opposition, citing his business experience, and questioned the judgment of the Applicant. He spoke about the sensitive environment, and expressed concerns that the request would destroy the environment in Turkey Creek. Mr. Barnacastle expressed concerns about light pollution, water usage, traffic, and security.

Mr. Robert Smith of Pearce spoke in opposition, concurring with previous speakers' concerns. He stated that Turkey Creek Road would have to be paved, and after this was approved, there would be more. He expressed deep concern about fire and the condition of the roadways.

Ms. Marcia Greene of Pearce spoke in opposition, noting that they were the closest neighbors to the proposed site. She agreed with previous speakers, and cited concerns about viewsheds and property values.

Mr. Geoff Bender of Portal spoke in opposition, as the director of the Southwestern Research Field Station. Mr. Bender expressed concern about damage to the environment and to scientific research. He expressed doubt regarding the Applicant's ability to enact their water plans.

Mr. Casey Kendle of Pearce spoke in opposition, concurring with previous speakers.

Mr. Rod Keeling of Pearce spoke in opposition as a nearby vineyard and winery owner. He stated that he was a planner, developer, and revitalizer in Mesa and Tempe. Mr. Keeling stated that the community was more important than the Applicant's proposal. He cited the value of the local homes. Mr. Keeling argued that the facts were not brought forward, and staff made mistakes. He stated that the Commission would be doing the Applicant a favor by denying the request, threatening an expensive lawsuit from neighbors.

Mr. Robert Smith of Pearce noted opposition without speaking.

Ms. Taylor Clark of Pearce spoke in opposition, citing her efforts on water restoration. She disputed the Applicant's water report. She stated that the Turkey Creek area was identified as a high priority location for conservation easements.

Mr. Larry Greene of Pearce spoke in opposition, citing water and erosion concerns. He noted that any rainwater that the Applicant captured was water not flowing into the creek. Mr. Greene then expressed concern about the methodology of the support and opposition documents. Chairman Greene declared such criticism out of order.

Ms. Mary Louise Smith of Pearce spoke in opposition, citing concerns about the decreasing water table, noting that she had to haul water several times. Ms. Smith also expressed concern on behalf of her sister-in-law who also owned property in the area.

There being no further speakers, Mr. Greene invited the Applicant to rebut. Mr. DeBatty stated that the rainwater system was scalable for the entire project, and that the light pollution would be controlled by, motion controlled lighting and light deprivation systems for the greenhouse. He stated that they wanted to keep the beautiful existing guest ranch, and that there would be no noise from the greenhouse. Mr. DeBatty re-emphasized the odor filtering system, and stated that they would be adding to the restoration efforts. He addressed the security efforts, citing their expertise. He closed by emphasizing their charitable efforts, and thanked the neighbors for their input. Mr. Greene closed the Public Hearing. Mr. Watkins asked if the Applicant had looked at other locations in Cochise County. Mr. DeBatty stated that he had, but this site seemed best to them. Mr. Watkins expressed his feelings that canyons such as this were no appropriate for the foothill canyons. Mr. Greene asked about water usage from the pool at the guest ranch, and how that water was recycled. He then asked Staff if the Applicant were proposing any other crop would it be a Special Use. Ms. Drake answered that both the agriculture and the processing would be exempt under the current law and regulations. Mr. Greene then asked for Staff's recommendation. Ms. Drake thanked the audience for their concerns, and mentioned the Applicant's private property rights, and then recommended Conditional Approval. Mr. Greene thanked everyone for their time and energy, and then called for a motion. Ms. Weissler made a motion of Conditional Approval, with the Conditions recommended by Staff. Ms. Miller seconded the motion. Mr. Brauchla and Ms. Weissler expressed support for Mr. Watkins' position that the proposed location was inappropriate. Mr. Greene stated that he felt the regulations had been met, noting that any other crop would be exempt. Mr. Watkins stated that he felt that the State had put the Commission in a difficult position, but this location was not appropriate for an agricultural use. Ms. Miller stated that she appreciated the detail that the Applicant had put into their application, and the public had put into their concerns. She advocated a fix at the legislative level to correct the difficult position that the Commission was in. Mr. Borer stated that he felt the purpose of the Commission was to analyze each item as an individual request. Ms. Weissler stated that consistency was important, but individual circumstances were important. There being no further discussion, Mr. Greene called for a roll call vote on the motion. The motion failed, 1-6, with Mr. Greene in support.

Motion: Motioned to Approve the Docket with the Conditions recommended by Staff

Moved by: Ms. Weissler **Seconded by:** Ms. Miller

Vote: Motion failed (**Summary:** Yes = 1, No =6, Abstain = 0)

Yes: Mr. Greene

No: Ms. Miller, Mr. Brauchla, Mr. Borer, Ms. Weissler, Mr. Watkins, and Ms. Edie

Abstain: 0

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

Report on April 12th Board of Supervisors meeting

- a. Abandonment of Foremost subdivision

Next P&Z Commission meeting

May 11, 2016

- a. SU-16-06 (Frazier) medical marijuana north of Elfrida

- b. SU-99-09 (Muhammad) revocation of SUP for airstrip in abandoned Foremost subdivision
- c. Special Use request for indoor recreation in Whetstone

Upcoming

- a. SU-16-09 (Kramme) request for Tire Aggregate Storage near Willcox
- b. Minor zoning regulation update

CALL TO COMMISSIONERS ON RECENT MATTERS:

None

ADJOURNMENT – Ms. Weissler moved to adjourn, Mr. Watkins seconded, and the meeting was adjourned at 8:33 pm.



Cochise County
Community Development
 Planning, Zoning and Building Safety Division
Public Programs...Personal Service
 www.cochise.az.gov

MEMORANDUM

TO: Cochise County Planning and Zoning Commission
FROM: Jesse Drake, Planning Manager JD
FOR: Paul Esparza, AICP, Planning Director
SUBJECT: Docket SU-16-06 (Frazier)
DATE: April 26, 2016 for the May 11, 2016 Meeting

APPLICATION FOR A SPECIAL USE

The Applicant is requesting a Special Use authorization to approve a facility for the cultivation and infusion of medical marijuana on 9.78 acres of a 40-acre RU-4, D-Rural zoned property. The proposed uses are considered Special Uses in RU-4 Rural Zoning Districts under Sections 607.53 and 607.56 of the Zoning Regulations.

The subject parcel, APN 401365-075, is located at 11429 N. Moore Rd., Elfrida, AZ. It is further described as being situated in Section 29 of Township 19 South, Range 26 East of the G&SRB&M, in Cochise County, Arizona. The Applicant is Tim Frazier.

I. DESCRIPTION OF SUBJECT PARCEL AND SURROUNDING LAND USES

Parcel Size: 9.78 acres of a 40 acre parcel
 Zoning: RU-4 (one dwelling per four acres)
 Growth Area: Rural
 Comprehensive Plan Designation: D
 Area Plan: None
 Existing Uses: Residential structures and agriculture
 Proposed Uses: Medical marijuana cultivation and infusion

Zoning/Use of Surrounding Properties

Relation to Subject Parcel	Zoning District	Use of Property
North	RU-4	Vacant
South	RU-4	Low-density residential and AG
East	RU-4	Agriculture
West	RU-4	Agriculture

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

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

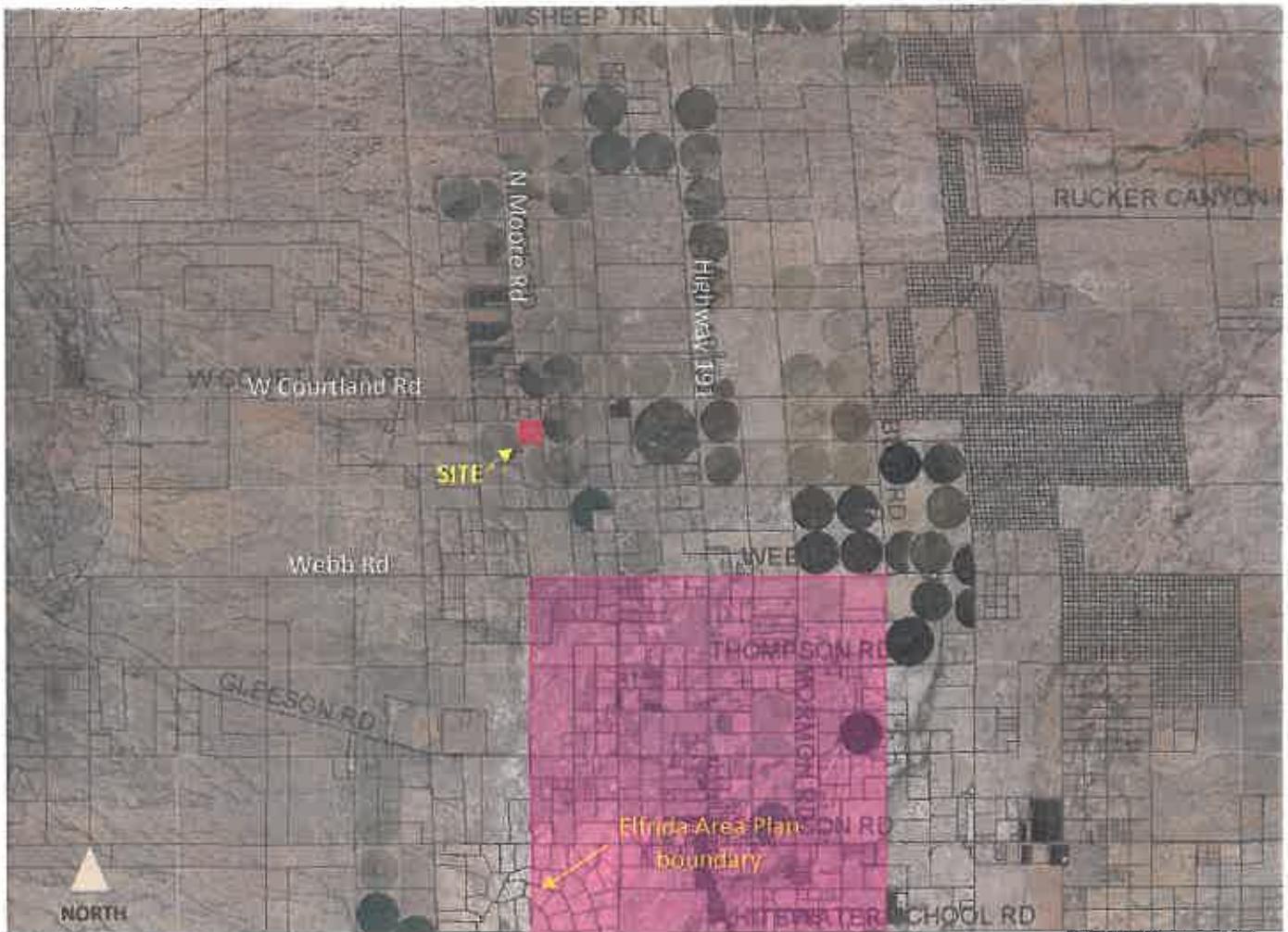
II. PARCEL HISTORY

1920- Single family residence

1981-Single family residence

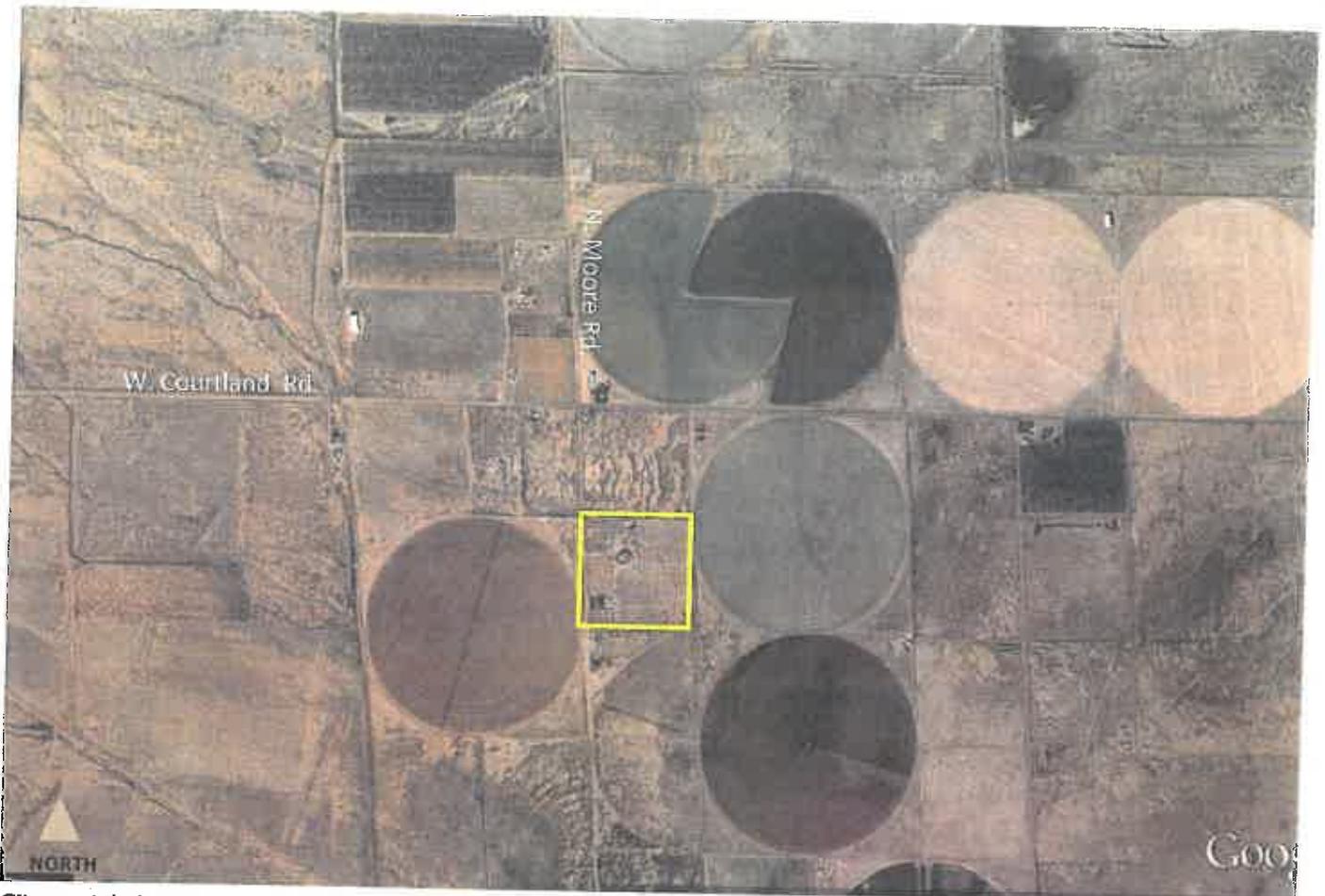
III. NATURE OF REQUEST

The Applicant is requesting authorization for a medical marijuana cultivation and infusion facility on 9.78 acres of a 40 acre parcel located at 11429 N. Moore Rd in Elfrida, AZ, an RU-4, D-Rural zoned property. No dispensary or public facilities will be located at this cultivation site. The property is located approximately 1.75 miles west of Highway 191 on Moore Road south of Courland Road. The property currently has multiple residential structures including an adobe residence from 1920, and accessory structures including a garage, shop, and wells with pump houses. Moore Road ends approximately ¼ mile south of the subject property.



Site aerial northwest of Elfrida Area Plan boundary

Photo date June, 2015



Site aerial showing property boundary and surrounding land uses

Photo date December 6, 2013

This request is for cultivation, harvesting, processing and infusion only. No medical products will be sold at this location. The plants will be grown in locked and enclosed greenhouses with controlled access, security cameras, panic buttons and perimeter fencing that will meet the State of Arizona fencing requirements for medical marijuana cultivation sites. Harvested plants will be dried and processed in the accessory buildings identified on the site plan. These buildings will be surrounded by the security fencing and will require a security keycard for entry.

All of the activities associated with medical marijuana will take place in the secured warehouse or greenhouses that will be fully contained within the perimeter fencing. The plants will be grown, harvested and processed into medical forms of flowers, concentrates, tinctures, salves, balms, capsules and infusions. These products will be packaged and shipped to a partnering dispensary in the Phoenix metro area. All post-processing activities will occur in the existing accessory structures on the property that will be surrounded by the secured, fenced perimeter. No public access is allowed within the fenced perimeter of the growing and processing facility.

All of the products produced at this location will be transported to the Phoenix metro area for retail sales at the State approved partnering dispensary. The application states that a portion of the extracts will be donated for qualifying patients at the dispensary location in Phoenix. In addition, the applicant is a current member of the Elementary School Board, and has noted in the application that donations will be made to the local schools and to the local community as funds allow.

The site will have high-tech motion sensing security lighting, and work will be scheduled during the day whenever possible to minimize night lighting. Infrared cameras will be used to further limit requirements for exterior lighting. All lighting and security requirements of the State of Arizona will be met.

The secured growing and processing facility located in the northeast corner of the property will include

roughly 2.55 acres of greenhouses. The structures will be constructed with a twin wall polycarbonate and steel truss system to moderate the internal climate and reduce the need for excessive cooling by creating a layer of air between the greenhouse and the exterior environment. This insulating air layer will also serve to limit water usage and loss due to evaporation. Part of this greenhouse structure will be equipped with an opaque black-out system that will prevent light transmission out of the structure when interior lighting is needed to artificially extend the daylight in the interior of the greenhouse. Solar panels will be installed to supplement the power requirements for the greenhouses.

Potential off-site odor impacts will be mitigated with charcoal filters inside each greenhouse to eliminate potential odors. The crop will be grown using all organic methods. Lady bugs and grasshoppers, together with hemp and/or rosemary oil will be used to control insects. Non-organic pesticides will not be used.



View to west from N. Moore Road at site

Solvents, such as food grade ethanol, butane or carbon dioxide will be used during the extraction process and these solvents will be recaptured and reused. All solvent storage will comply with the individual solvent safety requirements including container type, location, access and fire safety standards.

Signage will be limited to the State of Arizona requirements, and restricted access signs will be located on or near the security gates.

The proposed project meets all of the County's separation requirements from residences, libraries, schools and day care facilities found in Article 1825 of the Cochise County Zoning Regulations.

Staffing and Traffic

Two existing buildings, located inside the perimeter fencing, will be used for post-processing such as trimming, packaging and other post-processing activities; plus storage and security operations and recordkeeping. These structures will also include an employee restroom that will require a new septic system, which is shown on the site plan.

The existing structures outside of the secured fenced perimeter will be used to house some of the facility's staff of 10 to 18 employees. Having staff live on-site will reduce traffic in the vicinity. The applicant prefers to hire locally. The applicant estimates that between 5 and 12 vehicles will travel to and from the site daily. This vehicle count could decrease if more employees choose to live on-site. Additional staff will be required quarterly, for 10 to 14 days at a time, to assist during harvest and post-processing periods which could increase traffic to as many as 30 vehicles per day during that 10 to 14 day period. Parking for all employees has been provided inside the secured perimeter fencing.



View to east from N. Moore Rd. at site

Future projections anticipate 25 or more employees working at this location. All employees are required to qualify for this work by passing the employee security requirements of the State of Arizona Department of Health Services. Fluctuations in employees are dependent on a variety of issues including market forces, staffing requirements for packaging, market demand for hand-trimmed flowers, and changes in state laws.



View from N. Moore Rd. to existing structures on site that would be a part of this proposal.



View to neighbor south of site.

The property owner to the south of the proposed site operates a trucking service. The applicant is in discussion with this trucking operation to use this next-door service for the cultivation facility. The application states that a 4-wheel pickup truck will be used for loading and unloading of bulk materials, and that occasionally a cargo van or mid-sized truck will be used for deliveries to for from the site. During construction larger vehicles may be used, but this activity will cease once construction is completed.

Water

There are two private wells on the property. Although the parcel is located within the Douglas Irrigation Non-expansion Area (INA), the registered well being used for the cultivation facility is an exempt well having grandfathered irrigation rights. The applicant's preliminary well explorations indicate that the water supply is sufficient or will exceed the requirements for both the proposed facility and the structures at the site.

To reduce groundwater pumping, the applicant is proposing water catchment and recycling at this site. A rainwater catchment system will be installed on the newly constructed greenhouses, and grey water will be reused inside the greenhouses for the companion plants used for pest control, and outside the greenhouses for ornamentals and native vegetation used for landscaping. The interior greenhouse irrigation design will include implementation of an efficient and highly controlled drip system to reduce water usage for the plants. All water storage containment structures will be located within the secured fencing perimeter.

Using 4000-4500 gallons per day during non-peak usage, and 7500-9500 gallons per day during peak usage the applicant estimates that water usage will be roughly 2,750,000 gallons per year. Collaboration with a hydrologist will be undertaken before proceeding with any construction and the proposed operation.

Drainage patterns across the property will remain unchanged with the exception that rainwater falling on the roofs within the secured area will be captured and reused.

An Arizona Farm Bureau July 13, 2013 report, *Arizona Agriculture Need More Wine Grapes!* Stated the plants per acre averaged 807 plants (21,000 vines/26 acres=807 vines per acre). The University of Arizona College of Agriculture, Department of Agricultural and Biosystems Engineering 1999 *Wine Grape Research Report, "Irrigation Water Requirements of Wine Grapes in the Sonoita Wine Growing Region of Arizona,"* by Donald C. Slack and Edward C. Martin states that, in addition to rainfall, each vine uses 353 gallons of water per season.

Using this data, the 9.78 acres in the proposal would use 2,786,038 gallons of water per year if used for wine grape production, or 36,038 gallons more per year for wine grapes than the water required for the cannabis production in the current proposal.



View north on N. Moore Rd. from site.



View south on N. Moore Rd. from site.

Any medical marijuana cultivation will be required to meet the security requirements mandated by the State of Arizona, including security cameras, perimeter fencing and secured access, and will require final approval from the Arizona Department of Health Services (AZDHS) prior to beginning any marijuana cultivation.

IV. ANALYSIS OF IMPACTS – COMPLIANCE WITH SPECIAL USE FACTORS

Section 1716.02 of the Zoning Regulations provides a list of ten factors with which to evaluate Special Use applications. Staff uses these factors to help determine the suitability of a given Special Use request, whether to recommend approval for a Special Use Permit, as well as to determine what Conditions and/or Modifications may be needed.

Nine of the ten factors apply to this request. The project, as submitted, fully complies with seven of the conditions and, with conditions, complies with two additional factors. The one remaining factor is not relevant to this application.

A. Compliance with Duly Adopted Plans: Complies

The proposed project satisfies the criteria for Comprehensive Plan D-Rural areas since the proposal is in an outlying rural area between unincorporated communities that have a low growth rate, and is in a very low density area is surrounded by agricultural and vacant lands.

The proposal also supports the following Comprehensive Plan Elements:

The Agriculture and Ranching Element goal that seeks to "Protect and promote the agricultural economy of Cochise County, its agricultural and ranching lands, and related land uses."; and the policy to "Continue encouraging development of agricultural processing, both on-site and at industrial scale, to support production of value-added agriculture products in Cochise County.

The Economic Development Element that states that "Supporting small businesses will not only spur diversified income opportunities and ensure economic competitiveness, but will also foster resilience in the face of economic challenges such as natural disasters" and the policy to Continue to communicate with the business community, and be responsive to the changing needs of established and new businesses.'

The Rural Character Element: One goal of the Rural Character Element is to "Provide for a continuation of traditional rural ways of life, such as farming, ranching, and other agricultural-related activities, and provide for diverse and viable economic and development opportunities that are consistent with the character of Cochise County's rural areas."

The project site is not within the boundaries of any area plan.

B. Compliance with the Zoning District Purpose Statement: Complies

The proposed project satisfies the following zoning district purpose statements:

601.01 To preserve the character of areas designated as "Rural" in the Cochise County Comprehensive Plan;

601.02 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;

601.03 To preserve the agricultural character of those portions of the County capable of resource production;

C. Development Along Major Streets: Not Applicable

The property is located on the east side of North Moore Road and does not take access from any Major thoroughfare or arterial street.

D. Traffic Circulation Factors: Complies with Conditions

The property is located on the east side of N. Moore Road approximately two miles west of US Highway 191 and one-quarter mile south of W. Courtland Road. Current access is indicated on the concept plan at two native surface driveways into the property from N. Moore Road. The northerly driveway is roughly 1,800 feet south of W. Courtland Road and the second driveway is about 2,450 feet south of W. Courtland Road.

A commercial driveway intersection will be required from the subject parcel onto N. Moore Road that meets or exceeds the County's Roadway Design Standards. Standard commercial driveways for this type of use would typically be a native surfaced 24-foot wide driveway with a 35-foot turning radius for turning movements of the larger and heavier vehicles that serve commercial and agricultural uses.

North Moore Road is a county-maintained road where it abuts the subject site. N. Moore Road was established as a Primitive Road on September 6, 1994 by Resolution 94-87. The County currently has no plans to hard surface this road. Records indicate that the right-of-way has not been perfected at this time.

An informational Right-of-Way encroachment permit will be required to document the existing driveways. Any additional access driveways will require new permits.

E. Adequate Services and Infrastructure: Complies with Conditions

Electrical service is provided to the site by Sulphur Springs Valley Electric Cooperative; water is supplied by existing private wells, there is an existing septic on site and the parcel is served by the Elfrida Fire District.

Traffic Analysis

This type of use is similar to small-scaled agricultural uses: average trip generation rates specifically for this type of growing operation have not been developed on either a national or state-level at this time. The applicant anticipates at least 25 employees, at full-build out of this project, which has the potential to generate an estimated range of 38.25 to 112.5 vehicle trips per day. Greenhouses tend to stabilize the typical seasonal variations inherent in open agricultural activities. The applicant is proposing a staged greenhouse development, dependent upon market demand.

Note: Vehicle trips are different than number of vehicles that travel to the site. Average vehicle trips per day also include incidental traffic generated due to the presence of any particular use (e.g. mail, deliveries, trash pick-up) and averages seasonal variations in trips generated.

The medical marijuana operation will be on the six acres of property most distant from N. Moore Rd. The initial phase of construction would consist of the first 2.5 acres of greenhouses with rainwater catchment systems. The applicant indicates a start up operation with approximately 10 employees, which would likely

generate estimated 30 vehicles trips per day with a potential range between 15.2 to 44.6 vehicle trips per day. If built out to a full residential use of 10 dwelling units, this 40 acre parcel would likely generate an average of 95.7 vehicle trips per day.

As a growing and infusion operation only, with no dispensary, the requested use is unlikely to change the type of use that has historically been on this site, nor change the type and volume of traffic associated with an agricultural greenhouse operation. It is likely that even at full build-out, as proposed by this applicant; the trip generation for this site would be less than if developed as a residential use.

The applicant will be required to construct a hard-surfaced apron on the south side of the intersection of Moore Rd. and Courtland Rd. to protect the existing county road from anticipated traffic impacts from this commercial use.

F. Significant Site Development Standards: Complies

The applicant has not requested any waivers from site development standards. All site development standards must be met to obtain a non-residential use permit, should this request be approved. The property has adequate area for parking. All of the existing structures on the site meet all of the zoning regulations as they pertain to set-backs, off-site parking, and loading areas, land clearing, water conservation, and Section 1825 of the Zoning Regulations pertaining to medical marijuana. Any future construction of will be required to meet all clearing, drainage, site development standards and building permit regulations.

In addition to County regulations, the applicant will be required to meet all regulations and requirements established by the State of Arizona for these types of facilities including security cameras, perimeter fencing and secured access to the cultivation greenhouses.

G. Public Input: Complies

The Applicant sent letters to all property owners within 1,500-feet of the subject parcel to notify them of this application. The applicant has not received any response to the notification letter.

H. Hazardous Materials: Complies

The applicant will use an integrated pest management system focusing on organic control methods including organic pesticides such as such neem oil and organic herbs and extracts, including garlic, rosemary and lavender oil. Additionally there will be companion plantings of marigolds and garlic which naturally deter pests, plus the use of beneficial insects such as lady bugs to control pests.

I. Off-Site Impacts: Complies

The proposed facility is not anticipated to produce off-site impacts. The applicant is intending to use shielded exterior lighting, light-controlling blackout material inside the greenhouses, and will use carbon filters in the greenhouses to eliminate any off-site odors from the plants. The proposal will have the same visual impact as any other agricultural greenhouse use that would be allowed by right as a principal permitted use in this zoning district. The project will conform with the State of Arizona lighting requirements for medical marijuana facilities.

J. Water Conservation: Complies

The applicant is proposing to use rainwater catchment, high-tech irrigation, water recycling and grey water reuse to conserve water.

V. PUBLIC COMMENT

The Planning Department staff mailed notices to neighboring property owners within 1,500-feet of the subject property on March 31, 2016; posted the notice to the County website on April 19, 2016; published a legal notice in the *Bisbee Observer* on April 21, 2016; and posted the property on April 20, 2016. In response to applicant and County notice, staff received 162 calls and signatures in support of this request.

VI. SUMMARY AND CONCLUSION

This request is for a Special Use authorization to approve the cultivation and infusion of medical marijuana in a secure greenhouse facility on 9.78 acres of a forty acre parcel located at 11429 North Moore Road in Elfrida, AZ.

No waivers or modifications have been requested. Any State of Arizona requirements, including those for cultivation, security and lighting will be met.

Approval of this land use does not guarantee that the applicant will be successful in obtaining a license with the State of Arizona for medical marijuana cultivation; obtaining County land use approval is only one part of the State application process.

Factors in Favor of Approving the Special Use

1. With the recommended Conditions of Approval, the proposed use fully complies with seven of the ten Special Use factors used by staff to analyze this request, and, with conditions, complies with two additional factors;
2. The proposal complies with the Adopted Comprehensive Plan Agriculture and Ranching, Economic Development and Rural Character Elements;
3. The proposal complies with the Zoning ordinance Category D purpose statement;
4. The proposal will employ several water conservation measures;
5. The proposal will provide jobs for up to 10 to 18 employees in Phase One and up to 25 employees or more at full build-out;
6. 162 residents sent staff calls, letters and petitions in support of this application; and
7. No letters in opposition have been received.

Factors Against Allowing the Special Use

1. None

VII. RECOMMENDATION

Based on the factors in favor of approval, Staff recommends **Conditional Approval** of the Special Use request for cultivation and infusion of medical marijuana in a secure greenhouse facility on 9.78 acres of a forty acre parcel located at 11429 North Moore Road in Elfrida, AZ, , 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. It is the Applicant's responsibility to obtain any additional permits, or meet any additional Conditions, that may be applicable to the proposed use pursuant to other federal, state, or local laws or regulations;
3. Any changes to the approved Special Use shall be subject to review by the Planning Department and may require additional Modification and approval by the Planning and Zoning Commission;
4. At the commercial permitting stage the applicant may be required to provide an off-site improvement, consisting of a chip seal apron, on the south side of W. Courtland Rd. at the of N. Moore Rd. intersection;

5. An informational Right-of-Way encroachment permit will be required to document the existing driveways. Any additional access driveways will require a new permit;
6. In advance or concurrent with their first Commercial Permit application, the applicant is required to submit a Basic Traffic Statement describing the construction impacts, any phasing and describe proposed mitigation;
7. In advance or concurrent with their first Commercial Permit application the applicant is required to obtain a Cochise County Right-of-Way/Encroachment Permit and coordinate with the Highway Dept. to provide a commercial access apron at the N. Moore Rd. intersection connection with W. Courtland Rd. as per the County Roadway Design standards or as approved by the Highway Dept. County Engineer; and
8. In advance or concurrent with their first Commercial Permit application the applicant is required to obtain a Cochise County Right-of-Way/Encroachment Permit and coordinate with the Highway Dept. to provide a commercial access aprons at the two existing driveway access points onto Moore Rd. as per the County Roadway Design standards or as approved by the Highway Dept. County Engineer.

Sample Motion:

Mr. Chairman, I move to approve Special Use Docket SU-16-06, with the Conditions of Approval as recommended by staff; the Factors in Favor of Approval constituting the Findings of Fact.

VIII. ATTACHMENTS

- A. *Special Use application*
- B. *Site plan*
- C. *Location map*
- D. *Irrigation Water Requirements of Wine Grapes in The Sonoita Wine Growing Region of Arizona, Donald C. Slack & Edward C. Martin, Dept. of Agricultural & Biosystems Engineering, University of Arizona, 1999 Wine Grape Research Report*
- E. *Arizona Agriculture Need More Wine Grapes!*, Julie Murphree, Arizona Farm Bureau, July 24, 2013
- F. *Lighting cut sheet*
- G. *Applicant's neighborhood notification letter*
- H. *Agency comments*
- I. *Public Comment*



**COCHISE COUNTY
COMMUNITY DEVELOPMENT**

"Public Programs... Personal Service"

SU-16-06
(FRAZIER)

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

TAX PARCEL NUMBER 401-36-075

APPLICANT Judy K. Korsmeyer and son, Tim Frazier

ADDRESS 11429 N. Moore Road, Elfrida, Arizona

CONTACT TELEPHONE NUMBER (520) 559-6733

EMAIL ADDRESS: tgcsfrazierhoneybees@gmail.com

PROPERTY OWNER (IF OTHER THAN APPLICANT) Judy K. Korsmeyer (Family Trust)

ADDRESS 11429 N. Moore Road, Elfrida, Arizona

DATE SUBMITTED 2-23-16

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

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 Uniform 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. 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.)



COCHISE COUNTY
COMMUNITY DEVELOPMENT

"Public Programs. Personal Service."

Special Use Project Application

PART TWO – QUESTIONNAIRE

SECTION A – General Description

1. What is the existing use of the property?

The property is currently used for residential purposes. It is zoned RU-4 and has several existing living quarters, a garage, a shop, as well as a pump house, several covered areas, and existing utilities on site, while residing on a dead end road.

2. What is the proposed use or improvement?

The new proposed use is for a medical cannabis cultivation facility on a small portion of the ^{1.8}80 acres. The new proposed facility will construct a commercial greenhouse. Existing structures will be utilized for post processing and storage. The existing living areas on the property will initially be utilized for employee housing and therefore the cultivation area will be staffed at all times. Security fencing with cut resistant privacy slats will be installed around the medical cannabis production area. This will cover a footprint of roughly 5.9 total acres.

The proposed facility was planned in a way to minimize any environmental impact as well as visual impact to the surrounding properties.

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?

Overall, impact should be minimal, with all medical cannabis activities taking place within the confined security fence, warehouse, or the proposed greenhouses. Medical cannabis will be grown, harvested, and processed into medical forms of flowers, concentrates, and infusions. These products will then be packaged and shipped to an attached and partnering dispensary located in the Phoenix area, with all post processing occurring inside the secured, existing outbuildings shown on the site plan. No products will be sold to the public at this location, and no public access will be allowed into the fenced perimeter. Minimal staff will be required at most times to maintain the proposed operation, and because all products will be shipped off site and sold in the Phoenix area, we do not anticipate these activities significantly impacting neighboring properties. Furthermore, this parcel is located on a dead end road. All activities relating to the production of medical cannabis will occur inside this fenced perimeter in order to comply with state law and to limit any potential interactions with adjacent properties. Furthermore, work will be scheduled during the day whenever possible to minimize activating any motion sensing exterior lighting after dark.

4. Describe all intermediate and final products/services that will be produced/offered/sold.
Medical cannabis and associated medical cannabis products such as extractions, infusions, tinctures, salves, balms, and capsules will be produced and transported to the partnering dispensary in the Phoenix area. No medical products will be sold on site. Medical cannabis will be grown in the locked and enclosed greenhouses, secured with a high tech security system including access control, security cameras, panic buttons, keycard access, and perimeter fencing. Harvested cannabis will be dried and processed in the proposed outbuildings, which will also be included in the secured fencing area with keycard access required for entry. All products will be transported to the Phoenix area for retail sales through our partnering dispensary. No products or services will be offered or sold on site, and as a result, the location and proposed operation will receive minimal traffic aside from state licensed employees. A portion of extracts produced will be given away to patients specifically in need through our partnering dispensary. These will include veterans, cancer patients, and children within the medical cannabis program, and their medication will be donated at no cost to the patient whenever possible. Furthermore, the principal officers on this project have pledged donations to both the local school systems and the local community as funds allow, as Mr. Frazier currently sits on the Elementary School Board and has taught at various locations in Cochise County and throughout the United States.

5. What material will be used to construct the building(s)? Note, if an existing building(s), please list the construction type(s), i.e., factor built building, wood, block, metal)
The proposed new construction will include a single greenhouse structure sized roughly 240' x 500'. A portion of this structure will be equipped with a black out system in order to elongate day length with supplemental lighting, while simultaneously preventing any light pollution from impacting the area and night sky. All greenhouses will be constructed with twin wall polycarbonate and steel truss systems to maximize climate control and prevent the need for excessive cooling by placing a layer of air between the greenhouse and exterior environment. This creates an efficient and cost effective layer of insulation and limits water usage and loss due to evaporation, while providing a secure location to cultivation medical cannabis which can be locked and secured with a access control, video monitoring, as well a multi faceted alarm system.

Two existing outbuildings will be utilized to house all post processing, storage, and security operations. This warehouse building will be positioned inside the secured, fenced perimeter and will serve as a home base for all recordkeeping, tracking systems, security, and the main location where on site work will be occurring including trimming, packaging, and other post processing activities. These structures will also include a restroom for employees with an accompanying septic system as shown on the site plan in Part Three and required by state law.

The site plans showing the new greenhouse structures as well as existing structures are included in Part Three.

C. Total average daily traffic generated

- 1) How many vehicles will be entering and leaving the site
Generally, 5-12 vehicles will enter and/or leave the site daily and will represent the common scenario 90% of the time. This number may decrease depending on the number of employees which choose to live on site. During periods of increased traffic, which will occur quarterly, this number could increase to 30, and would be hard pressed to exceed 40 vehicles on any given day throughout the year. Additional parking has been planned to accommodate these vehicles inside the fenced perimeter. Vehicles parking on site should not exceed 20 at any one time and will likely average in the range of 5-12.

- 2) Total Trucks (e.g., by type, number of wheels, or weight)
Excluding the delivery of equipment and materials during construction, we do not anticipate regular deliveries with large 10 or 18 wheelers on site. A preliminary discussion has been started with the neighboring property to the south which operates a trucking service and will likely be utilized for this operation. During construction and the initial delivery of bulk media and growing materials, there will be truck traffic required. Over the course of the 6 to 10 month construction time, there will be approximately 200 trucking trips required to bring in construction equipment and initial supplies of bulk growing media. After this period, we do not anticipate traffic to exceed one or three each month. There may be use for a small pickup truck, which will be four-wheeled and used for the loading and unloading of bulk materials when necessary. Occasionally a cargo van or medium truck will be used for deliveries to or from the site. Roadway conditions will be monitored and maintained continuously in order to provide safe and continuous access.

- 3) Estimate which direction(s) and on which road(s) the traffic will travel from the site?
All traffic will travel on Moore Road when entering or leaving the facility. A large majority of the traffic will head north and then east to 191. Delivery times and routes are varied for security purposes. We do not anticipate any issues with border patrol due to several Supreme Court cases which addressed the border patrol and their intervention with Arizona's medical cannabis program.

- 4) If more than one direction, estimate the percentage that travel in each direction
Delivery vehicles will use alternative routes as needed for security purposes. Employee traffic will depend on their residence location. It would be reasonable to expect the majority of traffic to use Moore Road and 191.

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

Traffic will be heaviest quarterly for 10 to 14 days at a time. Every attempt will be made to stagger this post processing period and limit traffic to a minimum; however, a majority of the time, traffic to and from the facility will be almost non-existent due to the parcel structures and staff quarters on site which will be utilized by management and the main operations team.

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

Two private wells currently exists at this location and are shown on the attached site plan in Part Three. Preliminary well explorations have indicated the water supply will be sufficient and exceed requirements at the site presently. Further collaboration with a hydrologist will be undertaken before proceeding with any construction and the proposed operation. Irrigation rights have been confirmed for this parcel.

Well Registration Number: 55-524619

Well Irrigation Number: 55-205397

- D. Estimated total gallons of water used:

For cultivation purposes, we anticipate:

7,500 – 9,500 gallons per day at peak usage and production capacity

4,000 – 4,500 gallons per day during non peak usage

Roughly 2,750,000 gallons per year

Will you use a septic system?

Yes

If yes, is the septic tank system existing?

Three existing septic systems are currently onsite. The locations can be seen Part Three.

- E. Does your parcel have permanent legal access?

Yes, this parcel borders N. Moore Road.

- F. For Special Uses only – provide deed restrictions that apply to this parcel, if any.

To our knowledge, there are no deed restrictions that apply to this parcel.

8. Identify how the following services will be provided

Service	Utility Company/Service Provider	Provisions to be made
Water	Existing Well: Well Registration Number: 55-524619 Well Irrigation Number: 55-205397	Rainwater Catchment Installation
Sewer/Septic	Existing Septic	None
Electricity	SSVEC (Sulphur Springs Valley Electric Co-Op)	Solar Energy Upgrade and Installation
Natural Gas	Southwest Gas	Additional Storage Tank
Telephone	VTC (Valley Telecomm)	None
Fire Protection	Elfrida Fire District	None

Additional water and solar services will be installed to increase the environmentally friendly aspects of the operation, as well as provide long term sustainability. With a desire to implement an environmentally sustainable operation which is green friendly and complements the natural beauty of the landscape, rainwater catchment and greywater reuse will be utilized in the facility wherever possible. Water storage cisterns will be installed near the greenhouse facilities to store and reuse captured rainwater from an installed gutter system on each newly constructed structure and implemented on existing structures where feasible. Greywater reuse will be used to irrigate companion plantings as well as native vegetation surrounding the cultivation area to maintain a rich landscape and limit visual impact. Solar power will be installed and will supplement power required for the greenhouse structures.

SECTION B – Outdoors Activities/Off-site Impacts

1. Describe any activities that will occur outdoors.

All main activities will take place within the secured greenhouses and existing structures within the fenced perimeter. No main activities will take place outdoors aside from the unloading of bulk materials within the secured perimeter fencing and may include composting piles which will be devoid of any useable or recoverable cannabis or cannabis products and will be processed according to state law. Sufficient turning radius for deliveries has been included in the fenced area.

2. Will outdoor storage of equipment, materials or products be needed?

Yes, occasional bulk materials such as soil will be stored within the secured, fenced perimeter until they can be utilized in the greenhouse or moved to permanent storage within the outbuildings. Water storage will also be located permanently outside the greenhouse and outbuildings; however, it will remain inside the fenced perimeter as well. All other materials will be stored within the proposed structures or proposed greenhouse complex. This outdoor storage will be minimal and likely only last a couple days at a time until supplies can be properly prepared and incorporated into the greenhouses. All cannabis products will always remain locked and enclosed either in the greenhouses or warehouse according to state law.

3. Will any noise be produced that can be heard on neighboring properties?

No noise will be produced which can be heard at neighboring properties. Ventilation fans will be used for the greenhouses to maintain a controlled climate and space; however, this will not occur at a level that will be heard on any neighboring properties or even the Sunglow Ranch properties.

4. Will any vibrations be produced that can be felt on neighboring properties?

No vibrations will be produced at this location.

5. Will odors be created?

Cannabis odors will be created with the cultivation of such plants. Re-circulating carbon scrubbers will be used inside the greenhouse and dry areas to minimize odors. Odor levels will be dependent on the amount of air extracted and discharged; however, we do not anticipate noxious odors due to the large size of the parcel, use of air filtering equipment, and the limited number and proximity of neighbors.

6. Will any activities attract pests, such as flies?

Agricultural pests will inevitably be attracted to the greenhouses. By creating a climate suitable for plants, you also simultaneously create a climate for pests to proliferate. Integrated pest management practices will be utilized by our expert team which includes large scale hydroponic producers as well as several with master's degrees in plant sciences with experience managing large greenhouse operations for state universities. These practices will focus on organic control

methods including organic pesticides such as neem oil, various herbs and extracts including garlic, rosemary, and lavender oil, companion planting including marigolds and garlic which have scientifically demonstrated pest resistance and repulsion abilities, as well as beneficial insects such as lady bugs and beneficial bacteria which feed on these pests, their eggs, and larvae. Furthermore, any pests should not be able to survive outside of these greenhouse climates during most times of the year, and these pests are not the type which irritate humans or animals, and exist only as agricultural pests.

7. Will outdoor lighting be used?

Minimal outdoor lighting will be used as required by state law. This lighting will be minimal, as mentioned, not only to limit light pollution to surrounding areas, but also to maintain proper light cycles for the greenhouse facilities. These lights will include motion sensors and will be off unless triggered directly. Furthermore, these lights can be manual turned off if necessary in instances of animals or malfunction and are mainly focused inside the fenced perimeter for cultivation. Due to this location, they should not be triggered accidentally. IR cameras will be present on-site to prevent the need of constantly illuminated security lights, while maintaining a high level of security and monitoring.

We do not anticipate light pollution being a problem at this facility due to cannabis' photoperiod sensitivity which requires an elongated dark period to maintain flowering production. Any disruption in this cycle can cause significant delay and even result in unusable medicine; therefore, as a cultivation center, we have an additional incentive to minimize all sources of light pollution. Porch lights currently exist on each of the existing residential housing structures, however due to the above fact, their use will be limited.

See the Attached Appendix A for manufacturer's specifications.

8. Do signs presently exist on the property?

No

9. Will any new signs be erected on site?

Yes, small signs will be erected on site which states there is no public access beyond this point, only allowing authorized personnel on the driveway accessing the cultivation area. Additional signage will be present on the cultivated area as required by state law which declares restricted access areas and other mandatory signage.

10. Show on site drainage flow on the site plan. Will drainage patterns on site be changed?

Due to the small parcel and location chosen for cultivation purposes, drainage patterns on site will not be changed. The water will continue to flow as it did originally, with the main portion falling in the cultivated space being recaptured for reuse.

Will washes be improved with culverts, bank protection, crossings, or other means?
No, currently there are no washes or culverts at this location.

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

Ideally, to limit initial construction and trucking requirements, dirt roadways would be preferred. If required by the county, a gravel drive will be installed connecting N. Moore Road with the cultivated area. An additional parking area featuring compacted dirt or crushed aggregate as required will be installed to deal with periods of high traffic discussed above and can be seen on the site plan in Part Three. Loading areas will occur in that same parking space, within the security perimeter, and will be coordinated so as not to occur on days of high traffic. Sufficient turning radius has been accounted for to accommodate even for the largest of trucks. Additional driveway and easement improvements may be implemented as required to maintain ease of access to the property and operation; however, this traffic is expected to be minimal and should not require expansion or improvements at this time, and will be reassessed constantly or upgraded at the request of the county.

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.)

Parking and loading areas, in addition to the driveway are shown on the attached site plan in Part Three. Due to potential deliveries, all areas within the fenced perimeter near the main gate will be compacted dirt and drivable to allow for proper turning radius.

13. Will you be performing any off-site construction (e.g., access aprons, driveways, and culverts)?

No, at this time we do not believe it to be necessary to perform any offsite construction due to the amount of work that has already been completed on the land. Any requirements from the county will be implemented and improved as necessary to meet all aspects of the special use and building permits including roadway maintenance.

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 is one acre or larger, what specific water conservation measures are proposed? Describe here or show on the site plan submitted with this application.

Conservation of water and creating an environmentally friendly and sustainable operation is a critical aspect of this project, and the above coincides with the charitable nature of giving free extracts to individuals the most in need as well as the school district.

An environmental engineer who focused on wastewater treatment, reuse, and water quality standards has established several methods for water conservation. Due to this, every effort will be implemented to encourage the economical and sustainable reuse of water. This will include the design and implementation of an efficient and highly controlled drip irrigation system in the greenhouse and production spaces, delivering just the right amount of irrigation directly to each plant and significantly limiting waste.

Rainwater catchment systems will be installed on newly constructed greenhouses to provide a source of water for reuse and preventing loss through evaporation. Finally, grey water reuse will be implemented inside the newly constructed greenhouses wherever feasible, and mainly used for watering of companion plants used for pest control as well as any ornamentals and native vegetation outside the facility used for landscaping. The medical cannabis, due to intended human consumption, requires a higher level of water quality, and therefore the grey water cannot be reused on these crops which must retain a food-grade status, in addition to providing an organic regimen for nutrients and pest control.

Ultimately, high quality medical products and environmentally sustainable practices are of the highest importance to this operation and are demonstrated by the many environmentally friendly methods implemented including water reuse and solar power, as well as charitable donations to the neediest patients including veterans, cancer patients, and children within the medical program and the school district.

2. How many acres will be cleared?

Roughly 2.5 acres of greenhouses will be installed. The entire proposed area including the warehouse and secured, fenced perimeter will encompass roughly 5.9 acres. A large majority of this land has already been cleared; however, the appropriate land clearing permits will be obtained prior to any onsite work.

SECTION D – Hazardous or Polluting Materials

Does the proposed use have any activities involve Hazardous or Polluting materials?

This operation will include very limited use of hazardous or polluting materials due to our proposed methods. These potentially hazardous materials will mainly consist of organic pesticides and organic nutrients which are substantially better for the environment and human health than their associated chemical and petroleum based counterparts. Licensed pesticide applicators will be utilized and certified prior to the usage of any organic pesticides on site. This organic approach uses beneficial insects as well as companion planting which will severely limit the amount of additional organic pesticides required through the proper use of an Integrated Pest Management plan. Furthermore, a majority of the nutrients used will be in the form of manures and soil amendments, which also severely limit the amount of liquid fertilizers required for healthy growth and production. Main fertilizers will be derived from organic or renewable sources. These amendments will be sourced from high quality local sources whenever possible to limit the carbon footprint of the operation as well as encourage the growth of the local economy.

Additional solvents will be used for extraction. This may include food grade ethanol, butane, or carbon dioxide. These solvents will be recaptured, so little to no effects are anticipated due to their reuse. All storage will comply with the solvent requirements including container type, location, access, and fire safety.

The “Hazardous Materials Attachment” is included in Part Six. Alternative but comparable materials may be substituted due to production requirements as needed for the cultivation operation.

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 

Print Applicant's Name Timothy Maden, Owner

Date signed February 23 2016



Cochise County
Community Development
Planning, Zoning and Building Safety Division
Public Programs...Personal Service
www.cochise.az.gov

PART SIX

Hazardous Materials Attachment

Firm's current name: NA
Current location: 11429 N. Moore Road, Elfrida, Arizona
Fire district: Elfrida Fire District
Nearest main intersection with street names: N. Moore Road and W. Courtland Road
Distance: 0.25 miles Direction: North

Firm's previous location(s)
Previous name(s) of firm/operation: NA
Previous location(s): NA Date(s): NA
Previous compliance/accident history: NA
Date(s): NA

1. List hazardous and polluting materials (including raw materials, products, wastes, emissions, discharges, etc.) that will be brought to, stored, manufactured, produced, generated, processed or otherwise used at or released or transferred from the site and the quantities you will store. Material Safety Data Sheets (MSDS) are required for all such substances.

Material	<u>Chicken Manure</u>	Quantity	<u>500 lbs, amounts may vary</u>
Material	<u>Neem Oil</u>	Quantity	<u>Less than 25 gallons</u>
Material	<u>Ethanol</u>	Quantity	<u>Less than 100 gallons</u>
Material	<u>OMRI listed soil amendments (MSDS Included)</u>	Quantity	<u>Various</u>

2. How will substances be stored? (For example, automotive batteries require impervious flooring, flammables require NFPA 30 cabinets, gas cylinders need restraints, and many chemicals have specific requirements, such as secondary containment areas for liquids. These requirements are found in the MSDS or can be requested from ADEQ.)

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

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

All storage of potentially hazardous will occur inside a hazardous material designated area.

All materials will be kept in their original packaging and containers until they are ready for use.

Mainly organic fertilizers, pesticides, and fungicides will be used.

Ethanol or solvent usage will comply with all storage and ventilation requirements listed in the MSDS/AHJ

3. What methods will ensure proper containment during use or ventilation? (Waste and by-products as well as substances have specific needs to control damage from those products.)

Appropriate Re-entry Interval (REI) time-frames will be followed according to the manufacturer's specifications.

All pesticide applications will be completed by certified pesticide applicators where necessary.

Proper disposal methods, if required, will be followed according to the manufacturer's specifications. Extractions using solvents will feature a closed loop system and recapture for reuse.

Solvent usage will comply with all storage and ventilation requirements listed in the MSDS and AHJ

4. Is any welding being performed and where? (Flammables must be kept away from sources of ignition such as electricity, arcs, sparks, hot metal or open flame. Gas cylinders must be secured.)

No welding will be performed on site.

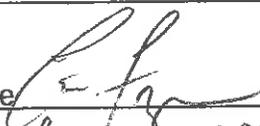
5. How will waste/ excess substances be disposed of? (Commercial operators may not use the County transfer stations' hazardous waste program. They handle only household materials.)

Where ever possible, waste will be composted and reintroduced into the greenhouse operations in regards to organic fertilizers and soil amendments. Organic pesticides will be disposed of according to manufacturer's specifications and arrangements will be made with a commercial solid waste disposal entity. Solvent for extractions will be recaptured and reused indefinitely.

6. What evacuation, treatment and notification will be made if there are any releases to groundwater or air? (Notification may be required to the Sheriff's Department, adjacent neighborhoods, State Fire Marshal, local fire district, ADEQ, and/ or EPA.)

Organic (OMRI certified) pesticides and fertilizers will greatly limit any effects on the groundwater or surrounding air. We do not anticipate any issues due to the chosen methods of production. If required, notification will be given, in person or by phone, to adjacent properties, as well as informing the required agencies, such as sheriff, fire, and EPA as necessary.

Signature



Date

February 23, 2016

COCHISE COUNTY

LETTER OF AUTHORIZATION

MAR 10 2016

PLANNING

Cochise County Planning and Zoning
1415 Melody Lane, Bldg E
Bisbee, Arizona 85603

Dear Zoning Committee,

As an officer of the trust which owns the property located at 11429 N. Moore Rd., Elfrida, AZ 85610 with APN: 401-36-075, I authorize Tim Frazier to act as an agent to petition the Planning, Zoning, and Building Committee of Cochise County to consider a Special Use Permit to operate a Medical Cannabis Cultivation facility for the above listed property.

Sincerely,



Judy K. Korsmeyer

Notary Confirmation

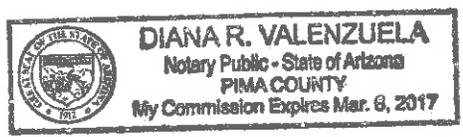
State of Arizona

County of Pima

This instrument was signed or acknowledged before me on 3-4-16
Date

By Judy K Korsmeyer
Print Name of Signer

[Handwritten Signature]
Notary Signature



LETTER OF AUTHORIZATION

Cochise County Planning and Zoning
1415 Melody Lane, Bldg E
Bisbee, Arizona 85603

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Judy K. Korsmeyer

Notary Confirmation

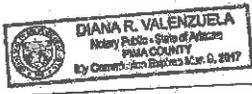
State of Arizona

County of Pima

This instrument was signed or acknowledged before me on 3.4.16 Date

By Judy K Korsmeyer
Print Name of Signer


Notary Signature



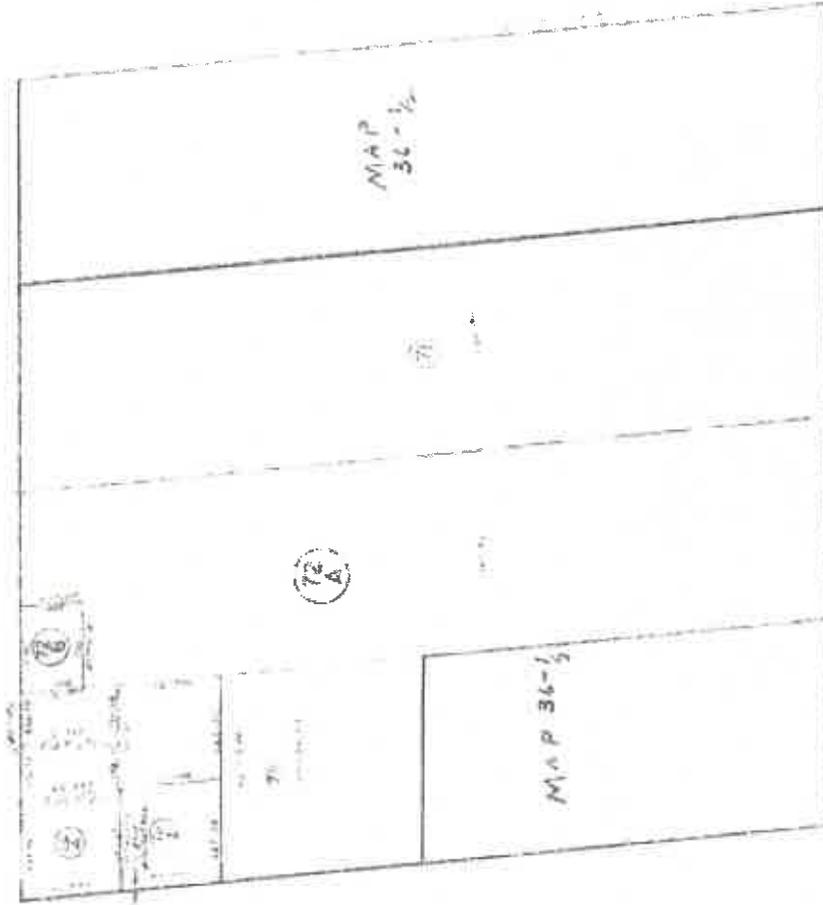
SEC. 29

TN. 19

RG. 26

BOOK 401
MAP 36

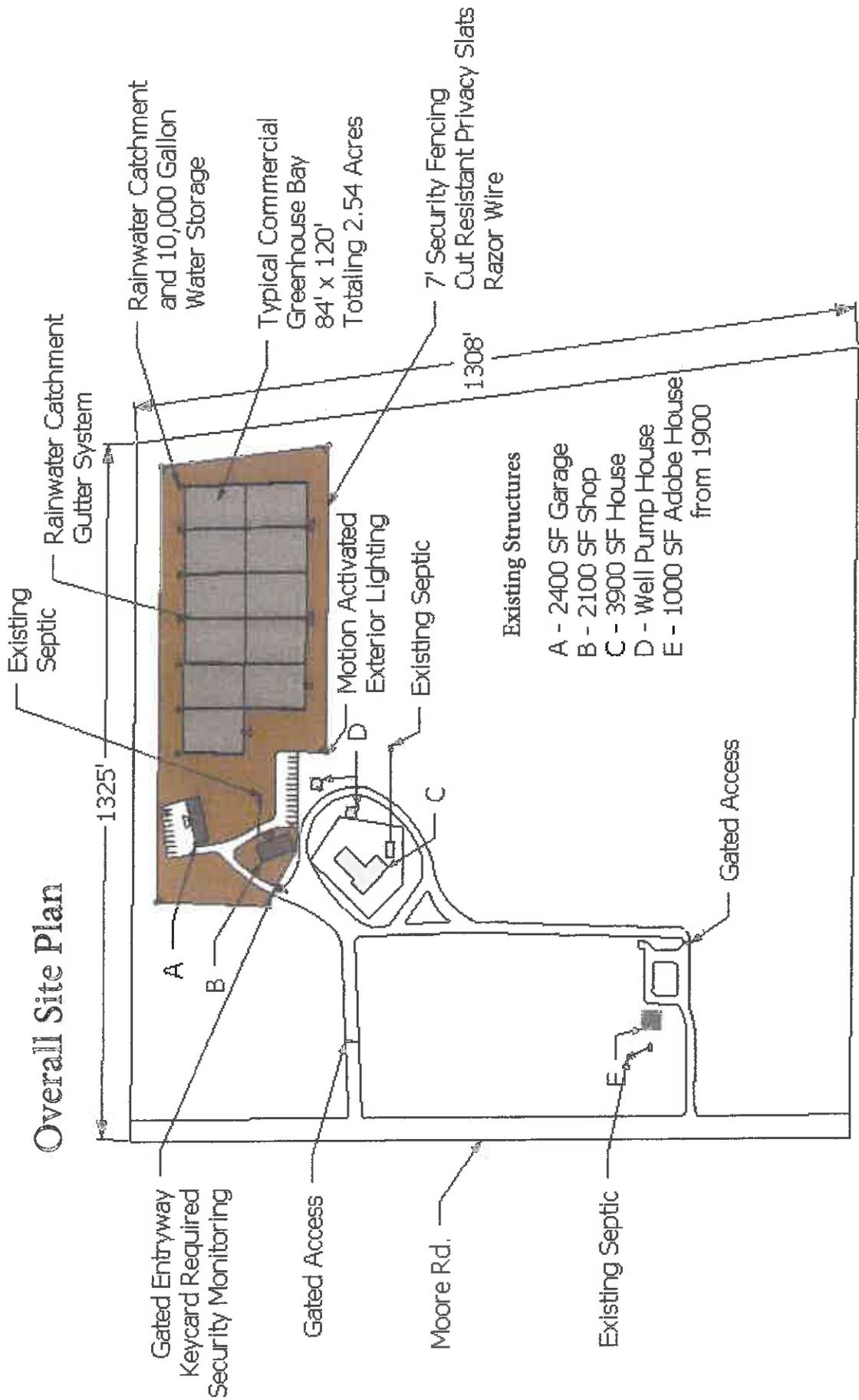
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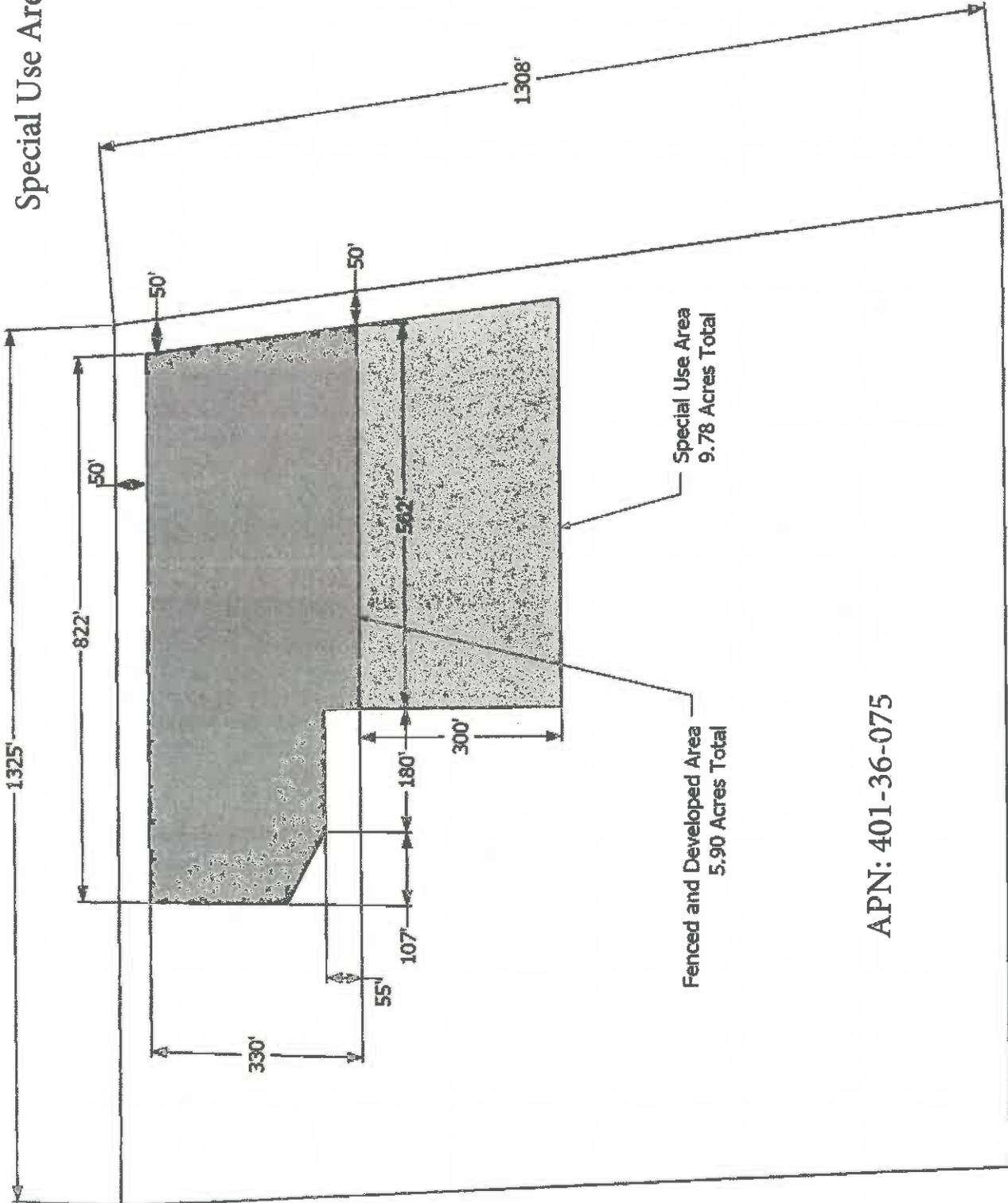
SCALE 1" = 200'

COUNTY ASSESSOR'S MAP

Overall Site Plan



Special Use Area Defined



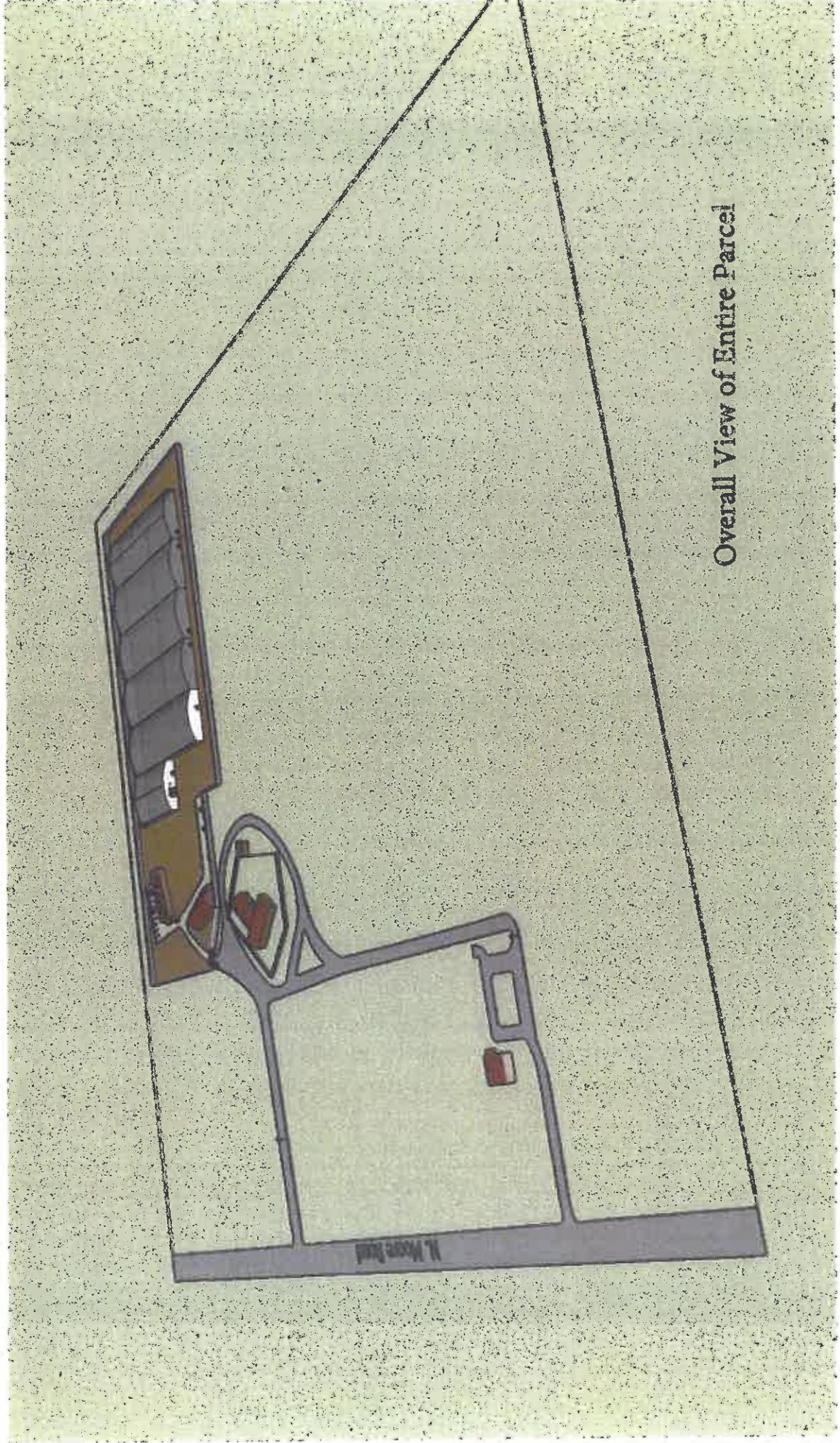
Special Use Area
9.78 Acres Total

Fenced and Developed Area
5.90 Acres Total

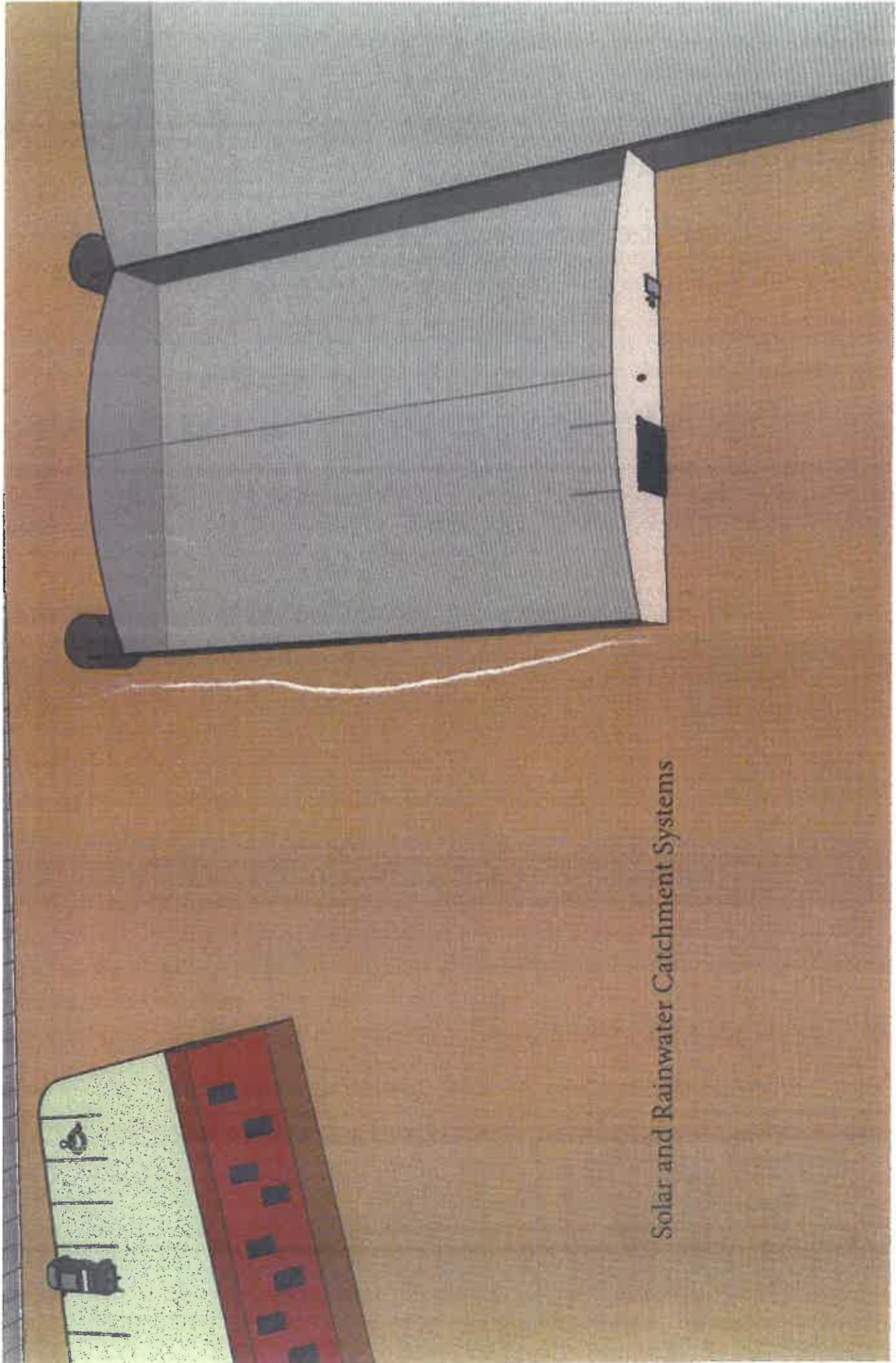
APN: 401-36-075



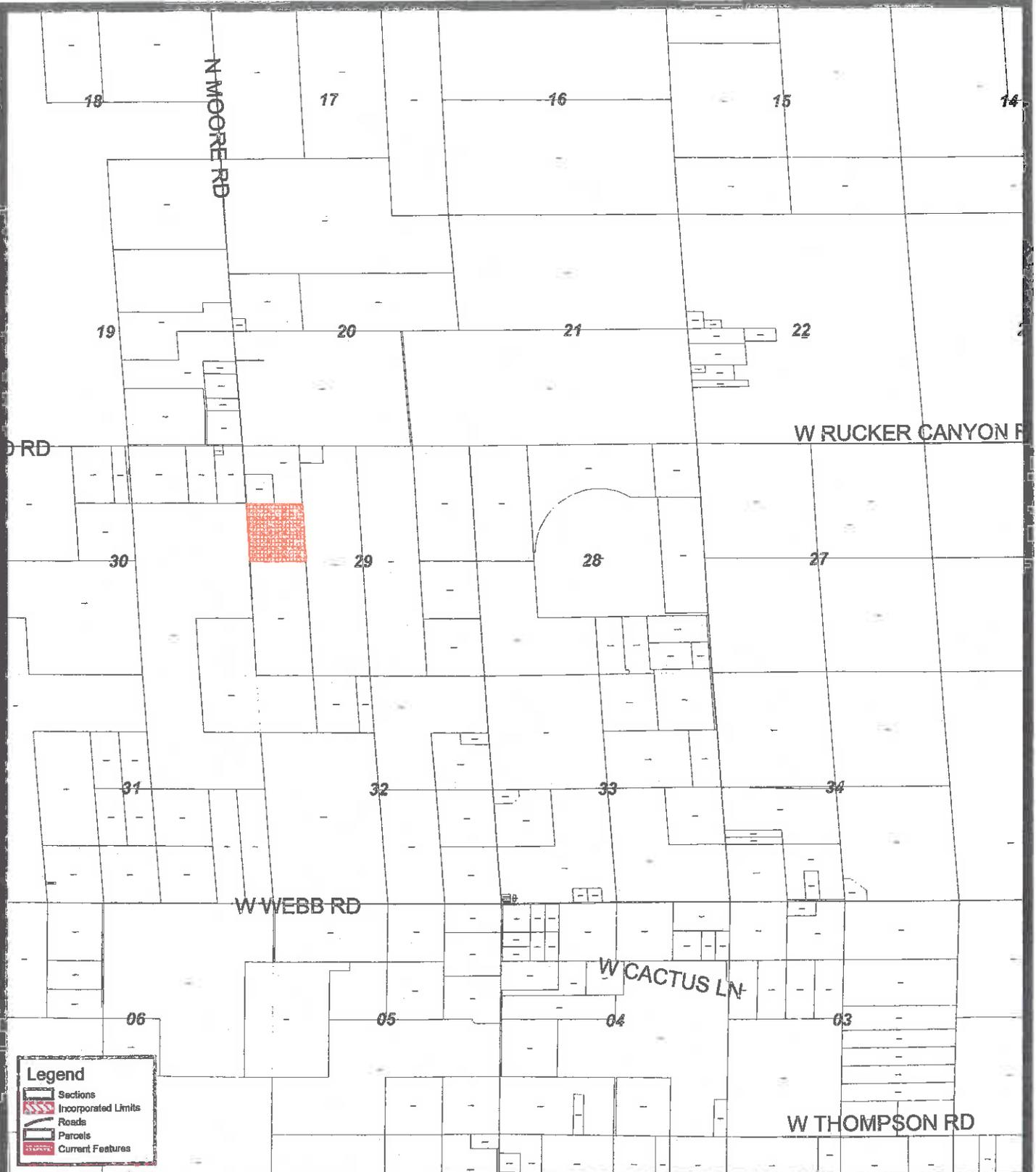




Overall View of Entire Parcel



Solar and Rainwater Catchment Systems



Legend

- Sections
- Incorporated Limits
- Roads
- Parcels
- Current Features



SU-16-06 (Frazier)
 11429 N Moore Rd
 Elfrida AZ
 APN 401-36-075

This map is a product of the
 Cochise County GIS
 Information Technology Dept.



36C

IRRIGATION WATER REQUIREMENTS OF WINE GRAPES IN THE SONOITA WINE GROWING REGION OF ARIZONA

Donald C. Slack and Edward C. Martin
Department of Agricultural and Biosystems Engineering

INTRODUCTION

This study was undertaken to determine both the total water requirements and irrigation water requirements for wine grapes grown in the Sonoita wine producing region of Southeast Arizona. Based on extensive information in the literature, crop coefficient curves were developed for two different groupings of wine grapes: Cabernet Sauvignon and Sauvignon Blanc - Chardonnay - Pinot Noir. The crop coefficients were developed using a "growing-degree-day" base which will allow their application across a wide range of climatic conditions. The crop coefficients were utilized together with long-term historical weather data from the region to estimate water use of wine grapes and, with average rainfall taken into account, seasonal irrigation requirements. Water requirements were estimated from "bud break" in the spring until well after grape harvest. This period was assumed to be from April 1, through October 1 for the Cabernet and from March 25, through October 1 for the other varieties. Average annual rainfall in the area is 17.8 inches.

During the period April 1 to October 1, the average rainfall is 11.5 inches and the total crop evapotranspiration for Cabernet Sauvignon was estimated to be 15.8 inches. The resulting "deficit" to be made up by irrigation would thus be 4.3 inches. However, even the best irrigation systems are not 100% efficient and rainfall early in the season is insufficient to provide plant requirements. Thus total irrigation requirements for the growing season were calculated as 5.91 inches which amounts to 353 gallons per plant. The slight additional rainfall attributed to the last week of March was considered negligible and thus the irrigation requirement for the Sauvignon Blanc - Chardonnay - Pinot Noir group was also 5.91 inches or 353 gallons per plant. These estimates are based on clean-tilled vineyards with no grass growing between rows. Grass cover can increase the water requirements by as much as 100% since the maximum crop coefficient for wine grapes is only 0.53 for a grass based reference (i.e. the grass coefficient would be 1.0). In other words, wine grapes use only about half as much water as green grass 8-15 cm (3-6 inches) in height!

Background and Objectives:

The Arizona Wine industry has grown in the past ten years into a viable industry which marketed approximately 50,000 gallons of Arizona produced wine in 1994. Much of this production comes from the Appellation Sonoita region near Elgin, Arizona. Concern has arisen in recent years that water resources of the region may not be sufficient to sustain extensive development of vineyards in the area. This concern is predicated, in part, on the assumption that significant amounts of

irrigation water are required for production of wine grapes. However, a thorough study of the irrigation water requirements for wine grapes in the region has not been undertaken. In a previous study of the suitability of water harvesting techniques for wine grapes in the region, Cadot, et al. (1989) estimated that a maximum of 7.8 inches of irrigation water would be required to supplement available rainfall when water harvesting methods were used. This estimate was for the driest of 20 years of simulated weather data and utilized consumptive use data developed for table grapes (Erie, et al., 1981) near Phoenix (Litchfield Park and Mesa). Water requirements of grapes, however, varies considerably with cultural practices (Doorenbos and Pruitt, 1984) including tillage practices and the level of stress tolerated. Generally, some degree of stress is desired in wine grapes prior to harvest to increase sugar content and maintain relatively small grapes which results in a higher ratio of skin to juice than is normal with table grapes where large turgid grapes are desired. Thus, this study was undertaken in order to better define the water use and irrigation requirements of wine grapes in Arizona and to help growers more effectively plan and manage irrigation. Several specific objectives were pursued: first to quantify a relationship between "growing-degree-days" (GDD) and crop evapotranspiration; secondly to define crop coefficients for the primary varieties grown in the region and finally to utilize this information together with historical weather data to calculate consumptive water use during a growing season and irrigation water requirements.

Evapotranspiration and Crop Water Requirements:

Evapotranspiration (ET) represents the water loss from a combined surface of vegetation and soil. ET is dependant upon several factors including; the stage of plant growth and development, the evaporative "demand" of the atmosphere, soil water availability, vine cultivar, insect damage and overall plant health and cultural practices (Mullins, 1992). Large and high trellis systems generally produce greater yields than systems which produce a smaller total leaf area. It is often assumed that the larger systems use more water. Williams and Matthews (1990) found that girdling grape vines decreases the water use of the vines for approximately one month after the girdling takes place. Irrigation frequency also has an effect on vine water use. If the soil water is depleted to the point that the vines are stressed, the use of water by the vines will decrease (Grimes and Williams, 1990).

Various methods for estimating crop water use from meteorological information have been proposed and are currently in use. Most ET estimation methods use four factors:

1. An estimate of reference evapotranspiration (ET_r) based on a specific reference crop. The two most common reference crops are cool-season grass and alfalfa. The estimates are made using semi-empirical equations and meteorologic data.
2. A crop coefficient (K_c) which describes both the dynamic seasonal and developmental changes in crop ET in relation to ET_r . The crop coefficient is thus a variable which is a function of the crop stage of phenological development and architecture.
3. A soil dryness factor (K_d) which describes the effect of low water content on transpiration and which has a close interrelationship to such properties as rooting depth and soil water holding

capacity.

4.A soil wetness factor (K_{co}) which describes the increase in ET due to soil surface wetness immediately after rain or an irrigation.

Crop water use is estimated using these factors in an equation:

$$ET_c = ET_r * ((K_c * K_d) + K_{co})$$

where ET_c is the estimated crop water use amount in the same units as ET_r and all K factors are unitless. While several methods are available for estimating reference crop evapotranspiration, the most commonly used are: the Jensen-Haise (radiation) method; the Penman (combination) method; the Pan Evaporation method and , more recently, the Penman-Monteith equation. The FAO Modified Penman method (Doorenbos and Pruitt, 1984) is probably the most widely used of these methods and is the one utilized by the Arizona Meteorological Network (AZMET) to estimate both hourly and daily ET_r . This equation is expressed as:

$$ET_r = c * [W * R_n + (1 - W) * f(u) * (e_a - e_d)]$$

where c is an adjustment factor to compensate for the effect of day and night weather conditions, W is a temperature related weighting factor, f(u) is a wind function, R_n is net radiation equivalent in inches/day and $(e_a - e_d)$ is the vapor pressure deficit. This equation is also utilized by the Arizona Irrigation Scheduling program (AZSCHED) (Fox, et al. 1996) to estimate daily ET_r . The FAO Modified Penman equation was the method used in this research to calculate daily reference crop evapotranspiration and these calculations were made using the AZSCHED program.

Some researchers have found that for a wide range of both annual and perennial crops, heat is the most single important climatic variable affecting the rate of phenological development and achievement of physiological maturity (and therefore K_c) under normal conditions of solar radiation (Slack, et al., 1994). A convenient way to express the accumulation of heat is in the form of "growing-degree-days" or "growing-degree-hours". This method is preferable to the other widely used method of expressing K_c which is either as a fraction of the growing season or as "days after emergence" for annual crops or "days after budbreak" for deciduous fruit crops such as grape vines. This report uses growing-degree-days calculated in the simplest form which, for a particular crop, is:

$$GDD = T_{mean} - T_{base} \quad (3)$$

where T_{mean} is the daily mean air temperature and T_{base} is the minimum daily mean air temperature required for crop growth. This is a unique characteristic of the crop. Equation 3 is valid for $T_{\text{base}} \leq T_{\text{mean}} \leq TG_{\text{max}}$ where TG_{max} is the daily mean air temperature above which crop growth and development is constant. For example, a crop which has $T_{\text{base}} = 10^{\circ}\text{C}$, a daily mean air temperature of 20°C and TG_{max} of 25°C would yield 10 degree-days of growth per day. On the other hand if the daily mean air temperature was 30°C , the degree-day accumulation for one day would be 15 (25-10) since the maximum temperature for growth is 25°C .

The use of water by wine grapes is characterized by low water use early in the growing season and after harvest and by high demand when canopies are fully developed. Crop coefficients have been developed for table and wine grapes in different places around the world (Bucks, et al., 1985; Tosso and Torres, 1986; Doorenbos and Pruitt, 1984). All such curves have the characteristic of low values early and late in the season with peak values in mid-season. Bucks, et al. (1985) determined a maximum crop coefficient for Perlette, which is a table grape variety, in the Phoenix area to be 0.63. Table I shows these crop coefficients as a function of both time and GDD.

Table I. Semi-monthly K_c values and semi-monthly accumulated GDD values for Perlette grapes for Phoenix, Arizona.

Semi-monthly Period	Cumulative GDD	Crop Coefficient K_c
15-28 Feb	38.0	0
1-15 Mar	114.0	0.07
16-31 Mar	212.2	0.21
1-15 April	340.4	0.35
16-30 April	510.4	0.50
1-15 May	705.2	0.52
16-31 May	936.1	0.45
1-15 June	1194	0.61
16-30 June	1478.7	0.63

Wine grapes are harvested at a higher accumulation of GDD. In Maipo Valley Chile this accumulation was about 1.2 times that of Perlette for Pinot Noir, Sauvignon Blanc, Chardonnay and Cabernet Sauvignon varieties (Villaseca, et al., 1986; Tosso and Torres, 1986). If a similar relationship exists between these varieties in Arizona, we might expect the maximum accumulation of GDD to be around 1800. To further assess the duration of the growing season in

terms of GDD, we calculated GDD for a typical growing season using historical temperature data (Sellers, et al., 1985). A "calendar" of phenological development stages for two varietal groupings is shown in Table II. This information is based on personal communication with Dr. Gordon Dutt who has produced these varieties in the Elgin, Arizona area (Dutt, 1995).

Table II. Phenological stages for wine grapes at Elgin, Arizona (Dutt, 1995)

Growth Stage	Wine Grape	
	Pinot Noir-Sauvignon Blanc-Chardonnay	Variety Cabernet Sauvignon
Bud Break	4 th week March	1 st week April
Green Shoot	1 st week April	2 nd week April
Bloom	1 st week May	2 nd week May
Veraison	2 nd week Aug.	2 nd week Aug.
Maturity	4 th week Aug.	1 st week Sept.

Based on these growth stages and a base temperature for growth of 10° C, corresponding accumulations of GDD for each of these periods were developed and the crop coefficient data of Table I modified to correspond to the typical management of wine grapes whereby they are water stressed near the veraison stage to maintain a small fruit size thus providing a greater percentage of skin per unit volume of grape juice. Table III shows the resulting crop coefficient values as a function of accumulated GDD for the two variety groupings. It should be pointed out that these coefficients are for fully mature vines (approximately five years old) and that for younger vines the water use and therefore the crop coefficients be less.

Figure 1 illustrates the coefficient in graphical form for the Cabernet Sauvignon grape variety in terms of days after bud break (assumed to be April 1). Figure 2 is the same graph expressed in terms of GDD (°F basis: 50°F = 10°C). Figures 3 and 4 illustrate the same information for the Pinot Noir, Sauvignon Blanc and Chardonnay varieties.

Water Status and Wine Quality:

Grape quality is largely determined by the composition and size of the fruit. While large size is an important quality factor for table and raisin grapes, small size is preferred for wine grapes, particularly for the red wine grapes since fermentation is conducted with the skins. Small grape size (large surface to volume ratio) is preferred since the dermal tissue (skin) contains most of

Table III. Crop coefficients for wine grapes as a function of accumulated growing degree days ($^{\circ}\text{C}$ basis: to convert to $^{\circ}\text{F}$ basis, multiply by $9/5$).

K_c	GDD (Pinot Noir, etc)	GDD(Cabernet Sauvignon)
0	0	0
0.07	146	162
0.21	272	301
0.35	436	483
0.5	653	725
0.52	903	1001
0.45	1310	1300
0.50	1410	1370
0.50	1510	1443
0	1800	1800

the color and flavor-producing compounds. Clearly, smaller grapes are produced on vines that experience water deficits than on vines that are continually without stress.

The concentration of sugars in wine grapes determines the final alcohol content and its influence on wine flavor. Wine grapes typically contain 21 to 24 % fermentable sugar at harvest. Harvesting after this level of sugar is reached tends to reduce total yield by increasing the number of dry grapes (raisins).

The accumulation of sugar is much less sensitive to water deficits than is fruit growth. Hence, irrigation generally increases yield while frequently having little effect on sugar concentration. When sugar accumulation is affected, it is delayed by increased turgidity in the grapes. Organic acid levels normally range from 6 to 12 grams per liter (expressed as tartaric acid equivalents) in wine grapes at harvest. The acid level in grapes is important to balance the acidity of the wine. A moderate decrease in titratable acidity was observed where plant water status indicated significant water deficits (Bravado, et al., 1986).

Sotomayor and Lavin (1984), found that wines from high water level vines were lower in alcohol, extract total polyphenols, color intensity and pH and higher in titratable acidity than vines which experienced some degree of water stress. In addition to laboratory analysis, sensory evaluation detected differences in color, aroma, body, taste, astringency and general quality between wines from continuously unstressed vines and those that were stressed after veraison.

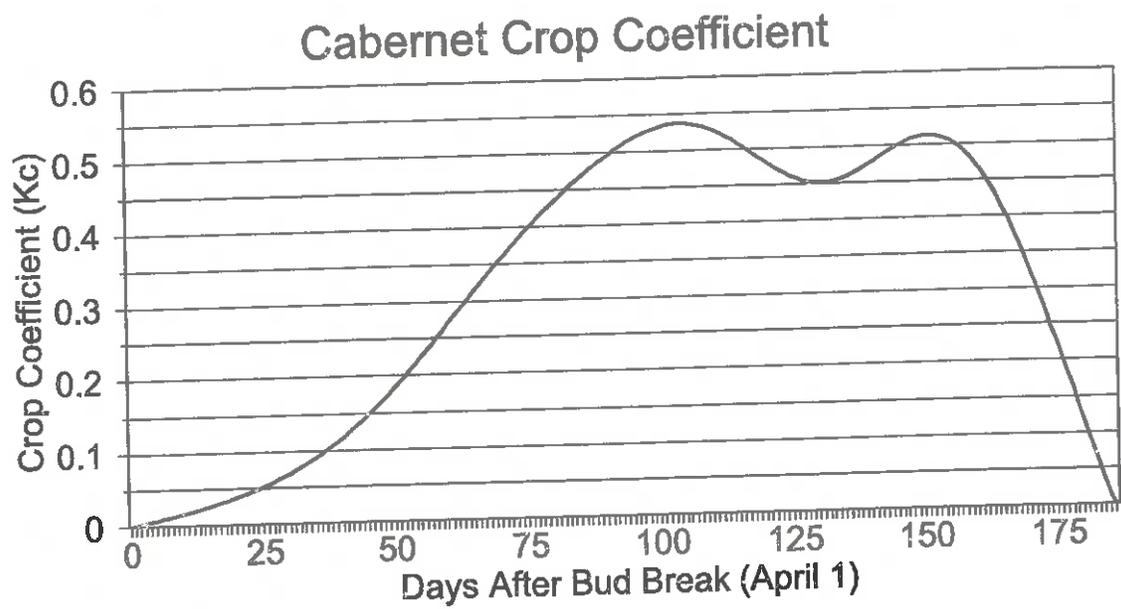


FIGURE 1. Crop Coefficient Curve for Cabernet Sauvignon Grapes as a Function of Days After Bud Break.

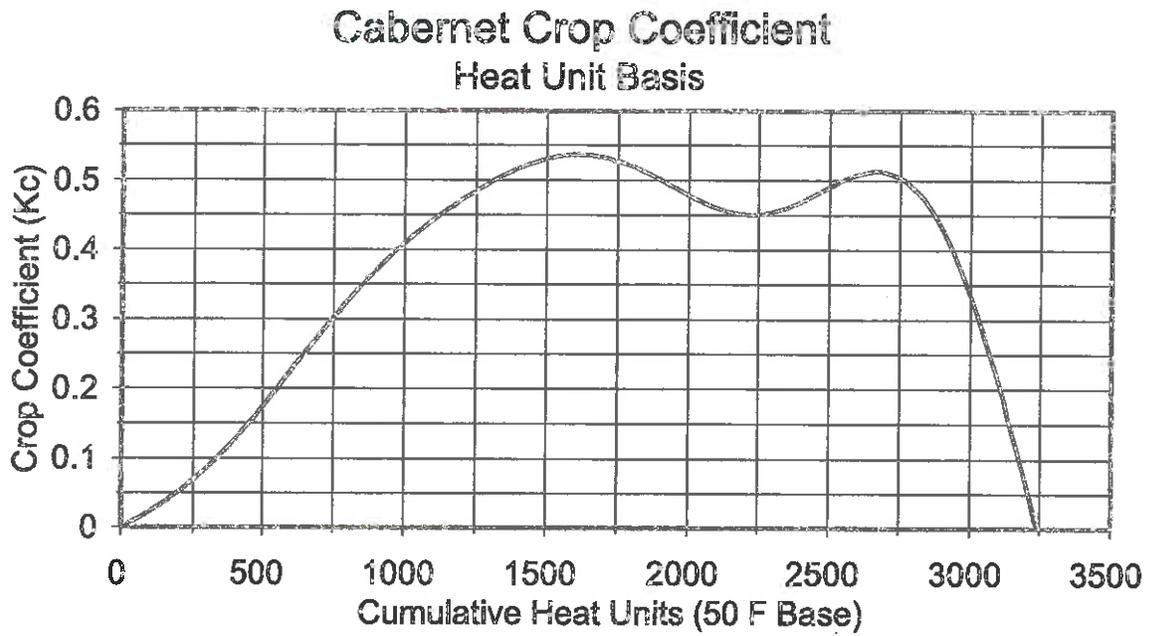


FIGURE 2. Crop Coefficient for Cabernet Sauvignon Grapes as a Function of Growing-Degree-Days

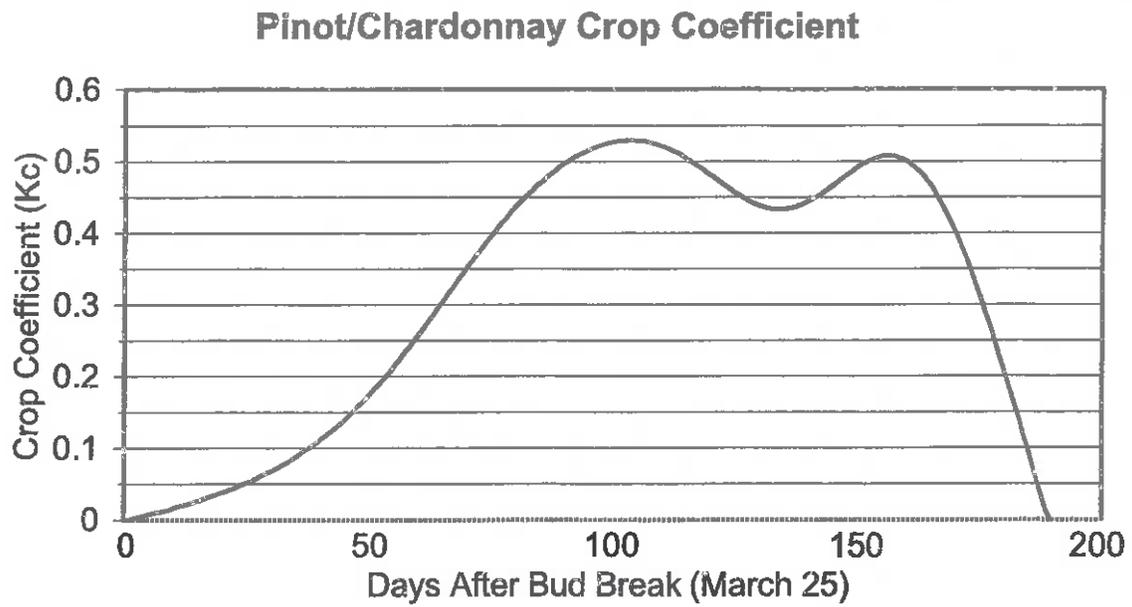


FIGURE 3. Crop Coefficient Curve for Pinot Noir, Sauvignon Blanc and Chardonnay Grapes as a Function of Days After Bud Break

Pinot/Chardonnay Crop Coefficient Heat Unit Basis

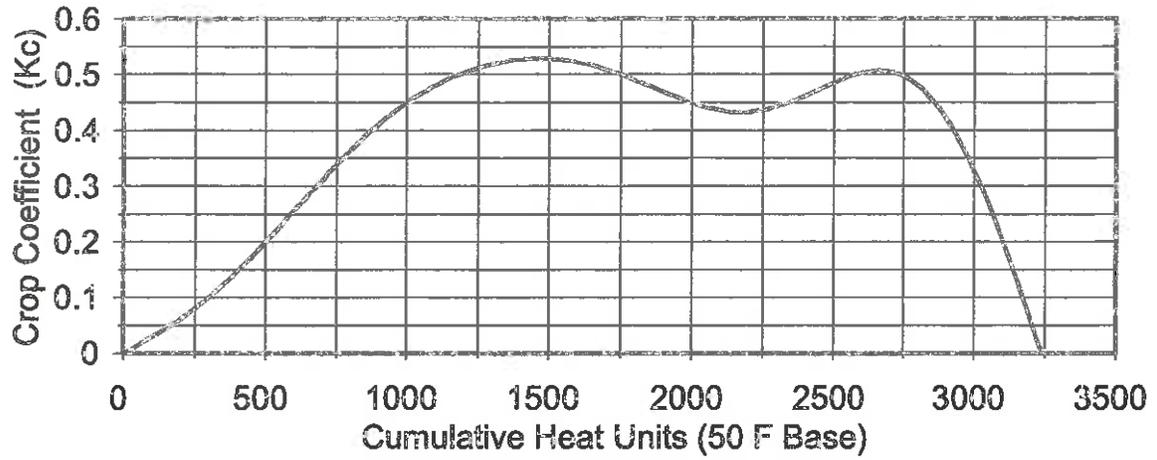


FIGURE 4. Crop Coefficient Curve for Pinot Noir, Sauvignon Blanc and Chardonnay Grapes as a Function of Growing-Degree-Days.

Wines from stressed treatments were *always superior in every way* to those from continuously unstressed vines! Thus for wine grapes, it is recommended that some degree of stress be allowed to occur after veraison (the onset of color change) which occurs at about 1300 GDD ($^{\circ}\text{C}$) for both of the variety groups shown in Tables II and III. For this reason, the crop coefficient is reduced from 0.52 to 0.45 and allowed to increase again only to 0.50 prior to harvest. This contrast with the crop coefficient of 0.63 shown in Table I for Perlette table grapes where large fruit is desired at harvest.

Water Use and Irrigation Requirements for Wine Grapes in the Sonoita Region

In order to assess the irrigation water requirements and water use of wine grapes in the Sonoita wine growing region, a "typical" location of Sonoita Vineyards was selected. The soil at this location is a Whitehouse soil which is typical of the region with an available water holding capacity of 6 inches in a maximum rooting depth of 4.92 feet (Cadot, 1989). A drip irrigation system is typically used for wine grape production and these systems generally operate at a level of 90% efficiency (90% of the water applied winds up in the root zone and can be fully utilized by the plant). While the root zone is capable of holding 6 inches of water, irrigation is typically undertaken well before all of that water is depleted. For most fruit crops, including wine grapes, a typical level of allowed depletion is 45%. Thus, irrigation is recommended whenever 2.7 or more inches of soil water has been depleted. Since the average annual precipitation at this location (Canelo, Sellers, et al., 1985), is 17.8 inches and 11.1 inches of this occurs during the growing season for wine grapes, it is quite likely that in normal years the root zone should be near "field capacity" in terms of water content as a result of winter rains (field capacity is the amount of water which remains in the root zone after the soil has been fully irrigated and any excess water allowed to drain from the soil profile). Figure 5 illustrates the average cumulative rainfall in inches at the Canelo meteorological station. For the illustration presented in this report the assumption was made that the root zone contained 6 inches of available water at bud break. Of course, in drought years or in years where significantly less than 6 inches of rain occurs between October first and April first, the vineyard should be irrigated prior to bud break to bring the root zone to near field capacity.

An irrigation water requirement calculating program, AZSCHED, was utilized to calculate daily evapotranspiration and irrigation requirements based on long-term historical weather data from the Canelo weather station which is the nearest such station in the region. The long-term weather data was obtained from Sellers, et al. (1985) and used to construct a complete data set for Canelo/Sonoita which is included in this report on an AZSCHED program diskette. The crop coefficients shown in Table III were also incorporated into this program. The program uses a soil water balance approach to determine when irrigation is required and how much is required to bring the soil back to field capacity. While the program calculates ET and irrigation requirements in inches, the results are presented in gallons per plant since most growers utilize drip irrigation systems which have emitters calibrated in gallons per hour.

Canelo Cumulative Precip

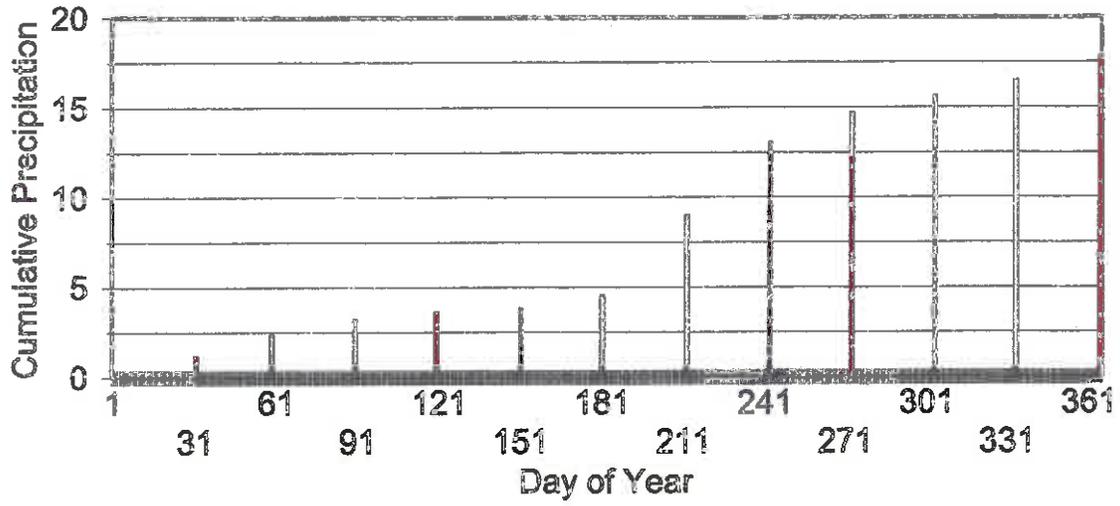


FIGURE 5. Cumulative Rainfall at Canelo, Arizona. Historical Average.

Figure 6 illustrates weekly water use in gallons per plant (per week) for the Cabernet Sauvignon variety. Maximum water use occurs during the fourteenth week after bud break or about the first week of July. At this time the vine is using about 64 gallons of water per plant per week (9 gallons per day). Fortunately this corresponds to the onset of significant summer rains which, although amount to the equivalent of only 30 gallons per week during the first week of July as can be seen from figure 7, increase to an average of 90 gallons per week the following week. While ET exceeds rainfall from the fourth week after bud break through the 14th week, irrigation is not required until the first week of June (week 10) if the soil profile was at field capacity at the beginning of the season. With the weekly rainfall illustrated in figure 7, one inch (60 gallons per plant) of irrigation would be required during the first, second, third and fourth weeks of June. An additional one inch irrigation is required the second week of July and then a final one inch irrigation at the end of the second week of August. Figures 8 and 9 illustrate similar relationships for the Pinot Noir-Sauvignon Blanc-Chardonnay varieties and in an "average" rainfall year, the irrigation timing and amounts would be similar. Of course, actual irrigation timings and amounts will depend on actual rainfall occurrences and amounts as well as other weather related factors such as temperature and humidity. Figures 10 and 11 illustrate daily water use for Cabernet and the Pinot grouping respectively for the "average" weather conditions analyzed. Note that the maximum daily water use is on the order of 9 gallons per day per plant for both variety groups. This compares very favorably with other fruit crops. For example mature grapefruit trees use as much as 75 gallons per plant per day! The AZSCHED program and manual have been attached to this report and it could be used to assess other scenarios of rainfall and weather.

Summary:

Historical weather data from the Canelo station were used to develop estimates of reference crop evapotranspiration for the primary growing season for wine grapes in the Sonoita wine growing region of southeast Arizona. Crop coefficients for two different variety groups were developed from the literature and from growing season temperature distributions. The coefficients were then used in a computer model, AZSCHED, to estimate both the water requirements of the wine grapes and the corresponding irrigation requirement for a "typical" season. Results indicate that, if "over winter" rains are sufficient to fill the soil profile prior to bud break, only 6 inches of irrigation is required for the entire season, primarily throughout the month of June and after monsoonal rainfall begins to diminish in late August. Average growing season rainfall is 17.8 inches in the region with 11.1 inches occurring during the wine grape season. Total growing season water requirements for both types of wine grapes is about 16 inches. For a typical vineyard this translates to about 960 gallons of water per plant. However, an inch of rainfall provides 60 gallons of water for plant use. Thus, after accounting for irrigation efficiency, only 360 gallons of irrigation (6 inches) would be required per plant per season during a typical season. Maximum water use for wine grapes occurs during the first week of July and amounts to about 9 gallons per day per plant. Typical rainfall during that time period however, provides half of the water required and after the first week of July, further irrigation would normally not be required until mid to late August. A clean-tilled vineyard uses only about half of the water that would be used by a cover of green grass under the same climatic conditions! Crop coefficient curves for the two wine grape variety groups have been incorporated into the AZSCHED crop data base as well as long term "default" weather data for the Sonoita/Canelo region of Arizona. This will allow

growers or others to assess the water and irrigation requirements of wine grapes in “real-time”, providing that they have access to daily temperature data.

Cabernet Weekly Water Use (Gal/plant)

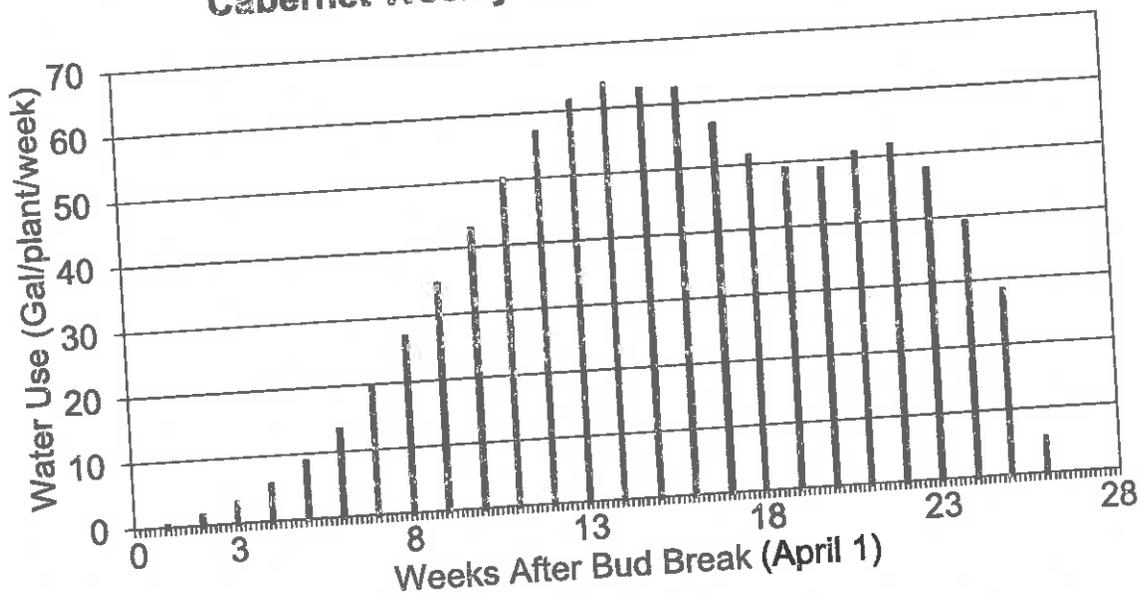


FIGURE 6. Weekly Water Use for Cabernet Sauvignon Grapes at Elgin, Arizona

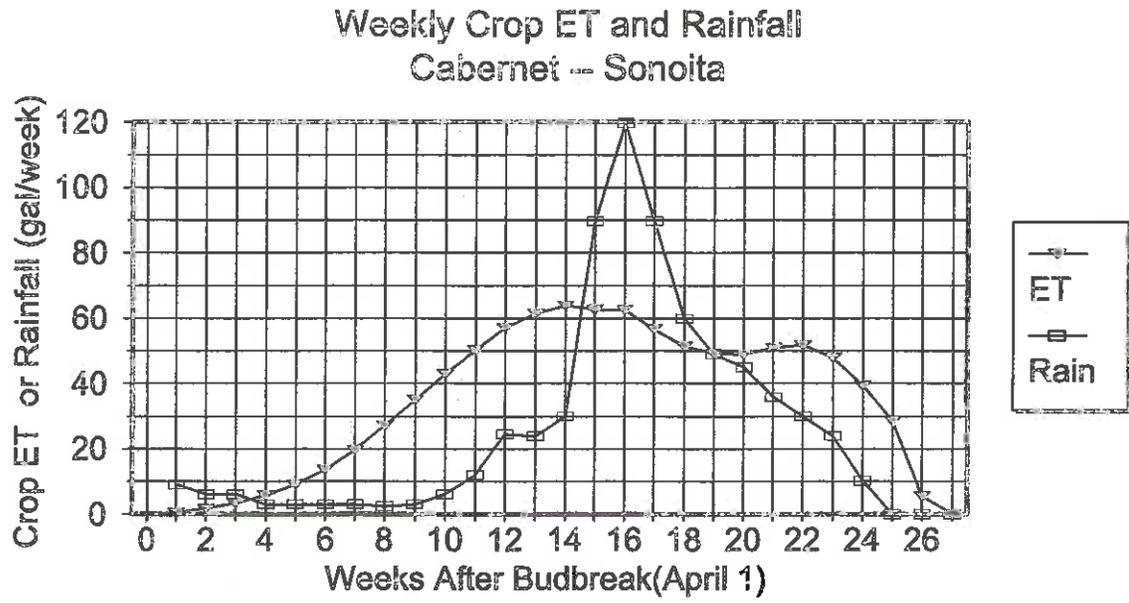


FIGURE 7. Weekly Water Use and Rainfall for Cabernet Sauvignon Grapes at Elgin, Arizona

**Pinot/Chardonnay Weekly Water Use
(Gal/Plant)**

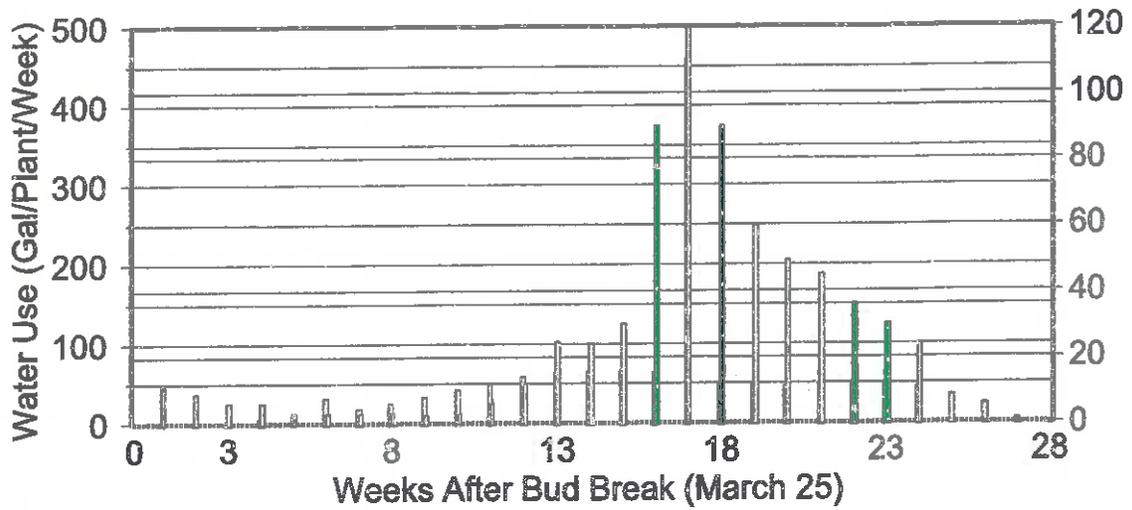


FIGURE 8. Weekly Water Use for Pinot Noir, Sauvignon Blanc and Chardonnay Grapes at Elgin, Arizona.



The Voice

Arizona Agriculture Needs More Wine Grapes!

Posted by [Julie Murphree](#) on Wed, Jul 24, 2013@03:51 PM

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By [Julie Murphree](#), [Arizona Farm Bureau](#): While Arizona agriculture is becoming expert in turning "[Water into Wine](#)," the state does not have enough acreage planted in wine grapes to meet the current demand for Arizona wine. As a result, Arizona winemakers must import grapes from other states for winemaking because of the lack of wine grapes available.

"It is a goal of the [Arizona Wine Growers Association](#) to encourage the planting of more vineyards to help meet the growing demand for Arizona wine made from Arizona grapes," explains Peggy Fiandaca, president of the Arizona Wine Growers Association.

More than 60 bonded wineries exist in Arizona; up from nine in 2000.

Quoting her from a recent [Western Farm Press](#) article, Fiandaca said, "The opportunities of the Arizona wine industry are great, and there is no reason that the wine industry cannot be the next billion dollar wine region like Washington and Oregon."

A 2011 study by the Arizona Wine Tourism Industry funded by the Arizona Office of Tourism found that wine visitors had an estimated \$22.7 million benefit in direct expenditures resulting in a total economic impact of \$37.6 million supporting 405 total jobs.

Southeastern Arizona is the third major wine grape-growing region and one of the fastest in the amount of acres planted.

Jim Graham, [Arizona Farm Bureau](#) member, Pistachio grower and recent entrant into the wine grape growing scene is excited about the 26 acres (21,000 grape vines) he's growing in Southeastern Arizona. He's growing 9 different varieties: Sangiovese, Syrah, Zinfandel, Cabernet Sauvignon, Petite Sirah, Grenache, Mourvedre, Cabernet Franc and Petit Verdot.

He plans to grow more.

"Currently, all our grapes growing are red varieties," says Graham, owner of [Golden Rule Vineyards](#). "I want to add some white. Ultimately, my first realistic threshold for expansion of grape vines is 40 acres. I have room to plant more than 100 acres but beyond 40, it becomes a personnel issue."

For anyone getting into the wine grape business, the most limiting factor is expense to plant those first vines. If someone starts from scratch that includes buying land, drilling a well for water (in Cochise County well water nourishes the grape vines in the area), and basic infrastructure costs can run \$15,000 to \$20,000 per acre.

"The cost to plant a vineyard is the biggest reason you don't hear about wine grape acreage exploding in Arizona," explains Graham. "You'll then have your future overall costs including labor to effectively manage in your business plan."

Graham, who farmed a diversified crop and livestock operation in Iowa for 25 years before moving to Arizona, has always believed diversification in agriculture is critical and why he expanded into wine grapes. "We were pretty dependant on Pistachios and we wanted a compatible crop but one that created a more value-added crop, like wine," Graham says. "We can do wine in small quantities and still add significant value to the crop we raise."

Producing 60 to 70 tons of grapes in the 2013 season, Graham sells about two thirds of his grapes to other Arizona wineries. In fact, Golden Rule Vineyards is one of the few vineyards selling a substantial portion of its grapes to other Arizona wineries.



They sell to Eric Glomski and Maynard James Keenan's [Arizona Stronghold Vineyards](#), also Eric Glomski's [Page Springs Cellars & Vineyards](#). They also sell their wine grapes to Rob and Sarah Hammeiman's [Sand Reckoner Vineyards](#) in Willcox and to Kief Manning's [Kief-Joshua Vineyards](#) in Elgin.

Expressing his excitement and enthusiasm for this growing agriculture industry, Graham says, "We've had the wine industry in Arizona for 30 years or more but it's really taken off recently because of some excellent winemakers like Eric Glomski and Tim White at Arizona Stronghold and Rob and Sarah Hammelman, and others."

And, Willcox is becoming a focus area for growing premium wine grapes including a new winery recently built in Willcox called Aridus Wine Company that's custom crushing the wine grapes for wineries. "It's a state-of-the-art custom crush facility," says Graham.

Regardless, wine grapes are growing all over. The three major growing regions include southern Arizona in the Sonoita/Elgin area, the Willcox area in Cochise County and the Verde Valley in Yavapai County. The elevation in these vineyard regions range from 3,800 feet to almost 6,000 feet. These regions allow for nice hot days and cool nights during the grape growing season.

As wine grape acres increase in Arizona, our Arizona wineries will be able to expect a greater dependence on this state's high-quality wine grapes.

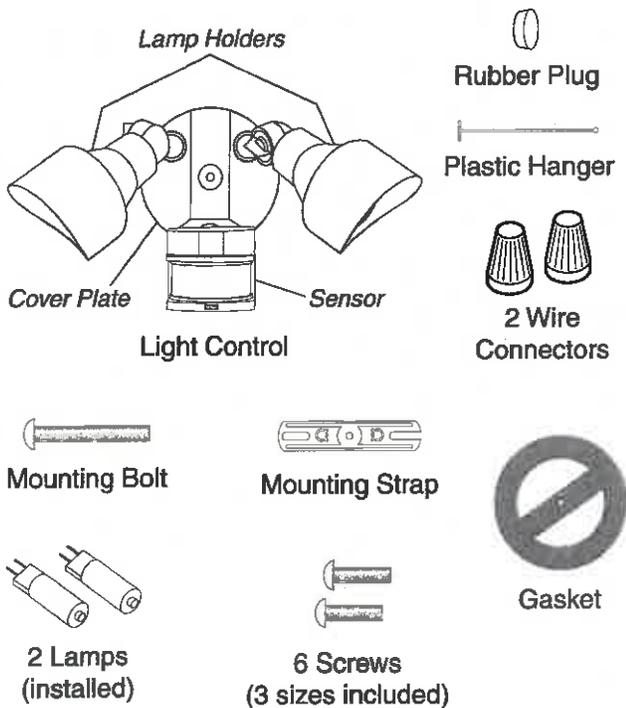
DUALBRITE® Motion Sensor Light Control

Model 5597

Features

- Turns on lighting when motion is detected.
- Automatically turns lighting off.
- DUALBRITE® Timer.
- Photocell keeps the lighting off during daylight hours.
- LED indicates motion was sensed (day or night).

This package includes:



Requirements

- The light control requires 120-volts AC.
- If you want to use Manual Mode, the control must be wired through a switch.
- **Some codes require installation by a qualified electrician.**
- This product is intended for use with the enclosed gasket and with a junction box marked for use in wet locations.

OPERATION

Mode:	On-Time	Works: Day	Night
Test	5 Seconds	x	x
Auto	1, 5, or 20 Min		x
Manual	To Dawn*		x
Accent	3, 6 Hr, to Dawn		x

* resets to Auto Mode at dawn.

Note: When first turned on wait about 1 1/2 minutes for the circuitry to calibrate.

TEST

Put ON-TIME switch on the sensor bottom to TEST and the DUAL-BRITE® switch OFF.

ON-TIME TEST 1 5 20

DUALBRITE® Off 3 6 Dusk to Dawn

AUTO

Put the ON-TIME switch in the 1, 5, or 20 minute position.

ON-TIME TEST 1 5 20

MANUAL MODE

Manual mode only works at night because daylight returns the sensor to AUTO.

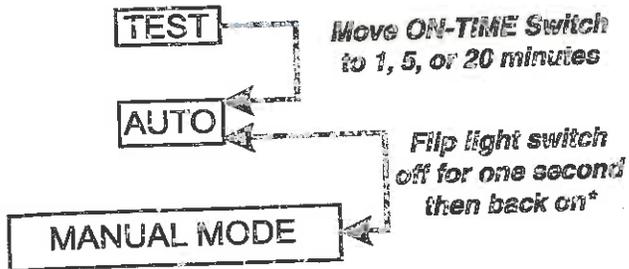
Flip the light switch off for one second then back on to toggle between AUTO and MANUAL MODE.

1 Second OFF then...

Manual mode works only with the ON-TIME switch in the 1, 5, or 20 position.

... back on.

Mode Switching Summary



* If you get confused while switching modes, turn the power off for one minute, then back on. After the calibration time the control will be in the AUTO mode.

DUALBRITE® Timer

Light comes on half bright for selected time after dusk (Off, 3 hr., 6 hr., until dawn). Selecting OFF disables this feature. The motion sensing features will continue to work as described in this manual. If motion is sensed, the light turns on full bright for the ON-TIME (1, 5, or 20 minutes) then returns to dim mode.

INSTALLATION

CAUTION: Keep the sensor at least 2" (51 mm) away from the bulbs.

CAUTION: To Avoid Fire Or Burn Hazards:

- Allow fixture to cool before touching. The bulb and the fixture operate at high temperatures.
- Keep fixture at least 2" (51 mm) from combustible materials. Do not aim at objects closer than 3' (1 m).
- Use only T4 100W (max.), G8 tungsten halogen bi-pin 120 VAC bulbs.

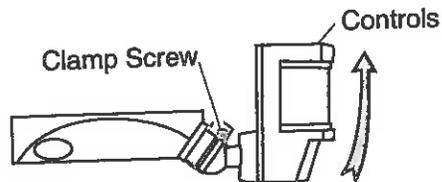
For easy installation, select an existing light operated by a wall switch for replacement. **IMPORTANT:** Do NOT use with dimmers or timers.

For best performance, mount the fixture about 8 feet (2.4 m) above the ground. **NOTE:** If fixture is mounted higher than 8 feet (2.4 m), aiming the sensor down will reduce coverage distance.

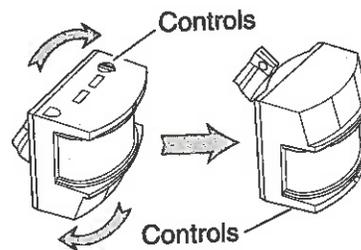
For under eave installation, the sensor head must be rotated as shown in the next two steps for proper operation and to avoid the risk of electrical shock.

For eave mount only:

1. Swing the sensor head towards the clamp screw joint.



2. Then rotate the sensor head clockwise 180° so the controls face down.



If the sensor pops out of the ball joint, loosen the clamp screw and push the sensor back into the ball joint. Tighten the clamp screw when done.

Friday, March 25th, 2016

Dear Property Owner,

This is a notice regarding a special use application and hearing regarding the property located at 11429 N. Moore Road in Elfrida. The special use hearing will be regarding medical cannabis cultivation and is currently scheduled for May 11th, 2016.

The special use application is for the cultivation of medical cannabis within a commercial, polycarbonate greenhouse. There will not be a dispensary on site, and no medicine will be sold to the public or given out to patients at this location.

As a school board member and longstanding member of the community, we have great interest in seeing jobs with livable wages brought to the area. All employees will have to undergo a background check as required by the state of Arizona prior to employment. Excess revenue will be earmarked for the school systems and donated for various school services, educational programs, transportation, and infrastructure improvements where it is desperately needed.

The project will be phased with additional greenhouse bays being added as required. Initially, this greenhouse structure will be approximately one acre in size and will increase based on capital available as well as patient demand throughout the state. Existing structures on site will be used for post processing and employee housing so that the operation is secured and staffed at all times. All work will be completed during the daytime, and the site will be closed at night. The cultivation area will be fenced with gated access allowing only authorized individuals to enter the cultivation area.

Additional environmentally friendly features will be utilized which include rainwater catchment, organic-only production, as well as solar power. An existing well will supplement the site with additional irrigation water and all regulations for the Douglas INA will be followed including the currently held water rights and reporting requirements into the future.

A site plan can be found on the following pages which show the proposed structure after expansion.

Please contact me directly to request more information about the project or discuss details. You may also contact Jesse Drake, the Planning Manager for Cochise County, at the below location.

Jesse Drake
Planning Manager
1415 Melody Lane, Building E
Bisbee, AZ 85603
JDrake@cochise.az.gov

Sincerely,

Tim Frazier
(520) 559-6733
tgcsfrazierhoneybees@gmail.com



Cochise County
Community Development
Highway and Floodplain Division
Public Programs...Personal Service
www.cochise.az.gov

MEMORANDUM

Date: April 25, 2016
To: Jesse Drake, Planning Manager
From: Dennis L. Donovan, P.E. for Karen L. Lamberton, AICP County Transportation Planner
Subject: Frazier Medical Marijuana/SU-16-06/Parcel # 401-36-075

The applicants, Judy K. Korsmeyer and son, Tim Frazier, are requesting a Special Use authorization to use a portion of the subject parcel for construction of facilities for the cultivation and infusion of medical marijuana. The property is zoned RU-4, Rural, and the proposed growing and infusion processes are considered a Special Use in that zone under Sections 607.53 and 607.56 of the Zoning Regulations.

Special Use Authorization Conditions

We have no objection to issuing the requested Special Use Authorization with the following conditions:

1. In advance or concurrent with their first Commercial Permit application, the applicant is required to submit a Basic Traffic Statement describing the construction impacts, any phasing and describe proposed mitigation.
2. In advance or concurrent with their first Commercial Permit application the applicant is required to obtain a Cochise County Right-of-Way/Encroachment Permit and coordinate with the Highway Dept. to provide a commercial access apron at the N. Moore Rd. intersection connection with W. Courtland Rd. as per the County Roadway Design standards or as approved by the Highway Dept. County Engineer.
3. In advance or concurrent with their first Commercial Permit application the applicant is required to obtain a Cochise County Right-of-Way/Encroachment Permit and coordinate with the Highway Dept. to provide a commercial access aprons at the two existing driveway access points onto Moore Rd. as per the County Roadway Design standards or as approved by the Highway Dept. County Engineer.

Background

The applicant is proposing to cultivate and infuse medical marijuana on the site on approximately six acres of a 40 acre site located northeast of the Elfrida area. The property is located on the east side of N. Moore Rd. two (2) miles west of US Highway 191 and one-

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

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

quarter mile south of W. Courtland Rd. Access to the parcel's proposed facilities as indicated on the concept plan is shown to be provided at both of the two (2) existing driveways into the property from Moore Rd. The northerly driveway is about 1,800 feet south of Courtland Rd. and the second driveway about 2,450 feet south of Courtland Rd.

Driveway Access

A commercial driveway intersection will be required from the subject parcel onto Moore Rd. that meets or exceeds the County's Roadway Design Standards. Design standards require that driveways meet or exceed the existing roadway surface, in this case, native surface at the subject parcel connection. Standard commercial driveways for this type of use would typically be a native surfaced 24 feet wide driveway with 35 feet radii for facilitates turning movements of the larger and heavier vehicles that serve commercial and agricultural uses.

Right-of-Way/Encroachment Permit information is available from the Highway Dept. and can be obtained by contacting the Highway Dept. at 520-432-9300 and speaking with Francis Marinez. Both driveways are pre-existing, but there is no permit history for them on file at this time. The typical fee for most ROW/Encroachment Highway Permits is \$100.00 and should be obtained concurrently with, or in advance of, the Commercial Permit application for this use. It is highly recommended that the applicant proactively address this issue in advance of submitting their Commercial Permit so that their Commercial Permit site plan accurately illustrates the approved access roadway apron dimensions and surfacing.

Moore Road was established in 1969 as a primitive, native surfaced road. The County will not require the applicant to hard surface Moore Rd. from the required apron to their driveways at this time; however, if the Applicant would prefer a better surfaced access road, they may proposed an improvement under a ROW/Encroachment Permit for that portion of Moore Rd. from Courtland Rd. to their access driveway(s). There are no County plans to hard surface this road in the foreseeable future.

Traffic Analysis

This type of use is akin to a small-scaled agricultural use: average trip generation rates specifically for this type of growing operation have not been developed on either a national or state-level at this time. The applicant anticipates up to 25 employees, at full-build out of this project, which has the potential to generate an estimated range of 38.25 to 112.5 vehicle trips per day. Greenhouses tend to stabilize the typical seasonal variations inherent in open agricultural activities. The applicant is proposing a staged greenhouse development with three or five phases over time, as market demand allows.

Note: Vehicle trips are different than number of vehicles that travel to the site. Average vehicle trips per day also include incidental traffic generated due to the presence of any particular use (e.g. mail, deliveries, trash pick-up) and averages seasonal variations in trips generated.

The initial phase of construction would consist of the first 2.5 acres of greenhouses with rainwater catchment systems. The applicant indicates a start up operation with approximately 10 employees, which would likely generate estimated 30 vehicles trips per day with a potential range between 15.2 to 44.6 vehicle trips per day. The medical marijuana operation will be on the 6 acres of property most distant from the access road, Moore Rd.

If built out to a full residential use this 40 acre parcel would likely generate an average of 95.7 vehicle trips per day, for 10 residential units. As a growing and infusion operation only, with no dispensary operation, the requested use is not likely to change the type of use that has historically been on this site nor the type and volume of traffic associated with an agricultural greenhouse operation. It is likely that even at full build-out, as proposed by this applicant; the trip generation for this site would be less than if developed as a residential use. At this time the applicant is requesting to use about 6 acres of the full site for this proposed use.

Based on this conceptual plan phased improvements required at the Commercial Phase are anticipated to be:

1. **Phase I:** Construction of an hard-surfaced apron on the south side of the intersection of Moore Rd. and Courtland Rd. to protect the existing county road from anticipated traffic impacts from this commercial use.

This work would be coordinated with the Highway Dept. through a ROW/Encroachment Permit. Current County requirements include a roadway width of 24 feet at the south side of the apron (where it would match the native surface road extending to the south) and the radii will be 25 feet with a ribbon curb behind the arc to protect the pavement from damage.

Traffic Statement Requirements

Trip generation at this location is not significant enough to warrant a full Traffic Impact Analysis; however, additional information about potential phasing and construction impacts will be needed at the Commercial Permit phase. At the first Commercial permit submitted the applicant is requested to provide a Basic Traffic Statement. This report does not need to be completed by a Traffic Engineer but does need to include the following items:

- A. A brief description of the proposed project. Include a map that shows the access driveways and internal circulation as well as on-site parking areas.
- B. Provide information about the construction phase of this project; tentative construction schedule, number of construction trucks per day, size of trucks, days and times anticipated for construction traffic.
- C. Describe mitigation measures for controlling dust, if needed.
- D. Describe potential impact, duration and proposed mitigation for construction phases of the development. Specifically identify any measures that might need taken for traffic control during the construction phase and for reconstruction of the roadway after construction.
- E. Describe each phase of the project with tentative timeframes of implementation with traffic impacts and mitigation for each phase.

It may be that the construction phase is not significant enough to warrant any additional mitigation; however, at the conceptual stage it is hard to make that assessment. The applicant is advised that if there are clustered construction trucks making turning movements, warning drivers to slow and pay attention may be needed and/or other appropriate methods of traffic control to ensure safety for both the traveling public and the construction vehicle drivers.

Advisory Note for the Applicant

The conceptual plan is adequate for this Special Use application but will not be adequate at the Commercial Permitting stage. At the commercial permit stage additional details, including a sight distance triangle, per Zoning Regulation 1807.06 and/or Roadway Design Standards D-300, will be needed on the site plan or as a separate illustration (could include in Traffic Statement).

Failure to provide required details on the site plan at the Commercial Permit stage may result in the application being found deficient and returned for revisions. Checklists and examples available from the Planning and Zoning Dept. office.

Should the scope or scale of operation change during the process of review by the State and Federal agencies the applicant is advised that conditions related to off-site impacts may change.

If the applicant or the applicant's Traffic Engineer has any questions about the requested Traffic Statement they may contact our office for assistance.



**Cochise County
Community Development**

Highway and Floodplain Division

Public Programs...Personal Service
www.cochise.az.gov

INTEROFFICE MEMO

Date: March 4, 2016
To: Jesse Drake, Planning Manager
From: Teresa Murphy, Right-of-Way Agent
Subject: SU-16-06 (Fraizer)

Background: The applicant is requesting a Special Use authorization to approve a facility for the cultivation and infusion of medical marijuana on six acres of a 40 acre RU-4, D-Rural zoned property. The proposed uses are considered Special Uses in RU-4 Rural Zoning Districts under Section 607.53 and 607.56 of the Zoning Regulations. The subject parcel, APN 401-36-075, is located at 11429 N. Moore Road, Elfrida, AZ. It is further described as being situated in Section 29 of Township 19 South, Range 26 East of the Gila and Salt River Base and Meridian, in Cochise County, Arizona. The applicants are Judy K. Korsmeyer and Tim Fraizer. Right-of-Way Staff was contacted by Planning and Zoning to review the permit and provide comments regarding right-of-way dedication needs for county maintained roads.

Analysis:

- Access for the subject parcel is 2 miles west of Highway 191 north of Elfrida to West Courtland Road, west on Courtland Road to Moore Road, south one-quarter mile to the site.
- Adjoining the subject parcel, Moore Road is a county maintained road (#645)
- Moore Road was established as a Primitive Road September 6, 1994 per Resolution 94-87
- Records indicate that the right-of-way has not been perfected at this time.

Recommendation:

- It is recommended that the applicant perfect the right-of-way for Moore Road. While Primitive is for roads that were not built to standard, for it to be built to standard, it appears this would be classified as a Rural Minor Access with a minimum right-of-way width of 50 feet. County Staff is able to prepare dedication documents for right-of-way along the western boundary of the subject parcel.

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

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

Drake, Jesse

From: Cratsenburg, Diane E
Sent: Tuesday, March 22, 2016 4:51 PM
To: Drake, Jesse
Subject: RE: SU comments

Forgot to note that the informational permits have no fee -- added it in red to my original email, below.

Diane Cratsenburg
Engr Tech III
Cochise County Community Development
Highway and Floodplain Division
1415 Melody Lane
Bisbee, AZ 85603
520-432-9327
520-432-9337 fax

Public Programs...Personal Service
www.cochise.az.gov

From: Drake, Jesse
Sent: Tuesday, March 22, 2016 4:44 PM
To: Cratsenburg, Diane E
Subject: RE: SU comments

Thank you!

From: Cratsenburg, Diane E
Sent: Tuesday, March 22, 2016 4:44 PM
To: Drake, Jesse
Cc: Ellis, Ronald J; Lamberton, Karen L; Donovan, Dennis L; Wisehart, Melvin D
Subject: SU comments

16-04 – 6952 S Covered Wagon Rd, Willcox - Kriaris – no off-site improvement requirements.

16-05 – 14066 S Sunglow Rd – Canna Consultants - no off-site improvements required – applicant should be advised that these are primitive roads which receive very minimal maintenance with no change planned in the foreseeable future.

16-06 – 11429 N Moore Rd – Frazier –

* Applicant may have to provide apron at Moore/Courtland intersection at commercial permitting, which would have a fee of \$125 and would involve placement of a chip seal apron on the south side of W Courtland Rd at N Moore Road.
* No permit history for the existing driveways located at roughly 0.33 and 0.44 miles south of Courtland Road and noted on the Overall Site Plan submitted with the Special Use authorization request. An informational ROW encroachment permit (**no fee**) will be needed to document the existing driveways. A permit with a fee of \$100 would be required should the applicant wish to establish any additional driveways to access the parcel.

Diane Cratsenburg
Engr Tech III
Cochise County Community Development
Highway and Floodplain Division
1415 Melody Lane



Sulphur Springs Valley Electric Cooperative, Inc.

A Touchstone Energy® Cooperative



REVIEW

To: Jesse Drake-Planning Manager-Cochise County Community Development
From: Ruth Bigelow-Right of Way Agent
Date: March 8, 2016
Re: SU-16-06 (Frazier) Medical Marijuana-401-36-075

- o SSVEC has no issues with this Special Use Permit

If you have any questions concerning this review please contact me at 520-384-5513 or rbigelow@ssvec.com

Special Use Docket SU-16-06 (Frazier)

YES, I SUPPORT THIS REQUEST
Please state your reasons:

*We need jobs in Elfrida. Our town is
dying. Our teachers are not getting paid. ~~Some~~
people are getting paid minimum wage which
is not a living wage. With nothing else that
looks good in the future. I dont have a better plan
do you?*

NO, I DO NOT SUPPORT THIS REQUEST:
Please state your reasons:

(Attach additional sheets, if necessary)

PRINT NAME(S): Mike Abrye

SIGNATURE(S): *Mike Abrye*

YOUR TAX PARCEL NUMBER: 401-36-027 (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. Submission of 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 no later than 4 PM on Monday, April 25, 2016 to be included in the staff report to the Commission in order for them to consider the comments before the meeting. We cannot make exceptions to this deadline; however, if you miss the written comment deadline for the staff report you may still mail or send email comments to Jesse Drake at jdrake@cochise.az.gov that must be received by May 10, 2016 to have your support or non-support noted verbally noted at the meeting. You may also personally make a statement at the public hearing on May 11, 2016.

NOTE: Please do not ask the Commissioners to accept written comments or petitions at the meeting; your cooperation is greatly appreciated.

RETURN TO: Jesse Drake, Planning Manger
Cochise County Planning Department
1415 Melody Lane, Building E
Bisbee, AZ 85603

Special Use Docket SU-16-06 (FRAZIER)

YES, I SUPPORT THIS REQUEST

Please state your reasons:

RESEARCH SHOWS BENEFITS FOR MEDICAL MARIJUANA
NOT "STREET" DRUG - I'M NOT FOR THAT
WOULD BE A GOOD THING
GOOD FOR ELFRIDA ECONOMY - PROVIDES JOBS
BETTER THAN OXYCODONE

NO, I DO NOT SUPPORT THIS REQUEST:

Please state your reasons:

(Attach additional sheets, if necessary)

PRINT NAME(S): JUDY ROSENBERG

SIGNATURE(S): BY PHONE
2440 N. SYCAMORE
TUCSON AZ 85712

TAX PARCEL NUMBER: _____ (the eight-digit identification number found on the tax statement from the Assessor's Office)

Hearing date: MAY 11, 2016

TAKEN BY: Jesse Drake, Planning Manger
Cochise County Planning Department
1415 Melody Lane, Building E
Bisbee, AZ 85603

SU - 16 - 06 — MEDICAL CANNABIS CULTIVATION

Thank you for taking the time to discuss and consider our proposal for a potential medical cannabis cultivation on Moore Road. As a compassionate group, we are committed to bringing great community benefits as well as local jobs and community contributions to the community of Elfrida, Cochise County, and the Elfrida School District. Please sign below or call Jesse Drake at 520-432-9300 to show your support for this project.

	Name	Address	Phone	Signature
1	Wes Bohlander	P.O. Box 620	520-507-4895	<i>[Signature]</i>
2	Luke Sadowski	7518 McNeal Hwy	602-909-0121	<i>[Signature]</i>
3	BRYAN LUNA	11724 N Moore Rd	520 6784889	<i>[Signature]</i>
4	Cale Luna	P.O. Box 171	520-265-0053	<i>[Signature]</i>
5	Thomas Gerold	P.O. Box 65	520-448-0150	<i>[Signature]</i>
6	DALE BRYANT	3657 W. THOMPSON RD	678-4813	<i>[Signature]</i>
7	CHRIS OCTHA	P.O. BOX 211 MCNEAL AZ 85612	520.204.9243	<i>[Signature]</i>
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COCHISE COUNTY

APR 25 2016

PLANNING

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SU-16-06 - MEDICAL CANNABIS CULTIVATION

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	Name	Address	Phone	Signature
1	Barbara M. Johnson	215A Brewery Ave, Bisbee	432-3256	Barbara M. Johnson
2	Bill Stoller	74 Cochise Row	227-4044	Bill Stoller
3	Ralph Rattelmüller	215 A Brewery Ave ^{Bisbee}	432-2220	Ralph Rattelmüller
4	Dean R. Jolly	303 Tombstone Canyon	236-4818	Dean R. Jolly
5	Terry Kanner	15096 Rick City	630-9000	Terry Kanner
6	Curtis Makin	614 Campbell St. Bisbee AZ	678-0929	Curtis Makin
7	Staats Marsch	Po Box 1229 Bisbee	520 ⁴⁵⁶ 6254	Staats Marsch
8	JOHNNY HART	148 BREWERY AV.	432-3984	John Hart
9	Eddie Fisher	508 Shattich St	366-8381	Eddie Fisher
10	JEVE AMOS	17 Cochise road	353-5007	J Amos
11	Frances Martinez	30 Hillside	366-1116	Frances Martinez
12	Barbara	52 Spay Ave	508470	Barbara
13	Robert Patnode	P.O. Box ^{150 Brewery} 1098 Bisbee	373 2121	Robert Patnode
14	Phil Yossem	510 Hatson AV Bisbee	432-5578	Phil Yossem

(14)

COCHISE COUNTY

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SU-16-06 — MEDICAL CANNABIS CULTIVATION

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	NAME	Address	Phone #	SIGNATURE / CHECK
30	Maria V. Alvarez	2112 W. Loffman Rd	520 642-3526	Maria Alvarez
31	Arturo Gonzalez	10584 N. Bus Sage Pl.	(520) 508-5339	Arturo Gonzalez
32	Kristopher Owen	9250 W. Swiss Elm	575-231- 5112	Kristopher Owen
33	Charles Brooks	54314 W WEBB RD	520 678-8774	Charles Brooks
34	Joyce Zamora	10709 N. Hwy 191	520-269-9896	Joyce Zamora
35	Joe [unclear]	950 14 Douglas		Joe [unclear]
36	STEPHEN H. CANO		520-678-2203	Stephen H. Cano
37	Jorge J. Urdy	P.O. Box 301	520-678-6794	Jorge J. Urdy
38	Michael Miller	P.O. Box 24	520-609-9463	Michael Miller
39	Susan Holcombe	11 Camino de Bisbee	520-678-7539	Susan Holcombe
40	Karen [unclear]	10409 N HWY 191	508-256-5687	Karen [unclear]
41	H. Padgett	10493 N Hwy 191	520-508-9300	H. Padgett
42	[unclear]	1261 W Moore Rd	520 508 2826	[unclear]
43	Nick [unclear]	171 Chisney		Nick [unclear]

(14)

Tim Frazier
559-6733

COCHISE COUNTY

APR 25 2016

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SU-16-06 — MEDICAL CANNABIS CULTIVATION

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	Name	Address	Phone	Signature
1	04/02/2016	4298 W. Hill Rd	(520) 678-2179	Golden Hedger
2	04/02/2016	"	(520) 678-3580	Robert [unclear]
3	04/02/2016	7578 N. Central Hwy	(520) 678-2180	Donna [unclear]
4	04/04/2016	1414 8th St Douglas	(520) 862-7107	[unclear]
5	4-4-16	104 Coconino dr	520-234-8659	[unclear]
6	4-4-16	104 Coconino dr	520-234-8659	Rosa [unclear]
7	4-4-16		520-432-9300	Neerice [unclear]
8	4-4-16	1251 12th Douglas	520-456-5506	[unclear]
9	4-6-16	2011 Nacoa	520-227-744	[unclear]
10	4-6-16	626 16th St AFD	520-227-744	[unclear]
11	4-6-16	951 13th Douglas		[unclear]
12	4-6-16	441 Santa Cruz Dr	520-236-9383	[unclear]
13	4-6-16	2124 S. BOWERS	(520) 366-1944	Joseph Villatoro
14				

(13)

COCHISE COUNTY
APR 25 2016
PLANNING

SU - 16 - 06 — MEDICAL CANNABIS CULTIVATION

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	Name	Address	Phone	Signature
1	Christian Frazier	11429 N. Moore Rd	520-678-7271	
2	April Bartol	4245 W Gleason Rd	520 508 5060	AB Bartol
3	Barbara Romero	3457 W. Ensenada Ln	520-678-1137	B. Romero
4	Hilda Robles	1437-14th St.	520-221-6398	
5	Owen Kulliver	4232 Corriente Dr.	520-508-2332	
6	Betsy Balk	3824 W. Jefferson Rd	520-678-8810	Betsy Balk
7	Melissa Marble	10308 Monroe Rd	520-255-4821	Melissa Marble
8	SHERY FOY	10162 N. CENTRAL HWY	520-642-9255	
9	James F. McDermont	10162 N. Central Hwy	520-642-9255	James F. McDermont
10	Annitte Nuhn	10343 Hwy 191	520-642-9345	Annette Nuhn
11	Frankie Minter	10259 W Hwy 191	520-678-8919	Frankie Minter
12	Larry Thompson	3701 THOMPSON Rd.	—	Larry Thompson
13	Maria Minter	10259 Hwy 191	—	Maria Minter
14	Brenda S. Alvarez	4128 W. Jefferson Rd	520 642-3526	Brenda S. Alvarez

(14)

COCHISE COUNTY

APR 25 2016

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SU-16-06 — MEDICAL CANNABIS CULTIVATION

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	SIGNATURE	PRINTED NAME	DATE	AD
15		Saworn Famulhez	4-10-16	203 Van Dyke St.
16		HEATHER RONEY	4-12	28 MASON ABBOT RD
17		SETH APPELL	4/12	57 Broadway
18		SHARON STRACHAN	4/13	324 Block 15th W
19		Jeffrey Lambo	4/14	219 Briggs Ave.
20		Brianne Sheehan	4/14	609 Congdon Ave
21		Derrick W Barges	4/14	609 Congdon Ave
22		Sue Wolfhart	4/16	500 Tener Ave 86603
23		Dwayne Wallace	4/19	705 Tomkatone canyon
24		Betsy Breault	4/16	45 A Spring Canyon Rd
25		MARCO MACADAMS	4-16	60 Pinal Dr. Bishop ⁸⁷⁶⁰⁹
26		Sarah Downer	4/18/16	433 Garden Ave OR
27		DAVID COULAM	4/18/16	3827 SEBASTO OR SU AS
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COCHISE

APR 25 2016

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SU-16-06 - MEDICAL CANNABIS CULTIVATION

Thank you for taking the time to discuss and consider our proposal for a potential medical cannabis cultivation on Moore Road. As a compassionate group, we are committed to bringing great community benefits as well as local jobs and community contributions to the community of Elfrida, Cochise County, and the Elfrida School District. Please sign below or call Jesse Drake at 520-432-9300 to show your support for this project.

	Name	Address	Phone	Signature
1	Kenneth Conlan	213 c Street (Saginaw)	520-255-0822	
2	Linda Shultzberg	P.O. Box 1115, Bisbee	480-363-5603	
3	Suzanne Drum	P.O. Box 1414, Bisbee, AZ ⁸⁵⁶⁰³	619-882-3600	Suzanne Drum
4	Jenice St John	7B Old Douglas Rd Bisbee ⁸⁵⁶⁰³	520-366-1065	Jenice St John
5	Ryan Simon Sims	P. O. B 772 O B	432-5433	RK Sims
6	SUSAN LONG	107 HAZZARD ST. BISBEE	255-1206	Susan Long
7	DAVID SKINNER	54 Wood Canyon, Bisbee	432-3995	David Skinner
8	Marie Cook	528 Cochise Pkwy, Bisbee		Marie Cook
9	Kurt A. Minick	300 Black Knob View	520 334 7431	
10	Robert Huppenthal	4250 E foothills Dr.	219-671-1890	
11	Jeff Harris	16 Yuma St. Ft.	432-2757	
12	LEE MCKEY	106 TAYLOR	432 3393	
13	Naomi Johnston	217 Hazzard St. Bisbee		
14	Holly Williams	S, 509 West Vista, Bisbee		

COCHISE COUNTY

APR 25 2016

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SU - 16 - 06 - MEDICAL CANNABIS CULTIVATION

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	NAME	ADDRESS	PHONE	SIGNATURES
30	Tom Hangan	P.O. Box 1001 Douglas, AZ	520-336	Tom Hangan
31	Fernando Villar	PMB 1171 Douglas, AZ	364-3053	Fernando Villar
32	Conrado Villegas	P.O. Box 1628 Douglas, AZ	266-8826	Conrado Villegas
33	Andrew Molina	1224 20th	336-8062	Andrew Molina
34	Tatiana Lucio	1000 Van Buren Ave Apt 1104	368-2702	Tatiana Lucio
35	Iris Rodriguez Res	2701 6th St Douglas, AZ	720 02 88	Iris Rodriguez
36	Hector Robles	1521 San Antonio	249-2680	Hector Robles
37	Dario Garcia	530 B Ave		Dario Garcia
38	Luis Gordon	1416 E 14th St		Luis Gordon
39	Maria Inguilo	714 17th St Apt B		Maria Inguilo
40	Billy Watkins	2111 8th St	236-5665	Billy Watkins
41	Yuplin Andrade	3212 W Hawthorn Ave		Yuplin Andrade
42	José Vasquez	4064 Saddle Gap	368-6198	José Vasquez
43	Stephen Gordon	1317 E 7th St	928 362 7022	Stephen Gordon

COCHISE COUNTY

APR 25 2016

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SU-16-06 - MEDICAL CANNABIS CULTIVATION

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	Name	Address	Phone	Signature
1	Shelly Kierseide	PO 1598 Douglas	520-20-9977	[Signature]
2	Robert Cahoe	PO 1598 Douglas	520-220977	Robert Cahoe
3	Dany Lopez	5 E. 20 th St. Douglas	520-805-1916	Dany Lopez
4	Alma A. Alba	1040 E. 17 St apt A	520-364-6633	[Signature]
5	Raya Lopez	2615 Aster St	520-357-4143	[Signature]
6	Circa Castro	1000 Rogers Ave. D. Az	520-308-8333	[Signature]
7	Oscar Garcia	1040 E. Chandler St. Douglas	520-2274123	Oscar Garcia
8	Dakhi Moore	412 W. Chandler St. Douglas	678-9746	Dakhi Moore
9	Alex Moore	412 W. Chandler St. Douglas	727-1219	Alex Moore
10	MARISA RAMIREZ	215 E. 5 th St. Douglas	727-1143	[Signature]
11	Juan Ramirez	2032 N. Douglas Ave Douglas	(520) 364-7119	[Signature]
12	Richard Martinez	513 - 4 th St. Douglas	520-364-2307	Richard Martinez
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COCHISE

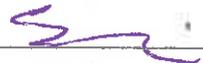
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SU - 16 - 06 — MEDICAL CANNABIS CULTIVATION

Thank you for taking the time to discuss and consider our proposal for a potential medical cannabis cultivation on Moore Road. As a compassionate group, we are committed to bringing great community benefits as well as local jobs and community contributions to the community of Elfrida, Cochise County, and the Elfrida School District. Please sign below or call Jesse Drake at 520-432-9300 to show your support for this project.

	Name	Address	Phone	Signature
1	GEORGE MORU	4400 W MOORE RD MORU AZ 85617	520-508-3209	
2	Gabriana VanSickle	10427 N. Hwy 191	508-0705	Gabriana VanSickle
3	Jennifer Davis	10549 Hwy 191 Elfrida, AZ 85610	507-0185	Jennifer Davis
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COCHISE COUNTY

APR 25 2016

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SU - 16 - 06 — MEDICAL CANNABIS CULTIVATION

Thank you for taking the time to discuss and consider our proposal for a potential medical cannabis cultivation on Moore Road. As a compassionate group, we are committed to bringing great community benefits as well as local jobs and community contributions to the community of Elfrida, Cochise County, and the Elfrida School District. Please sign below or call Jesse Drake at 520-432-9300 to show your support for this project.

	NAME	Address	Phone #	Signature
30	Ricky Lavn	Hwy 191 Elfrida, AZ 85610	(520) 678-4483	Ricky Lavn
31	Alexis Phillips	Hwy 191 Elfrida, AZ 85610	(520) 678-4483	Alexis Phillips
32	Ryan Drabeck	Hwy 191 Elfrida, AZ 85610	(520) 678-4483	Ryan Drabeck
33	Victoria Flint	1211 Cemente McNeal 85617	520-509-2919	Victoria Flint
34	FRANCIS HOGAN	P.O. Box 231 McNeal, AZ 85817	(480) 361-692	Francis Hogan
35	LARRY VINES	3859 E THOMPSON RD	520-641-3278	Larry Vines
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COCHISE CO
 APR 25 2016
 PLANNING

SU-16-06 – MEDICAL CANNABIS CULTIVATION

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	Name	Address	Phone	Signature
1	Rez Barati	3832 Avak Run drive	255-1536	
2	Lee Fanner	Goubisbee Rd	520-366116	
3	Carrie Long	4157 W. Prince Rd	702-287-0571	
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COCHISE COUNTY
 APR 25 2016
 PLANNING

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SU-16-06 — MEDICAL CANNABIS CULTIVATION

Thank you for taking the time to discuss and consider our proposal for a potential medical cannabis cultivation on Moore Road. As a compassionate group, we are committed to bringing great community benefits as well as local jobs and community contributions to the community of Elfrida, Cochise County, and the Elfrida School District. Please sign below or call Jesse Drake at 520-432-9300 to show your support for this project.

	NAME	ADDRESS	PHONE #	SIGNATURE
15	Abel Garcia	2401 S Street	520 227-7954	<i>Abel Garcia</i>
16	Sheri Martinez	2335 E Carnations St	520-249-6364	<i>Sheri Martinez</i>
17	Cristian	18 21st F	520-234-1900	<i>Cristian</i>
18	Erick Castro	1902 Rogers Ave	500-368-833	<i>Erick Castro</i>
19	Kyle Goodie	4157 W Trust Lake	520-588-8585	<i>Kyle Goodie</i>
20	Erick Drake			
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COCHISE COUNTY
APR 25 2016
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SU-16-06 — MEDICAL CANNABIS CULTIVATION

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	Name	Address	Phone	Signature
1	Betty Jarrett	4500 Sheep TRK	520 2202950	Betty Jarrett
2	Amanda Mondan	1067 N. Bell Elfrida	520-478-1501	Amanda Mondan
3	Yolanda Conso	10641 N. Bell Rd	520 405 4178	Yolanda Conso
4	Yvonne Langham	4485 W. Courtland Rd	(520) 559 7184	Yvonne Langham
5	Clarence Boush	10307 N. Aspen Ave, Elfrida	520 508 0744	Clarence Boush
6	Sheila Selby	10423 N Hwy 191, Elfrida	520-678-0272	Sheila Selby
7	Stephen Selby	10423 N Hwy 191, Elfrida	520-678-0272	Stephen Selby
8	Jesse Drake	P.O. Box 183	520 642 1695	Jesse Drake
9	Edward Gibson	10377 N Moore Rd	520 255 3320	Edward Gibson
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Tim Frazier

(9)

520-559-6233

COCHISE COUNTY

APR 25 2016

PLANNING

SU - 16 - 06 – MEDICAL CANNABIS CULTIVATION

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15	JUDITH MACE	4348 W. DENNIS TRL Elfrida, AZ 85610	520-727-7035	Judith Mace
16	Mecom I Carlos	4548 W. RAMON TRL Elfrida, AZ 85610	520-727-7055	J
17	JOSEPH ZAMUDIO	4333 W. DILLMAN RJ Elfrida AZ 85610	214-445-2511	J. Z
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COCHISE COUNTY
APR 25 2016
PLANNING

SU-16-06 – MEDICAL CANNABIS CULTIVATION

Thank you for taking the time to discuss and consider our proposal for a potential medical cannabis cultivation on Moore Road. As a compassionate group, we are committed to bringing great community benefits as well as local jobs and community contributions to the community of Elfrida, Cochise County, and the Elfrida School District. Please sign below or call Jesse Drake at 520-432-9300 to show your support for this project.

	Name	Address	Phone	Signature
1	BENITA Lopez	Jefferson St 4133	520-692105	Benita Lopez
2	Gravelda Nunez	4153 W. Springline	520-368-8883	<i>[Signature]</i>
3	Joana Tarazon	4156 Maple of Lan	(520) 422-1212	Joana Tarazon
4	Celia Luna	Hwy 191 Housett 10200	520-678480	Celia Luna
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COCHISE COUNTY

APR 25 2016

PLANNING

SU - 16 - 06 — MEDICAL CANNABIS CULTIVATION

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	NAME	ADDRESS	PHONE	SIGNATURE
15	Cathy D...	Con...	101 Cole Ave	428-6179
16	Dezhane Woods	41098 Calle Albuquerque	(916) 432-7562	DEZHANE WOODS
17	Emonée Coleman	Emonée Coleman	562 316 6167	<i>Emonée Coleman</i>
18	Tremor Moore	4190 W Hwy 80	(916) 873-7847	<i>Tremor Moore</i>
19	Lucia Niño	820 E 17th St	(901) 520-6381	<i>Lucia Niño</i>
20	Ernestina Abril	4190 Hwy 80	(916) 316-2020	<i>Ernestina Abril</i>
21	Luisa Fimbres	#627 7st		<i>Luisa Fimbres</i>
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COCHISE COUNTY

APR 25 2016

PLANNING

SU-16-06 – MEDICAL CANNABIS CULTIVATION

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	Name	Address	Phone	Signature
1	Patrick McNeely	7290 N Central Hwy ^{MCNEAL} AZ 85617	(520) 222-5870	<i>[Signature]</i>
2	MIKE McNEELY	5131 W DBL AVE RD	820 4910	<i>[Signature]</i>
3	Tyler McNeely	5131 W. Double A Ave Rd ^{MSchool} AZ 85617	(520) 247-0518	<i>[Signature]</i>
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COCHISE COUNTY
 APR 25 2016
 PLAN

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SU-16-06 -- MEDICAL CANNABIS CULTIVATION

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AZ 85616

15	<i>Mike Kramer</i>	142 E Camino de Pampas	520/508-8242	MIKE KRAMER
16	<i>Michael Pahle</i>	3722 E. SHAWNEE DR.	520/234-7402	MICHAEL PAHLE
17	<i>Martin Dayton</i>	7085 Rainbow Vista Lane, Henrieville	520-234-4992	Martin Dayton
18				
19		11252 N. HWY 191 ^{ELF} 85650		MICHAEL PAHLE
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COCHISE COUNTY
APR 25 2016
PLANNING



Cochise County
Community Development
 Planning, Zoning and Building Safety Division
Public Programs...Personal Service
 www.cochise.az.gov

MEMORANDUM

TO: Cochise County Planning and Zoning Commission
FROM: Jim Henry, Planner I
FOR: Paul Esparza, AICP, Planning Director
SUBJECT: Docket SU-16-08 (Reaves)
DATE: May 2, 2016 for the May 11, 2016 Meeting

APPLICATION FOR A SPECIAL USE

The Applicant is requesting a Special Use Authorization to allow an indoor recreation center for the purposes of hosting children parties and events on two adjacent Residential (R-18) zoned properties APN 106-24-013 and APN 106-24-014. The proposed use is considered indoor and or outdoor recreational facilities and requires a Special Use Authorization per Section 707.13 of the Zoning Regulations.

I. DESCRIPTION OF SUBJECT PARCEL AND SURROUNDING LAND USES

Parcel(s) Size: APN 106-24-013 (18,572.78 sq. ft.)
 APN 106-24-014 (36,617.75 sq. ft.)
 Zoning: Residential (R-18)
 Growth Area: B
 Comprehensive Plan Designation: Neighborhood Conservation
 Area Plan: None
 Existing Uses: APN 106-24-013 Vacant Warehouse / Garage
 APN 106-24-014 Vacant Land
 Proposed Uses: Recreational Facility

Zoning/Use of Surrounding Properties

Relation to Subject Parcel	Zoning District	Use of Property
North	General Business (GB)	Residential and Storage Units
South	General Business (GB)	Residential Dwellings
East	General Business (GB)	Residential Dwellings
West	General Business (GB)	N. Coronado Frontage Road

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

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

II. PARCEL(s) HISTORY

APN 106-24-013:

1994: Permit for a automotive repair shop

2005: Change of use permit to a roofing business (cancelled)

2007: Change of use permit to a roofing business

2011: Planning and Zoning Commission approved a request to downzone both parcels from GB (General Business) to R-18 (one dwelling per 18,000 square feet).

APN 106-24-014:

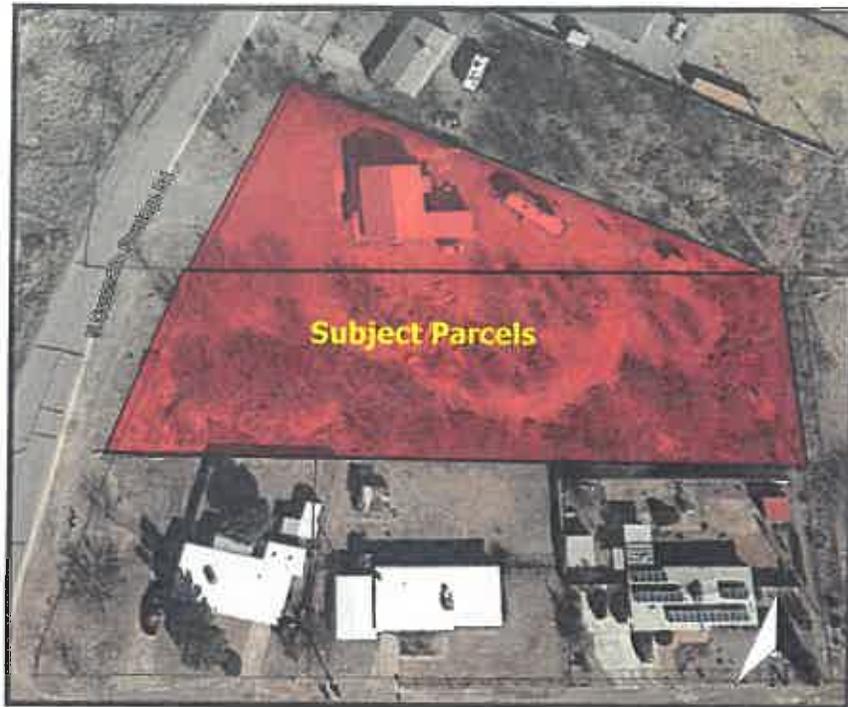
None

III. NATURE OF REQUEST

In 2011, the Planning and Zoning Commission voted unanimously to approve a down zoning request by the same Applicant to rezone the subject parcels from General Business (GB) to Residential (R-18) to facilitate the sale of the property. That sale never materialized. Subsequently, the Applicant used the warehouse/garage as a roofing business, but after the housing market crash, it became economically unfeasible to maintain the operation. Currently, the Applicant proposes to convert the existing garage/warehouse into a recreation center to host children parties and other events.



Location Map



Close up aerial view of the subject parcels



View of existing residential house to the northeast from the rear of the existing building



View of existing residential house to the east from the rear of the existing building



Existing building view to the east



Close up view of the existing building view to the northeast



Close up view of the existing building view to the southeast

IV. ANALYSIS OF IMPACTS – COMPLIANCE WITH SPECIAL USE FACTORS

Section 1716.02 of the Zoning Regulations provides a list of ten factors with which to evaluate Special Use applications. Staff uses these factors to help determine the suitability of a given Special Use request, whether to recommend approval for a Special Use Permit, as well as to determine what Conditions and/or Modifications may be needed.

Nine of the ten factors apply to this request. The project, as submitted, fully complies with five of the nine applicable factors and will comply with six factors if several waivers and modifications are granted.

A. Compliance with Duly Adopted Plans: Does not Comply

The subject parcels lie within a Category B-Urban Growth Area, one of the County’s four Growth Areas. Within the four Growth Categories, there are seven potential plan designations. These designations more specifically identify the existing character of smaller areas within each Growth Area. The subject parcels are within a “Neighborhood Conservation” plan designation.

The Neighborhood Conservation (NC): *“plan designation identifies an area as having an established character which is primarily residential, and which needs special rezoning protections to maintain the character of land use that occurs, in general, on lot sizes of one acre or less. The NC plan designation may occur within a Growth Category A, B or C Area, and shall be established according to the following criteria”:*

“The area to be designated is a developed residential neighborhood that warrants protection from non-residential uses”; or

- The Coronado Estates subdivision consists of a variety of residential zoning districts. The subject parcels are located within a block of GB zoning that have developed into single-family residences.



Zoning Map

“The area is an approved subdivision for which all the improvements are in place and constructed to minimum County standards”.

- The "Coronado Estates" subdivision was platted in 1958, prior to the County adopting a subdivision ordinance and would not conform to the County's current standards, but it does have the necessary infrastructure for development.

The Comprehensive Plan Economic Development Element supports the proposal:

The Economic Development Element states that *"Supporting small businesses will not only spur diversified income opportunities and ensure economic competitiveness, but will also foster resilience in the face of economic challenges such as natural disasters" and the policy to Continue to communicate with the business community, and be responsive to the changing needs of established and new businesses"*.

The project site is not within the boundaries of any area plan.

B. Compliance with the Zoning District Purpose Statement: Does not Comply

Although the proposal does not satisfy the purpose statements of the Residential zoning district, the surrounding parcels are zoned for General Business (GB) uses and this proposed use does comply with the proposed statements for the GB zoning in the area. However, the intent of the special use process is to give zoning districts the flexibility to allow certain types of uses when they can demonstrate that potentially negative off-site impacts have been mitigated. In this case, staff believes those impacts will be mitigated by the building improvements proposed by the Applicant.

C. Development Along Major Streets: Does not Comply

The property is located southeast of the intersection US 90 and US 82 along N. Coronado Frontage Road. Although N. Coronado Road is a frontage road and no additional access easements are proposed, because N. Coronado Road no longer connects to US 82, its classification has been downgraded to a "local" road. Therefore, the proposal does not satisfy the requirements of this factor.

D. Traffic Circulation Factors: Complies with Conditions

Access is available via a county-maintained rural access roadway, Coronado Frontage Rd., with connection to Oak St. and from there to Highway 90, which runs immediately parallel and adjacent to the Frontage Rd. Given the off-peak intermittent type of travel demand this use would generate, and given the seasonal nature of the proposed use, no off-site improvements will be required of the Applicant.

However, staff will advise the Applicant to obtain a ROW/Encroachment Permit in advance of applying for their Commercial Permit to ensure the Applicant's design characteristics of their approved driveway are in conformance with the County's design standards at the Commercial Permit phase. Additional details, including site distance triangles, will be required as described by the County's Zoning regulations, during the Commercial Permit phase.

E. Adequate Services and Infrastructure: Complies

The subject parcels are serviced by public utilities and have the necessary infrastructure including access, sewer, water, and electrical services for the proposed use.

F. Significant Site Development Standards: Complies with Waivers

The Applicant proposes to convert the existing garage into a recreation center for children. While there will be no need to clear additional land to accommodate this improvement (on the parcel with the existing building). In order to accommodate some of the proposed outdoor activities and provide additional parking (should more parking be needed in the future) the Applicant may need to clear some of the areas in the unimproved parcel to the south.

The Applicant is requesting several waivers and modifications from the County's site development standards.

Setback

The Applicant is requesting a waiver from the setback requirements that requires the minimum setback to double should the Special Use be approved. Presently the setback requirement is 20 ft., which the existing building satisfies. However, should the Special Use be approved, the setback would double to 40 ft. leaving the existing building out of compliance with the zoning code per Section 704.03 of the Zoning Regulations. Staff supports this request, as the department has received just one letter in opposition from an adjacent property owner and the cost of moving the building would not be economically feasible.

Surface Paving

In addition, the Applicant is requesting a waiver from Section 1804.07 of the Zoning Regulations that would require the Applicant to improve every parking and loading area with a double bituminous surface treatment (chip seal), or with an equivalent or better treatment approved by the County Zoning Inspector. Since N. Coronado Road is chip sealed the County’s development standards would require the Applicant to match the surface type of the access road. Currently, the driveway and parking areas consist of gravel surface, except the area behind the existing building, which consists of native surface. It will be the Applicant’s responsibility to follow up with the Highway Dept. to ensure that their driveway access to Coronado Frontage Rd. is legitimized and brought up to the appropriate commercial driveway standard. While staff supports this request, staff recommends that the native areas to be used for driveways and parking be improved with a two inch thick layer of gravel to keep dust down to a minimum.



Existing gravel driveway view to the northwest

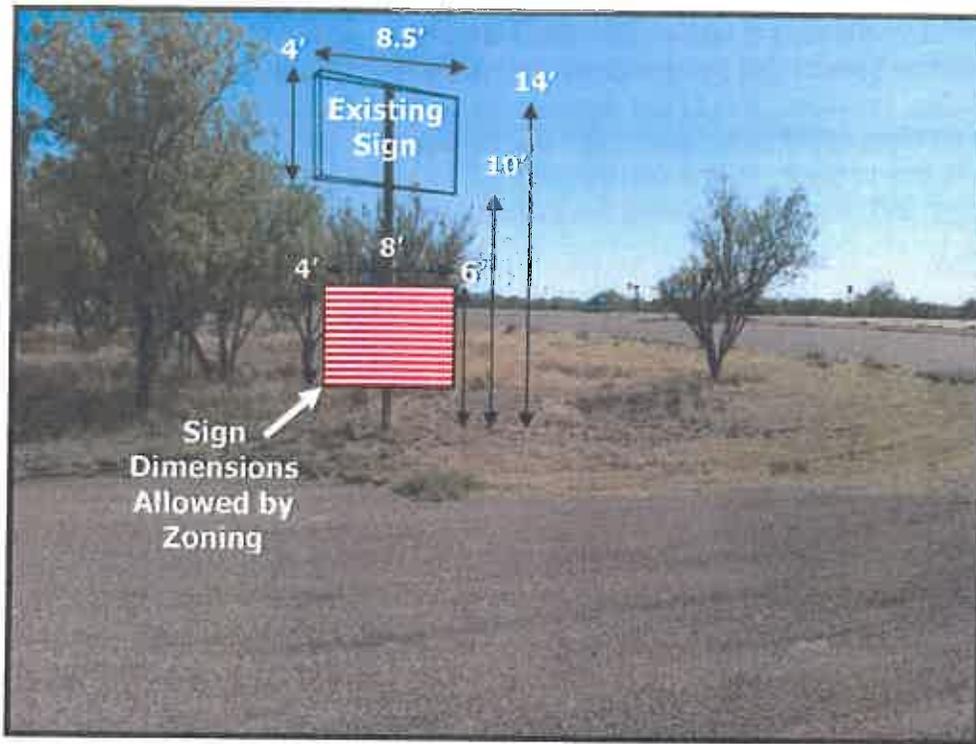


Rear of the existing building, native driveway, and adjacent residential dwelling view to the northeast

Signage

The Applicant is also requesting a waiver from the County’s sign regulations in order to utilize the existing pole sign for future signage. This existing sign does not conform to the County’s current sign regulations, nor would it be considered “legal non-conforming” since the use has changed several times over the years. The total height of the existing pole is 14 feet (10 feet from the bottom of the sign frame). The area of the sign frame is approximately 4 feet x 8.5 feet or 34 square feet. The County’s current sign regulations would allow 6 foot tall 32 square foot pole sign per section 1907.01 of the Zoning regulations. Staff supports this request, as the request involves an existing sign that is similar in height and area as nearby permitted signs. Moreover, the original sign was allowed under the previous roadway designation as a state-maintained frontage road. The access roadway serves a similar purpose today and the surrounding zoning is business oriented rather than residential. Should the Commission deny the Applicant’s request, the County does not have the authority to force the Applicant to remove the existing sign unless it

becomes a safety hazard. Staff therefore supports this request.



View of existing sign pole with approximate sign dimensions allowed in a Residential zoning district (view to the west)



Sign 1
This sign is located approximately 1/2 mile to the south along N. Coronado Road



Sign 2
This sign is located approximately 1/2 mile to the northwest along US 90 westbound

G. Public Input: Complies

The Applicant sent or delivered letters to all property owners within 1,000-feet of the subject parcel to notify them of this application and to address any neighbor concerns. This letter generated one letter of opposition and two letters of support.



Map of property owners in opposition and in support of the proposal as well the locations of nearby existing pole signs

H. Hazardous Materials: Not Applicable

The application states no hazardous materials will be used.

I. Off-Site Impacts: Complies

Other than sporadic increases in traffic on event days, noise is the primary offsite impact with the most potential to become bothersome to the surrounding neighborhood. To mitigate the noise, the Applicant proposes to install sound insulation prior to installing the drywall at the commercial permitting phase of the project.

While the Applicant’s application indicates that there will be no outdoor activities, after a meeting with the Applicant and staff that occurred on April 21, 2016, in the Bisbee County office, the Applicant has since revised the initial proposal to potentially include a variety of outdoor activities including picnics, scavenger hunts, tag, hide-n-seek and water games. The hours of operation were also revised to 8:00 am 6:00 pm, Monday through Sunday, and the Applicant decided to include some outdoor lighting. According to the Applicant, the proposed outdoor lighting will utilize motion sensors to illuminate the parking areas and will abide by the County’s dark skies ordinance. Greater details will be required at the commercial permitting phase of this project.

J. Water Conservation: Complies

The project is located within the Sierra Vista Subwatershed area, and will be required to comply with all applicable requirements at the Commercial Permitting phase of the project.

V. PUBLIC COMMENT

Planning Department staff mailed notices to neighboring property owners within 1,000-feet of the subject property. Staff posted the notice to the County website on April 15, 2016, published a legal notice in the

Bisbee Observer on April 21, 2016 and posted the property on April 15, 2016. Staff received a total of three responses, two in support, and one opposed to the proposal. The sole letter in opposition to the project, owns the two adjacent parcels marked in red and cited noise and traffic concerns and their possible impacts on future tenants.

VI. REQUESTED MODIFICATIONS

The Applicant is requesting several waivers from County's site development standards including a waiver from Section 1804.07 of the Zoning Regulations to allow the native gravel and native soil to remain on the both parcels. Staff supports this request, but would recommend that the native areas to be used for driveways and parking be improved with a two inch thick layer of gravel or similar surface type approved by the Zoning Inspector. In addition, the Applicant is requesting a modification to permit the use of the existing 14-foot tall 34 square foot existing non-conforming sign. Per section 1907.01 of the Zoning Regulations, a 6-foot tall 32 square foot pole sign would be permitted. Staff supports this waiver due to the precedence for signs of this type in the neighborhood and because of the commercial nature of the existing building that is located along a frontage road. The Applicant is also requesting a waiver from the setback requirements. Should the Special Use be approved, the required setback would double per Section 704.03 of the Zoning Regulations. In this case, the setback would increase to 40 ft. Staff supports this request.

VII. SUMMARY AND CONCLUSION

The Applicant is requesting a Special Use Authorization to approve an indoor recreation center for the purposes of hosting children parties and events on a two adjacent Residential (R-18) zoned properties. Staff believes the request satisfies the purposes of the Special Use and would not adversely impact the surrounding properties, any off-site impacts will be mitigated at the commercial permitting phase.

Factors in Favor of Approving the Special Use

1. The proposal complies with the Comprehensive Plan's Economic Development.
2. The proposal complies with six of the nine applicable factors staff uses to evaluate Special Use requests.
3. Two letters in support has been received.

Factors Against Allowing the Special Use

1. The proposal is not supported by its zoning designation, nor is it supported by its comprehensive plan designation.
2. One letter in opposition has been received.

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. 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
3. Any changes to the approved Special Use shall be subject to review by the Planning Department and may require additional Modification and approval by the Planning and Zoning Commission.
4. The Applicant will be required to work with the Highway Dept. to legitimize and approve a commercial driveway in advance or concurrent with the Commercial Permit process.
5. The Applicant will be required to provide a Parking Plan during their Commercial Permit phase.

Sample Motion:

Mr. Chairman, I move to approve Special Use Docket SU-16-08, with the Conditions and Modifications to development standards recommended by staff; the Factors in Favor of Approval constituting the Findings of Fact.

IX. ATTACHMENTS

- A. *Special Use application*
- B. *Site plan*
- C. *Agency comments*
- D. *Public Comment*



Cochise County
Community Development
 Planning, Zoning and Building Safety Division
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**COMMERCIAL USE/BUILDING PERMIT/SPECIAL USE PERMIT QUESTIONNAIRE
 (TO BE PRINTED IN INK OR TYPED)**

TAX PARCEL NUMBER 106-24-013
 APPLICANT Carla Reaves (co-owner)
 ADDRESS Po Box 1810 Sierra Vista AZ 85636
 CONTACT TELEPHONE NUMBER (520)266-3114
 EMAIL ADDRESS: cochiserroofing@aol.com
 PROPERTY OWNER (IF OTHER THAN APPLICANT) William & Edna Shepherd
 ADDRESS 2136 N. Coronado Frontage Rd.
Huachuca City AZ 85616
 DATE SUBMITTED 1/8/16

Special Use Permit Public Hearing Fee (if applicable)	\$ <u>300.00</u>
Building/Use Permit Fee	\$ <u>0</u>
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.)

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

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

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. 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.)
6. 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? warehouse - empty
2. What is the proposed use or improvement? Add on framed addition to existing slab. Finish warehouse portion with drywall & flooring
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? children's birthday party venue / for rental hourly use.
4. Describe all intermediate and final products/services that will be produced/offered/sold.

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)

addition - wood framed with siding on existing slab.

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

7. Provide the following information (when applicable):

A. Days and hours of operation: Days: F-S Hours (from 9 AM to 5 PM)

B. Number of employees: Initially: 0 Future: 2
Number per shift Seasonal changes

C. Total average daily traffic generated: 4-6 cars per 2-hr interval (rotating)

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

15+

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

0

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

To & from Hwy 90.

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

No.

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

saturdays only.

D. Circle whether you will be on a public water system or private well. If private well, show the location on the site plan. Estimated total gallons of water used: per day 50 gal. per year 3000 gal.

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

F. Does your parcel have permanent legal access*? Yes X No ___

If no, what steps are you taking to obtain such access?

N/A

*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 (None)
Water	Liberty Utilities	
Sewer/Septic		
Electricity	SSVEC	
Natural Gas		
Telephone	Century Link	
Fire Protection		

SECTION B - Outdoors Activities/Off-site Impacts

1. Describe any activities that will occur outdoors. None

2. Will outdoor storage of equipment, materials or products be needed? Yes ___ No X 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 X 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?

warehouse will have added
Sound insulation prior to drywall install

4. Will any vibrations be produced that can be felt on neighboring properties? Yes ___ No K 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 K 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 X If yes, what measures will be taken to prevent a nuisance on neighboring properties?

7. Will outdoor lighting be used? Yes ___ No X 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 K 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 K 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? No

Yes ___ No X

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

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. N/A

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

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 X 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.

N/A

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

N/A

Does the proposed use involve hazardous materials? These can include paint, solvents, chemicals and chemical 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 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' impact.

The Arizona Department of Environmental Quality 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 Carla J. Reaves

Print Applicant's Name Carla J. Reaves

Date signed 1/08/2016

CARLA REAVES
PO Box 1810
Sierra Vista, AZ 85636

April 23, 2016

MEMO FOR: Community Development Department, 1415 Melody Lane, Bisbee, AZ 85603; Attn: Jim Henry

SUBJECT: Application Revisions and Request for Waivers regarding property located at 2136 N. Coronado Frontage Road, Huachuca City, AZ 85616

1. I would like to respectfully request the following revisions be made to the Commercial Special Use Permit Questionnaire/Application, submitted in February 2016:

PART I - Tax Parcel Number(s): We propose to use both parcels for the new business (the first has the existing building structure and the second is vacant land.)

#106-24-013, Legal Description: Lot 9, Block 2, Coronado Estates #3 according to Book 4 of maps, page 7, record of Cochise County, AZ (addressed as: 2136 N. Coronado Frontage Road, Huachuca City, AZ) AND

#106-24-110A, Legal Description: Vacant Lot 10, Block 2, Coronado Estates #3 according to Book 4 of maps, page 7, record of Cochise County, AZ (addressed as: 2128 N. Coronado Frontage Road, Huachuca City, AZ 85636.)

PART II - Section A

#7. Days and Hours of Operation: Please revise to "Monday thru Sunday, 8:00am -- 6:00pm"

PART II - Section B

#1. Describe any activities that will occur outdoors: Eventually, activities and childrens' games, including (but not limited to) picnic area fun, outdoor recreation, scavenger hunts, tag or hide-n-seek, water play, etc.

#8. Do signs presently exist on property: Currently, we do not have any signs posted on the property, but do have a free-standing sign frame, that does exist. It is located off the main frontage road, approximately 20+ feet and does not impede vision or the traffic route. We had commercial signage approved, and in compliance, when we used this property as "Reaves Roofing" which closed at that location in April 2012. It is in a GREAT location for the new business (and may be very costly to have removed.)



I personally asked several of my neighbors if they had any objections to the frame being used (again) for another commercial sign. There were no objections and they believed it is in a good location to advertise the new business, since it can be seen from Highway 90. The existing frame does not consist of electrical power for illumination, so it would not be distracting or bothersome during the daylight/nighttime hours. (A list of their names, addresses, and telephone numbers are available, if requested.)

I sincerely REQUEST the existing frame sign be allowed to stay and be used for our new business commercial signage (please...)? It should be considered as a grand-fathered pole, especially since many of the neighborhood businesses (old and new) also use similar signs:



Located less than 1/2 block to the south.



Located less than 1/2 block to the north.

#9. Will new sign be erected on site: See SIGN PERMIT, to indicate location of additional sign.

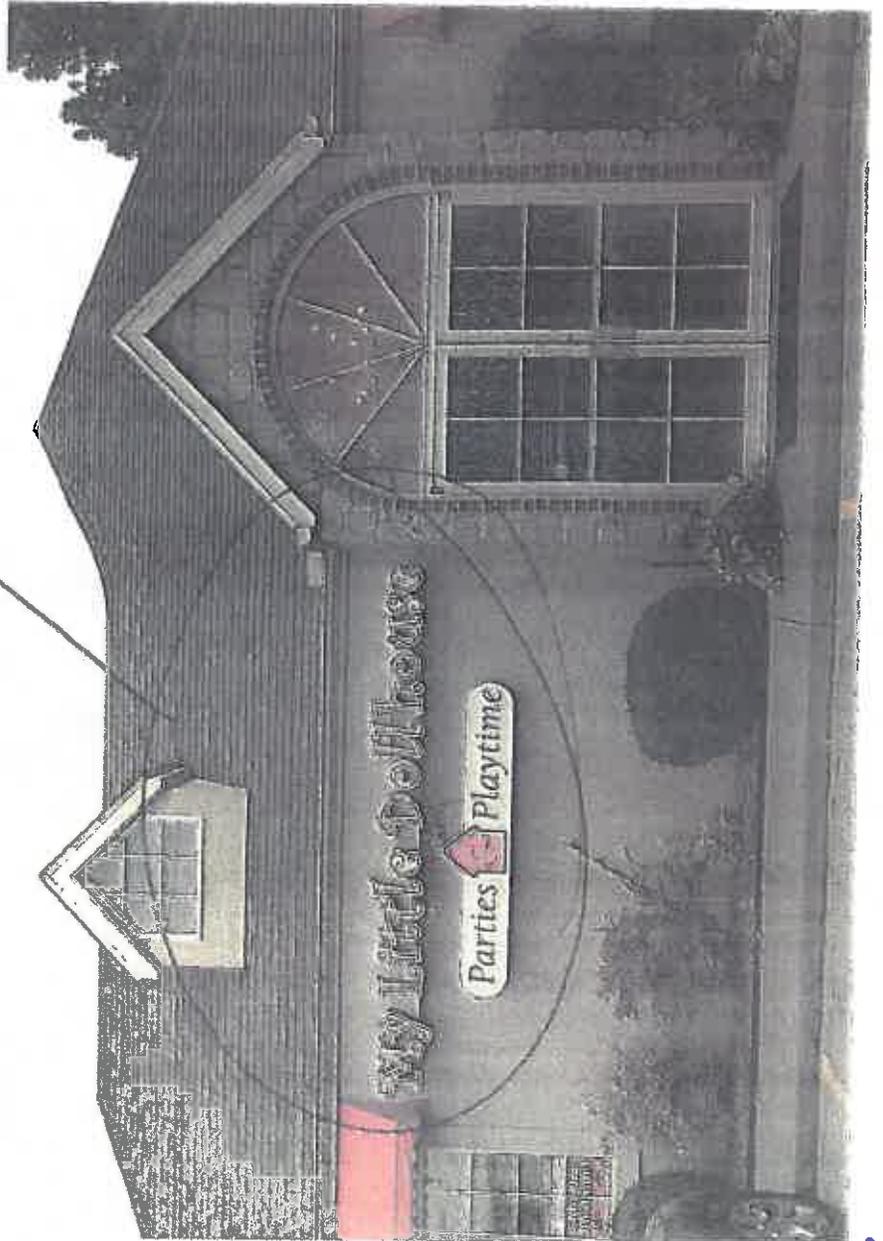
#11. What surface will be used for driveways, parking, and loading areas: Request a modification to the requirement for hard surfacing for our driveway/parking areas. The new, chip-sealed driveway/parking area was installed on or about July 2, 2014, and would be used for the projected driveway/main parking area. However, the nature-surface and graveled areas (in the rear of the building structure) would be perfect and cost-effective (at the present time) to be used for overflow and/or employee parking. We will certainly make plans to improve them in the future.

2. I would also like to Request a modification to the Setback requirement, to allow for the existing to remain.

Thank you for your continued assistance!

Carla Reaves
Carla Reaves "My Little Playhouse"

Similar to this sign
"My Little Playhouse"
Parties & Playtime



Carla Reaves
2136 N. Coronado Frontage Road
Huachuca City, AZ 85616
(520)266-3114

February 10th, 2016

Dear Whetstone Neighbors,

The purpose of this letter is to inform you about a new business that I am starting in our neighborhood. My property/warehouse is located at the corner of Highway 90 and Hawthorne, along the frontage road. You might remember when it was "Reaves Roofing" several years ago. Due to the depressed economy, we were forced to close our business, at that location, and it is currently vacant.

The new business is named, "My Little Playhouse" which will feature an indoor recreational venue for children's birthday parties, tea parties, and playtime, etc. Having raised our own children here in Cochise County, and after much complaining about the lack of children's entertainment/facilities, we decided to open a much-needed service for our community children, Fort Huachuca families, as well as the surrounding cities.

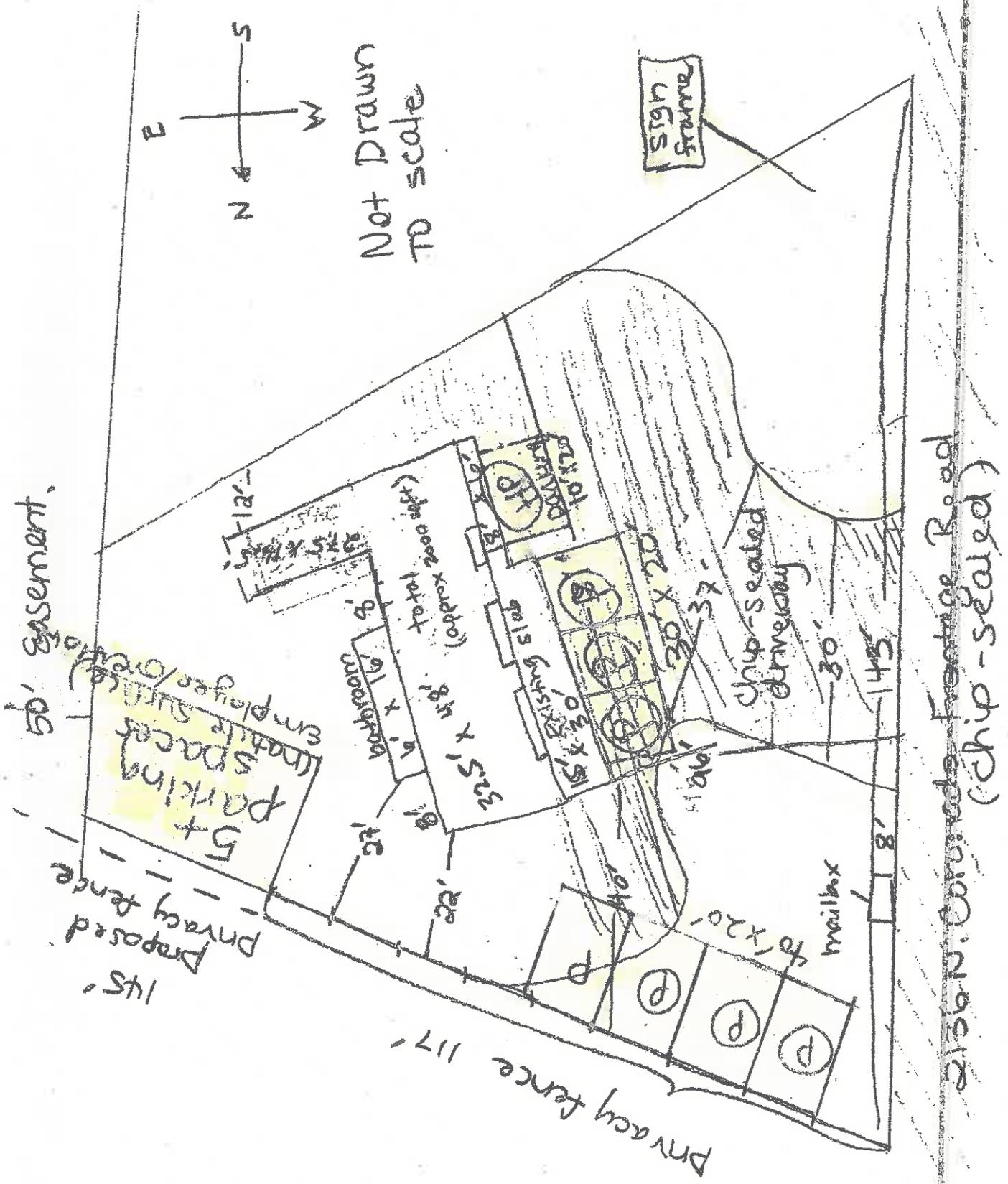
My Little Playhouse will feature a large PLAYROOM which will provide hair/nails/makeup/dress-up/a fashion run-way/and dollhouse fun for little girls. It will also feature mini-basketball/jumping castle/imaginative playtime/and super hero dress-up for little boys. We will offer full-service (set-up/entertainment/clean-up) for children's birthday parties, hosted by a Disney Princess or character, complete with decorations, party favors, and special treats (to include popcorn, sno-cones, and cotton candy.)

We are very excited about this adventure and hope that you will share our enthusiasm to begin renovations of the roofing warehouse. Please feel free to share your thoughts and/or concerns by mailing a response to the above-listed address or call me directly.

Thank you, in advance, for your community support. I look forward to hearing from you.

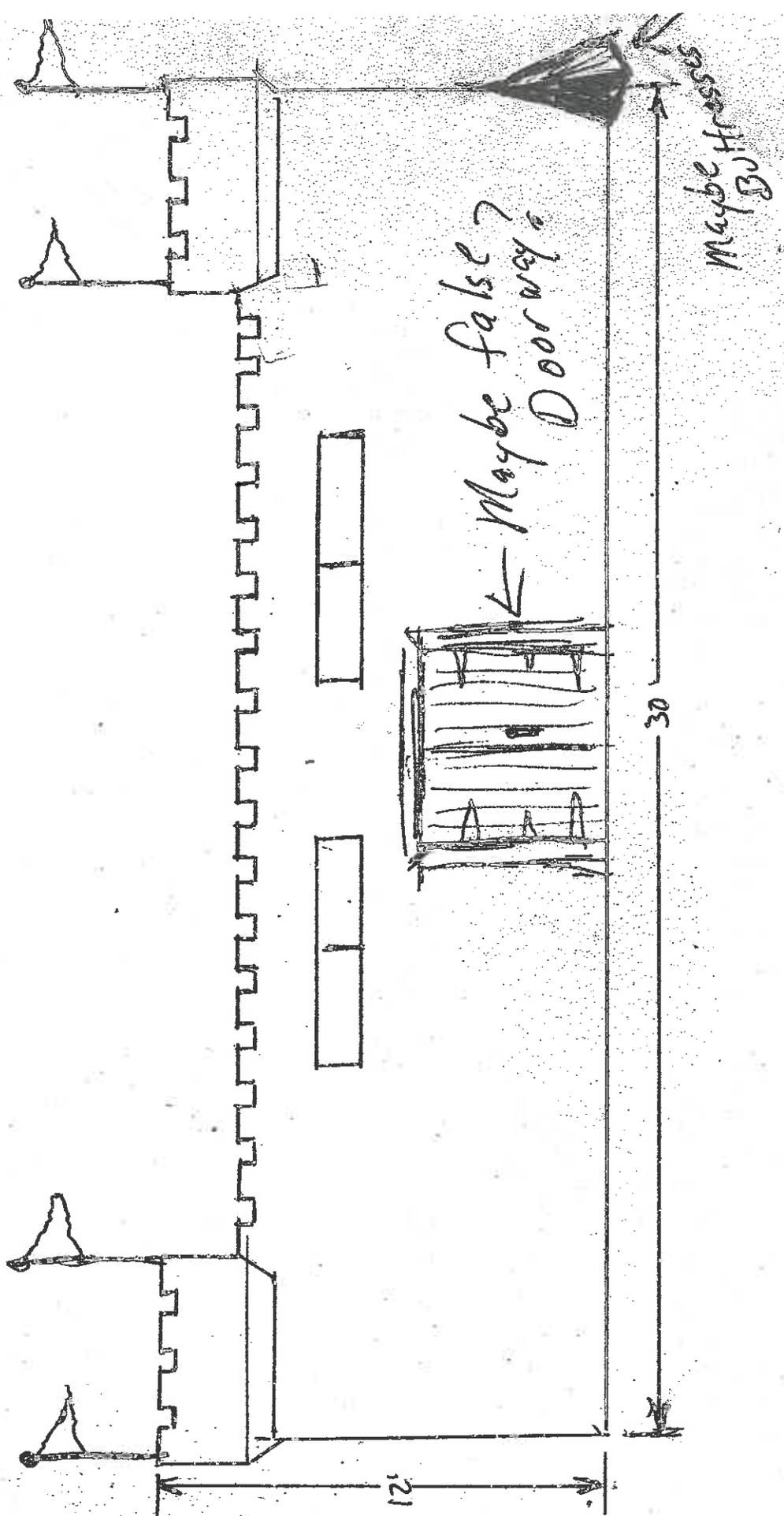
Sincerely,

Carla Reaves



216 N. Colorado Frontage Road
(chip-sealed)

Addition w/ false front
(castle theme)



Hathaway, Daryne

From: Armando Membria [AMembria@azdot.gov]

Sent: Friday, December 15, 2006 11:39 AM

To: Hathaway, Daryne

Cc: Dee Crumbacher

Subject: Permit No. 065123, change use exist bldg to warehouse, 1700 sf, & outdoor storage area +- 2000 sf, 113 lf for slatted chain link fence, between SR 90/SR 82, S.E. corner qff ADOT r/w, Whetstone.

From the information provided this Agency, the proposed development will utilize existing indirect non County maintained infrastructure for Ingress/egress to the State Highway system and should minimally impact the ADOT right of way.

Although this Agency does not object to the proposed concept, should the proposed prove not to be the case, this Agency retains the right to review and comment.

The permit process will address the ADOT requirements on changes to the proposed development concept. Please be advised, there is no work allowed within the ADOT right of way prior to the issuance of an Approved ADOT Right Of Way Encroachment Permit, subject to the current ADOT Standards and Specifications.

Should you have any question(s), please do not hesitate to contact me.

Thanks and have a great day.

AJM.

Armando J. Membria, District Permit Supervisor

2082 E. Hwy 70 Mail Drop S400

Safford, Arizona 85546

Phone: 928-428-5470

Fax: 928-428-7523

E-mail amembria@azdot.gov

Confidentiality and Nondisclosure Notice: This email transmission and any attachments are intended for use by the person(s)/entity(ies) named above and may contain confidential/privileged information. Any unauthorized use, disclosure or distribution is strictly prohibited. If you are not the intended recipient, please contact the sender by e-mail, and delete or destroy all copies plus attachments.

When recorded return
ADOT - R/W Acctg. - 33
205 S. 17th Avenue ✓
Phoenix, AZ 85007

AUG 2 1988/Rn
E-2
3.00

ROUTE: State Route 90
PROJECT: F-013-1(Gen)
HIGHWAY: WHETSTONE TI-Jct. US 80
SECTION: (Jct. SR 90-82)
COUNTY: Cochise
ENGINEERING DISTRICT II

June 17, 1988
Resolution 88-06-A-52

RESOLUTION OF ABANDONMENT

CHARLES L. MILLER, Director, Arizona Department of Transportation, on June 17, 1988, presented and filed with this Transportation Board his written report under Arizona Revised Statutes Section 28-1864, recommending the abandonment and vacation of a portion of Whetstone TI-Jct. US 80.

The portions of right of way to be abandoned and vacated are depicted in Appendix "A" as area "A" and area "B" and delineated on maps and plans on file in the office of the State Engineer, Highways Division, Phoenix, Arizona.

WHEREAS said portion of right of way is no longer needed for state transportation purposes; and

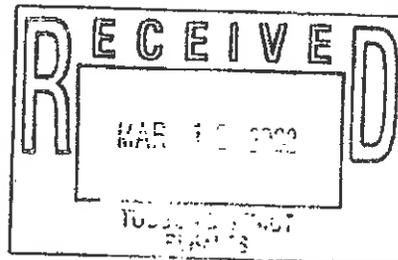
WHEREAS the right of way is an easement interest only, and

WHEREAS this Board finds that public safety, necessity and convenience will be served by accepting the Director's report; therefore, be it

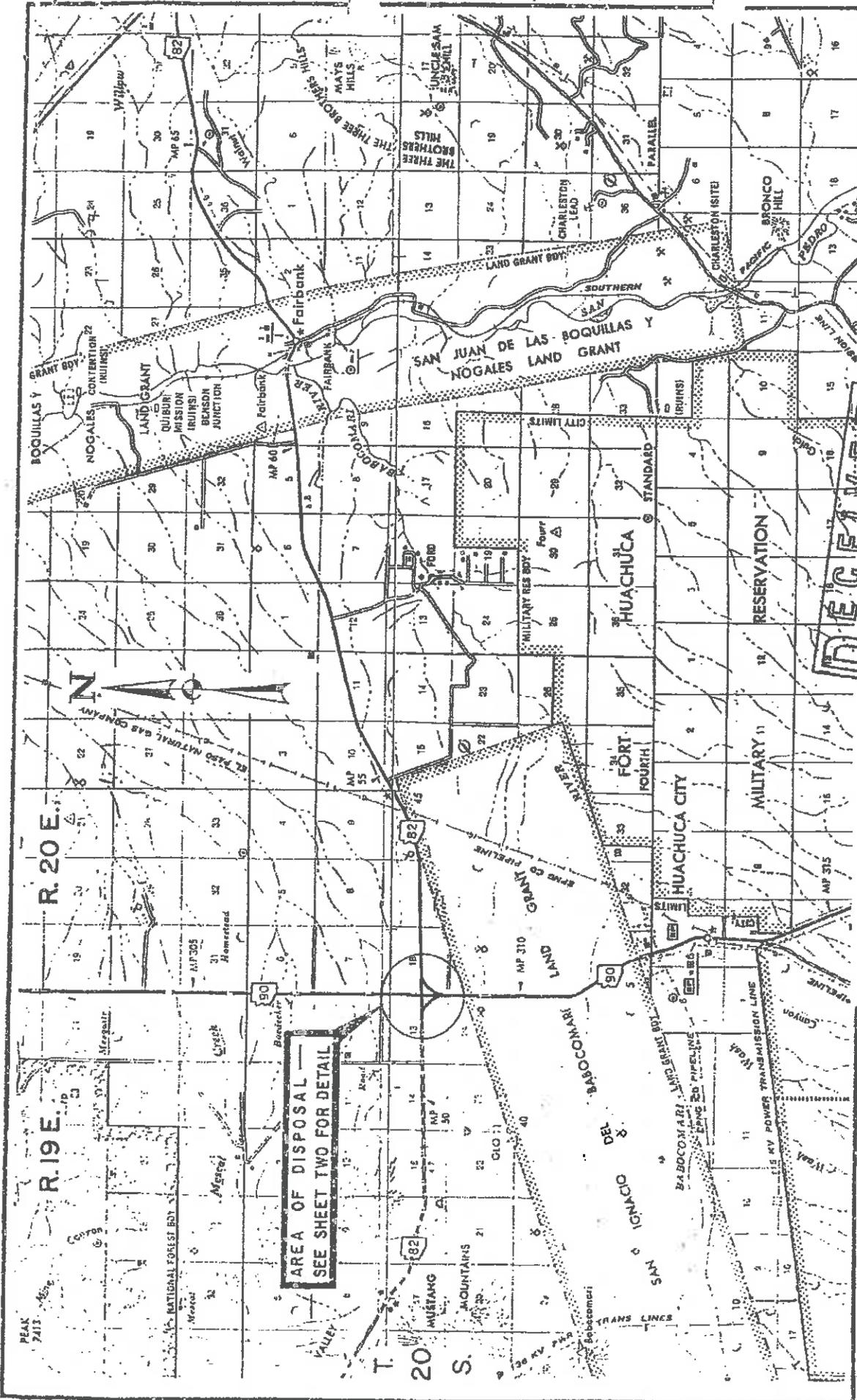
RESOLVED that the recommendation of the Director is adopted and made part of this resolution; be it further

RESOLVED that the portion of right of way depicted in Appendix "A" area "A" is hereby abandoned to Cochise County and that portion shown as area "B" is hereby vacated to the underlying fee owners, as provided by law; be it further

RESOLVED that the Director provide written notice to Cochise County evidencing the abandonment of the State's interest.



880816049



R. 20 E.

R. 19 E.

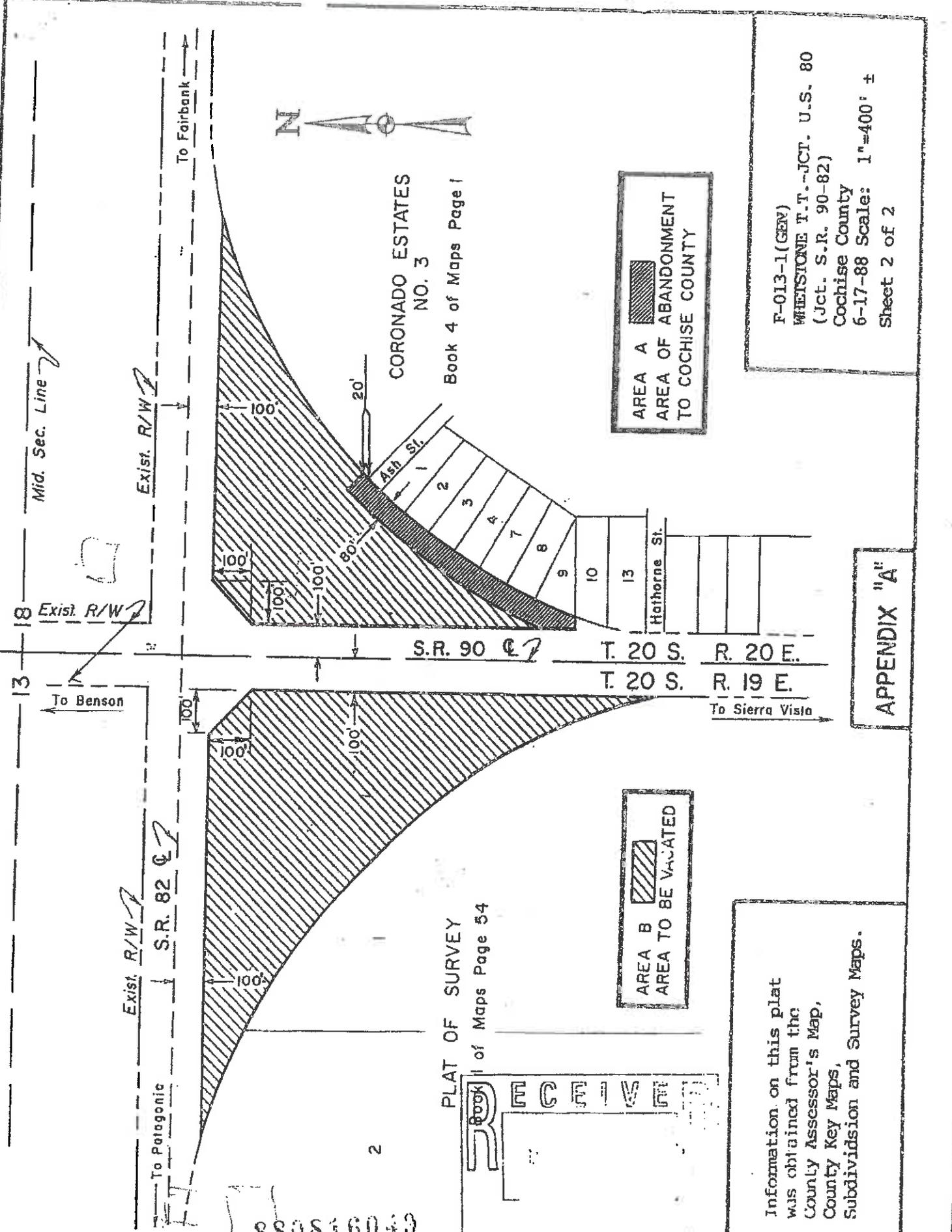
AREA OF DISPOSAL
SEE SHEET TWO FOR DETAIL

F-013-1(GEN)
WHEISTONE T.I.-JCT. U.S. 80
(Jct. S.R. 90-82)
Cochise County
6-17-88 Scale: 1" = 2 Miles ±
Sheet 1 of 2

RECEIVED
MAR 1 2 2002
TUCSON DISTRICT
PERMITS

APPENDIX "A"

THIS PLAT WAS PHOTOGRAPHICALLY
REPRODUCED FROM —
GENERAL HIGHWAY MAP
COCHISE COUNTY, ARIZONA
ARIZONA DEPARTMENT OF TRANSPORTATION
HIGHWAYS DIVISION
PHOTOGRAMMETRY & MAPPING SERVICES
IN COOPERATION WITH THE
U.S. DEPARTMENT OF TRANSPORTATION
FEDERAL HIGHWAY ADMINISTRATION



Mid. Sec. Line

Exist. R/W

To Fairbank



CORONADO ESTATES
NO. 3
Book 4 of Maps Page 1

AREA A
AREA OF ABANDONMENT
TO COCHISE COUNTY

F-013-1(GEV)
WRETSTONE T.T.-JCT. U.S. 80
(Jct. S.R. 90-82)
Cochise County
6-17-88 Scale: 1"=400' ±
Sheet 2 of 2

Exist. R/W

100'
100'
100'
100'
80'
20'

Ash St.

1
2
3
4
7
8
9
10
13

Hathorne St.

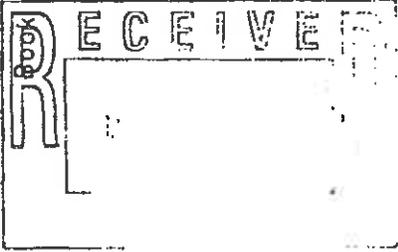
S.R. 90
T. 20 S. R. 20 E.
T. 20 S. R. 19 E.

To Sierra Vista

APPENDIX "A"

AREA B
AREA TO BE VACATED

PLAT OF SURVEY
Book 4 of Maps Page 54



Information on this plat was obtained from the County Assessor's Map, County Key Maps, Subdivision and Survey Maps.

Exist. R/W
S.R. 82

To Patagonia

To Benson

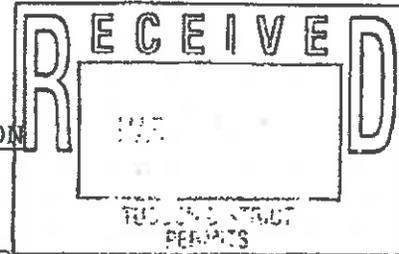
880816049

114

ROUTE: State Route 90
PROJECT: F-013-1(Gen)
HIGHWAY: WHETSTONE TI-Jct. US 80
SECTION: (Jct. SR 90-82)
COUNTY: Cochise
ENGINEERING DISTRICT II

June 17, 1988
Recommendation 88-06-A-52

REPORT AND RECOMMENDATION



TO THE HONORABLE ARIZONA TRANSPORTATION BOARD:

The Highways Division has made a thorough investigation concerning the abandonment and vacation of a portion of the right of way acquired for the Whetstone TI-Jct. US 80. This portion was previously established by resolution of the Arizona State Highway Commission dated May 8, 1936, at pages 575 and 576 of the official minutes.

A portion of the previously acquired right of way for which the state has an easement interest only is no longer needed for state transportation purposes. A portion is to be abandoned to Cochise County and a portion vacated to the underlying fee owners as provided by law. Cochise County has agreed to accept jurisdiction of the right of way to be abandoned. Accordingly, I recommend that the state's interest in the portions of right of way be abandoned and vacated.

The portions of right of way to be abandoned and vacated are depicted in Appendix "A" as area "A" and area "B" respectively, and delineated on the maps and plans on file in the office of the State Engineer, Highways Division, Phoenix, Arizona.

Those rights of way and easements and appurtenances thereto subject to the provisions of Arizona Revised Statutes Section 28-1903 shall continue as they existed prior to the abandonment and vacation of right of way depicted in Appendix "A".

Pursuant to Arizona Revised Statutes Section 28-1864, I recommend that the Transportation Board adopt a resolution making this recommendation effective.

Respectfully submitted,

A handwritten signature in cursive script, appearing to read "Charles L. Miller".

CHARLES L. MILLER, Director
Arizona Department of Transportation

880516040

115'C

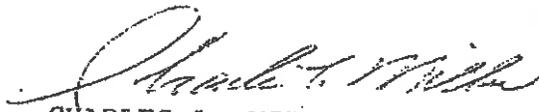
ROUTE: State Route 90
PROJECT: F-013-1(Gen)
HIGHWAY: WHETSTONE TI-Jct. US 80
SECTION: (Jct. SR 90-82)
COUNTY: Cochise
ENGINEERING DISTRICT II

June 17, 1988
Resolution 88-06-A-52

CERTIFICATION

I, CHARLES L. MILLER, Director, Arizona Department of Transportation, do hereby certify that the foregoing is a true and correct copy from the minutes of the Transportation Board made in official session on June 17, 1988.

IN WITNESS WHEREOF I have hereunto set my hand and the official seal of the Transportation Board on June 17, 1988.



CHARLES L. MILLER, Director
Arizona Department of Transportation

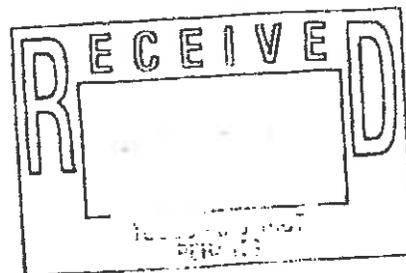


FEE # 880816049
OFFICIAL RECORDS
COCHISE COUNTY
DATE HOUR
08/02/88 1

REQUEST OF
ARIZONA DEPT OF TRANSPORTATI
CHRISTINE RHODES-RECORDER
FEE : 3.00 PAGES : 5



880816049





Cochise County
Community Development
Highway and Floodplain Division

Public Programs...Personal Service
www.cochise.az.gov

MEMORANDUM

Date: April 26, 2016
To: Jim Henry, Planner 1
From: Karen L. Lamberton, County Transportation Planner
Subject: Playhouse Recreational Venue/SU 16-08/Parcel #106-24-013

The Applicants are seeking to develop an indoor and outdoor recreational facility for children's parties.

We have no objection to issuing the requested Special Use Authorization with the following condition:

- The applicant will be required to work with the Highway Dept. to legitimize and approve a commercial driveway in advance or concurrent with the Commercial Permit process.
- The applicant will be required to provide a Parking Plan during their Commercial Permit phase.

The applicant is seeking to redevelop an existing building, previously used for commercial uses, for a children's party venue. These types of parties are more likely to occur in the late afternoons and on weekends. Access is available via a county-maintained rural access roadway, Coronado Frontage Rd., with connection to Oak St. and from there to Highway 90 which runs immediately parallel and adjacent to the Frontage Rd. In the summer of 2011 the applicants down-zoned a portion of their property from a business zone to a residential zone: this use would be allowed in both as a Special Use. The applicants are considering up-zoning back to a GB use as the down-zoning did not accomplish their desire goal of a more marketable lot for sale. They have decided instead to re-purpose the old business use and, if successful, might consider expansion across their other owned lots (adjacent lot currently native vegetation with minimal use).

Traffic Analysis

There is not an equivalent use for a small children's party facility in the ITE Manual, 8th ed. The applicant estimates no more than two employees with heavier use during the weekends. It is likely that most of this traffic will be off-peak hours and is likely to produce clustered but intermittent trips throughout the day. The closest equivalent might be a day care facility which has a typical trip rate of 4.48 vehicle trips per student; theoretically, a birthday party with 12 children would be looking at a range of 26.88 to 53.76 vehicle trips per event. Keep in mind that vehicle trips include not just the participants but all other activities to support the business venture, such as mail and package deliveries.

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

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

However, given the nature of this type of use an average over a week would likely be less than a typical small business and most certainly far less than a typical business that fronts on a highway. In any event, this activity would need to expand beyond that which is currently accommodated by the applicant, or beyond the scale of similar type uses known in Scottsdale and Mesa, in order to trigger the need for off-site improvements such as turning lanes.

Of concern with any type of use involving small children and traffic is the provision of adequate separation between vehicles and pedestrians. A full traffic report is not necessary for this use but a defined parking plan showing how pedestrians will move through the site, provision of defined pathways and an indication of how lighting will be addressed if any nighttime activities might occur will be requested at the Commercial Permit stage. Based on the conceptual plan and type of land use it appears that a minimum of 10 parking spaces will be required.

Given the intermittent use for this proposed use we have no objection to granting a waiver to allow for native surfacing for some or all of the parking areas although we do encourage the applicant to continue to improve the grounds and provide for hard surfacing at the front of the building.

Site Access

The access roadway to the subject parcel was originally part of the state highway system and was intended to provide an alternative business connection between Highway 90 to Highway 82. The original driveway would have been built as a residential driveway under the Arizona Dept. of Transportation (ADOT) permitting; however, in June 1988 per resolution 88-06-A-52 the State abandoned this section of roadway to the County which begins at Oak St. and dead-ends near Ash St. (thus no longer making the connection to Highway 82 as was originally set out in the Coronado Estates Plats). The existing driveways should have been brought into the County's records at this time but apparently were not (the County has been routinely maintaining this portion of roadway since 1988 some records at the County continue to show this as an ADOT facility). Coronado Frontage Rd. was last chip-sealed in July 2014.

The driveway to the subject parcel is not in the County's current permit records and the applicant will be requested to legitimize this driveway during the Commercial Permit phase with a ROW/Encroachment Permit. Concurrently with legitimizing the driveway the applicants will need to work with the Highway Dept. to provide an improved commercial driveway with a minimum 24 foot width and a 35 foot radius under the ROW/Encroachment Permit in advance or concurrently with their Commercial Permit application. During the ROW/Encroachment Permit process the Highway Dept. will inspect the existing driveway and work with the applicant to identify if any improvements are needed to meet current commercial design standards. At this time the applicant has indicated their intention to meet or exceed minimum design standards for their access driveway.

Recommendation and Advisory Note for the Applicant

Given the off-peak intermittent type of travel demand this use would generate, and given the seasonal nature of the proposed use, no off-site improvements will be required of the applicant. It will be the applicant's responsibility to follow up with the Highway Dept. to ensure that their driveway access to Coronado Frontage Rd. is legitimized and brought up to the appropriate commercial driveway standard.

The applicant is strongly advised to obtain a ROW/Encroachment Permit in advance of applying for their Commercial Permit so that they are certain as to the design characteristics of their approved driveway in advance of providing a detailed site plan for the Commercial Permit phase. The applicant is also advised that the conceptual site plan provided during the Special Use phase will not be adequate at the Commercial Permit phase. Additional details, including site distance triangles, will be required as described by the County's Zoning regulations.

Henry, Jim

From: Cratsenburg, Diane E
Sent: Thursday, April 28, 2016 11:04 AM
To: Henry, Jim
Cc: Lamberton, Karen L; Donovan, Dennis L
Subject: RE: SU-16-08 (Reaves)

I hadn't sent info previously, but I am aware of Dennis Donovan's efforts to get the maintenance issue clarified. It has been, apparently, and the portion of the road that is on County maintenance is highlighted on MapView and Gist.

There is no permit history for the driveway, being as it was established quite some time ago, so a permit would be required to document the existing conditions. In addition, per Dennis' site visit, questions arise about the driveway as shown on the site plan submitted. A 30 foot wide chip-sealed driveway was not readily evident. The site plan does not show dimensions for the turn radii and the sight distance triangles nor the length of the driveway apron that would be in the ROW.

Applicant will be required to submit a ROW permit application at commercial permit review and provide all required site plan information, etc., and if the existing driveway does not meet minimum current commercial standards, then they may have to do some improvements.

Given the information I gained from Dennis & his review & site visit, I presume that you already know this.

Diane Cratsenburg
Engr Tech III
Cochise County Community Development
Highway and Floodplain Division
1415 Melody Lane
Bisbee, AZ 85603
520-432-9327
520-432-9337 fax

Public Programs...Personal Service
www.cochise.az.gov

From: Henry, Jim
Sent: Monday, March 28, 2016 4:32 PM
To: Dee Crumbacher; sepuzas@azdot.gov; wfdchief@cis-broadband.com; Call, Pat G; Cratsenburg, Diane E; Dist1a; Dist1b; Dist1c; Dist2a; Dist2b; Dist2c; Dist3a; Dist3b; Dist3c; Drake, Jesse; English, Ann S; Esparza, Paul; Flores, Dora V; Hanson, Britt W; Izzo, Michael D; Lamberton, Karen L; Murphy, Teresa; Riggs, Karen C; Searle, Richard R; Solis, Joaquin
Subject: SU-16-08 (Reaves)

For review and comment.

Thank you, .

Jim Henry
Planner I
Cochise County Community Development
Planning, Zoning, and Building Safety Division
1415 Melody Lane, Building E
Bisbee, AZ 85603



Cochise County
Community Development
Planning, Zoning and Building Safety Division
Public Programs...Personal Service
www.cochise.az.gov

INTEROFFICE MEMO

Date: April 6, 2016
To: Jim Henry, Planner I
From: Brad Simmons, P.E., Civil Engineer II
For: Karen Riggs, P.E. RLS, Highway & Floodplain Director, Floodplain Administrator
Subject: 1stnd Substantive Review, Special Use Permit 16-08/Parcel 106-24-013

The Cochise County Highway and Floodplain Dept. has reviewed the subject special use permit application and have found it sufficient.

Thank you for the opportunity to review and comment on the Levine Special Use Permit. The plans are approved for construction from the Floodplain Department.

Planning, Zoning and Building Safety
1415 Melody Lane, Building E
Bisbee, Arizona 85803
520-432-9300
520-432-9278 fax
1-877-777-7958
planningandzoning@cochise.az.gov

Highway and Floodplain
1415 Melody Lane, Building F
Bisbee, Arizona 85803
520-432-9300
520-432-9337 fax
1-800-752-3745
highway@cochise.az.gov
floodplain@cochise.az.gov

Special Use Docket SU-16-08 (Reaves)

YES, I SUPPORT THIS REQUEST

Please state your reasons:

NO, I DO NOT SUPPORT THIS REQUEST:

Please state your reasons:

(Attach additional sheets, if necessary)

PRINT NAME(S): Dorothy E. Adams

SIGNATURE(S): Dorothy E. Adams
Adams Family Trust

YOUR TAX PARCEL NUMBER: 10624057 (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. Submission of 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 no later than **4 PM on Monday, April 25, 2016** to be included in the staff report to the Commission in order for them to consider the comments before the meeting. We cannot make exceptions to this deadline; however, if you miss the written comment deadline for the staff report you may still mail or send email comments to Jim Henry at jhenry@cochise.az.gov that must be received by **May 10, 2016** to have your support or non-support noted verbally noted at the meeting. You may also personally make a statement at the **public hearing on May 11, 2016**.

NOTE: Please do not ask the Commissioners to accept written comments or petitions at the meeting; your cooperation is greatly appreciated.

RETURN TO: Jim Henry, Planner I
Cochise County Planning Department
1415 Melody Lane, Building E
Bisbee, AZ 85603

Special Use Docket SU-16-08 (Reaves)

YES, I SUPPORT THIS REQUEST
Please state your reasons:

WE NEED A PLACE LIKE THIS FOR OUR CHILDREN / GRANDCHILDREN
TO GO.

NO, I DO NOT SUPPORT THIS REQUEST:
Please state your reasons:

(Attach additional sheets, if necessary)

PRINT NAME(S): ROSE MANNING RANDY MANNING

SIGNATURE(S): *Rose Manning*
Randy Manning

YOUR TAX PARCEL NUMBER: 10624059A (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. Submission of 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 no later than 4 PM on Monday, April 25, 2016 to be included in the staff report to the Commission in order for them to consider the comments before the meeting. We cannot make exceptions to this deadline; however, if you miss the written comment deadline for the staff report you may still mail or send email comments to Jim Henry at jhenry@cochise.az.gov that must be received by May 10, 2016 to have your support or non-support noted verbally at the meeting. You may also personally make a statement at the public hearing on May 11, 2016.

NOTE: Please do not ask the Commissioners to accept written comments or petitions at the meeting; your cooperation is greatly appreciated.

RETURN TO: Jim Henry, Planner I
Cochise County Planning Department
1415 Melody Lane, Building E
Bisbee, AZ 85603

Special Use Docket SU-16-08 (Reaves)

YES, I SUPPORT THIS REQUEST

Please state your reasons:

NO, I DO NOT SUPPORT THIS REQUEST:

Please state your reasons:

I am concerned about the noise and extra traffic in the area. I have rentals there. If there is too much noise and traffic, it could affect my existing tenants that would rent my other houses.

(Attach additional sheets, if necessary)

PRINT NAME(S):

RENA MOUNTJOY

SIGNATURE(S):

Rena Mountjoy

YOUR TAX PARCEL NUMBER: 106-24-0088 (the eight-digit identification number found on the tax statement from the Assessor's Office) 106-24-0075

Your comments will be made available to the Planning Commission. Submission of 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 no later than **4 PM on Monday, April 25, 2016** to be included in the staff report to the Commission in order for them to consider the comments before the meeting. We cannot make exceptions to this deadline; however, if you miss the written comment deadline for the staff report you may still mail or send email comments to Jim Henry at jhenry@cochise.az.gov that must be received by **May 10, 2016** to have your support or non-support noted verbally at the meeting. You may also personally make a statement at the **public hearing on May 11, 2016**.

NOTE: Please do not ask the Commissioners to accept written comments or petitions at the meeting; your cooperation is greatly appreciated.

RETURN TO: Jim Henry, Planner I
Cochise County Planning Department
1415 Melody Lane, Building E
Bisbee, AZ 85603



Cochise County
Community Development
Planning, Zoning and Building Safety Division
Public Programs...Personal Service
www.cochise.az.gov

MEMORANDUM

TO: Cochise County Planning and Zoning Commission
FROM: Dora V. Flores, Zoning Administrator
FOR: Paul Esparza, AICP, Planning Director
SUBJECT: Docket R-16-01 (Zoning Regulations Updates)
DATE: May 2, 2016

I. BACKGROUND AND PROPOSED CHANGES

Docket R-16-01 is a resolution that proposes several revisions to the Cochise County Zoning Regulations, last revised and adopted on December 2nd of 2014 (Zoning Ordinance 14-10). Section 102.A.8 of the Cochise County Comprehensive Plan requires periodic review and updates to the Zoning Regulations to “reduce complexity, contradictions, and unnecessary regulations.” The overall intent of the proposed revisions is to simplify and clarify the existing regulations. These proposed changes reflect the spirit of addressing issues in a timely manner and incorporates recent changes from the State of Arizona Department of Fire, Building and Life Safety, as well as clerical edits and amendments stemming from suggestions and comments received by Staff. A summary listing of the changes as well as the complete draft document (with additions and deletions shown) is included for consideration. The following is a brief review of the changes Staff is proposing:

Article 2, Definitions

- Verbiage revised throughout Zoning Regulation to reflect a Special Use is not a Permit but only Authorization to apply for a Permit. Changes include “Authorization” replacing “Permit” and added “Authorization” after “Special Use”.
- **New Definition:**
 - “Amateur Radio” added for clarification. These are not “Communication Equipment” such as antennas for cell towers.
- **Revised Definitions:**
 - “Custom Butchering/Meat Curing Processing” the number of turkeys/birds was added to clarify how many can be processed/butchered.
 - “Mobile Home, Rehabilitated” as only the AZ Dept of Fire, Building and Life Safety is only authorized to certify the rehabilitation of a mobile home.
 - “Recreational Facilities, Indoor and/or Outdoor”, all sections throughout regulations revised by rearranging verbiage, putting “Recreational Facilities” in front of “Indoor and/or Outdoor” as written in the definition.
 - “Residential Care Home and Institution”, decreased the number of persons to be cared for to comply with the 2012 International Building Code (IBC); from 10 to 6.
 - “Retail Sales/Rentals”, verbiage added to the definition from “Retail Sales/Rental” uses throughout regulations for consistency.
 - “Site Area, Minimum”, added language to clarify property given for benefit of the public such as State Highway or Multi-Use Paths would be included in the site area.

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1415 Melody Lane, Building E
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1415 Melody Lane, Building F
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floodplain@cochise.az.gov

- “Wind Energy System”, added language to clarify these have density limits.
- “Winery Tasting Room”, added if principal winery is exempt; the tasting room shall be exempt as well.
- The word “calendar” has been added to all references to “days” in the entire regulations for clarification.

Article 6, Rural Zoning Districts, Section 606

Article 7, Residential Zoning Districts, Section 706

Article 17, Administration, Section 1704

- Fence height revised from six feet up to seven feet before requiring a permit; to be equivalent to the 2012 IRC.

Article 6, Rural Zoning Districts, Section 604.03

Article 7, Residential Zoning Districts, Sections 703.04

Article 8, Single-Household/Manufactured Home Res. Zoning Dist, Sections 804.03

Article 9, Single-Household Residential Zoning Districts, Sections 904.03

Article 10, Multiple-Household Residential Zoning Districts, Section 1004.03

Article 11, Neighborhood Business Zoning District, Sections 1103.03

Article 12, General Business Zoning District, Section 1203.02

Article 13, Light Industry Zoning District, Section 1303.02

Article 14, Heavy Industry Zoning District, Section 1403.02

- “Special Use setback language” Verbiage deleted throughout Z-Reg’s: Special Use requests often have existing structures and the impacts are normally the same as a structure with no Special Use. The Commission has consistently approved modifications for setbacks to allow structures to remain in place.

Article 7, Residential Zoning Districts, Sections 703.09 and 707.15

Article 8, Single-Household/Manufactured Home Res. Zoning Dist, Sections 803.09 and 806.14

Article 9, Single-Household Residential Zoning Districts, Sections 903.08 and 906.14

Article 10, Multiple-Household Residential Zoning Districts, Section 1006.11

Article 11, Neighborhood Business Zoning District, Sections 1106.17

Article 12, General Business Zoning District, Section 1205.15

Article 13, Light Industry Zoning District, Section 1305.07

Article 14, Heavy Industry Zoning District, Section 1405.05

Article 15, Planned Development Districts, Section 1502.51

- “Unlighted” verbiage removed from permitted uses since it would be a Special Use if illuminated and non-compliant with the light pollution regulations, and “Lighted Outdoor Recreational Facilities” deleted since all zoning districts allow as Special Uses which would include “Lighted or Unlighted”.

Article 10, Multiple-Household Residential Zoning Districts

- **Section 1002.02**, added “MH-18” as it was eliminated in error sometime in the 1980’s. We currently have three parcels in the county with this Zoning.
- **Section 1003.06**, added “Recreational Facilities, Indoor and/or Outdoor, approved as part of a subdivision review process for subdivision residents and guest only”, this was the only residential zoning district not allowing this use to be approved as part of a subdivision review.

Article 12, General Business Zoning District

- **Section 1205.22**, added “Custom Butchering/Meat Curing/Processing with less than a 100-foot minimum setback.”, if over 100’ it is a permitted use.

Article 13, Light Industry Zoning District

- **Section 1305.04**, deleted “Slaughterhouse/Meat Packing Plants” as it is a duplicate, see section 1305.19.
- **Section 1302.46**, Solar Energy Power Plants, moved to Permitted Uses from Special Uses.

Article 14, Heavy Industry Zoning District

- **Section 1402.32**, deleted “Commercial Feedlots with 300-foot minimum setback” as it is a duplicate, see section 1402.11.
- **Section 1402.36**, “Recreation Facilities, Indoor and/or Outdoor”, moved here to Permitted Uses from Special Uses.
- **Section 1402.37**, **Solar Energy Power Plants**, moved to Permitted Uses from Special Uses.

Article 16 – Light Pollution: Changes include the following:

- **1602.03 Applicability**, added a date to give applicants a specific date instead of “effective date of this provision.
- **1602.04 Special Use Authorization Requirements**, moved the language from 1610.01 and .02 and inserted here to have all requirements for Special Uses in one section.
- **1603 Definitions**, revised “Sign, Digital”, to clarify it is unshielded and deleted animated and flashing since they are not allowed.
- **1607.04 Curfew**, deleted language regarding internally illuminated signs with an opaque background....it was leftover from previous revision, it should have been deleted previously.

Article 17, Administration

- **Section 1704, List of Exemptions for Single Family Residential Dwellings Only**
 - 1704.F – added “not involving utility change” to clarify.
 - 1704.I – added “unless supporting a surcharge or impounding Class I, II, or IIIA liquids” to be equivalent to 2012 IRC.
 - 1704.V – added “Satellite dishes and residential antennas for wireless communications such as home internet service.
- **Section 1705, Application for Building/Use Permit, 1705.08.L**, added “Sight Triangle” to items required on a site plan for non-residential permits.
- **Section 1714, Building Use Permit Fee, 1714.02**, revised language to conform to current process, only for qualifying Rural Residential Owner-Builder Amendments.
- **Section 1715, Lot Development Administrative Modifications, 1715.01**, deleted “building code standards” as these cannot be modified.
- **Section 1716, Special Uses, 1716.03**, added language to allow the County Zoning Inspector to revoke a Special Use Authorization that has not met its conditions within the specified time without taking back to the Commission.
- **Section 1717, Procedures for Issuing Permits for Accessory Living Quarter, 1717.05**, language allowing a Special Use if ALQ was larger than allowed deleted as this is no longer applicable.
- **Section 1720, Temporary Uses (requiring no permit), 1720.04**, added “Recycling Drop-Off Receptacles”.

Article 18, Site Development Standards

- **Section’s 1804 and 1807, Off-Street Parking and Loading**, revised to clarify improvements are required per the Cochise County, Highway & Floodplain, Road Design & Construction Standards & Specifications For Public Improvements not the County Engineer.
- **Section 1813.01, Communication Facilities**, the entire “Co-location” section was deleted and replaced with “Existing Towers” as it seems the reports are excessive requirements and from the reports we have received we were unable to verify if the information was valid or not.
- **Section 1813.04.A, Communication Facilities -Setbacks**, entire section deleted to require all new towers be setback to meet the “fall zone”.
- **1821.06, Wind Energy Systems**, deleted “Building permit required”, verbiage unnecessary as these structures are not exempt from zoning nor building code requirements.
- **1822.02, Wind Energy Power Plants, Setbacks**, new language added to require Wind Turbines be setback a minimum of 1000-feet to any existing residence.
- **Section 1822.04, Wind Energy Power Plants, Construction**, deleted construction information and replaced with “noise” restrictions to be consistent with Wind Energy Systems.

- **Section 1823.02, Solar Energy Systems, Parcel Size**, deleted “Parcel Size” as verbiage is unnecessary as Solar Energy Systems are accessory to permitted uses that meet site development standards.
- **Section 1823.06, Solar Energy Systems, Construction**, deleted “Building permit required”, verbiage unnecessary as these structures are not exempt from zoning nor building code requirements and National Electric Code language is in the adopted International Building Code.
- **Section 1824, Solar Energy Power Plants**, language deleted and revised to allow as Permitted Uses in LI and HI and as Special Uses in RU and GB in all Growth Categories.
- **Section 1824.01, Solar Energy Power Plants, Parcel Size**, language deleted as Solar Power Plants should meet the minimum parcel requirement of the zoning district in which it is located.
- **Section 1824.05, Solar Energy Power Plants, Construction**, language, deleted “Building permit required”, verbiage unnecessary as these structures are not exempt from zoning nor building code requirements.

Article 19, Sign Code

- **Section 1907.02, Digital Signs**, added “one per site” to clarify how many digital signs are allowed per site, changed light fixture to sign for setbacks for digital signs; and revised, change in copy for digital signs to four seconds from five minutes, this is the industry standard.
- **Section 1908.07, Directory Sign**, should have been revised with update in 2013, added RU-4 and permissible sizes.

Article 20, Exemptions, Exceptions and Nonconformances, Section 2002.03, Revised height exceptions to reflect Wind Energy Power Plants are exempt from height, not the Wind Energy Systems.

II. SUMMARY AND RECOMMENDATION

Staff previously indicated that minor edits and corrections would be addressed in a timely manner. The updates and edits included in these proposed text amendments clarify and simplify the existing zoning regulations. Staff is requesting the Planning Commission forward these proposed text amendments to the Board of Supervisors with a recommendation for approval for the June 14th meeting.

Sample Motion: *Mr. Chairman, I move to forward Docket R-16-01 with a recommendation of approval to the Board of Supervisors.*

III. ATTACHMENTS

- A. Exhibit A (proposed revisions to the Zoning Regulations)

EXHIBIT "A" R-16-01 Zoning Regulations Update

203 Definitions

Accessory Living Quarters – An attached or detached structure (including detached bedrooms) that is used either as a guesthouse or as quarters for the ill, elderly or disabled, or their caretaker(s). Accessory Living Quarters must be incidental and subordinate in size (including all garages, porches, etc), impact, and purpose to a principal dwelling.

Detached Accessory Living Quarters are limited to one kitchen per unit.

Except for parcels zoned Rural, in the absence of a Special Use ~~Authorization permit~~, the Accessory Living Quarters shall not have a separate address or separate utility meters. In the absence of a Special Use ~~Authorization permit~~, the Accessory Living Quarters shall not be rented separately from the main residence, nor used for commercial purposes other than a Home Occupation, ~~and is not intended for sale separately from the main residence~~.

Comment [d1]: Verbiage revised throughout Zoning Regulation to reflect a Special Use is not a Permit but only Authorization to apply for a Permit. Changes include:

- "Authorization" replaces "Permit"
- Added "Authorization" after "Special Use"

There shall be no more than one Accessory Living Quarters per lot or parcel. Recreational vehicles, other than park models, shall not be permitted as Accessory Living Quarters in any Zoning District. Manufactured homes, rehabilitated mobile homes, ~~mobile homes with the State Office of Manufactured Housing Rehabilitation Insignia of Approval~~ and park models may be permitted as Accessory Living Quarters in those Zoning Districts that allow mobile homes and manufactured homes as permitted structures.

Comment [d2]: Verbiage deleted as it is unnecessary.

Comment [d3]: Verbiage deleted for consistency and to comply with the Department of Fire Building and Life Safety. See definition for "Mobile Home, Rehabilitated" below.

~~**Amateur Radio** - Also called "Ham Radio", the radio facilities and use of designated radio frequencies operated for noncommercial purposes by individuals for the purpose of self-training, intercommunication and technical investigations carried out by amateurs, that is, duly authorized persons interested in radio technique solely with a personal aim and without pecuniary interest licensed by the Federal Communications Commission (FCC). This is not considered Communication Equipment.~~

Comment [d4]: Definition added for clarification. These are not "Communication Equipment" such as antennas for cell towers.

Animal Husbandry Services - Facilities, including kennels, related to the care, raising, boarding, and breeding of animals.

Building Permit - A permit granted to a property owner by the County Zoning Inspector to use, establish, construct, alter, or enlarge any portion of a building or structure as permitted by the adopted building and zoning codes and as allowed pursuant to the approval of a Special Use Authorization Permit.

Communication Equipment - A facility or shelter used for housing equipment for switching, processing, transmission and/or reception of Federal Communications Commission (FCC) licensed wireless communications services involving the use of an antenna array, connection cables, and equipment shelters. ~~Communication facilities equipment shall be considered a utility installation.~~

Comment [d5]: Verbiage deleted as "utilities" have their own category under permitted uses.

Conforming Use - A use of land which is permitted or approved as a Special Use Authorization in the Zoning District in which it is situated.

Cultural, Historic and/or Nature Exhibits - Activities which include, but are not limited to libraries, museums, art galleries, planetariums, aquariums, botanical gardens, arboretums, zoos, and historic sites.

Custom Butchering/Meat Curing/Processing – The cutting, curing, and processing of meat, to include on-site butchering, operating under the Arizona Department of Agriculture slaughter license for more than 45-head and not to exceed 150-head of cattle and more than 45-head and not to exceed 160-head of sheep, goats, or swine and also for not more than two-hundred-fifty turkeys, or not more than an equivalent number of birds of all species with four-birds of other species being deemed equivalent of one-turkey in one-calendar year.

Comment [d6]: Verbiage added for clarification of how many poultry can be processed/butchered.

Guest Lodging – A building or group of buildings furnishing rooms or an area for accommodation for overnight or short term lodging such as a hotel or motel, resorts, guest ranches, group camps, and campgrounds and may include recreational facilities, restaurants, meeting rooms or similar facilities. This definition does not include Recreational Vehicle Parks or Bed ~~&~~ and Breakfast land uses.

Home Occupation - An activity carried on by the occupant of a dwelling as a secondary use, including personal and professional services, subject to the following limitations:

Comment [d7]: Verbiage should of been deleted in 2013 when all sign content verbiage was deleted from the Z-Regs.

Comment [d8]: Verbiage added to be the same with the definition for a Home Occupation sign.

- G. There shall be allowed one on-site non-illuminated, permanent ~~identification~~ sign not to exceed four-square feet with a maximum height of five-feet and vehicular signs.

EXHIBIT "A" R-16-01 Zoning Regulations Update

Mobile Home, Rehabilitated - A mobile home that has been rehabilitated and certified as such by the Department of Fire Building and Life Safety Cochise County or that exhibits the approved Rehabilitation Insignia before 2013 or Rehabilitation Certificate as of January 1, 2013 from the Department of Fire Building and Life Safety Arizona State Office of Manufactured Housing Rehabilitation insignia.

Comment [d9]: Revised per State Law, only the Department of Fire Building and Life Safety is authorized to certify the rehabilitation of a mobile home.

Recreational Facilities, Indoor and/or Outdoor - An area designed and equipped for active recreation, sports, or leisure time activities and other customary and similar activities for public or private use, including, but not limited to parks, baseball or softball diamonds, soccer and football fields, tennis courts, and roping and equestrian arenas. This does not include fairgrounds, amusement parks, zoos, or outdoor firearms, skeet, archery or trap-shooting ranges, unlighted facilities which are accessory to a permitted principal use or lighted roping arenas for private use which are allowed as accessory uses to a residential permitted principal use.

Residential Care Home - A single-household dwelling licensed by the State which is used to provide housing and supervisory personal or custodial care services to not more than sixteen (640) persons residing on the site. The home is a single-household dwelling for the purposes of all County Zoning Ordinances and shall not be subject to non-residential site development standards, but shall require a Non-Residential use permit. A Residential Care Home may include facilities for individuals who require special care for physical, mental, or emotional reasons including, as defined by the State of Arizona, adult care homes, adult foster homes, homes for the elderly, or the disabled and/or adult and juvenile group homes. A Residential Care Home may include a home for juveniles if it meets the criteria of Article 17. This definition does not include an Offender Rehabilitation Facility. A Residential Care Home may include a home for juveniles if it meets the criteria of Article 17.

Comment [d10]: The number is being decreased to six to comply with the adopted 2012 International Building Code (IBC).

The limitation of sixteen (640) or fewer persons does not include the operator of a Residential Care Home, members of the operator's family or persons employed as staff, except that the total number of all persons living at the Residential Care Home shall not exceed sixteenfourteen (164). Only one Residential Care Home is allowed per parcel or site.

Comment [d11]: The number is being decreased to six to comply with the IBC.

Comment [d12]: This number is being increased to comply with the IBC. This allows six residents being cared for and up to ten staff/and or homeowner/family residents to live in the residence.

Comment [d13]: The number is being decreased to six to comply with the IBC.

Residential Care Institution - An operation licensed by the State, which is used to provide housing and supervisory personal or custodial care services to more than sixteen (640) persons residing on the site. A Residential Care Institution may include facilities for individuals who require special care for physical, mental, or emotional reasons including, as defined by the State of Arizona, adult care homes, adult foster homes, homes for the elderly, or the disabled and/or adult and juvenile group homes. A Residential Care Institution may include a home for juveniles that meet the criteria of Article 17. This definition does not include an Offender Rehabilitation Facility. A Residential Care Institution may include a home for juveniles that meet the criteria of Article 17.

Retail Sales/Rentals - All sales and/or rentals, indoors and/or outdoors, of products for their final consumers. May include light manufacturing or assembling incidental to retail sales from the premises provided that not more than forty percent of the floor area occupied by such business is used for manufacturing, baking, processing, assembling, treatment, installation, and repair of products. May include outdoor accessory storage of materials, merchandise, supplies and/or equipment with required screening if applicable.

Comment [d14]: Added verbiage "rentals, indoors and/or outdoors and baking" and also included "outdoor accessory storage" to clarify Info was taken from uses throughout Z-Regs for Retail Sales/Rentals.

Site - All actual land used, developed, intended to be developed or occupied for a use or group of uses, to include its buildings, structures, storage and service areas, streets, driveways, and any required setbacks around the perimeter of such land. In most cases, a site will be a single lot or parcel of record; however, a site may also be a portion of a lot or parcel, or even an aggregation of contiguous lots or parcels, whether under single or multiple ownership

Site Area, Minimum - The minimum area of a site upon which a specific use(s) may be permitted. Easements may be included in the calculation of the minimum site area. Property that is transferred in fee simple to the public or to the County, as necessary to perfect adequate right-of-way for those roadways depicted on the Cochise County Maintained Road System Map, or right-of-way acquired by the County, or another public entity for some other public purpose, may also be included in the calculation of the minimum site area. A permit may be issued if the minimum site area deficiency can be attributed to surveyor error as denoted in the table below.

Comment [d15]: Verbiage added to clarify that this would apply to any property given up for the benefit of the public such as State Highways or Multi-Use paths.

Solar Energy Power Plant - A commercial/Non-Residential, utility-scale sSolar eEnergy eSystem, the purpose of which is to supply solar-generated electricity to off-site consumers. Accessories 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.

EXHIBIT "A" R-16-01 Zoning Regulations Update

Welfare and/or Charitable Services - Services operated by public agencies or private associations for the benefit of the disadvantaged, needy, or for mental, behavioral, medical, or protective assistance for the public benefit. This may include a non-supervisory, non-custodial, residential component.

Comment [d16]: Revised to clarify.

Wind Energy Power Plant – A Non-Residential, utility-scale Wind Energy System, the primary purpose of which is to supply electricity to off-site consumers, consisting of a network of Wind Turbines and accessory structures and buildings, including substations, anemometers, and associated electrical infrastructure. The term does not include stand-alone, small-scale Wind Energy Systems for on-site residential or agricultural use which feed residual power into the electrical grid, as defined by the Arizona Corporation Commission.

Wind Energy System - A system which uses one or more wind turbines, batteries, power inverters and other associated components to convert the kinetic energy of the wind into electricity for use by consumers. Wind Energy Systems consisting of one or more Wind Turbines may provide power to one or more principal uses/residences, well pumps, or accessory structures on the same parcel on which they are sited. Wind Energy Systems subject to maximum densities Article 18.

Comment [d17]: Added verbiage to clarify since Wind Energy Systems do have limits on systems.

Winery Tasting Room – A building or portion thereof, subordinate in size, and accessory to, and located on the same site as, a Farm Vineyard, Farm Winery, Small Production Winery or Large Production Winery operation, in which wine may be sampled for and/or purchased. If the principal winery is exempt as Agricultural Processing Services, On-Site then the tasting room shall be exempt as well. A Winery Tasting Room may also include incidental retail sales of wine and related products.

Comment [d18]: Verbiage added to clarify that a Winery Tasting Room is to be located on the same site and shall be exempt from permitting requirements if site is "Agricultural Processing Services, On-Site".

307 Non-Permitted Uses

Any use not permitted in a district, either as a permitted use or as a Special Use Authorization, shall be permitted only if it reasonably fits under the generic category of uses and is not otherwise excepted therefrom.

402 Declaration

Comment [d19]: Added throughout Z-Regs (2-acres) and (4-acres) for clarification and consistency

Plan Designation	Permitted Zoning Districts
Neighborhood Conservation (NC)	R-36, R-18, R-9, NB, SM-36, SM-18, SM-9, SR-43, SR-22, SR-12, SR-8, MR-1, MR-2
Enterprise (ENT)	NB, GB, LI, HI
Developing (DEV)	RU-2, R-36, R-18, R-9, SM-87 (2-acres), SM-36, SM-18, SM-9, SR-87 (2-acres), SR-43, SR-22, SR-12, SR-8, MR-1, MR-2, NB, GB, LI, HI
Neighborhood Rehabilitation (NR)	Same as NC
Enterprise Redevelopment (ER)	Same as ENT
Rural Residential (RR)	RU-36, RU-18, RU-10, RU-4, RU-2, SM-36 Acres, SM-18 Acres, SM-10 acres, SM-174 (4-acres), SM-87 (2-acres), SR-36 Acres, SR-18 Acres, SR-10 acres, SR-174 (4-acres), SR-87 (2-acres)
Rural (R)	RU-36, RU-18, RU-10, RU-4, RU-2, SM-36 Acres, SM-18 Acres, SM-10 acres, SM-174(4-acres), SM-87 (2-acres), SR-36 Acres, SR-18 Acres, SR-10 acres, SR-174 (4-acres), SR-87 (2-acres), HI

404.06 Designating Areas as Rural Residential (RR)

The "Rural Residential" (RR) plan designation is used to describe areas in Category D (Rural) areas with a definite pattern of residential development on larger lots, two-acres or larger in size. Due to the well-established residential character of these areas, Rezoning or Special Use Authorizations to allow for more intensive developments that do not directly serve the residents of these areas are not generally appropriate. Less intensive businesses that serve area residents may be appropriate.

EXHIBIT "A" R-16-01 Zoning Regulations Update

407.04

Before approval of any change to the Comprehensive Plan, the Planning Commission shall hold at least one public hearing thereon, after giving at least 15-~~calendar~~ days notice by publication once in a newspaper of general circulation in the County seat. In addition, the notice shall be published in a newspaper of general circulation in the area to be affected, or adjacent thereto, if the area affected is other than the County seat. A recommendation of approval by the Planning Commission shall require the affirmative vote of a majority of the members present.

Comment [d20]: Added "calendar" throughout Z-Regs to clarify

407.06

Pursuant to Arizona Revised Statutes, 60-~~calendar~~ days prior to the Board of Supervisors meeting, the Community Development Department shall transmit a formal notice of any major amendment or plan element to:

407.07

After the Planning Commission makes its recommendation on an amendment to the Comprehensive Plan, the application shall be submitted to the Board of Supervisors for its consideration and official action. The Board of Supervisors shall hold one public hearing at which residents of the affected area and other members of the public shall be heard. At least 15-~~calendar~~ days notice of the hearing shall be given by publication once in a newspaper of general circulation in the County seat. The Board shall consider protests and objections to the plan. The Board may adopt the plan as presented, impose conditions or modifications, or reject it in whole or in part. All proposed major amendments, as defined previously (Section 405), for a given calendar year shall be presented to the Board of Supervisors, with the recommendations from the Planning Commission, at a single public hearing, to be held during the last quarter of each calendar year. Applications for major amendments will only be accepted from the first business day in January to the last business day of August in order to allow for proper public notice, analysis, and deliberation at this hearing.

603.05 ~~Enclosed Veterinary Clinics and/or Animal Hospitals (enclosed building).~~

Comment [d21]: Edited throughout Z-Regs for consistency with other sections in Z-Regs.

603.15 ~~Recreational Facilities. Indoor and/or Outdoor, Recreational Facilities approved as part of a subdivision review process for subdivision residents and guests only~~

Comment [d22]: Verbiage changed throughout Zoning Regulations to be consistent with definition. Change includes:

Rearranging verbiage, putting "Recreational Facilities" in front of "Indoor and/or Outdoor" as written in the definition.

603.18 ~~Agricultural-Processing with a 300-foot minimum setback.~~

604.03 Setbacks, Principal and Accessory Structures/Uses

The minimum setback shall be measured from the closest point on the property line or the edge of road travelway to the structure/use, whichever is closer. The minimum required setbacks for permitted uses are:

District	Setback*
RU-36	20-foot
RU-18	20-foot
RU-10	20-foot
RU-4	20-foot
RU-2	20-foot

~~The minimum required setback for Special Uses is 40-foot.~~ The minimum required setbacks for accessory structures no larger than 4200-square feet is 10-foot.

Comment [d23]: All sections regarding setbacks were edited for consistency throughout Z-Regs.

605 Permitted Accessory Uses

Accessory uses are permitted in RU Zoning Districts provided they are customarily incidental to an established permitted principal use. Accessory structures may exceed the size of the principal structure, unless otherwise stated, provided that all other site development standards are met. ~~Winery-Tasting-Rooms are permitted accessory uses to a Farm Vineyard, Farm-Winery, Small Production Winery, or Large Production Winery, usee may be exempted if conditions are met per definition of Agricultural Processing Services, On-Site.~~ For residential uses, the following additional accessory uses and buildings shall be permitted:

Comment [d24]: Verbiage deleted throughout Z-Reg's. Special Use request often have existing structures and impact are normally the same as structure with no Special Use. The Commission has consistently approved modifications for setbacks to allow structures to remain in place.

605.03 One Accessory Living Quarter (~~ALQ~~), subject to the definition in Article 2 and the procedures in Article 17.

Comment [d25]: Language deleted and moved to definition of "Winery Testing Room" as it may also be exempt if located in another Zoning District if requirements for "Agricultural Processing Services, On-Site" are met.

131 A

EXHIBIT "A" R-16-01 Zoning Regulations Update

606 Other Permitted Uses

The following rural uses will be allowed without the establishment of a permitted principal use:

- 606.01** Solid fences or walls ~~six~~^{five} feet in height or less. Setbacks do not apply; no permit required unless greater than three feet in height on a corner lot (informational permit required).
- 607.06** ~~Veterinary Clinics and/or Animal Hospitals, Animal Boarding, and/or Veterinary Clinics.~~
- 607.08** ~~Recreational Facilities, Indoor and/or Outdoor Recreational Facilities.~~
- 607.23** Retail Sales, Rentals, ~~or Accessory Storage of Materials, Merchandise, Supplies and/or Equipment.~~
- 607.38** Golf Courses, ~~subject to the site development standards in Article 18.~~
- 607.39** Agricultural Processing ~~services~~ with less than a 300-foot minimum setback.
- 607.49** Wind Energy Power Plants (in Category D Areas only), ~~subject to site development standards in Article 18.~~
- 607.52** Solar Energy Power Plants ~~in Category D areas only, subject to site development standards in Article 18.~~
- 703.09** ~~Recreational Facilities, Indoor and/or Unlighted Outdoor Recreational Facilities~~ approved as part of a subdivision review process for subdivision residents and guests only.

Comment [d26]: Revised to be equivalent to the 2012 International Residential Code (IRC)

Comment [d27]: Verbiage deleted here and added to definition of "Retail Sales/Rentals"

Comment [d28]: Verbiage added throughout Z-Regs for clarification.

Comment [d29]: "Unlighted" deleted because if lighting not compliant with the Light Pollution the lighting plan would have to be analyzed and approved by a Special Use regardless if indoor or outdoor.

704.03 Setbacks, Principal and Accessory Structures/Uses

The minimum setback shall be measured from the closest point on the property line or the edge of road travelway to the structure/use, whichever is closer. The minimum required setbacks for permitted uses are:

District	Setback*
R-36	20-foot
R-18	20-foot
R-9	10-foot

* ~~The minimum setbacks for Special Uses shall be double that of the Zoning District in which it is located.~~ The minimum required setbacks for accessory structures no larger than 1200-square feet ~~or less~~ are half that of the Zoning District in which it is located.

706 Other Permitted Uses

The following uses will be allowed without the establishment of a permitted principal use on parcels four-acres or larger:

- 706.03** Solid fences or walls ~~six~~^{five} feet in height or less. Setbacks do not apply; no permit required, except if greater than three-feet in height on a corner lot (informational permit required).
- 707.02** Day Care Facilities ~~and~~ Establishments.
- 707.12** Golf Courses, ~~subject to the site development standards in Article 18.~~
- 707.13** ~~Recreational Facilities, Indoor and/or Outdoor Recreational Facilities.~~
- ~~**707.15** Lighted Outdoor Recreation Facilities.~~
- 707.156** ~~Veterinary Clinics and/or Animal Hospitals and/or Veterinary Clinics.~~
- 707.167** Animal Husbandry Services.
- 707.178** Contract Construction Services in R-36 only.

Comment [d30]: Revised to be equivalent to the 2012 International Residential Code.

Comment [d31]: Deleted/duplicate, already allowed as a Special Use as "707.13 Recreational Facilities, Indoor and/or Outdoor."

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- | **707.189** Manufacturing, Wholesaling, Warehousing, Distribution, and/or Storage of Agriculture-Related Products in R-36 only.
- | **707.1920** Repair Services, Light, not to exceed 2,500-square feet of floor area.
- | **707.201** Group Quarters.
- | **707.212** Commercial Plant Nurseries.
- | **707.223** Mini-Warehouses.
- | **707.234** Farmers Markets.

803.09 ~~Recreational Facilities~~. Indoor and/or Outdoor ~~Unlighted Recreational Facilities~~ approved as part of a subdivision review process for ~~unlighted~~ subdivision residents and guests only.

Comment [d32]: "Unlighted" deleted because if lighting not compliant with the Light Pollution the lighting plan would have to be analyzed and approved by a Special Use regardless if indoor or outdoor

804.01 Minimum Site Area and Maximum Density

District	Minimum Site Area	Maximum Density
SM-36 Acres	36-acres	One dwelling unit per 36-acres
SM-18 Acres	18-acres	One dwelling unit per 18-acres
SM-10 Acres	10-acres	One dwelling unit per 10-acres
SM-174 (4-acres)	174,240-square feet (4-acres)	One dwelling unit per 174,240-square feet (4-acres)
SM-87 (2-acres)	87,120-square feet (2-acres)	One dwelling unit per 87,120-square feet (2-acres)
SM-36	36,000-square feet	One dwelling unit per 36,000-square feet
SM-18	18,000-square feet	One dwelling unit per 18,000-square feet
SM-9	9,000-square feet	One dwelling unit per 9,000-square feet

804.02 Maximum Height

Principal structure	30-feet above grade
Accessory structure	20-feet above grade
Wall or fence	8-feet above grade

804.03 Setbacks, Principal and Accessory Structures/Uses

The minimum setback shall be measured from the closest point on the property line or the edge of road travelway to the structure/use, whichever is closer. The minimum required setbacks for permitted uses are:

District	Setback*
SM-36 Acres, SM-18 Acres, SM-10 Acres	20-feet
SM-174 (4-acres), SM-87 (2-acres), SM-36, SM-18	20-feet
SM-9	10-feet

* ~~The minimum setback for Special Uses shall be double that of the Zoning District in which it is located.~~ The minimum required setbacks for accessory structures no larger than 420-square feet ~~is~~ are half that of the Zoning District in which it is located.

804.04 Maximum Site Coverage

District	Maximum Site Coverage
SM-36 Acres, SM-18 Acres, SM-10 Acres	25%
SM-174 (4-acres), SM-87 (2-acres)	25%
SM-36, SM-18, SM-9	65%

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806.06 Golf Courses, subject to the site development standards in Article 18

806.07 Recreational Facilities, Indoor and/or Outdoor ~~Recreational Facilities~~

~~**806.14** Lighted Outdoor Recreation Facilities~~

Comment [d33]: Deleted/duplicate, already allowed as a Special Use as "806.07 Recreational Facilities, Indoor and/or Outdoor."

806.145 Animal Husbandry Services

806.156 Farmers Markets.

806.167 Commercial Plant Nurseries.

~~**902.06** SR-43 (1-acre)~~

Comment [d34]: Deleted (1-acre) for consistency.

903.01 All Single-Household Dwellings (Site Built and Factory Built Buildings), excluding Manufactured Homes and Rehabilitated Mobile Homes ~~and manufactured homes~~

Comment [d35]: Rearranged the words for clarification.

~~**903.08** Recreational Facilities, Indoor and/or Unlighted Outdoor, Recreational Facilities approved as part of a subdivision review process for subdivision residents and guests only.~~

Comment [d36]: "Unlighted" deleted because if lighting not compliant with the Light Pollution the lighting plan would have to be analyzed and approved by a Special Use regardless if indoor or outdoor

904.01 Minimum Site Area and Maximum Density

The minimum site area and maximum density are as follows:

District	Minimum Site Area	Maximum Density
SR-36 Acres	36-acres	One dwelling unit per 36-acres
SR-18 Acres	18-acres	One dwelling unit per 18-acres
SR-10 Acres	10-acres	One dwelling unit per 10-acres
SR-174 (4 Acres)	4-acres	One dwelling unit per 4-acres
SR-87 (2 Acres)	2-acres	One dwelling unit per 2-acres
SR-43	43,560-square feet	One dwelling unit per 43,560-square feet
SR-22	22,000-square feet	One dwelling unit per 22,000-square feet
SR-12	12,000-square feet	One dwelling unit per 12,000-square feet
SR-8	8,000-square feet	One dwelling unit per 8,000-square feet

904.03 Setbacks, Principal and Accessory Structures/Uses

The minimum setback shall be measured from the closest point on the property line or the edge of road travelway to the structure/use, whichever is closer. The minimum required setbacks for permitted uses are:

District	Setback*
SR-36 Acres, SR- 18 Acres, SR-10 Acres	20-feet
SR-174 (4 Acres), SR-87 (2 Acres), SR-43, SR-22	20-feet
SR-12, SR-8	10-feet

*Note: The minimum setbacks for Special Uses shall be double that of the Zoning District in which it is located. The minimum required setbacks for accessory structures no larger than 4200-square feet ~~is~~ are half that of the Zoning District in which it is located.

906.02 Day Care Facilities and/or Establishments.

906.07 Golf Courses, subject to the site development standards in Article 18

906.08 Recreational Facilities, Indoor and/or Outdoor ~~Recreational Facilities~~

~~**906.14** Lighted Outdoor Recreation Facilities~~

Comment [d37]: Deleted/duplicate, already allowed as a Special Use as "906.08 Recreational Facilities, Indoor and/or Outdoor "

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906.145 Animal Husbandry Services.

906.156 Commercial Plant Nurseries.

906.167 Farmers Markets.

1002 Division of MR Zoning Districts

The MR (Multiple-Household Residential) Zoning District shall be further divided into the following density districts, which are so designated on the Official Zoning District Map, and subject to the regulations herein:

1002.01 MR-1

1002.02 MR-2

Existing MR-A, MR-B, and MR-C Zoning Districts shall be subject to the requirements of the MR-1 Zoning District.

Existing MH-72, MH-54, ~~and MH-36~~ and MH-18 Zoning Districts shall be subject to the requirements of the MR-2 Zoning District. See Section 1004.01 for minimum site areas and maximum density.

Comment [d38]: MH-18 Zoning District was eliminated in error sometime in the 1980's. We currently have three parcels in the county with this Zoning.

Comment [d39]: Added use, this was the only residential zoning district not allowing this use to be approved as part of a subdivision review.

~~1003.06~~ Recreational Facilities, Indoor and/or Outdoor, approved as part of a subdivision review process for subdivision residents and guests only.

1004 Site Development Standards

All uses permitted in MR Zoning Districts shall conform to the following minimum site development standards in addition to the provisions of Article 18:

1004.01 Minimum Site Area and Maximum Density

District	Minimum Site Area	Maximum Density
MR-1	3,600-square feet	One dwelling unit per 3,600-square feet
MR-2	3,600-square feet	One dwelling unit per 3,600-square feet
Previously	Minimum Site Area	Maximum Density
MH-18	1,800-square feet	One dwelling unit per 1,800-square feet
MH-36	3,600-square feet	One dwelling unit per 3,600-square feet
MH-54	5,400-square feet	One dwelling unit per 5,400-square feet
MH-72	7,200-square feet	One dwelling unit per 7,200-square feet

Comment [d40]: MH-18 Zoning District was eliminated in error sometime in the 1980's. We currently have three parcels in the county with this Zoning.

1004.03 Setbacks, Principal and Accessory Structures/Uses

The minimum setback shall be measured from the closest point on the property line or the edge of road travelway to the structure/use, whichever is closer. The minimum required setbacks for permitted uses are:

A. For those MR Zoning Districts which abut MR, NB, GB, LI, HI, or PD Zoning Districts, the setback shall be a minimum of 7.5-feet. Zero lot lines between townhouses or condominiums within an approved subdivision shall be permitted ~~in the MR Zoning District.~~

A.B. For those MR Zoning Districts which abut RU, R, SM, or SR Zoning Districts, the setback shall be a minimum of 20-feet. Zero lot lines between townhouses or condominiums within an approved subdivision shall be permitted ~~in the MR Zoning District.~~

~~* The minimum setbacks for Special Uses shall be double that of the Zoning District in which it is located.~~

~~1006.06~~ Recreational Facilities, Indoor and/or Outdoor. ~~Recreational Facilities.~~

~~1006.08~~ Golf Courses, subject to the site development standards in Article 18.

~~1006.11~~ Lighted Outdoor Recreation Facilities.

~~1006.121~~ Personal and Professional Services.

Comment [d41]: Deleted/duplicate, already allowed as a Special Use as "1006.06 Recreational Facilities, Indoor and/or Outdoor."

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~~1006.123~~ Residential Care Institutions.

~~1006.134~~ Health Clinics.

~~1006.145~~ Day Care Facilities grand Establishments.

~~1006.156~~ Farmers Markets.

~~1102.11~~ Recreational Facilities. Indoor and/or Outdoor ~~Recreational Facilities~~, not to exceed 2,500-square feet of floor or recreation area.

~~1102.12~~ Retail Sales/Rentals of Merchandise, not to exceed 2,500-square feet of floor area. May include on-site manufacturing incidental and accessory to the sale of goods such as but not limited to baked goods.

Comment [d42]: Verbiage deleted here and added to definition of "Retail Sales/Rentals"

1103.03 Setbacks, Principal and Accessory Structures/Uses

The minimum setback shall be measured from the closest point on the property line or the edge of road travelway to the structure/ use, whichever is closer. The minimum required setbacks for permitted uses shall be 20-feet.

~~The minimum setback for Special Uses shall be 40-feet.~~

~~1104.05~~ Wind Energy Systems, ~~see~~subject to site development standards in Article 18.

~~1104.06~~ Solar Energy Systems, ~~see~~subject to site development standards in Article 18.

~~1106.07~~ Retail Sales/Rentals exceeding 2,500-square feet of floor area.

~~1106.09~~ Recreational Facilities, Indoor and/or Outdoor, exceeding 2,500-square feet of floor area. ~~Recreational Facilities~~.

~~1106.11~~ Golf Courses, subject to the site development standards in Article 18.

~~1106.17~~ Lighted Outdoor Recreation Facilities.

Comment [d43]: Deleted/duplicate, already allowed as a Special Use as "1105.09 Recreational Facilities, Indoor and/or Outdoor."

~~1106.178~~ Animal Husbandry Services.

~~1106.189~~ Mini-Warehouses.

~~1106.1920~~ Commercial Plant Nurseries.

~~1202.05~~ Day Care Facilities grand Establishments.

~~1202.19~~ Recreational Facilities. Indoor and/or Outdoor ~~Recreational Facilities~~.

~~1202.26~~ Retail Sales/~~or~~ Rentals. May include on-site manufacturing incidental and accessory to the sale of goods such as but not limited to baked goods.

Comment [d44]: Verbiage deleted here and added to definition of "Retail Sales/Rentals"

~~1202.31~~ Parking Lots ~~and/or~~ Garages, Commercial.

~~1202.35~~ Custom Butchering/Meat Curing/Processing with a 100-foot minimum setback.

Comment [d45]: Verbiage added for Clarification, if it is less than 100' it would be a Special Use.

~~1202.42~~ Car Washes.

1203.02 Setbacks, Principal and Accessory Structures/Uses

The minimum setback shall be measured from the closest point on the property line or the edge of the road travelway to the structure/use, whichever is closer, ~~as follows~~: The minimum required setbacks for permitted uses are:

A. For those GB Zoning Districts which abut LI, HI, GB, or NB or PD Zoning Districts, the setback shall be a minimum of 5-feet, except that the structure/use shall maintain a setback of 20-feet from any road travelway and

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any other setbacks required by building codes. Zero lot lines between townhouses or condominiums within an approved subdivision shall be permitted.

The minimum **required** setbacks for Special Use **Authorizations** shall be 10-feet.

- B.** For those GB Zoning Districts which abut RU, R, SR, SM, ~~PD~~ or MR Zoning Districts the setback shall be a minimum of 40-feet and 20-feet from any road travelway. Zero lot lines between townhouses or condominiums within an approved subdivision shall be permitted.

Comment [d46]: Deleted as "PD" was duplicate, already in section A above.

~~The minimum setbacks for Special Uses shall be 80-feet.~~

~~**1205.05** Motion Picture Production Sites/Studios, **Permanent**.~~

~~**1205.15** **Lighted Outdoor Recreation Facilities**.~~

~~**1205.156** Golf Courses, **subject to the site development standards in Article 18**.~~

~~**1205.167** Solar Energy Power Plants, subject to site development standards in Article 18.~~

~~**1205.178** Wind Energy Power Plants, subject to site development standards in Article 18.~~

~~**1205.189** Medical Marijuana Cultivation Facility, subject to site development standards in Article 18.~~

~~**1205.1920** Medical Marijuana Dispensary, subject to site development standards in Article 18.~~

~~**1205.201** Medical Marijuana Dispensary Cultivation Facility, subject to site development standards in Article 18.~~

~~**1205.212** Medical Marijuana Infusion Facility, subject to site development standards in Article 18.~~

~~**1205.22** **Custom Butchering/Meat Curing/Processing with less than a 100-foot minimum setback.**~~

Comment [d47]: Deleted, allowed as a Permitted Use as "1202.19 Recreational Facilities, Indoor and/or Outdoor." If lighted and lights do not comply with Light Pollution a Special Use would be required to analyze and approve the lighting only.

~~**1302.09** **Recreational Facilities**, Indoor and/or Outdoor ~~Recreational Facilities~~.~~

~~**1302.12** Retail Sales/~~Rentals~~, ~~including outdoor sales, rentals or accessory storage~~.~~

~~**1302.21** Parking Lots, Commercial.~~

~~**1302.42** ~~Ag~~gricultural-Processing with a 300-foot minimum setback.~~

~~**1302.46** **Solar Energy Power Plants, subject to site development standards in Article 18.**~~

Comment [d48]: Added for clarification and consistency, if over 100' it is permitted use.

~~**1303.02** **Setbacks, Principal and Accessory Structures/Uses**~~

The minimum setback shall be measured from the closest point on the property line or the edge of the road travelway to the structure/use, whichever is closer. The minimum required setbacks for permitted uses are:

- A. For those LI Zoning Districts which abut LI, HI, GB or PD Zoning Districts, the setback* shall be a minimum of 5-feet, except that the structure/use shall maintain a setback of 20-feet from any road travelway and any other setbacks required by building codes.
- B. For those LI Zoning Districts, which abut RU, R, SR, SM, ~~PD-1~~ NB or MR Zoning Districts the setback* shall be a minimum of 80-feet and 20-feet from any road travelway.

Comment [d49]: Moved here from "Special Uses"

*The minimum setbacks for Special Uses shall be 160-feet.

Comment [d50]: Deleted as "PD" was duplicate, already in section A above.

~~**1305.04** **Slaughterhouses/Meat Packing Plants**.~~

Comment [d51]: Duplicate, see 1305.19

~~**1305.045** Solid Waste Landfills or Incinerators.~~

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1305.056 Regional Sewage Treatment Plants.

~~1305.07 Lighted Outdoor Recreation Facilities.~~

1305.068 Electrical Generating Plants.

1305.079 Airports, Airstrips, Helipads, and/or Heliports.

1305.0840 Wind Energy Power Plants, subject to site development standards in Article 18.

1305.0944 Communications Towers exceeding 199-feet in height, subject to site development standards in Article 18.

~~1305.12 Solar Energy Power Plants, subject to site development standards in Article 18.~~

1305.103 Medical Marijuana Cultivation Facility, subject to site development standards in Article 18.

1305.114 Medical Marijuana Dispensary, subject to site development standards in Article 18.

1305.125 Medical Marijuana Dispensary Cultivation Facility, subject to site development standards in Article 18.

1305.136 Medical Marijuana Infusion Facility, subject to site development standards in Article 18.

1305.147 Commercial Feedlots.

1305.158 ~~Agricultural~~-Processing with less than a 300-foot minimum setback

1305.169 Slaughterhouses/Meat Packing Plants with less than a 300-foot minimum setback.

1402.11 Commercial Feedlots, Stockyards, and/or ~~Livestock~~ Auction Barns ~~with a 300-foot minimum setback.~~

1402.13 ~~Agricultural~~-Processing with a 300-foot minimum setback

1402.20 Parking Lots Commercial.

~~1402.32 Commercial Feedlots with 300-foot minimum setback.~~

~~1402.36 Recreation Facilities, Indoor and/or Outdoor.~~

~~1402.37 Solar Energy Power Plants, subject to site development standards in Article 18.~~

1403.02 Setbacks, Principal and Accessory Structures/Uses

The minimum setback shall be measured from the closest point on the property line or the edge of the road travelway to the structure/use, whichever is closer. The minimum required setbacks for permitted uses are:

A. For those HI Zoning Districts which abut HI, or LI, or PD Zoning Districts, the setback* shall be a minimum of 5-feet, except that the structure/use shall maintain a setback of 20-feet from any road travelway and any other setbacks required by building codes.

B. For those HI Zoning Districts, which abut RU, R, SR, SM, ~~PD~~, NB, MR, or GB Zoning Districts the setback* shall be a minimum of 100-feet and 20-feet from any road travelway.

*The minimum setbacks for Special Uses shall be 200-feet.

~~1405.05 Lighted Outdoor Recreation Facilities.~~

~~1405.10 Solar Energy Power Plants, subject to site development standards in Article 18.~~

1405.12 Commercial Feedlots, ~~Stockyards, and/or Livestock Auction Barns~~ with less than a 300-foot minimum setback.

Comment [d52]: Deleted, allowed as a Permitted Use as "1302.09 Recreational Facilities, Indoor and/or Outdoor." If lighted and lights do not comply with Light Pollution a Special Use would be required to analyze and approve the lighting only.

Comment [d53]: Moved to "Permitted Uses"

Comment [d54]: Duplicate, see 1402.11

Comment [d55]: Moved here from "Special Uses"

Comment [d56]: Moved here from "Special Uses"

Comment [d57]: Deleted as "PD" was duplicate, already in section A above.

Comment [d58]: Moved to permitted uses in this Zoning District. If permitted use proposing lighting that is not compliant with the Light Pollution it would require a Special Use to analyze and approve the lighting only.

Comment [d59]: Moved to "Permitted Uses"

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1405.13 ~~Agricultural~~-Processing with less than a 300-foot minimum setback.

ARTICLE 15

PD, PLANNED DEVELOPMENT DISTRICTS

Comment [d60]: Deleted, we only have one PD zoning district

1502.01 All Single-Household Dwelling units, including Manufactured Homes, ~~but not including excluding~~ Rehabilitated Mobile Homes and Recreational Vehicles.

1502.04 Manufactured Home Parks, subject to ~~the~~ site development standards in Article 18.

1502.09 Day Care Facilities ~~and~~ Establishments.

1502.16 Golf Courses, subject to ~~the~~ site development standards in Article 18.

1502.17 ~~Recreational Facilities~~, Indoor and/or Outdoor ~~Recreational Facilities~~.

1502.18 Retail Sales ~~or~~ Rentals.

1502.25 Parking Lots ~~and/or~~ Garages, Commercial.

1502.47 Communications Towers, ~~subject to site development standards in Article 18.~~

~~1502.51 Lighted Outdoor Recreation Facilities.~~

Comment [d61]: Deleted, allowed as "1502.17 Recreational Facilities, Indoor and/or Outdoor" above, if lighted and lights do not comply with Light Pollution a Special Use would be required to analyze and approve the lighting only.

1502.512 Anemometers, with temporary use permit not to exceed 3-years.

1502.523 Wind Energy Systems (as Accessory Uses), subject to ~~the~~ site development standards in Article 18.

1502.534 Animal Husbandry Services.

1502.545 Solar Energy Systems (as Accessory Uses), subject to ~~the~~ site development standards in Article 18.

1502.556 Solar Energy Power Plants, subject to ~~the~~ site development standards in Article 18

1502.567 Community Gardens.

1502.578 Hospitals

1602.03 Applicability

A. New Uses, Buildings and Additions or Modifications:

The requirements of this Article shall apply to any and all new uses and to additions to existing land uses, developments, buildings, or structures.

- 1. If a major addition occurs on a property with a non-residential use, the entire property shall comply with the requirements of this Article. For purposes of this section, major additions are additions-changes of 50-percent or more in terms of additional dwelling units, gross floor area, or seating capacity, that have occurred either with as single-addition or with cumulative additions or modifications which have occurred since March 3, 1982, subsequent to the effective date of this provision.

Comment [d62]: Added date to give applicant specific date for clarification.

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1602.04 Special Use Authorization Requirements

Any application or lighting installation not meeting all requirements of this Article, including, but not limited to height, shielding, curfew, or lumen caps shall require a Special Use Authorization pursuant to Article 17. At the time of Special Use Authorization submittal, the proposed ~~lighting system design installation~~ shall be certified by a knowledgeable Arizona Registered professional ~~or other certified lighting specialist as achieving the minimum illuminance level for the specific activity as recommended by the Illuminating Engineering Society of North America (IESNA) and that the design shall conform to all other applicable provisions of this Article and with aiming angles that permit no greater than five-percent of the light emitted by each fixture to project above the horizontal. The submittal must contain~~ with complete specifications, including total lumen/ nit count to meet the requirements of off-site glare and light trespass, as specified in this Article ~~and the Arizona Registered professional or other certified lighting specialist shall provide verification that the correct equipment shall be installed and functioning after installation.~~

Comment [d63]: Moved here from 1610.01 and 1610.02 for consistency and deleted from these noted sections below.

1603 Definitions

Sign, Digital - A type of ~~unshielded~~ electronic display that can show programming, menus, information, advertising, and other messages. Digital signs are lighted ~~typically animated, flashing~~ and utilize technologies such as ~~Liquid Crystal Display (LCD), (Light Emitting Diodes) LED, plasma displays, or projected images to display content.~~

Comment [d64]: Verbiage deleted to discourage the use of animated and flashing since they are not allowed per the Z-Regs.

1605.02 Height

- A. Residential Sites: The overall height of lighting fixtures (including the base) shall not exceed 20-feet above ground level, except for residential sites with a minimum parcel size of four-acres or larger, lighting fixtures which are located 50-feet or more from any property line shall not exceed 30-feet in height (including the base) above ground level. ~~Digital signs shall meet all requirements per Section 1607.02 of Article 19.~~

Comment [d65]: Verbiage deleted since Digital Signs are only allowed in Non-Residential Zoning Districts. RU, GH, LI and HI

1607.02 Internal Illumination

C. ~~Digital Signs~~

Digital signs that meet the standards as listed in Article 19 are permitted. Digital signs shall be considered unshielded and restricted to total lumen cap per Table 16.1 of this Article. Applicant must supply documentation indicating maximum nit capability for each segment of a digital sign, and demonstrate ability to meet the total nit cap per Table 16.1 of this Article.

Comment [d66]: Deleted as words were duplicate.

1607.03 Other Illuminated Panels

1607.04 Curfew

- A. Illumination for advertising signs, both externally and internally illuminated, shall be turned off at 11 p.m., or when the business closes, whichever is later. Signs subject to curfews are encouraged to have automatic shut-off timers. ~~Internally illuminated signs with an opaque or dark colored background and lighter text and symbols are not subject to the curfew, provided at least 50% of the sign is dark colored.~~

Comment [d67]: Previous Light Pollution Code use to allow signs with opaque or dark colored backgrounds without counting it toward lumen cap, this verbiage is leftover which should have been deleted.

1609.01 Requests for Temporary Exemptions

Any individual as defined herein may submit a written request to the County Zoning Inspector for a "temporary exemption" to the requirements of this Article. Such exemption will be valid for 30-~~calendar~~ days, renewable at the discretion of the County Zoning Inspector. The request for Temporary Exemption shall contain at least the:

1609.02 Appeals for Temporary Exemptions

The County Zoning Inspector, within 15-~~calendar~~ days from the date of the properly completed Request for Temporary Exemption, shall approve or reject the Request in writing. If rejected, the individual making the Request shall have the right of appeal to the appropriate Board of Adjustment as any other appeal of the County Zoning Inspector's determinations.

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1609.03 Private Security Lighting/ Lighting Installed by an Electric Utility

Non-compliant lighting that was installed in good faith by an electric utility shall be brought into conformance with this Article within 5 years of adoption; however, individual light fixtures which are the subject of a citizen complaint or County enforcement action shall be brought into conformance within 30-calendar days of notification of the property owner.

1610.01 Outdoor Recreational Facilities

D. Facility lighting shall meet shielding, lumen caps, height limits and all other restrictions of this Article:

~~If meeting all requirements is infeasible, pursuant to Section 1602.04 a Special Use Authorization is required.~~

~~A Special Use Authorization is required. As part of the Special Use Authorization application process, the lighting system design and installation shall be certified by a knowledgeable Arizona Registered professional or other certified lighting specialist as achieving the minimum illuminance level for the specific activity as recommended by the Illuminating Engineering Society of North America (IESNA) and conforming to all other applicable provisions of this Article, and shall be installed and maintained so as to minimize uplight and off-site light trespass, and with aiming angles that permit no greater than five percent of the light emitted by each fixture to project above the horizontal.~~

Comment [d68]: Verbiage moved to 1602.04

1610.02 Outdoor Display Lots

Lighting for display lots shall be considered Class 1 (Color Rendition), and shall be in compliance with the following standards:

C. Display lot lighting shall meet shielding, lumen caps, height limits, and all other restrictions of this Article.

~~D. If meeting all requirements is infeasible, pursuant to Section 1602.04 a Special Use Authorization is required. As part of the Special Use Authorization application process, the lighting system design and installation shall be certified by a knowledgeable Arizona Registered professional or other certified lighting specialist as achieving the minimum illuminance levels as recommended by IESNA and conforming to all applicable provisions of this Article.~~

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Comment [d69]: Verbiage moved to 1602.04

~~E-D. Curfew: Display lot lighting shall be turned off between 11 p.m. and sunrise or within 30 minutes after closing of the business, whichever is later. Lighting in the display lot after this time shall be considered Class 2 lighting and shall conform to all restrictions of this Article, including the lumen caps in Table 16.1.~~

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~~F-E. Off-site trespass: The facility shall limit off-site trespass to the maximum extent possible and shall not cause light trespass onto residentially zoned or developed properties.~~

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1704 Building/Use Permit Required

*List Of Exemptions From Permit Requirements For Single Family Residential Dwellings Only

F. Replacing existing plumbing fixtures such as toilet, tub, sink, garbage disposal, water heater ~~(not involving utility change), evaporative cooler, or faucets. Replacing evaporative coolers with non-evaporative system is not exempt.~~

Comment [d76]: Added verbiage to clarify

I. General landscaping including lawn sprinkler systems, subject to water conservation requirements, and retaining walls up to 4-feet in height ~~, unless supporting a surcharge or impounding Class I, II, or IIIA liquids.~~

Comment [d71]: Added to be equivalent to the 2012 International Residential Code

N. Wood, concrete block or wire fences up to ~~six~~ seven-feet high unless on a corner lot. Solid fences or walls greater than three-feet in height on corner lots require an informational permit.

Comment [d72]: Revised to be equivalent to the 2012 International Residential Code

Q. Replacing cabinets or countertops ~~(not involving in-wall utility changes).~~

~~V. Satellite dishes and residential antennas for wireless communications.~~

Comment [d73]: Added to clarify, only for residential uses

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1705.08 If the application is for a non-residential use or multiple-household use, a minimum of ~~threenine (39)~~ prints of the site plan shall be submitted, and the following additional applicable information shall also be contained:

L. ~~Sight Triangle per the requirements of Article 18.~~

L.M. Any other information deemed necessary by the County Zoning Inspector to make a determination of conformance with these Zoning Regulations.

M.N. Reduced copy (11" x 17") of the site plan, if the site plan is larger than that.

Comment [d74]: Verbiage added to clarify Sight Triangle needs to be shown on the site plans for Non-Residential Uses.

1707 Withholding Building/Use Permits

If an Applicant fails to provide all of the information required in Section 1705 or fails to satisfy the requirements of Section 1706, the County Zoning Inspector shall withhold approval of the application, and shall provide the Applicant with written notice stating the reason for not approving the application. If a building/use permit cannot be issued by the County Zoning Inspector, the application shall be null and void 120-calendar days after the date of notice.

1712 Permits – Manufactured Homes & Rehabilitated Mobile Homes

A building permit shall be required for the establishment of any individual manufactured home or rehabilitated mobile home on a site, with the exception of unoccupied manufactured or rehabilitated mobile homes used for display purposes on a manufactured/mobile home sales lot. Occupancy of a manufactured or rehabilitated mobile home shall not occur until completion of the final inspection. If the individual manufactured ~~or~~ rehabilitated mobile home is proposed for occupancy, the permit shall include associated installation fees ~~and rehabilitation fees, if applicable.~~ Permits for such installations shall be valid for a period of 6-months after issuance. If, after this time, the manufactured home or rehabilitated mobile home has not received a favorable, final installation inspection from the County Zoning Inspector, the permit will be null and void. One extension for an additional 6-month period may be granted upon review and approval by the County Zoning Inspector if the Applicant applies for such an extension in writing prior to permit expiration. All extension requests must be in writing and include the parcel number, reason for the request, completion schedule, and applicable extension fee. After one year from the date of initial permit issuance, the permit will be closed. Any work done after that time will require a new permit with all associated fees and requirements. Permit applications for individual manufactured or rehabilitated homes in a manufactured/mobile home park do not require submission of a site plan.

Comment [d75]: Language deleted since only the State is authorized to permit the rehabilitation of mobile homes. See definition of "Mobile Home, Rehabilitated"

1714.02 Combined Permit Fees

~~Except for those a~~Applications qualifying for Rural Residential Owner-Builder Amendment shall not be subject to separate fees under the Building Safety Code, no separate fee shall be charged for accessory structures, ~~sign-permits,~~ walls and fences, or swimming pools if they are contained on and are a part of an application for a building/ use permit for a principal structure/use.

Comment [d76]: Revised to conform with current process, this language was left in when the County was not "County Wide Building Code"

1715.01 Purpose

- A. To allow flexibility in how some of the site development standards are applied to individual lots, but not to larger developments such as subdivisions.
- B. To provide flexibility in site development ~~and building code standards~~ that may be appropriate to facilitate improvements in Neighborhood Rehabilitation (NR) and redevelopment (ER) Enterprise Redevelopment areas.

Comment [d77]: Verbiage deleted as Zoning would have no authority to modify Building Code standards

1715.04 Notice to Affected Property Owners

The County Zoning Inspector shall mail a notice to the surrounding property owners within 300-feet of the subject parcel. The notice shall contain a copy of the application and shall state that all comments concerning the proposed request must be forwarded to the Community Development Department in writing within 15-calendar days from the date the notice was mailed.

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1715.05 Action on Application

- A. Based on staff comments and those from the affected property owners, The County Zoning Inspector shall review the proposed development and requested modification(s) of the standard(s) and shall either approve, approve subject to conditions, or deny the application within 7-working days from the end of the 15-calendar day comment period.

1716 Special Use Authorizations

1716.01 Purpose

In order to give these Zoning Regulations the flexibility necessary to achieve the objectives of each Zoning District, Special Use Authorization approval may be granted for certain types of uses. Applications proposing more than two Special Use Authorizations on one or more parcels, unless considered to be closely related components of a single type of use, may be required, instead, by the County Zoning Inspector, to apply for a Rezoning to an appropriate Zoning District.

Because of their unique characteristics, and often times high potential to adversely impact surrounding properties, Special Use Authorizations may be permitted within the Zoning District only when they can demonstrate that potentially negative off-site impacts have been mitigated.

1716.02 Factors For or Against a Proposed Special Use Authorization

The Planning Commission, and the Board of Supervisors if the Special Use Authorization request is appealed, shall consider the factors listed below in deciding whether or not to approve a Special Use Authorization request. Compliance or non-compliance with applicable Special Use Authorization factors serves as the basis for analyzing the Special Use Authorization request and determining factors in favor or factors against the Special Use Authorization request. The Special Use Authorization request factors represent policy decisions by the Planning Commission and the Board, reducing uncertainty concerning their probable response to a given request. No set of factors, however, can totally determine the acceptability of all land use proposals. A property owner who adequately demonstrates compliance with the intent of Comprehensive Plan goals and policies may receive approval in spite of non-compliance with any individual factor. Conversely, a determination that unusual circumstances exist or there is significant public protest pertaining to a Special Use Authorization request may result in a denial. Most Special Use Authorizations have both factors in favor and factors against. In a specific Special Use Authorization request, an individual factor may weigh more heavily than other factors. All factors will be analyzed and balanced against other factors when making a recommendation.

Comment [d79]: Added "Authorization request" throughout Z-Regs to clarify the process being discussed.

Compliance with applicable factors below constitutes factors in favor of the Special Use Authorization request:

A. Compliance With Duly Adopted Plans

The Special Use Authorization request is consistent with the intent, goals, policies, and/or land use designations of the County Comprehensive Plan, Master Development Plans, area plans, transportation plans, or other land use plans if any have been adopted for the area encompassing the Special Use Authorization request.

B. Compliance With the Zoning District Purpose Section

The proposed Special Use Authorization request shall comply with one or more of the purposes stated in the "Purpose" section of the applicable Zoning District and is compatible with existing development.

D. Traffic Circulation Factors

1. The Special Use Authorization request is consistent with preservation of the functions of surrounding streets as defined in the County Comprehensive Plan.
2. The Special Use Authorization request does not result in the use of any residential street for non-residential through traffic.

E. Adequate Services and Infrastructure

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The following factors are used to determine if there are adequate services and infrastructure to serve the Special Use Authorization request:

1. The Applicant has provided adequate information to evaluate the impacts on roads, other infrastructure, and public facilities. The Applicant must demonstrate that there are adequate provisions to address the impacts identified; the Applicant shall provide data supporting the estimated traffic volume as part of the application.

F. Significant Site Development Standards

The Special Use Authorization request adequately addresses the significant applicable site development standards, including development in or near a floodplain. The Applicant has requested and adequately justified, in writing, any requests for modifications or waivers from site development standards.

G. Public Input

If there is major public opposition to a proposed Special Use Authorization request, this may indicate that the technical evaluation regarding compatibility of the use does not concur with the view of local residents and a recommendation of denial may be appropriate. If public concerns have been raised, it is fair to ask if the Applicant has made a reasonable effort to address these concerns through the Citizen Review Process. If there is major public support of a proposed use, this may be a factor in favor of the request.

H. Hazardous Materials

Impacts from Special Use Authorization requests that may involve hazardous materials have been adequately mitigated.

J. Water Conservation

The Special Use Authorization request complies with the water conservation policies in the County Comprehensive Plan or any other adopted area plan and/or those described in Article 18.

1716.03 Procedures for Issuance of a Special Use Authorization Permit

- A. The Applicant for a Special Use Authorization request shall participate in an informal pre-application meeting with staff, to provide a general overview of the proposed project, to obtain information as to the issues that will need to be addressed in the formal application and to discuss the proposed process for citizen notification.
- C. The Applicant for a Special Use Authorization request permit shall file an application for a Special Use Authorization on a form provided by the County Zoning Inspector, a Citizen Review Report in accordance with Article 22, the required fee as provided for in the adopted Planning and Zoning Fee Schedule, and a concept plan, and if not the owner of the site, a letter of permission to apply for the Special Use Authorization. The concept plan shall be submitted and reviewed by the Planning Commission as a means to determine whether the Special Use Authorization request will be able to meet the essential site development standards set forth in these Zoning Regulations. Note: Any anticipated waivers of the site development standards, such as setbacks, screening, etc., must be requested, justified and approved by the Planning Commission prior to building permit issuance. The Concept Plan, at a minimum, shall include:
 1. Other information deemed necessary to effectively review the Special Use Authorization request.
- D. Upon receipt of the completed application, the County Zoning Inspector shall submit it to the Planning Commission for consideration and action. Prior to taking action on approving or denying the Special Use Authorization request, the Planning Commission shall:
 1. Hold at least one public hearing thereon after at least 15 ~~calendar~~ days' notice by one publication in a newspaper of general circulation in the County seat and by posting the area included in the proposed Special Use Authorization request(s).
 2. Send notice by first class mail to each owner of real property, as shown on the most recent available records of the last property tax assessment, located within ~~1000~~ 1000' feet of the proposed area of the

Comment [d79]: This was changed to 1000' to match the citizen review.

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proposed Special Use Authorization request(s), if within Growth Categories A, B, or C, or within 1500-feet, if within a Category D area, and to each County and municipality which is contiguous to the area of the proposed Special Use Authorization request(s). If the Special Use Authorization application proposes an airport, airstrip, firearms range, manufacturing, or storage of hazardous materials as a principal use, feedlot, or electric generation plant, then notification by the Planning Commission of property owners shall extend to ~~1~~one-mile from the subject parcel(s). The notice sent by mail shall include, at a minimum, the date, time and place of the hearing on the proposed Special Use Authorization request(s) including a general explanation of the matter to be considered, a general description of the area of the proposed Special Use Authorization request(s), and how the real property owners within the area may file approvals or protests of the proposed Special Use Authorization request(s).

E. Site development standards contained in these Zoning Regulations are considered applicable unless modified by the Planning Commission or Board of Supervisors on appeal. Standards may be modified based on a finding that modification of a certain standard will not adversely affect the public health, safety, and general welfare. These standards may be increased or decreased and reasonable requirements imposed as deemed necessary to promote the purpose of these Zoning Regulations, including but not limited to the following:

10. Time limits for the commencement of construction or a time limit within which the Special Use Authorization shall cease to exist;

F. If approved by the Planning Commission and no appeal has been submitted within the 15-calendar days appeal period, the Applicant shall return the signed acceptance of conditions and modifications and waiver for diminution of value form within 30-calendar days after approval. However, if the Applicant does not return this form within 30-calendar days after approval, the application for a Special Use Authorization approval shall be deemed null and void. A completed non-residential permit application and site plan meeting the requirements set forth in this Article, in substantial conformance with the approved concept plan and modifications, and accompanied by any additional documentation required by the Planning Commission as a condition of Special Use Authorization approval, shall be submitted within 12-months of approval of the Special Use Authorization or within the time frame otherwise specified by the Planning Commission. At the time of permit submittal, if the Special Use Authorization is not in substantial conformance with the approved concept plan and is not within the general purview of the original notice, then the matter shall be heard at a public hearing before the Planning Commission to modify the plan following the procedures set forth in this Article herein. A non-residential permit must be issued within 18-months of approval by the Planning Commission or within the time frame otherwise specified by the Planning Commission. Upon issuance of a building/use permit, the provisions of this Article regarding the withholding, display, time limit, validity, and misrepresentation of building permits shall be applicable.

G. Should ~~any other~~the conditions of the Special Use Authorization approval not be met within the time limits specified above or within the time limits specified by the Planning Commission, the Special Use Authorization approval may be revoked by the County Zoning Inspector after 30-calendar days notice to the owner and Applicant, unless a request for an extension is made within this 30-calendar day appeal period. A request for an extension will be subject to the Special Use Authorization modification provisions of this Article.

Comment [d80]: Verbiage added to allow the County Zoning inspector to revoke a Special Use Authorization that has not met its conditions within the specified time. This would allow the revocation without having to take the docket back to the P&Z Commission.

H. Should the Special Use Authorization not be in compliance at any time with any of the conditions specified by the Planning Commission and/or the building/use permit, then zoning enforcement action shall be taken to correct the violation(s). Unabated non-compliance may result in the matter being heard at a public hearing before the Planning Commission to either modify the Special Use Authorization or to revoke the Special Use Authorization approval.

1716.04 Appeal of Special Use Authorization Decisions

A. The decision of the Planning Commission is deemed to be final County action on the issue unless that decision is appealed within 15-calendar days following the date of decision. Any appeal shall be submitted for review by the Board of Supervisors at a public hearing to be scheduled within 60-calendar days of receipt of the appeal. An appeal may be filed by the Applicant, by any other person aggrieved in any manner by the decision, or by the County Zoning Inspector, if the Inspector believes an error was made.

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- C. Upon receipt of an appeal, the County Zoning Inspector or designee shall compile the record of the proceeding and submit this to the Board of Supervisors with the appeal documents.

The Board shall send to the appellant and the Special Use Authorization Applicant, if they differ, a notice of the designated date of the public hearing. The date of decision shall be not more than 90- calendar days following the submittal of the notice of appeal. Notice of such public hearing shall be given by one publication in a newspaper of general circulation in the County seat and by posting the area included in the proposed Special Use Authorization(s) at least 15- calendar days prior to this hearing. Notice shall also be sent by first class mail to each owner of real property, as shown on the most recent available records of the last property tax assessment, located within ~~300~~1000-feet of the proposed area of the proposed Special Use Authorization request(s), if within Growth Categories A, B, or C, or within 1500-feet, if within a Category D area.

Comment [d81]: This was changed to 1000' to match the citizen review throughout the Z-Regs.

- D. Following its deliberations on the date of decision, the Board of Supervisors shall either affirm, reverse or modify the decision of the Planning Commission. The factual and legal basis for the decision shall be specifically stated by the Board. The Clerk shall record the basis for decision and shall provide a copy to the appellant, Special Use Authorization Applicant, and to the Planning Commission.
- E. If the Special Use Authorization request is approved, the County Zoning Inspector shall issue the permit, subject to all applicable conditions; provided, however, that if the Applicant does not accept in writing the conditions within 30- calendar days of approval, the permit shall be deemed null and void.

1716.05 Modifications of a Special Use Authorization Approval

- B. The property owner or Applicant to whom the Special Use Authorization approval was granted may request a modification of the approval in writing to the County Zoning Inspector along with the appropriate fee.
- D. If the requested change is substantial and is not within the general purview of the original notice or approval, then the matter shall be decided at a public hearing before the Planning Commission and notice given in like manner as the original Special Use Authorization request.

1717.02 Notification of Surrounding Property Owners

Prior to issuance of a permit for the Accessory Living Quarter, property owners within 300-feet of the subject property shall be notified by first class mail and given 15- calendar days from the date of mailing of notice to file a written protest with the County Zoning Inspector. Notification shall include the site plan and the procedure and requirements for submitting an appeal. The written protest shall include the name and address of the person submitting the protest and reasons why the application should not be approved. The protested application shall be presented to the Planning Commission for a decision in the same manner as is used for a Special Use Authorization~~Permit~~ application and all further actions on this application shall proceed in the manner applicable to a Special Use Authorization permit application.

~~1717.05 Size Modification~~

~~Applications for Accessory Living Quarters that exceed the permitted square footage pursuant to Article 2 definition of Accessory Living Quarters may be submitted to the Planning Commission through the Special Use process. Any such proposed Accessory Living Quarters must be subordinate in size to an existing principal dwelling.~~

Comment [d82]: Deleted as this is no longer applicable.

1717.056 Rental

Standard long-term rental of Accessory Living Quarters may be submitted to the Planning Commission as a Special Use Authorization~~Permit~~ application.

1717.067 Legal Non-Conforming Lots

Accessory Living Quarters are a permitted accessory use on substandard legal, non-conforming lots in Zoning Districts that permit Accessory Living Quarters subject to the applicable process.

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1717.078 Action by the County Zoning Inspector

A permit for an Accessory Living Quarter may be issued by the County Zoning Inspector if no written protest is received or if the application has been approved by the Planning Commission and/or Board of Supervisors.

1719.01 Site Development Standards

With the exception of the off-street parking requirements for Bed ~~&~~ Breakfast Lodging listed in Article 18, this use shall be considered a single-household dwelling for the purposes of all Community Development Department ordinances and shall not be subject to non-residential site development standards

1719.04 Public Participation Process for Issuing Permits for a Bed ~~&~~ Breakfast Inn

An application shall comply with the following procedures to obtain permits for a Bed ~~&~~ Breakfast Inn in all residential and Rural (RU) Zoning Districts:

A. Applications

Applications for a Bed ~~&~~ Breakfast Inn shall be made on forms supplied by the Community Development Department and shall include all information required for processing a building or use permit, accompanied by the appropriate fee.

B. Notification of Surrounding Property Owners

Prior to issuance of a permit for the Bed ~~&~~ Breakfast Inn, property owners within ~~300~~1000-feet of the subject property in Category A, B, or C Growth Areas, or 1,500-feet of the subject property in a Category D, Rural Area shall be notified by first class mail and given 15-~~calendar~~ days from the date of the mailing of notice to file written protest with the County Zoning Inspector. Notification shall include the site plan and the procedure and requirements for submitting an appeal. The written protest shall include the name and address of the person submitting the protest and the reasons why the application should not be approved. The protested application shall be presented to the Planning Commission for a decision in the same manner as is used for a Special Use ~~Permit-Authorization~~ application and all further actions on this application shall proceed in the manner applicable to a Special Use ~~permit~~Authorization application.

Comment [d83]: This was changed to 1000' to match the citizen review throughout Z-Regs.

C. Action by the County Zoning Inspector

A permit for a Bed ~~&~~ Breakfast Inn may be issued by the County Zoning Inspector if no written protest is received or if the application has been approved by the Planning Commission and/or Board of Supervisors.

1720.03 Particular Temporary Uses Permitted

A. Contractor's Office, Security Dwelling, or Other Temporary Dwelling During Construction of a Building.

3. Unless such use permit is renewed, such temporary use shall cease and desist upon the expiration of the previously approved building permit, or within 10-~~calendar~~ days after completion of the construction work, whichever occurs first

B. Contractor's Construction Equipment Storage

3. Unless such use permit is renewed, such temporary use shall cease and desist upon the expiration of the previously approved building permit, or within 10-~~calendar~~ days after completion of the construction work, whichever occurs first.

D. Carnival or Circus

1. Permitted in all Zoning Districts except: SR, SM, R, and MR, and RU in Neighborhood Conservation or Neighborhood Rehabilitation plan designations.
2. Maximum length of permit shall be 15-~~calendar~~ days.

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E. Christmas Tree Sales

1. Permitted in all Zoning Districts, except: SR, SM, R, MR, and RU districts in Neighborhood Conservation or Neighborhood Rehabilitation plan designations. Christmas tree sales are permitted in Planned Development Districts only in those areas designated on approved plans as neighborhood commercial centers.
2. Maximum length for display and open lot sales of Christmas trees shall be 45-calendar days. Unsold trees shall be removed from the site at the end of the 45-calendar day period.

F. Events of Public Interest

1. Permitted in all districts.
2. Including, but not limited to, outdoor art and crafts shows and exhibits; farmers markets; outdoor concerts; outdoor revivals; rallies; and outdoor charity events.
3. Maximum length of a temporary use permit on a specific parcel that is not occupied by a community park, community center, or school shall be seven-consecutive days, plus an additional four-calendar days for set-up and dismantling, within any three-month period.
 - a. Hold one public hearing thereon after at least 15-calendar days notice by one publication in a newspaper of general circulation in the County seat and by posting the area included in the proposed temporary use(s).

1720.04 Uses Requiring No Permit

The following temporary uses shall be permitted in any Zoning District (unless otherwise stated) and require no temporary use permit.

1. Recycling Drop-Off Receptacle, accessory to an existing permitted non-residential use in a non-residential Zoning District, provided existing parking, loading zones, or driveways are not obstructed.

Comment [d84]: Added to clarify that these are only allowed on existing permitted non-residential sites.

1804.02 Basic Requirement for Off-Street Parking

- E. Parking areas used for activities operating during hours of darkness shall be lighted and all lighting must comply with this Article 16.

Comment [d85]: Revised to clarify all lighting must comply with Article 16 (Light Pollution)

1804.05 Schedule of Required Off-Street Parking

EDUCATION/PUBLIC ASSEMBLY

Educational Services

Grades K-8 1.5-per classroom

Comment [d86]: This is the only sub listing noted in this section.

Recreational Facilities, Indoor and Outdoor Recreational Facilities

1-per 5-fixed seats or 1-per 5-persons at expected maximum capacity if seating is unfixed or a combination thereof

Comment [d87]: Edited for consistency with other sections in Z-Regs.

1804.06 Restrictions as to Location and Placement of Non-Residential Parking Areas on a Site

E. Access to Parking from an Alley

Any parking area may use an abutting alley for direct access to parking spaces. Developer may be required to improve the alley to the Cochise County, Highway & Foodplain, Road Design & Construction Standards & Specifications For Public Improvements standard approved by the County Engineer.

Comment [d88]: Revised to clarify improvements must be done per County Road standards

EXHIBIT "A" R-16-01 Zoning Regulations Update

1807.02 Location and Nature of Access Points to Streets

2. No use shall take direct permanent access onto an arterial street unless in conformance with the Cochise County, Highway & Floodplain, Road Design & Construction Standards & Specifications For Public Improvements

3. Development of a site should not result in the placement of excessive drives or streets on that site with direct access onto an arterial street. Accordingly:

a. If the site has more than 500-feet of frontage along an arterial street, it shall be entitled to one access point, unless a

Additional access points may be approved by the County Engineer if the arterial street is County maintained and the additional access points comply with the Cochise County, Highway & Floodplain, Road Design & Construction Standards & Specifications For Public Improvements.

b. If the site contains less than 500-feet of frontage along an arterial street, the property owner or his agent shall be required to enter into a sharing agreement of record with surrounding property owners, unless the County Engineer approves

The location or an alternative may be approved by the County Engineer if the arterial street is County maintained and the location or alternative comply with the Cochise County, Highway & Floodplain, Road Design & Construction Standards & Specifications For Public Improvements.

Comment [d89]: Proposed changes below, Added "CC, H&F, Road, Design...", for clarification

Verbiage added to clarify that this only applies to County maintained roads.

If they don't comply instead of a variance being requested through P&Z, the applicant would have to request a "Exception to the Standards" from the Highway Dept instead.

1811 Outdoor Storage

1811.01 Residential Uses

2. Construction Materials

In all areas, construction materials and equipment may be stored temporarily, provided that said materials/equipment are for on-site use pursuant to a current valid building permit. All building or construction materials and equipment shall be removed within 30-calendar days of completion of construction, issuance of a certificate of occupancy (where applicable), or expiration of the building permit, whichever occurs first. Construction debris shall not be permitted to scatter or blow onto another property.

1813.01 Existing Towers Co-location

~~New tower(s) will not be permitted in any Zoning District unless the Applicant demonstrates to the satisfaction of the County Zoning Inspector, Planning Commission and/or Board of Supervisors that an existing tower or alternative tower structure is not capable of accommodating the Applicant's proposed antenna. A list and analysis of alternative existing sites inventoried must be submitted. A communication tower in existence prior to the effective date of the 1999 revised Zoning Regulations will not require a Special Use or building permit, if located in an applicable Zoning District. The need for an additional tower may be demonstrated if one or more of the following criteria are established by the Applicant:~~

~~A. No existing towers or suitable alternative tower structures are located within the geographic antenna placement area required to meet the Applicant's engineering requirements.~~

~~B. Existing towers or structures are not of sufficient height to meet the Applicant's engineering requirements.~~

~~C. Existing towers or structures do not have sufficient structural strength to support the Applicant's antenna and related equipment.~~

~~D. The Applicant's proposed antenna(s) would cause electromagnetic interference with the antenna(s) on the existing towers or structures, or the antenna on the existing towers or structures would cause interference with the Applicant's proposed antenna.~~

~~E. The Applicant adequately demonstrates that there are other limiting factors that render existing towers and structures unsuitable.~~

Comment [d90]: This section is being revised to only reflect existing towers built prior to 1999.

Comment [d91]: This entire section has been deleted as it seems the reports are excessive requirements and from the reports we have received we were unable to verify if the information was valid or not.

Formatted: Space After: 0 pt, No bullets or numbering

1813.03 Certification

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- A. Affidavits will be provided to show conformance with all Federal Aviation Administration (FAA) requirements with regard to lighting and marking so as not to create a hazard to air navigation.
- B. Affidavits will be provided to show conformance with all Federal Communications Commission (FCC) technical emissions standards and licensing requirements, including radio frequency data.

1813.04 Setbacks

- A. ~~In all Zoning Districts except RU and R, new communication towers must be setback from all parcel boundaries and rights-of-way a distance equal to at least one-third of the height of the tallest structure in the facility, measuring from its base. No setbacks are required between communication facilities located on the same parcel!~~
- B. ~~In RU and R districts, c~~ommunication facilities must be setback from all parcel boundaries lease boundaries and rights-of-way a distance equal to at least the height of the tallest structure in the facility, measuring from its base. No setbacks are required between communication facilities located on the same parcel.

Comment [d92]: Deleted to require all new towers be setback to meet the Fall Zone.

Comment [d93]: Deleted to require all new towers be setback to meet the Fall Zone.

Comment [d94]: Added since many towers are constructed leased land.

1813.06 Maximum Height

In those Zoning Districts where communication towers are a permitted use, the towers shall be limited to the maximum allowable height of the Zoning District unless otherwise noted in that District. There shall be no limit to the requested maximum height of a tower seeking approval through the Special Use Authorization process.

1813.08 Removal of Abandoned Communication Facilities

Any facility that is not operated for a continuous period exceeding twelve months will be considered abandoned, and the owner of such facility will remove the structure(s) within 90-calendar days of receipt of notice from the County Zoning Inspector.

1817 Golf Courses

1817.01 Design

For all new golf courses and additions to existing golf courses, the area of irrigated grasses, the "turf area," used for the greens, fairways, practice areas, borders and all other uses associated with the golf course, shall be limited. The total turf area of the golf course and associated uses shall be limited to an average of five-irrigated acres per golf hole. The maximum usage of water for irrigation purposes from sources other than groundwater (e.g., reclaimed wastewater, harvested rainwater, or an alternative water supply) will be considered as a positive factor towards compliance with water conservation requirements set forth within these Zoning Regulations. The Applicant must address the potential sources and impacts of the proposed use in a water availability report provided by the Applicant and approved by the County as part of the required Special Use Authorization application. Ponds, lakes, artificial watercourses and other types of water hazard areas shall be prohibited unless they are an integral component of the water reclamation or water harvesting being used for irrigation purposes. The golf course design shall reflect the natural topography and drainage ways of the site, and minimize the clearing of native vegetation.

1820.02 Protection of Existing Human Burial Sites and Cemeteries

- e. If the ASM is unable to approve or deny the Applicant's Preservation Plan or is unable to enter into a Burial Agreement with the Applicant within 90-calendar days of their receipt of the proposed Preservation Plan, it shall be deemed by the County Zoning Inspector that the ASM is unable to respond to the Applicant in a timely fashion. In such a case, the County Zoning Inspector shall be authorized by this Section to represent the ASM in all actions described by this Section. The County Zoning Inspector may approve or disapprove of a Preservation Plan and may enter into a Burial Agreement with the property owner. If the County Zoning Inspector does not approve or disapprove in writing of a Preservation Plan within 120-calendar days of submittal of the draft Plan to the ASM, the Plan shall be automatically deemed approved.

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D. Exception

If an Applicant seeks to remove or build over the human remains on the property, the Applicant may apply for a Special Use ~~Authorization Permit (SUP)~~, per the procedures stipulated in Article 17 of these Zoning Regulations, to allow a Mitigation Plan, approved by ASM or the County Zoning Inspector, that includes the provisions of removal of the human remains or of the "capping", or burial-in-place, of the remains and development adjacent to and/or above the site. The Applicant shall satisfactorily demonstrate to the Planning Commission that such treatment of the resource would provide a more suitable or effective method or means of preserving or honoring the remains.

4. Burial-in-place. If the Applicant's Mitigation Plan includes burial-in-place, the Planning Commission may grant a Special Use ~~Authorization Permit~~ that would allow the Applicant to build over the human remains site, provided that the Applicant submits, at a minimum, the following:

1821 Wind Energy Systems

The following site development standards shall apply for the permitting, construction, ~~and operation, and decommissioning~~ of Wind Energy Systems:

Comment [d95]: Deleted since we do not implement decommissioning of towers.

1821.01 Zoning Districts

Wind Energy Systems are permitted ~~as Accessory Uses~~ in ~~anyall~~ Zoning District, subject to applicable site development standards listed below.

Comment [d96]: Edited to clarify.

1821.02 Density Limits

One Wind Turbine shall be permitted on any parcel, or on contiguous parcels under the same ownership, of up to four-acres in size.

Two Wind Turbines shall be permitted on parcels larger than four-acres.

Proposals for more than two Wind Turbines on parcels larger than four-acres shall be allowed by Special Use ~~Authorization Permit~~ only.

Roof-mounted vertical-axis systems featuring more than one Wind Turbine mounted on the same pole (axis) shall be counted as one turbine.

1821.03 Height Limits

Wind Turbines up to 45-feet in height are allowed as accessory structures on any parcel, provided that all site development standards can be met.

Wind Turbines greater than 45-feet in height shall be allowed as follows: Prior to issuance of a permit for the system, the Applicant shall submit a permit application to County staff, along with the appropriate fees. The County will notify property owners of the ~~permit~~ application. The notification will include a site plan reflecting the height and location of the turbine, and the procedure and requirements for submitting support or protest forms. The procedure for determining which property owners to notify shall be the same as in the Citizen Review process, per Article 22. The County shall provide a 15-~~calendar~~ day comment period for responses. If the County receives no objection from any notified property owner, the ~~permit~~ application shall proceed in the manner applicable to a permitted accessory use ~~permit~~ application. Any written protest shall include the name and address of the person submitting the protest and reasons why the ~~permit~~ application should not be approved. Any protested ~~permit~~ application shall require Special Use ~~Permit~~ Authorization by the Planning Commission. In such cases, the initial ~~permit~~ application materials submitted by the Applicant, as well as any responses from neighbors, shall serve as the Citizen Review Report for the Special Use ~~Authorization~~ application. If, in response to protesting neighbors, an Applicant decides to redesign the project, the Applicant shall submit a new Citizen Review report, and the ~~permit~~ application shall proceed as a Special Use ~~Authorization~~ application.

Comment [d97]: Added "permit" throughout the Z-Regs to clarify which application.

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1821.04 Setbacks

Setbacks ~~from all property boundaries and road travel ways for Wind Turbines shall comply with the minimum setback requirements for the respective Zoning District or~~ shall be equal to the height of the structure with turbine blades fully extended for free-standing Wind Turbines, plus 10-feet, ~~whichever is greater.~~

Comment [d98]: Added for consistency with other sections in the Zoning Regs.

Setbacks for roof-mounted Wind Turbines shall follow the Zoning District setback requirements or the fully-extended height of the turbine, whichever ~~distance~~ is greater.

This site development standard (or "fall-zone") is intended to promote safety and minimize damage to property in the event that a turbine falls; it is not subject to Variances, Administrative or Planning Commission modification.

1821.05 Distance Between Structures

The distance between structures shall be equal to the fully-extended height of the structure, plus 10-feet, for freestanding Wind Turbines. The distance ~~for roof-mounted Wind Turbines~~ shall be equal to the Zoning District minimum structure separation distance ~~for roof-mounted Wind Turbines~~ or the fully-extended height of the turbine, whichever ~~distance~~ is greater.

Comment [d99]: Verbiage added for clarification.

Comment [d100]: Verbiage deleted for clarification.

1821.06 Construction

~~Building permits are required for all Wind Energy Systems.~~

Comment [d101]: Deleted as verbiage is unnecessary as these structures are not exempt from zoning nor the building code requirements.

1821.067 Noise Impacts

Noise generated by ~~residential~~ Wind Energy Systems system shall not exceed fifty-decibels (50 dBA), as measured from the nearest property line, except during short-term events including utility outages and severe wind storms.

1821.078 Lighting

Light fixtures or illumination of any kind shall not be allowed on Wind Energy Systems except as required by the Federal Aviation Administration (FAA).

1821.089 Signage

Signs of any type may not be attached to Wind Energy Systems. This does not include manufacturer's logos which may be part of the system when purchased, or emergency notification information.

1822 Wind Energy Power Plants

Wind Energy Power Plants are constructed primarily for the ~~primary~~ purpose of providing electricity to off-site consumers and shall be allowed only in RU ~~(in Category D Growth Areas)~~, GB, LI, or HI Zoning Districts, ~~in Category D Growth Areas~~, by Special Use Authorization only. This does not include residual power returning to the grid provided by small scale systems which primarily provide on-site power, subject to Arizona Corporation Commission regulations. Site-specific conditions and/or project scope may require that Applicants provide drainage and soil reports, environmental assessments or environmental impact statements, visual impact analyses, and/or cultural resource assessments with their application.

Comment [d102]: Deleted for consistency.

Comment [d103]: Edited to clarify "Category D" only applies to RU.

Comment [d104]: Edited for consistency with language in Solar Energy Power Plants.

The following site development standards shall apply for the permitting, construction and operation of Wind Energy Power Plants:

1822.01 Height Limits

Wind Energy Power Plants are exempt from height limits, per Article 20 (Height Exceptions) of the Zoning Regulations.

1822.02 Setbacks

Setbacks ~~from all property boundaries and road travelways for Wind Energy Power Plants~~ shall be equal to the height of the tallest structure with turbine blades fully extended for free-standing Wind Turbines, plus 10-feet.

Comment [d105]: Added for consistency with other sections in the Zoning Regs.

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~~Wind Turbines, components, and design features and other structures associated with the Wind Turbines must have a minimum setback of 1000-feet to any existing residence.~~

This site development standard (or "fall zone") is intended to promote safety and minimize damage to property in the event that a turbine falls; it is not subject to Variances, Administrative or Planning Commission modification.

Comment [d106]: Language added to require Wind Turbines/Associated Structures have a setback to existing residences.

1822.03 Distance Between Structures

The distance between structures shall be equal to the fully-extended height of the structure, plus 10-feet, for freestanding Wind Turbines.

1822.04 Noise Impacts Construction

~~Noise generated by Wind Energy Power Plant systems shall not exceed fifty-decibels (50 dBA), as measured from the nearest property line, except during short-term events including utility outages and severe wind storms. Building permits are required for all Wind Energy Power Plants.~~

Comment [d107]: Deleted "Construction" language as it is unnecessary as these structures are not exempt from zoning nor the building code requirements and added Noise Impacts language for consistency with Wind Energy Systems.

1822.05 Lighting

Light fixtures or illumination of any kind shall not be allowed on Wind Energy Power Plants except as required by the Federal Aviation Administration (FAA).

1822.06 Signage

Signs of any type may not be attached to Wind Energy Power Plants, ~~except~~ This does not include manufacturer's logos which may be part of the system when purchased, or emergency notification information.

1823 Solar Energy Systems

The following site development standards shall apply for the permitting, construction and operation of Solar Energy Systems:

1823.01 Zoning Districts

Solar Energy Systems are permitted as Accessory Uses in all Zoning Districts subject to applicable site development standards listed below.

~~1823.02 Parcel Size~~

~~Solar Energy Systems shall be permitted on all parcels regardless of size, provided that all applicable site development standards can be met.~~

Comment [d108]: Deleted as verbiage is unnecessary as these are accessory to permitted uses that meet site development standards.

1823.03 Height

Solar Energy Systems are exempt from height limits, per Article 20 (Height Exceptions) of the Zoning Regulations.

1823.04 Setbacks

Setbacks from all property boundaries and road travel ways for Solar Energy System arrays or pole-mounts shall comply with the minimum setback requirements for the respective Zoning District or shall equal the height of the tallest structure associated with the Solar Energy System, whichever is greater.

1823.05 Distance Between Structures

There shall be no minimum distance required between Solar Energy System components or design features and other structures on a property.

~~1823.06 Construction~~

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~~Building permits are required for all Solar Energy Systems.~~

~~All Solar Energy Systems must comply with the prescriptive requirements of the National Electric Code (NEC). The Building Official may require additional engineering for rooftop photovoltaic (PV) panels.~~

Comment [d109]: Deleted as verbiage is unnecessary as these structures are not exempt from zoning nor the building code requirements.

Comment [d110]: Deleted as verbiage is unnecessary as language is in the adopted International Building Code.

1824 Solar Energy Power Plants

Solar Energy Power Plants are constructed primarily for the purpose of providing electricity to off-site consumers, and shall be allowed ~~as a Permitted Use in LI and HI in the RU (in Category D Growth Areas), and may be permitted in RU and GB, LI and the HI Zoning Districts by Special Use Authorization Permit only, -and~~ they may also be approved as part of a PD or Master Development Plan. This does not include residual power returning to the grid provided by small scale systems which primarily provide on-site power, subject to Arizona Corporation Commission regulations. Site-specific conditions and/or project scope may require that Applicants provide drainage and soil reports, water budgets and conservation measures, environmental assessments ~~or environmental impact statements~~, visual impact analyses and/or cultural resources assessments with ~~permit their~~ applications.

Comment [d111]: Language deleted and revised to allow as Permitted Uses in LI and HI and as Special Uses in RU and GB in all Growth Categories.

The following site development standards shall apply for the permitting, construction and operation of Solar Energy Power Plants:

~~1824.01 Parcel Size~~

~~Solar Energy Power Plants shall be permitted on all parcels in the allowed Zoning Districts regardless of size, provided that all applicable site development standards can be met.~~

Comment [d112]: Deleted as Solar Power Plants should meet the minimum parcel requirement of the zoning district in which it is located.

1824.012 Height

Solar Energy Power Plants are exempt from height limits, per Article 20 (Height Exceptions) of the Zoning Regulations.

~~1824.023 Setbacks~~

Setbacks from all property boundaries and road travelways for Solar Energy Power Plants shall be, at minimum, twice the minimum setback ~~requirement for the respective Zoning District allowed for permitted and accessory uses, per Special Use Permit requirements, or shall equal~~ the height of the tallest structure, whichever is greater.

Comment [d113]: Language revised for clarification and consistency.

1824.034 Distance Between Structures

There shall be no minimum distance required between Solar Energy Power Plant components ~~or design features and other structures on a property.~~

~~1824.05 Construction~~

~~Building permits are required for all Solar Energy Power Plants. All Solar Energy Power Plants must comply with the prescriptive requirements of the National Electric Code (NEC).~~

Comment [d114]: Deleted as verbiage is unnecessary as language is in the adopted International Building Code.

1825.01 Zoning Districts

Medical Marijuana Dispensaries, Medical Marijuana Dispensary Cultivation Facilities, Medical Marijuana Infusion Facilities, and Medical Marijuana Cultivation Facilities are allowed by Special Use Authorization Permit in the Rural (RU-4, RU-10, RU-18, RU-36), General Business, Light, and Heavy Industry Zoning Districts.

1902.02 Removal of Certain Signs

- A. Any sign, including all supports, braces, guys, and anchors, existing on or after the effective date of these Zoning Regulations which no longer serves the purpose for which it was erected, shall be removed by the owner, agent, or person having the beneficial use of the property or building on which said sign is located, within 10-calendar days after written notification from the County Zoning Inspector. Upon failure to comply with such notice within the time specified, the County Zoning Inspector is hereby authorized to cause removal of such sign at the expense of the owner of the building or property on which such sign is located.

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1903.06 No sign shall have moving or swinging parts, except that:

- B. Banners, pennants, or devices set in motion by the wind may be permitted as temporary signs for grand openings, open houses, and model home demonstrations for a period not to exceed 30 calendar days.

1907.02

B. DIGITAL SIGNS one per site

1. Permitted Structural Type: Ground Sign.

4. ~~Setbacks: All light fixtures~~ Signs must have a minimum setback of located within 25-feet to of the property lines - adjacent to a residential use or residential zoning districts shall use fully-shielded luminaires.

6. Limits on Change in Copy: any message must remain in place for at least ~~four seconds~~ five minutes before changing to another message.

7. Limits on Type of Use: Permitted only for ~~on-site~~ Permanent Signs advertising, i.e., as a sign which directs attention to a business, profession, or activity conducted on the premises on which the sign is located.

Comment [d115]: Language added to clarify only one Digital Ground Sign would be allowed on site

Comment [d116]: Verbiage revised since the section is discussing digital signs not light fixtures and the main issue is a digital sign is unshielded and cannot be fully shielded.

Comment [d117]: This is the industry standard for these types of signs

Comment [d118]: Verbiage edited to be in compliance with the content of the signs requirements.

1908.01 Billboard Sign

A Billboard is a free-standing Off-Site Permanent Sign having an area of 300-square feet or more. A Billboard is considered a principal use. Billboards shall maintain the following setbacks and separation requirements:

Zoning Districts: RU, GB, LI, and HI by Special Use Authorization only

1908.03 Contractor's Sign; no permit required

A temporary sign designating the names of persons or firms engaged in construction or repair on the premises. A Contractor's Sign shall be removed within 10 calendar days after completion of work or upon expiration of building permit.

1908.04 Developer's Sign; no permit required

A temporary sign designating the use which will occupy the premises at some future date. Permitted for non-residential uses and multiple-household dwellings only. Developer's Signs shall be removed within 10 calendar days after opening of the use or upon expiration of the building permit.

1908.05 Digital Sign

A type of unshielded electronic display that can show programming, menus, information, advertising, and other messages. Digital signs are lighted ~~typically flashing~~ and utilize technologies such as Liquid Crystal Display (LCD), Light Emitting Diodes (LED), plasma displays, or projected images to display content ~~and cannot be shielded~~. In these Zoning Regulations, Digital Signs are a sub-category of On-Site Permanent Signs, but with special rules governing Digital Signs. (See Section 1907.02).

Comment [d119]: Verbiage deleted as flashing is not permitted on signs.

Comment [d120]: Verbiage deleted as a Digital Sign "technically" can be shielded.

1908.07 Directory Sign

Any Sign listing all occupants of a parcel having multiple uses.

One per street frontage for sites having multiple uses, such as shopping centers, office complexes, and industrial parks, provided that no other Ground Sign occupies the premises, and subject to the following limitations:

Zoning Districts: RU, GB, LI, and HI

Structural Type: Ground Sign

Maximum Area: One square foot per lineal foot of street frontage See Section 1907.02

Comment [d121]: In 2013 when Sign code was reorganized the changes below were omitted in error.

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Maximum Height: ~~24-feet~~ See Section 1907.02

Illumination: Permitted

1908.17 Off-Site Special Event Sign; no permit required

A temporary sign announcing special events (e.g. rodeos, fairs, grand openings, etc.), to occur on a site other than that on which the sign is located. Such signs, except Window Graphics occupying not more than 25-percent of the window area, shall be included in calculating the maximum aggregate sign area for the site. Each such sign shall be maintained for no more than 30-calendar days.

1908.19 On-Site Special Event Sign; no permit required

A temporary sign announcing special events (e.g. rodeos, fairs, grand openings, etc.) to take place on the premises on which the sign is located. Such signs, except grand opening signs and Window Graphics occupying not more than 25-percent of the window area, must be included in calculating the maximum aggregate sign area for the site. Each such sign shall be maintained for no more than 30-calendar days.

1908.20 Political Sign; no permit required

A temporary sign supporting a candidacy or position in any primary, special, or general election, subject to the following restrictions: Political signs shall be removed within 30-calendar days following the final election for that candidate or issue.

1908.22 Real Estate Sign; no permit required

A temporary sign advertising the premises for lease, rent, or sale. Real Estate Signs shall be removed within 10-calendar days following lease, rent, or sale of the premises.

1908.27 Subdivision Development Sign; no permit required

A temporary sign advertising the sale of properties within a subdivision, to be removed within 10-calendar days following the sale of 100-percent of lots, or one year from the last sale of subdivision lots, whichever occurs first.

2002.03 Height Exceptions

Height regulations established elsewhere in these Zoning Regulations shall not apply to the following in any district: chimneys, flagpoles (but not higher than 10-feet above the height limitation for that Zoning District), parapet walls extending not more than four-feet above the height limit of the building, amateur radio and residential antennas and related structures, private windmills, Wind Energy ~~Power Plants Systems~~ (See Article 18 for Wind ~~Energy Systems Turbine~~ height limits), anemometers, church spires, beffries, residential satellite dishes, cooling towers, water tanks, substation line-support towers, ~~and eSolar eEnergy Systems and Solar Energy Power Plant equipment~~

Comment [d122]: Edited to reflect Wind Energy Power Plants are exempt from height, not the Wind Energy Systems.

Comment [d123]: Edited to clarify both Solar Energy Systems and Power Plants are exempt from height requirements

Comment [d124]: Added for clarification.

2003.04 Expansion of a Nonconforming Use

- That apartments, ~~manufactured home parks~~, mobile home parks, and RV parks are considered residential uses, not commercial uses, as applied to this Article, and therefore not permitted to expand.

2101 Creation and Membership

A Board of Adjustment is hereby established in each supervisorial district of Cochise County. Each Board of Adjustment shall consist of three members, each of whom shall be a resident of the supervisorial district from which he is appointed. Appointments shall be made by the Board of Supervisors. Members shall serve without compensation except for reasonable travel expenses. No member of any Board of Adjustment shall be a member of the Cochise County Planning Commission, and no employee of said Planning Commission shall be appointed to a Board of Adjustment. The terms of the members of each Board of Adjustment first appointed shall be two, three, and four years; thereafter, each term shall be four years. Any member may be removed by the Board of Supervisors for neglect of duty, inefficiency, or misconduct in office, after a 10-calendar day written notice and public hearing thereon. A written statement of the reason for removal shall be filed with the Clerk of the Board of Supervisors. If a member moves from the supervisorial district from which he

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is appointed, his office shall at once become vacant. Vacancies shall be filled for the unexpired term of any member whose office has become vacant.

2103.01 Interpretations and Appeals of Interpretations

An appeal concerning interpretation or administration of these Zoning Regulations may be taken to the Board of Adjustment by any person aggrieved or affected by any decision of the County Zoning Inspector. Such appeal shall be taken within 30-calendar days by filing with the County Zoning Inspector a notice of appeal specifying the grounds therefore on forms provided by the Inspector. The County Zoning Inspector shall transmit to the Board of Adjustment all papers constituting the record of the action being appealed. Such appeal shall stay all proceedings in the matter being appealed, unless the County Zoning Inspector certifies to the Board of Adjustment that, by reason of the facts stated in the certificate, the stay would in his opinion cause imminent peril to life or property. In such case, proceedings shall not be stayed except by a restraining order granted by the Board of Adjustment or by a court of record. The Board of Adjustment shall fix a time for hearing the appeal and give notice thereof to the parties in interest and the public as set forth herein.

2103.02 Variances

Any decision of the Board of Adjustment allowing a Variance shall be considered for revocation by the Board of Adjustment if substantial construction, in accordance with the plans for which such Variance was granted, has not been initiated within 12-months of the date of approval, building permit issuance, or if judicial proceeding to review the Board of Adjustment's decision has been instituted, 12-months from the date of entry of the final order in such proceedings, including appeals. Additionally, if any of the conditions of the Variance approval are not complied with within 12-months or within the time period set by the Board, it shall be revoked after 30-calendar days notice to the owner and Applicant, unless a request for a review hearing before the Board of Adjustment is made by the Applicant within this 30-calendar day appeal period. The Board of Adjustment may grant reasonable extensions to the time limits upon a hearing pursuant to a timely written request by the Applicant.

2106 Hearings

Upon receipt of notice of appeal, application for a Variance or any other application properly invoking its jurisdiction, the Board of Adjustment shall schedule a public hearing to take place within a reasonable time frame established by the County Zoning Inspector. Public notice of every hearing shall be given not less than 15-calendar days prior to the hearing by publication of the notice at least once in a newspaper of general circulation in the County seat.

In the case of a Variance, the property shall also be posted in no less than two places not less than 10-calendar days in advance of the hearing. Notice shall also be mailed, via first class, to each real property owner, as shown on the last assessment of the property, within 300-feet of the proposed Variance

2109 Appeal of a Decision Made by the Board of Adjustment

Any person aggrieved by a decision of the Board of Adjustment may at any time within 30-calendar days of such decision appeal to the Superior Court, and the matter shall be heard in like manner as appeals from courts of justices of the peace.

2204 Amendments Initiated by Application

The Planning Director has established a schedule of cut-off dates when all required material must be submitted in order to place an amendment application on the agenda of a Planning Commission meeting. These dates are generally 45-calendar days in advance of the meeting to allow adequate time to meet legal notification requirements and to prepare a report on the proposed amendment.

2206.01 Hold at least one public hearing thereon after at least 15-calendar days notice by one publication in a newspaper of general circulation in the County seat and by posting the area included in the proposed change. The posting shall be in no less than two places with at least one notice for each quarter mile of frontage along perimeter public rights-of-way so that the notices were visible from the nearest right-of-way.

2206.09 After holding a public hearing, the Planning Commission shall make a recommendation on the proposed amendment and shall forward it to the Board of Supervisors for its action. If the Planning Commission has held a public hearing, the Board may adopt the recommendations of the Planning Commission through use of consent calendar without

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holding a second public hearing if there is no objection, request for a public hearing or other protest. If there is an objection, a request for a public hearing or a protest, the Board shall hold a public hearing thereon at least ~~15~~-calendar days notice of which shall be given by one publication in a newspaper of general circulation in the County seat and by posting the area included in the proposed change.

2207.01 Upon receipt of the Planning Commission's recommendation the Board shall hold a public hearing at least ~~fifteen~~15-calendar days notice of which shall be given by one publication in a newspaper of general circulation in the County seat and by posting the area included in the proposed change. After holding the hearing the Board may adopt the amendment, but if ~~twenty~~20-percent of the owners of property by area and number within the zoning area file a protest to the proposed change, the change shall not be made except by a three-fourths vote of all members of the Board. If any members of the Board are unable to vote on the question because of a conflict of interest, the required number of votes for the passage of the question is three-fourths of the remaining membership of the Board, except that the required number of votes in no event shall be less than a majority of the full membership of the Board. In calculating the owners by area, only that portion of a lot or parcel of record situated within 300-feet of the property to be rezoned shall be included. In calculating the owners by number or area, County property and public rights-of-way shall not be included.

2207.03 Notwithstanding the provision of Arizona Revised Statutes, a decision by the Board involving Rezoning of land which is not owned by the County and which changes the zoning classification of such land or which changes the zoning standards of such land as set forth in subsection 2206.05 may not be enacted as an emergency measure and such a change shall not be effective for at least 30-calendar days after final approval of the change in classification by the Board. Unless a resident files a written objection with the Board of Supervisors, the Rezoning may be enacted as an emergency measure that becomes effective immediately by a two-thirds majority vote of the Board.