



# Cochise County Planning Commission

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

**Regular Meeting**  
**May 13, 2015**  
4:00 p.m.

## AGENDA

***Please Be Courteous - Turn off cell phones and pagers while the meeting is in session.***

**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** - 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)—HEARING Docket S-08-02 (Red Hawk III, Unit IV Subdivision).** The Applicant is requesting a Tentative Plat extension for the Red Hawk III Subdivision located south of I-10 on J-6 Ranch Road. The Developer is Thunder Ranch Estates Unit IV, LLC, represented by Mr. Jim Vermilyea.

**Item 2—(page 6)—PUBLIC HEARING Docket SU-15-07 (Swinerton Red Horse):** The Applicant is requesting a Special Use authorization per Section 607.40 of the Zoning Regulations, to approve a wireless communications facility



### 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 the 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  
PLANNING DIVISION  
HOURS OF OPERATION  
Monday through Friday  
7:30 a.m. to 5:00 p.m.  
Phone: 520.432.9300  
Fax: 520.432.9278**

including a 90-foot tower located on State of Arizona land in Willcox, AZ.

**Item 3—(page)—PUBLIC HEARING Docket SU-03-04B (Rule 29):** The Applicant is requesting a Special Use Modification to expand an existing the gymnastics studio (indoor recreation) at Desert Thunder Gymnastics, per Section 607.08 of the Zoning Regulations. The subject property is located at 7557 E. Thuma Road in Sierra Vista, AZ. The Applicant is Lonnie Rule.

**Item 4—(page)—PUBLIC HEARING Docket SU-06-14A (Copper Queen Palominas 72):** The Applicant is requesting a Special Use Modification per Section 707.05 of the Zoning Regulations, to install a new sign at the Copper Queen Community Hospital-Palominas Hereford Clinic located at 10524 Highway 92 in Palominas, AZ. The Applicant is Copper Queen Community Hospital-Palominas Hereford Clinic.

**Item 5—(page 100)—PUBLIC HEARING Docket CP-14-01 (Re-adoption of the Cochise County Comprehensive Plan):** This docket is a review by the Commission of the changes made to the Cochise County Comprehensive Plan on March 24, 2015, by the Cochise County Board of Supervisors when they adopted the Comprehensive Plan with the exception of language found in Element F: Federal Government Coordination Element, Goal 1 Policies a, and c; Goal 3; Goal 3 Policies a, d, and i; and Element I Rural Character Element, Goal 1, Policies b, c, d, e, and f.

Per Arizona Revised Statutes, this review of the proposed changes and your recommendation back to the Board is required prior to final adoption. The Board of Supervisors will hear your recommendation on Tuesday, May 19, 2015 at their regularly scheduled meeting.

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

1. The Board of Supervisors approved the rezoning docket that you sent to them last month.
2. June's dockets include a Special Use Authorization request for a digital sign in Elfrida and a special use for small engine repair near SV.
3. The Medical Marijuana docket has been appealed to the Board, and will be heard on May 19<sup>th</sup> at their regular meeting.

#### **6. CALL TO COMMISSIONERS ON RECENT MATTERS**

#### **7. ADJOURNMENT**

**COCHISE COUNTY PLANNING & ZONING COMMISSION  
DRAFT MINUTES  
April 8, 2015  
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 Vice-chairman Martzke at the Cochise County Complex, 1415 Melody Lane, Building G, Bisbee, Arizona in the Board of Supervisors' Hearing Room. Vice-Chair, Mr. Martzke, 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 three Special Use Dockets and one Rezoning Docket on the agenda. Mr. Martzke explained the consequences of a potential tie vote and the process for approval and appeal.

**ROLL CALL**

Mr. Martzke 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 (Jim Martzke, Carmen Miller, Gary Brauchla, Tim Cervantes, Wayne Gregan, Nathan Watkins and Pat Edie) indicated their presence. Staff members present included; Beverly Wilson, Planning Director; Peter Gardner, Planner I; Jesse Drake, Planner II; Janet Smith, Secretary II; and Britt Hanson, Chief Civil Deputy County Attorney.

**APPROVAL OF THE MINUTES**

**Motion:** Approve the minutes of the March 11, 2015 meeting. **Action:** Approve

**Moved by:** Mr. Gregan **Seconded by:** Ms. Miller

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

**Yes:** Mr. Martzke, Ms. Miller, Mr. Brauchla, Mr. Cervantes, and Mr. Gregan

**No:** 0

**Abstain:** Mr. Watkins and Ms. Edie

**CALL TO THE PUBLIC:**

Mr. Jack Cook of Bisbee spoke of various matters.

**NEW BUSINESS**

**Item 1 PUBLIC HEARING Docket SU-15-04 (Sequoia Wireless).** The Applicant is requesting a Special Use authorization to approve a 180-foot tall Wireless Communications facility on an RU-4, Rural zoned property currently in agricultural use. The subject parcel is located at 5288 E. Shelton Road in Willcox, AZ. The Applicant is Canyon State Wireless.

Vice Chair Martzke called for the Planning Director's report. Planner II 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. She closed by listing factors in favor for and against approval and invited questions from the Commission.

Mr. Martzke then opened the Public Hearing. The Applicant, Mr. Ted Kulkens of Willcox, spoke as a representative of Sequoia Farms, explaining the background and rationale behind the request including communications with the Sheriff's Department, and offered to take questions.

Ms. Miller asked if the tower would be unlit. Mr. Kulkens noted that they had chosen to light the tower for safety purposes, despite no FAA requirement to do so.

There being no speakers in support or opposition, Mr. Martzke closed the Public Hearing and invited discussion. There being no further discussion, Mr. Martzke asked for Staff's recommendation. Ms. Drake recommended Conditional Approval with the Modifications requested by the Applicant. Mr. Martzke called for a motion. Mr. Watkins made a motion of Conditional Approval, with the Conditions and Modifications recommended by Staff. Ms. Edie seconded the motion and Mr. Martzke, called for a vote. The motion passed 7-0.

**Motion:** Motioned to Approve the Docket with Conditions and Modifications recommended by Staff. **Action:** Conditional Approval with Modifications.

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

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

**Yes:** Mr. Martzke, Ms. Miller, Mr. Brauchla, Mr. Gegan, Mr. Cervantes, Mr. Watkins, and Ms. Edie

**No:** 0

**Abstain:** 0

### **Item 2**

**PUBLIC HEARING Docket SU-15-05 (Iroquois Wireless):** The Applicant, Iroquois LLC, is requesting a Special Use authorization to approve a 100-foot tall Wireless Communications Tower on an RU-4, Rural zoned property located at 3507 E. Border Road, Douglas AZ. The proposed use is considered a Special Use in RU-4 Rural Zoning Districts under Section 607.40 of the Zoning Regulations.

Vice Chair Martzke called for the Planning Director's report. Planner II 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. She closed by listing factors in favor of and against approval and invited questions from the Commission.

Mr. Martzke then opened the Public Hearing. The Applicant, Mr. Doug Oller of Douglas, as a representative of Iroquois LLC, offered to take questions. There being no speakers in support or opposition, Mr. Martzke closed the Public Hearing and invited discussion. There being no further discussion, Mr. Martzke asked for Staff's recommendation. Ms. Drake recommended Conditional Approval with the Modifications requested by the Applicant. Mr. Martzke called for a motion. Ms. Edie made a motion of Conditional Approval, with the Conditions and Modifications recommended by Staff. Mr. Watkins seconded the motion. Mr. Watkins noted that the County requires co-location of equipment on towers, but the Border Patrol refused to permit the Applicant to locate their equipment on a nearby Border Patrol tower. There being no further discussion, Mr. Martzke called for a vote. The motion passed 7-0.

**Motion:** Motioned to Approve the Docket with Conditions and Modifications recommended by Staff. **Action:** Conditional Approval with Modifications.

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

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

**Yes:** Mr. Martzke, Ms. Miller, Mr. Brauchla, Mr. Gegan, Mr. Cervantes, Mr. Watkins, and Ms. Edie

**No:** 0

**Abstain:** 0

**Item 3 PUBLIC HEARING Docket SU-15-06) (Crisantes Ranches/Mormon Road Medical Marijuana):** The Applicant is requesting a Special Use authorization to approve a facility for the cultivation and dispensing of medical marijuana at on an RU-4, Rural zoned property located at 10990 Mormon Road in Elfrida, AZ. The proposed use is considered a Special Use in RU-4 Rural Zoning Districts under Section 607.55 of the Zoning Regulations. The Applicant is Crisantes Ranches, LLC.

Vice Chair Martzke called for the Planning Director's report. Planner II 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. She closed by listing factors in favor of and against approval and invited questions from the Commission.

Mr. Martzke then opened the Public Hearing. The Applicant, Mr. Miguel Crisantes of Nogales, spoke, explaining the background and rationale behind the request, his family's background, and asked his son, Mr. Hector Crisantes to take the podium to take questions. Mr. Hector Crisantes, of Nogales, stood to take questions. Ms. Miller asked if the intention was only cultivate or if a dispensary was planned. Mr. Crisantes explained that they intended to do both. Based on the size of the community, Mr. Crisantes did not anticipate a large retail operation, but rather limited retail hours and a delivery service. He also explained the family history organic farming expertise and future plans. Mr. Gregan asked for clarification of what existing greenhouses would be used. Mr. Crisantes noted that they could eventually use all of the greenhouses for marijuana, but did not intend to do so in the short term. Mr. Watkins asked about security concerns. Mr. Crisantes explained that they would comply with all state security requirements. Ms. Edie asked if they failed to receive the dispensary license from the state, would they still cultivate. Mr. Crisantes stated that they would not do so. Ms. Miller noted that the concerns were not with the agriculture, but security concerns regarding the product. Mr. Crisantes noted the concerns, and explained the high level of state regulations and the evidence that there have not been problems with similar operations.

Mr. Martzke opened the Public Hearing and asked for speakers.

Mr. Paul White of Elfrida spoke in opposition. He stated it was not safe and would not be a community asset. He expressed concern about crime going up and banking concerns which could create large amounts of cash on site. Mr. White also expressed concern about the road and impaired drivers.

Mr. Dan Zamora of Elfrida spoke, noting that he is currently the Elfrida Fire Chief and a retired Prison Officer. He spoke about the small community and noted that he felt the proposal was not in the community's interests. He stated that after 2 a.m. there were no Sheriff's deputies in the area. Mr. Zamora also expressed concern about increasing drug use.

Mr. Chris Parent of McNeal spoke, stating he was pro marijuana, and noted that his proposal had been approved. He criticized the Applicant, claiming that they had no idea of what the requirements were. He stated that a previous owner of the building was killed in the building, "gangland style". Mr. Parent continued, stating that "I can say whatever I want, whether it's true or not, so I'm just going to talk. You have already all made up your minds." He criticized the location of the proposed dispensary. Mr. Gregan pointed out that each of Mr. Parent's points could be equally applied to his own proposal, but that the current application had better access to water than Mr. Parent's.

Mr. Robert Duquette of Elfrida spoke, noting his recent purchase of property abutting the proposed site. He also expressed concern about security. He also expressed concern about attracting a criminal element. Mr. Duquette also expressed worry about impaired drivers.

There being no further speakers in support or opposition, Mr. Martzke asked the Applicant to rebut. Mr. Hector Crisantes returned to the podium and noted that the application was regarding medical use, and recreational use was not legal nor a topic of discussion. He invited neighbors to visit the property and get to know the family to improve understanding of the project. Mr. Crisantes noted that impaired driving was already illegal, and noted that using the product on site was prohibited. Mr. Cervantes asked about hours of operation. Mr. Crisantes noted the hours would be appropriate for the community, with a limited retail capability, and delivery service.

Mr. Martzke closed the Public Hearing and invited discussion. There being no further discussion, Mr. Martzke asked for Staff's recommendation. Ms. Drake recommended Conditional Approval with the Modifications requested by the Applicant. Mr. Martzke called for a motion. Mr. Gregan made a motion of Conditional Approval, with the Conditions and Modifications recommended by Staff. Ms. Miller seconded the motion and Mr. Martzke, called for a vote. The motion Passed 5-2 with Mr. Watkins and Ms. Edie opposed.

**Motion:** Motioned to Approve the Docket with Conditions and Modifications recommended by Staff. **Action:** Conditional Approval with Modifications.

**Moved by:** Mr. Gregan **Seconded by:** Ms. Miller

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

**Yes:** Mr. Martzke, Ms. Miller, Mr. Brauchla, Mr. Gregan, and Mr. Cervantes

**No:** Mr. Watkins and Ms. Edie

**Abstain:** 0

**Item 4 PUBLIC HEARING Docket Z-15-03 (Griffith).** The Applicant has requested a rezoning from SR-43 (Single-Household Residential, one dwelling per 43,560-square feet) to SR-174 (Single-Household Residential, one dwelling per 4-acres). The subject parcel is approximately 5.60-acres in size, and located on S. Cochise Stronghold Road in Pearce, AZ. The Applicant is Michelle Griffith.

Vice-Chair Martzke called for the Planning Director's report. Planner I Peter Gardner presented the Docket, explaining the background of the request utilizing photos, maps, and other visual aids. Mr. Gardner 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. Martzke then opened the Public Hearing. The Applicant's representative, Mr. Steven Shields of Pearce, spoke, explaining the background and rationale behind the request, and offered to take questions.

There being no speakers in support or opposition, Mr. Martzke closed the Public Hearing and invited discussion. There being no further discussion, Mr. Martzke asked for Staff's recommendation. Mr. Gardner recommended Conditional Approval with the Modifications requested by the Applicant. Mr. Martzke called for a motion. Mr. Watkins made a motion to forward the docket to the Board of Supervisors with a recommendation Conditional Approval, with the Conditions recommended by Staff. Mr. Cervantes seconded the motion and Mr. Martzke, called for a vote. The motion passed 7-0.

**Motion:** Motioned to Forward the Docket with a recommendation of Approval with Conditions recommended by Staff. **Action:** Forward with recommendation of Conditional Approval.

**Moved by:** Mr. Watkins **Seconded by:** Mr. Cervantes

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

**Yes:** Mr. Martzke, Ms. Miller, Mr. Brauchla, Mr. Gregan, Mr. Cervantes, Mr. Watkins, and Ms. Edie

**No:** 0

**Abstain:** 0

**PLANNING DIRECTOR'S REPORT:**

1. The Board of Supervisors Readopted the Cochise County Comprehensive Plan on March 10th, with minor word edits for you to review and make comments on May 13th.
2. May's dockets include A Special Use Modification request for a sign replacement and wireless communications tower as well as the review of the Comprehensive Plan.
3. The Board of Supervisor's will be hearing the rezoning requests from the March Commission meeting on April 14th.
4. The April 28th tentatively scheduled meeting between the Board and the Commission has been postponed to a date uncertain. This is to allow the Commission an opportunity to meet the future County Administrator.

**CALL TO COMMISSIONERS ON RECENT MATTERS:** There was no discussion.

**ADJOURNMENT** – Ms. Edie moved to adjourn, Mr. Watkins seconded, and the meeting was adjourned at 5:17 pm.



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

**TO:** Cochise County Planning and Zoning Commission  
**FROM:** Jesse Drake, Planner II JD  
 For: Beverly J Wilson, Planning Director BW  
**DATE:** April 30, 2015 for the May 13, 2015 Meeting  
**SUBJECT:** S-08-02 (Red Hawk III, Unit IV) Subdivision Tentative Plat Extension request

**I. REQUEST FOR TENTATIVE PLAT EXTENSION**

This request is for approval of a one-year extension, to March 24, 2016, for the Red Hawk III, Unit IV Subdivision Tentative Plat (APN 124-01-013F), a 99-lot subdivision south of Interstate 10, west of Benson. This Tentative Plat was originally approved by the Board of Supervisors on March 24, 2009. The Subdivision has since been granted annual conditional extensions. The latest extension expired on March 24, 2015. The Developer is Thunder Ranch Estates Unit IV, LLC, represented by Mr. Jim Vermilyea. The Project Engineer is Mr. Arden Ranshaw representing Morrison Maierle, Inc.

**II. DESCRIPTION OF SUBJECT PARCEL AND SURROUNDING LAND USES**

Subdivision Size: 309.58 acres  
 Zoning: SR-87 (minimum lot size 2 acres)  
 Growth Area: D-Rural  
 Comprehensive Plan Designation: D-Rural  
 Area Plan: None  
 Existing Use: Vacant 99 lot subdivision  
 Flood Zone: X

**Zoning/Use of Surrounding Properties**

Relation to Subject Subdivision	Zoning District	Use of Property
North	SR-87	Red Hawk II Subdivision
South	RU-4	Vacant
East	RU-4	Vacant
West	RU-4	Pima County

**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

**III. SUBDIVISION HISTORY**

March 24, 2009 – Board of Supervisors conditionally approves the Tentative Plat for Red Hawk III, Unit IV, a two-year approval.

March 24, 2011 – First approval expires: developer receives a one-year administrative conditional extension to 3/24/2012.

March 24, 2012 – Administratively approved conditional extension expires.

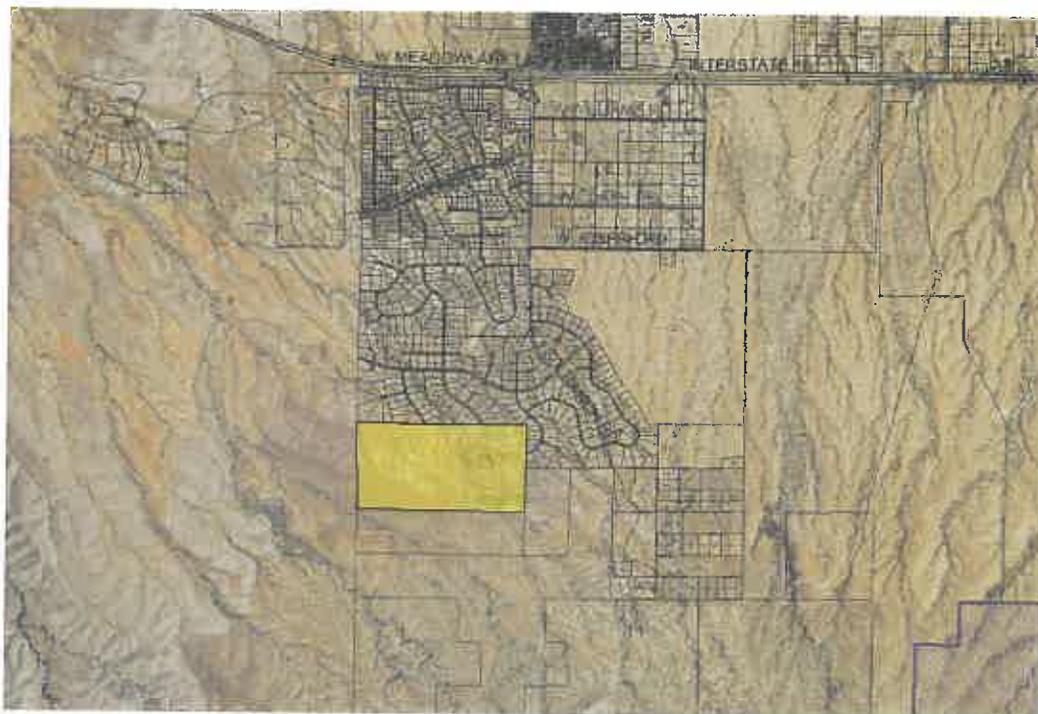
October 2013 –Planning and Zoning Commission approves a second retroactive one-year conditional extension for 2013 and an additional fourth one-year conditional extension to March 24, 2014.

June 11, 2014 – Fourth extension expires; Planning and Zoning Commission approves a fifth conditional extension to March 24, 2015.

March 24, 2015 – Fifth extension expires.

**IV. NATURE OF REQUEST**

The Developer is requesting a one-year extension of the Tentative Plat for Red Hawk III, Unit IV, a 99-lot residential subdivision located on 309.58 acres, zoned SR-2 (Single Household Residential; one dwelling unit per two acres). The lots range in size from 2.38 acres to 5.54 acres. The parcel (124-01-013F) is located two miles south of Interstate 10 in Benson, at the Pima County line. Should the Planning and Zoning Commission grant the current request, staff recommends that all Conditions of Approval from the original 2009 Tentative Plat approval continue to be applied to this extension request.



*Location Map*

**IV. RECOMMENDATION**

Staff recommends conditional approval of a one-year time extension for the Red Hawk 3, Unit 4 Tentative Plat, to expire on March 24, 2016; the Conditions to be the same as for the original Tentative Plat approval on March 24, 2009.

Suggested Motion: *Mr. Chairman, I move to conditionally approve a one-year time extension for the Red Hawk 3, Unit 4 Subdivision Tentative Plat, Docket S-08-02, with a new expiration date of March 24, 2016, and with the same Conditions as the March 24, 2009 approval of the Tentative Plat.*

**V. ATTACHMENTS**

- A. Red Hawk III, Unit IV Tentative Plat Sheet 1
- B. Extension request letter



**THUNDER RANCH ESTATES UNIT III  
2850 E SKYLINE DRIVE, SUITE 100  
TUCSON, ARIZONA 85718  
(520) 544-5610**

March 26, 2015

Beverly J Wilson  
Planning, Zoning and Building Safety Division  
Cochise County Community Development  
1415 Melody Lane, Building E  
Bisbee, AZ 85603

Dear Beverly,

We would like to extend the tentative plat approval on the Red Hawk III project. Please find enclosed a check for the required fee to do so.

Thank you for your attention in this matter.

Regards,

  
Jim Vermilyea  
Red Hawk@ J-Six Ranch

COCHISE COUNTY  
MAR 30 2015  
PLANNING

ATTACHMENT B



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

**TO:** Cochise County Planning and Zoning Commission  
**FROM:** Jesse Drake, Planner II *JD*  
**FOR:** Beverly J. Wilson, Planning Director *bwj*  
**SUBJECT:** Docket SU-15-07 (Swinerton Red Horse)  
**DATE:** April 27, 2015 for the May 13, 2015 Meeting

**APPLICATION FOR A SPECIAL USE**

The Applicant is requesting a Special Use authorization to approve a 90-foot tall wireless communications facility on an RU-4, Rural zoned property on State Land adjacent a Tucson Electric Power substation. The proposed use is considered a Special Use in RU-4 Rural Zoning Districts under Sections 607.40 of the Zoning Regulations. The subject parcel (209-84-000) is located near 2633 E. Three Links Road in Willcox, AZ. The Applicant is Swinerton Renewable Energy.

**I. DESCRIPTION OF SUBJECT PARCEL AND SURROUNDING LAND USES**

Parcel Size: Undivided section of State Land  
 Zoning: RU-4, Rural  
 Growth Area: Category D  
 Comprehensive Plan Designation: Rural  
 Area Plan: None  
 Existing Uses: Vacant land/ranching  
 Proposed Uses: Wireless communications facility with 90-foot tower

**Zoning/Use of Surrounding Properties**

Relation to Subject Parcel	Zoning District	Use of Property
North	RU-4 Rural	Tucson Electric Power Substation
South	RU-4 Rural	State Land Vacant
East	RU-4 Rural	State Land Vacant
West	RU-4 Rural	State Land Vacant

**II. PARCEL HISTORY**

None.

**Planning, Zoning and Building Safety**  
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 520-432-9337 fax  
 1-800-752-3745  
 highway@cochise.az.gov  
 floodplain@cochise.az.gov

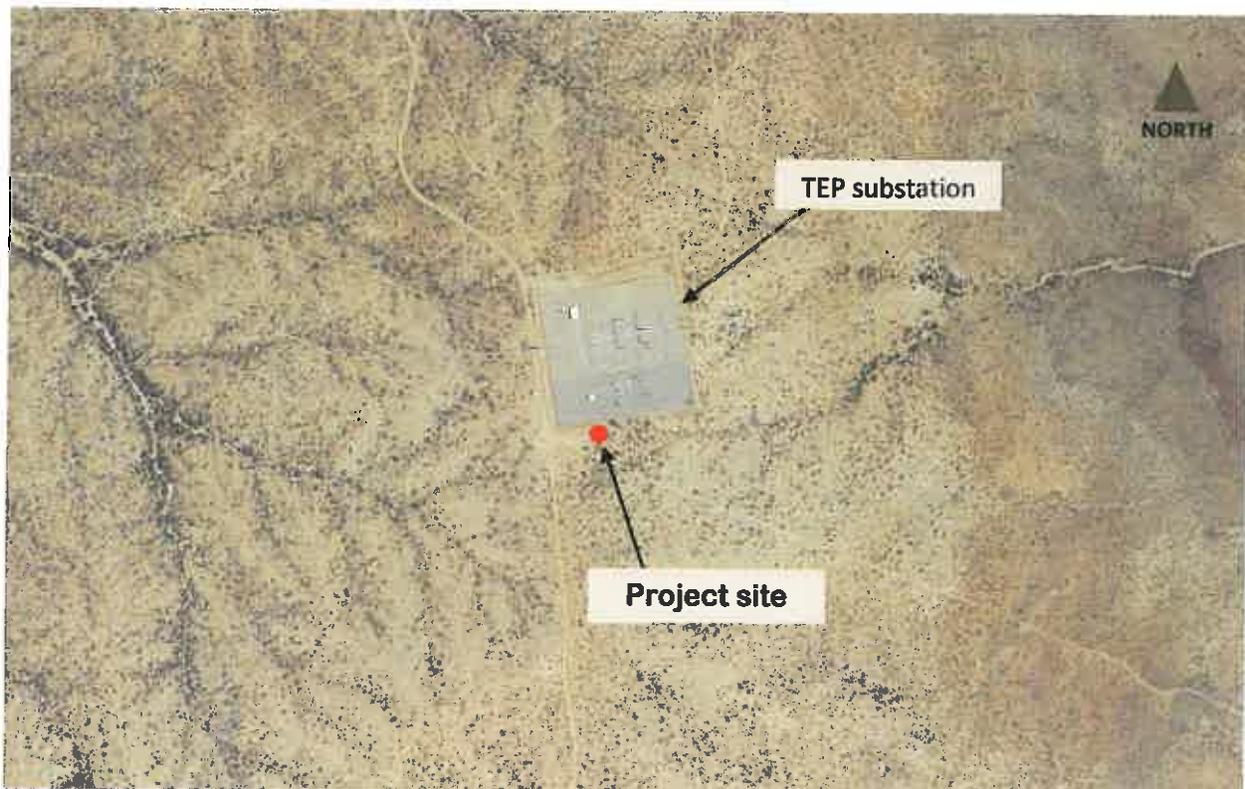
**III. NATURE OF REQUEST**

The Applicant is requesting a Special Use authorization to approve an unmanned wireless communications facility consisting of a 90-foot tower with microwave antennas adjacent to the Winchester electrical substation operated by Tucson Electric Power. This site is on a vacant section of State Land currently used for ranching. There will be no base equipment for this facility. The tower will be located approximately ¾-mile south of Three Links Road, 19-miles west of Highway 191 and 11.5-miles northwest of Interstate 10 west of Willcox, Arizona. This facility will provide communications for the Red Horse Solar and Wind project substation.

Technicians will service the tower approximately once every six-months and will park on the existing service road to the Tucson Electric Power substation.

The State of Arizona has refused to allow commercial collocation on this tower; however there will be multiple users of this tower: Swinerton Renewable Energy, DE Shaw, Vestas Wind Systems, SOLV, and potentially Tucson Electric Power, therefore the applicant is requesting a waiver of the collocation requirement per Section 1813.02.B of the Zoning regulations.

Microwave antennas will be attached to the tower at various heights. The Federal Communications Commission certifies that all telecommunications equipment, bands, frequencies and power levels are within legal limits. All antennas and frequencies are FCC licensed, and no concerns about the frequencies have been raised by Cochise County public safety or US ARMY IMCOM Central.



*Location Map*

**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.

Six of the ten factors apply to this request. The project, as submitted, complies with five those six factors; and will fully comply if a waiver is granted for the sixth factor. The four remaining factors do not pertain to this application.

**A. Compliance with Duly Adopted Plans: Not Applicable**

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

**B. Compliance with the Zoning District Purpose Statement: Complies**

The proposed communications facility provides a non-residential and non-agricultural activity that will serve local needs.

**C. Development Along Major Streets: Complies**

Adjoining the subject site, Three Links Road is a county maintained road (#1231). Traffic generated by the proposed communications facility will be minimal.

**D. Traffic Circulation Factors: Complies**

A technician will provide periodic maintenance to the antennas on the tower approximately once every six months. If granted, the Special Use will not significantly increase the traffic on local roads.

**E. Adequate Services and Infrastructure: Complies**

Electricity to the project site will be provided by the Red Horse substation and no other utilities are required by the applicant. Access is taken from Three Links Road, a county maintained road.

**F. Significant Site Development Standards: Complies with Waiver**

The proposed 90-foot tower provides service for more than one wireless user but does not provide collocation for future commercial wireless providers. The applicant is requesting a waiver of the collocation requirement.

The application meets setback requirements.

The site is not in a designated floodplain.

The 90-foot tall tower is exempt from Federal Aviation Administration lighting and marking requirements which require lighting and marking if a structure is 200-foot tall or higher.

**G. Public Input: Not Applicable**

There is only State land within 1,500-feet of the tower parcel; there were no other property owners to notify about of this application.

**H. Hazardous Materials: Not Applicable**

**I. Off-Site Impacts: Complies**

The microwave antennas do not generate smoke, noise, lights, or odors. The tower has no lights.

**J. Water Conservation: Not Applicable**

The facility does not require water.

**V. MODIFICATIONS TO DEVELOPMENT STANDARDS**

The applicant is requesting a waiver of the collocation requirement of Section 1813.02.B as the underlying landowner, the State of Arizona, will not allow collocation on this tower.

**VI. PUBLIC COMMENT**

The State of Arizona is the underlying property owner for this site and the only property owner in this section of land. The closest homeowner is approximately four miles away. Therefore no property owner letters were mailed. Staff posted the property on April 22, 2015 and published a legal notice in the *Bisbee Observer* on April 23, 2015. Neither the applicant nor staff has received any letters about this request.

**VII. SUMMARY AND CONCLUSION**

This request is for a Special Use authorization to approve an unmanned wireless communications facility consisting of a 90-foot tower with microwave antennas adjacent to the Winchester electrical substation operated by Tucson Electric Power.

**Factors in Favor of Approving the Special Use**

1. With the recommended waiver and Conditions of Approval, the proposed use would fully comply with the seven Special Use factors used by staff to analyze this request;
2. The applicant is improving the communications for a utility service for the community; and
3. No letters in opposition have been received.

**Factors Against Allowing the Special Use**

None apparent.

**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; and
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.

Staff further recommends that the following Waiver of development standards be applied to the use:

1. A waiver of the collocation requirement in Section 1813.02.B of the Zoning regulations.

**Sample Motion:**

*Mr. Chairman, I move to approve Special Use Docket SU-15-07, with the Conditions of Approval and the Waiver to development standards recommended by staff; the Factors in Favor of Approval constituting the Findings of Fact.*

**IX. ATTACHMENTS**

- A. Application with site plan and antenna data
- B. Location map
- C. Request for waiver letter
- D. Agency comment memos



**COCHISE COUNTY  
COMMUNITY DEVELOPMENT**

"Public Programs... Personal Service"

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

TAX PARCEL NUMBER N/A - Arizona State Lands in Section 28, T 14S, R 21E

APPLICANT Swinerton Renewable Energy, BRIAN HOOPES 2033 E. THREE LINKS RD, WILCOX

ADDRESS 15 Business Park Way, Suite 101, Sacramento, CA 95828

CONTACT TELEPHONE NUMBER 916.205.7220 / 530.902.0995

EMAIL ADDRESS: dgallagher@swinerton.com / bhoopes@swinerton.com

PROPERTY OWNER (IF OTHER THAN APPLICANT) ASLD

ADDRESS Arizona State Land Department: 1616 West Adams, Phoenix, AZ 85007

DATE SUBMITTED 3/16/15

Special Use Permit Public Hearing Fee (if applicable)	\$ <u>300.00</u>
Building/Use Permit Fee	\$ _____
<b>Total paid</b>	\$ <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 (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. See attached right-of-way documents.
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.)

ATTACHMENT A

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? Agriculture/ranch land

2. What is the proposed use or improvement? \_\_\_\_\_  
901 microwave tower for communications for the Red Horse Solar and Wind project  
substation

3. Describe all activities that will occur as part of the proposed use. In your estimation, what impacts do you think these activities will have on neighboring properties? The proposed use consists of the construction and operation of a microwave tower at the location to provide communication capabilities for the Red Horse project substation. The identified location is remote and therefore has very limited view-shed consequences.
4. Describe all intermediate and final products/services that will be produced/offered/sold.

The microwave tower will provide communication capabilities with the Red Horse project substation to allow plant control and monitoring.

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)

The microwave tower will be made of steel.

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

7. Provide the following information (when applicable):

A. Days and hours of operation: Days: 365 Hours (from 12 AM to 12 PM)

B. Number of employees: Initially: ~~1~~ | Future: ~~1~~ |   
 Number per shift Seasonal changes intermittent maintenance, 1x 6 months

C. Total average daily traffic generated:

(1) How many vehicles will be entering and leaving the site.   
 During construction there will be the delivery of supplies, equipment and material.   
 Post-construction there will be periodic maintenance of equipment.

(2) Total trucks (e.g., by type, number of wheels, or weight)   
 The total number of trucks are unknown at this time. Most traffic will occur during

construction. 1 VEHICLE POST-CONSTRUCTION EVERY 6 MONTHS.

(3) Estimate which direction(s) and on which road(s) the traffic will travel from the site?   
 Legal access will be via an improved existing road south across Arizona State Trust   
 Land in Section 21, T 14S, R 21E from the Three Links Rd.

(4) If more than one direction, estimate the percentage that travel in each direction   
 Travel is expected to be equal in direction since staff and delivery trucks will   
 enter and exit the site via the same route.

(5) At what time of day, day of week and season (if applicable) is traffic the heaviest   
 Traffic will be heaviest during construction. Most traffic will occur during daylight   
 hours.

Circle whether you will be on public water system or private well. If private well, show the location on the site plan. The proposed use will not require water.

D. Estimated total gallons of water used: per day \_\_\_\_\_ per year \_\_\_\_\_

Will you use a septic system? Yes  No  If yes, is the septic tank system existing?

Yes  No  Show the septic tank, leach field and 100% expansion area on the site plan.

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

\_\_\_\_\_

\_\_\_\_\_

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

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

Attached \_\_\_\_\_ NA

8. Identify how the following services will be provided:

Service	Utility Company/Service Provider	Provisions to be made
Water	trucked in or well	well to be drilled and/or water to be delivered
Sewer/Septic	septic is not required	temporary provisions to be made during construction
Electricity	<del>Fusion Electric Power (TEP)</del>	<del>TEP will be contacted to set up electricity</del>
Natural Gas	N/A	N/A
Telephone	N/A	N/A
Fire Protection	TBD	likely City of Wilcox

WILL COME FROM RED HOUSE SUBSTATION

**SECTION B - Outdoors Activities/Off-site Impacts**

1. Describe any activities that will occur outdoors.

Construction and maintenance of microwave tower.

2. Will outdoor storage of equipment, materials or products be needed? Yes  No  if yes, show the location on the site plan. Describe any measures to be taken to screen this storage from neighboring properties. There will be a laydown yard during construction.

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

duration is expected to be short and the nearest house is ~4 miles away.

4. Will any vibrations be produced that can be felt on neighboring properties? Yes \_\_\_ No X 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 X 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 X 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 X If yes, show the location(s) on the site plan. Also, draw a sketch of the sign to scale, show the copy that will go on the sign and **FILL OUT A SIGN PERMIT APPLICATION** (attached).
10. Show on-site drainage flow on the site plan. Will drainage patterns on site be changed?  
 Yes \_\_\_ No X  
 If yes, will storm water be directed into the public right-of-way? Yes \_\_\_ No \_\_\_  
 Will washes be improved with culverts, bank protection, crossings or other means?  
 Yes \_\_\_ No X  
 If yes to any of these questions, describe and/or show on the site plan.
11. What surface will be used for driveways, parking and loading areas? (i.e., none, crushed aggregate, chipseal, asphalt, other)  
Locally sourced crushed aggregate will be used to reinforce the roads where needed.
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.

The proposed use does not require water.

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2. How many acres will be cleared? <1  
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**

Some businesses involve materials that can contaminate the soil, air, water, waste disposal system or environment in general. Precautions must be taken to protect the environment when such products are distributed to or from the site, stored, manufactured, processed, disposed of, or released as raw materials, products, wastes, emissions, or discharges (When sold or incorporated in a product these materials are required to have Material Safety Data Sheets (MSDS) supplied by the manufacturer.) Examples of such products include but are not limited to paint, solvents, chemicals and chemical wastes, oil, pesticides, herbicides, fertilizers, radioactive materials, biological wastes etc.

Does the proposed use have any activities involving such materials?

Yes \_\_\_ No X If yes, complete the attached *Hazardous or Polluting Materials Use Questionnaire*.

**Note:** Depending on quantities, this question does not apply to ordinary household or office products or wastes such as cleansers, waxes or office supplies. Answer YES only if the materials are involved in the commercial or special use process or if landscaping or maintenance chemicals (pesticides, fertilizers, paints, etc.) will be present in quantities greater than 50 pounds (solids) or 25 gallons (liquids).

If you answer NO to this question but in the County's experience, the type of business proposed typically uses such materials, you will be asked to complete the *Hazardous or Polluting Materials Questionnaire* prior to processing this Commercial Use/ Building/ Special Use Permit.

Applications that involve hazardous or polluting materials may take a longer than normal processing time due to the need for additional research. 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 

Print Applicant's Name BRIAN HOOPES

Date signed 3/24/15



March 23, 2015

Jesse Drake  
Cochise County Community Development  
1415 Melody Lane, Building E  
Bisbee, Arizona 85603

**RE: Red Horse Solar and Wind Microwave Tower Special Use Permit**

Dear Ms. Drake,

Swinerton Renewable Energy, on behalf of Red Horse Wind 2 LLC, is submitting a Special Use Permit application for the development of a microwave communications tower in conjunction with the Red Horse solar and wind facilities being built near Willcox, AZ.

Per county request, this letter will address various items discussed on the process of applying for the SUP.

Swinerton has reviewed the area in question for existing communications towers and found only one that would be suitable for our use at the adjacent Winchester electrical substation operated by Tucson Electric Power. However, due to regulations protecting critical utility facilities we are not able to utilize the TEP infrastructure for our substation communications.

There is no existing hardline telecommunications infrastructure near the location of the substation.

There is the potential that this communications tower could be used for collocation in the future, dependent upon the type of communications infrastructure that would be added and the compatibility of the components that will be onsite.

This is a cable-down style communications tower with no base equipment or structure. Power and comms wiring will be run down the tower and directly over to the Red Horse project's substation. However, if a base structure is required at some point, there is room in the current Rights of Way and land lease for this to be placed at the base of the tower.



This tower is 90-feet tall and therefore does not require any visual warning or notification lighting.

Swinerton sincerely appreciates the county's assistance in processing this use permit application so that it can be presented at the May 13<sup>th</sup> meeting as the work associated with this communications tower is critical to the operation of the solar and wind facilities that will be reaching completion at the same time.

Please contact me directly with any questions on this application or its contents.

Thank You,

A handwritten signature in blue ink, appearing to read "Brian Hoopes". The signature is fluid and cursive, with a long horizontal stroke at the end.

Brian Hoopes  
Project Manager  
Swinerton Renewable Energy



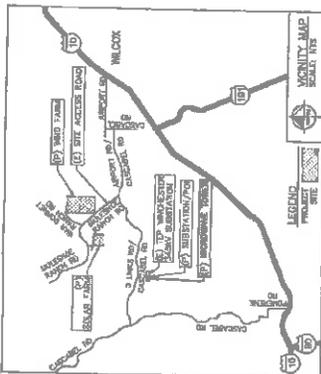
© 2010 KIMLEY-HORN AND ASSOCIATES, INC.  
 333 E. Nelson Road, Suite 400  
 Phoenix, AZ 85026 (602) 997-9111



RED HORSE SOLAR FARM  
 SINGLE-AXIS TRACKER  
 PHOTOVOLTAIC ARRAYS  
 650 MWAC  
 COCHISE COUNTY, AZ

MONOPOLE SITE PLAN

C10

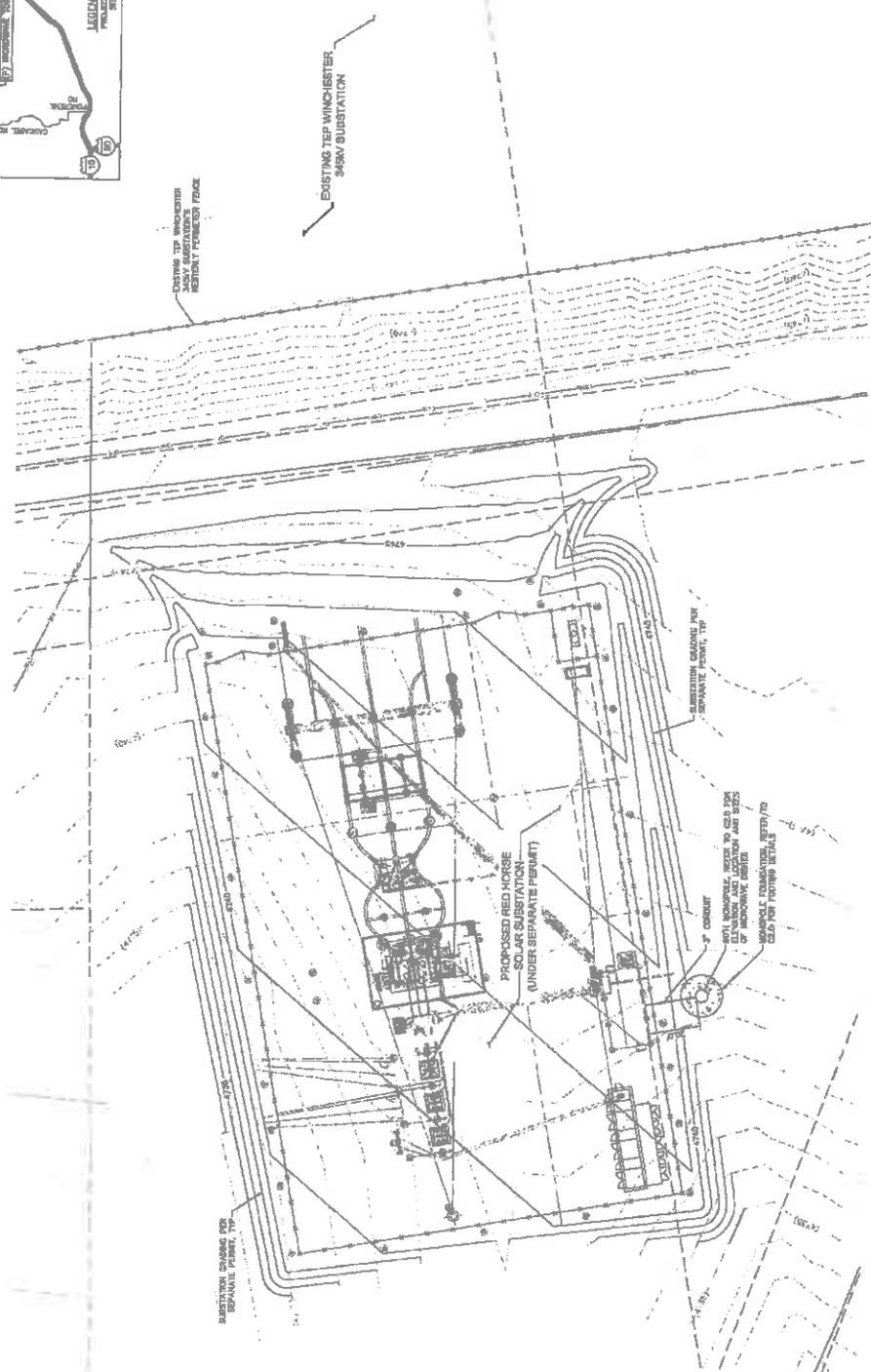


LEGEND:

- EXISTING CONTOUR
- PROPOSED CONTOUR (MAJOR)
- PROPOSED CONTOUR (MINOR)
- PROPOSED CONTOUR (TERRACE)
- PROPOSED CONTOUR (FLAT)
- PROPOSED CONTOUR (SLOPE)
- PROPOSED CONTOUR (WATER)
- PROPOSED CONTOUR (WIND)
- PROPOSED CONTOUR (TEMP)
- PROPOSED CONTOUR (HUMIDITY)
- PROPOSED CONTOUR (PRECIPITATION)
- PROPOSED CONTOUR (SUNSHINE)
- PROPOSED CONTOUR (WIND SPEED)
- PROPOSED CONTOUR (WIND DIRECTION)
- PROPOSED CONTOUR (WIND PERIOD)
- PROPOSED CONTOUR (WIND INTENSITY)
- PROPOSED CONTOUR (WIND FREQUENCY)
- PROPOSED CONTOUR (WIND VELOCITY)
- PROPOSED CONTOUR (WIND PRESSURE)
- PROPOSED CONTOUR (WIND TEMPERATURE)
- PROPOSED CONTOUR (WIND HUMIDITY)
- PROPOSED CONTOUR (WIND DENSITY)
- PROPOSED CONTOUR (WIND VISCOSITY)
- PROPOSED CONTOUR (WIND SURFACE TENSION)
- PROPOSED CONTOUR (WIND CAPILLARITY)
- PROPOSED CONTOUR (WIND REFRACTIVE INDEX)
- PROPOSED CONTOUR (WIND SOUND SPEED)
- PROPOSED CONTOUR (WIND ACCELERATION)
- PROPOSED CONTOUR (WIND DECELERATION)
- PROPOSED CONTOUR (WIND VELOCITY VECTOR)
- PROPOSED CONTOUR (WIND PRESSURE VECTOR)
- PROPOSED CONTOUR (WIND TEMPERATURE VECTOR)
- PROPOSED CONTOUR (WIND HUMIDITY VECTOR)
- PROPOSED CONTOUR (WIND DENSITY VECTOR)
- PROPOSED CONTOUR (WIND VISCOSITY VECTOR)
- PROPOSED CONTOUR (WIND SURFACE TENSION VECTOR)
- PROPOSED CONTOUR (WIND CAPILLARITY VECTOR)
- PROPOSED CONTOUR (WIND REFRACTIVE INDEX VECTOR)
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- PROPOSED CONTOUR (WIND DECELERATION VECTOR)
- PROPOSED CONTOUR (WIND VELOCITY VECTOR)
- PROPOSED CONTOUR (WIND PRESSURE VECTOR)
- PROPOSED CONTOUR (WIND TEMPERATURE VECTOR)
- PROPOSED CONTOUR (WIND HUMIDITY VECTOR)
- PROPOSED CONTOUR (WIND DENSITY VECTOR)
- PROPOSED CONTOUR (WIND VISCOSITY VECTOR)
- PROPOSED CONTOUR (WIND SURFACE TENSION VECTOR)
- PROPOSED CONTOUR (WIND CAPILLARITY VECTOR)
- PROPOSED CONTOUR (WIND REFRACTIVE INDEX VECTOR)
- PROPOSED CONTOUR (WIND SOUND SPEED VECTOR)
- PROPOSED CONTOUR (WIND ACCELERATION VECTOR)
- PROPOSED CONTOUR (WIND DECELERATION VECTOR)

GENERAL NOTES:

1. THE LOCATION AND HEIGHT OF MONOPOLE TOWER TO BE LOCATED ON PROPERTY SUBMITTAL.
2. THE SITE IS BEING INSPECTED BY A REGISTERED PROFESSIONAL ENGINEER AND THE RESULTS OF THE INSPECTION WILL BE REPORTED TO THE CLIENT IN A SEPARATE REPORT. THE CLIENT IS RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL, STATE, AND FEDERAL AUTHORITIES.
3. THERE IS AN ASSESSMENT OF THE MONOPOLE TOWER SUBMITTAL.



NOTICE OF EXTENDED PAYMENT PROVISION  
 THIS CONTRACT PROVIDES FOR PAYMENT WITHIN 15 DAYS AFTER CERTIFICATION AND APPROVAL OF BILLING AND ESTIMATES FOR PROGRESS PAYMENTS, WITHIN 16 DAYS AFTER CERTIFICATION AND APPROVAL OF ALL INVOICES AND ESTIMATES FOR RELEASE OF RETENTION AND WITHIN 16 DAYS AFTER CERTIFICATION AND APPROVAL OF BILLING AND ESTIMATES FOR FINAL PAYMENT.

NOTICE OF ESTIMATED PAYMENT PROVIDED  
THIS CONTRACT ALLS OWNER TO MAKE PAYMENT WITHIN 10 DAYS AFTER CERTIFICATION AND APPROVAL OF BILLINGS AND ESTIMATES FOR PROGRESS PAYMENTS WITHIN 10 DAYS AFTER CERTIFICATION AND APPROVAL OF BILLINGS AND ESTIMATES FOR RELEASE OF RETENTION AND WITHIN 10 DAYS AFTER CERTIFICATION AND APPROVAL OF BILLINGS AND ESTIMATES FOR FINAL PAYMENT.

Section	Length (ft)	Material	Top Diameter (in)	Bottom Diameter (in)	Type (in)	Weight (lbs)
1	30 - 0"	18	24.0"	24.0"	18	1430
2	20 - 0"	18	24.0"	24.0"	18	950
3	20 - 0"	18	24.0"	24.0"	18	950
4	20 - 0"	18	24.0"	24.0"	18	950
5	20 - 0"	18	24.0"	24.0"	18	950
6	20 - 0"	18	24.0"	24.0"	18	950
7	20 - 0"	18	24.0"	24.0"	18	950
8	20 - 0"	18	24.0"	24.0"	18	950
9	20 - 0"	18	24.0"	24.0"	18	950
10	20 - 0"	18	24.0"	24.0"	18	950
11	20 - 0"	18	24.0"	24.0"	18	950
12	20 - 0"	18	24.0"	24.0"	18	950
13	20 - 0"	18	24.0"	24.0"	18	950
14	20 - 0"	18	24.0"	24.0"	18	950
15	20 - 0"	18	24.0"	24.0"	18	950
16	20 - 0"	18	24.0"	24.0"	18	950
17	20 - 0"	18	24.0"	24.0"	18	950
18	20 - 0"	18	24.0"	24.0"	18	950
19	20 - 0"	18	24.0"	24.0"	18	950
20	20 - 0"	18	24.0"	24.0"	18	950
21	20 - 0"	18	24.0"	24.0"	18	950
22	20 - 0"	18	24.0"	24.0"	18	950
23	20 - 0"	18	24.0"	24.0"	18	950
24	20 - 0"	18	24.0"	24.0"	18	950
25	20 - 0"	18	24.0"	24.0"	18	950
26	20 - 0"	18	24.0"	24.0"	18	950
27	20 - 0"	18	24.0"	24.0"	18	950
28	20 - 0"	18	24.0"	24.0"	18	950
29	20 - 0"	18	24.0"	24.0"	18	950
30	20 - 0"	18	24.0"	24.0"	18	950
31	20 - 0"	18	24.0"	24.0"	18	950
32	20 - 0"	18	24.0"	24.0"	18	950
33	20 - 0"	18	24.0"	24.0"	18	950
34	20 - 0"	18	24.0"	24.0"	18	950
35	20 - 0"	18	24.0"	24.0"	18	950
36	20 - 0"	18	24.0"	24.0"	18	950
37	20 - 0"	18	24.0"	24.0"	18	950
38	20 - 0"	18	24.0"	24.0"	18	950
39	20 - 0"	18	24.0"	24.0"	18	950
40	20 - 0"	18	24.0"	24.0"	18	950
41	20 - 0"	18	24.0"	24.0"	18	950
42	20 - 0"	18	24.0"	24.0"	18	950
43	20 - 0"	18	24.0"	24.0"	18	950
44	20 - 0"	18	24.0"	24.0"	18	950
45	20 - 0"	18	24.0"	24.0"	18	950
46	20 - 0"	18	24.0"	24.0"	18	950
47	20 - 0"	18	24.0"	24.0"	18	950
48	20 - 0"	18	24.0"	24.0"	18	950
49	20 - 0"	18	24.0"	24.0"	18	950
50	20 - 0"	18	24.0"	24.0"	18	950
51	20 - 0"	18	24.0"	24.0"	18	950
52	20 - 0"	18	24.0"	24.0"	18	950
53	20 - 0"	18	24.0"	24.0"	18	950
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55	20 - 0"	18	24.0"	24.0"	18	950
56	20 - 0"	18	24.0"	24.0"	18	950
57	20 - 0"	18	24.0"	24.0"	18	950
58	20 - 0"	18	24.0"	24.0"	18	950
59	20 - 0"	18	24.0"	24.0"	18	950
60	20 - 0"	18	24.0"	24.0"	18	950
61	20 - 0"	18	24.0"	24.0"	18	950
62	20 - 0"	18	24.0"	24.0"	18	950
63	20 - 0"	18	24.0"	24.0"	18	950
64	20 - 0"	18	24.0"	24.0"	18	950
65	20 - 0"	18	24.0"	24.0"	18	950
66	20 - 0"	18	24.0"	24.0"	18	950
67	20 - 0"	18	24.0"	24.0"	18	950
68	20 - 0"	18	24.0"	24.0"	18	950
69	20 - 0"	18	24.0"	24.0"	18	950
70	20 - 0"	18	24.0"	24.0"	18	950
71	20 - 0"	18	24.0"	24.0"	18	950
72	20 - 0"	18	24.0"	24.0"	18	950
73	20 - 0"	18	24.0"	24.0"	18	950
74	20 - 0"	18	24.0"	24.0"	18	950
75	20 - 0"	18	24.0"	24.0"	18	950
76	20 - 0"	18	24.0"	24.0"	18	950
77	20 - 0"	18	24.0"	24.0"	18	950
78	20 - 0"	18	24.0"	24.0"	18	950
79	20 - 0"	18	24.0"	24.0"	18	950
80	20 - 0"	18	24.0"	24.0"	18	950
81	20 - 0"	18	24.0"	24.0"	18	950
82	20 - 0"	18	24.0"	24.0"	18	950
83	20 - 0"	18	24.0"	24.0"	18	950
84	20 - 0"	18	24.0"	24.0"	18	950
85	20 - 0"	18	24.0"	24.0"	18	950
86	20 - 0"	18	24.0"	24.0"	18	950
87	20 - 0"	18	24.0"	24.0"	18	950
88	20 - 0"	18	24.0"	24.0"	18	950
89	20 - 0"	18	24.0"	24.0"	18	950
90	20 - 0"	18	24.0"	24.0"	18	950
91	20 - 0"	18	24.0"	24.0"	18	950
92	20 - 0"	18	24.0"	24.0"	18	950
93	20 - 0"	18	24.0"	24.0"	18	950
94	20 - 0"	18	24.0"	24.0"	18	950
95	20 - 0"	18	24.0"	24.0"	18	950
96	20 - 0"	18	24.0"	24.0"	18	950
97	20 - 0"	18	24.0"	24.0"	18	950
98	20 - 0"	18	24.0"	24.0"	18	950
99	20 - 0"	18	24.0"	24.0"	18	950
100	20 - 0"	18	24.0"	24.0"	18	950

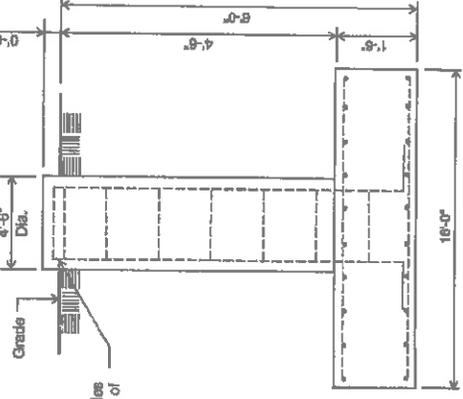
# Sabre Industries<sup>®</sup> Towers and Poles

No.: 15-5457-RSS-R2  
Page:  
Date: 2/27/15  
By: TTV

Customer: AVIAT NETWORKS  
Silent Rock Horse Substation, AZ

90' Monopole at  
125 mph Wind with no ice per ANSI/TIA-222-G.

PRELIMINARY - NOT FOR CONSTRUCTION.



ELEVATION VIEW  
(17.17 Dia. Vias. each)  
(1 REQUIRED; NOT TO SCALE)

- Notes:
- Concrete shall have a minimum 28-day compressive strength of 4000 PSI, in accordance with ACI 318-05
  - Rebar to conform to ASTM specification A615 Grade 60.
  - All rebar to have a minimum of 3" concrete cover.
  - All exposed concrete corners to be chamfered 3/4".
  - The foundation design is based on the geotechnical report by Smith & Annals Engineering, Project No. 28-14-2024, dated September 30, 2014.
  - See the geotechnical report for compaction requirements, if specified.
  - The foundation is based on the following factored loads:  
Moment (kip-ft) = 946  
Axial (kips) = 8.6  
Shear (kips) = 17

Pier	Rebar Schedule per Pad and Pier (20) #7 vertical rebar w/hooks at bottom w/#5 Max, two within top 5' of top of pier then 12" C/C
Pad	(18) #8 horizontal rebar evenly spaced each way top and bottom (72 Total)

8). This is a design drawing only. Please see final construction drawings for all installation details.

Information contained herein is the sole property of Sabre Towers & Poles, consultants a trade secret as defined by Iowa Code Ch. 652 and shall not be reproduced, copied or used in whole or part for any purpose whatsoever without the prior written consent of Sabre Towers & Poles.

7101 Southbridge Drive - P.O. Box 698 - Sioux City, IA 51102-0698 - Phone 712.258.0690 - Fax 712.279.0614

## ELEVATION

## MONOPOLE FOOTING

C-20



RED HORSE SOLAR FARM  
SINGLE-AXIS TRACKER  
PHOTOVOLTAIC ARRAYS  
SILVER ROCK HORSE SUBSTATION  
COCHISE COUNTY, AZ

**Sabre Industries<sup>®</sup>**  
Towers and Poles

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Sioux City, IA 51102-0698  
Phone: 712.258.0690  
Fax: 712.279.0614  
www.sabreindustries.com

Project: 15-5457-RSS-R2  
Customer: AVIAT NETWORKS  
Site Name: Silent Rock Horse Substation, AZ  
Project Location: 7101 Southbridge Drive, Sioux City, IA 51102-0698  
Date: 2/27/2015



## Enhanced Performance, Point-to-Point Microwave Antennas

Unshielded, single-polarized, Category A compliant, parabolic antennas

Andrew Solutions PAR Series antennas are ideal for microwave applications requiring FCC Category A compliance.

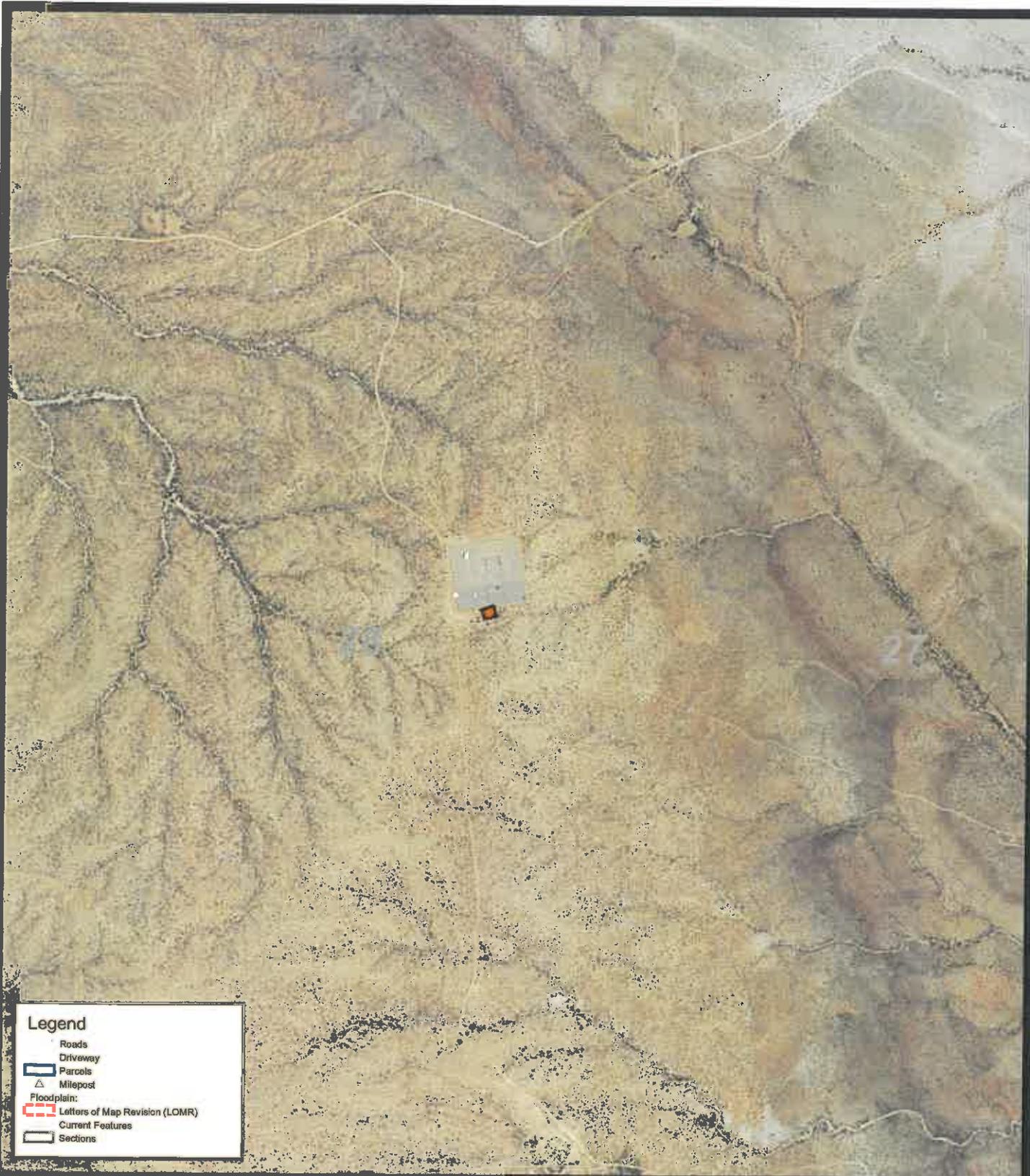
Andrew Solutions PAR unshielded, point-to-point microwave antennas deliver performance ideally suited to networks where there is a need for FCC Category A compliance

Andrew Solutions designs and engineers a complete range of point-to-point microwave antennas that help operators to maximize bandwidth efficiency and increase system reliability while minimizing both capital and operational expenditures.

Equipped with a painted reflector, each PAR unshielded antenna features a low VSWR feed and a vertical pipe-mount. All antennas are engineered and tested to Andrew Solutions uncompromising standards. Molded radomes can also be ordered for the majority of sizes, giving you more flexibility in network design and deployment.

Radiation Pattern Envelopes—For each antenna model, Andrew Solutions publishes a complete range of radiation pattern envelopes (RPEs). Each detailed pattern envelope provides an easy-to-read and informative description of how the antenna performs at various frequencies and along specific planes. Copies of the RPEs for each antenna are also on file at various regulatory offices around the world.

- Great RF pattern performance
- Low lifetime cost
- Lower cost of ownership



**Legend**

- Roads
- Driveway
- Parcels
- Milepost
- Floodplain:
- Letters of Map Revision (LOMR)
- Current Features
- Sections



SU-15-07  
 (Red Horse Micro Tower)  
 2633 E. Three Links Rd.  
 Willcox, AZ  
 APN 209-84-000  
 S28:T14S:R21E

ATTACHMENT B

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

23



March 27, 2015

Jesse Drake  
Cochise County Community Development  
1415 Melody Lane, Building E  
Bisbee, Arizona 85603

**RE: Red Horse Solar and Wind Microwave Tower Special Use Permit, Waiver of Collocation Request**

Dear Ms. Drake,

Swinerton Renewable Energy, on behalf of Red Horse Wind 2 LLC, submitted a Special Use Permit application for the development of a microwave communications tower in conjunction with the Red Horse solar and wind facilities being built near Willcox, AZ.

As part of this application, Cochise County requested documentation from the Arizona State Land Department and the project owner, Red Horse Wind 2 LLC, confirming that Swinerton/Brian Hoopes is an authorized agent for the Red Horse project and that the land owner, ASLD, approves of the application for the microwave tower SUP. This information was obtained and provided to Cochise County.

The language of the ASLD approval and the Red Horse Wind 2 LLC authorization both note that the planned tower cannot be used for additional commercial purposes by other entities which makes collocation not viable. Swinerton is submitting this letter requesting a waiver of the collocation requirement.

Though no other entities would be able to use the microwave tower for collocation, there will be multiple users of this tower and its equipment, namely Swinerton Renewable Energy, DE Shaw, Vestas Wind Systems, SOLV, Swinerton Operations & Maintenance, Vestas Operations & Maintenance, and potentially Tucson Electric Power (TEP) if they require the ability to communicate with the project remotely. Having multiple users located on one tower does eliminate the need for additional communications structures for these other entities.

Swinerton sincerely appreciates the county's assistance in processing this use permit application so that it can be presented at the May 13<sup>th</sup> meeting as the work associated

Swinerton Builders CA Lic. No. 92  
16798 West Bernardo Drive, San Diego, CA 92127-1904  
Tel: 858.622.4040 Fax: 858.622.4044 www.swinerton.com

X ATTACHMENT C

24



with this communications tower is critical to the operation of the solar and wind facilities that will be reaching completion at the same time.

Please contact me directly with any questions on this application, its contents, or this waiver request letter.

Thank You,

A handwritten signature in blue ink, appearing to read "B. Hoopes", with a long horizontal line extending to the right.

Brian Hoopes  
Project Manager  
Swinerton Renewable Energy

**Drake, Jesse**

---

**From:** Gordon, Eric K CIV USARMY IMCOM CENTRAL (US) [eric.k.gordon.civ@mail.mil]  
**Sent:** Tuesday, April 21, 2015 5:00 PM  
**To:** Drake, Jesse  
**Cc:** Gordon, Eric K CIV USARMY IMCOM CENTRAL (US); Kosbab, Margo A CIV USARMY USAG (US)  
**Subject:** RE: Encroachment Board Review - SU-15-07 (Red Horse Micro Tower) (UNCLASSIFIED)

CLASSIFICATION: UNCLASSIFIED

Ms. Jesse Drake,

The Fort Huachuca Encroachment Board members reviewed Swinerton Renewable Energy's application (on behalf of Red Horse Wind 2 LLC) to construct and operate a 90 ft. microwave tower, with two dish antennas, to provide communication capabilities for the Red Horse solar and wind project substation located Willcox, AZ.

**Review:** The only concern provided was that of the aggregation of spectrum dependent systems within the BSETR could become problematic.

Based on the information provided, this project should pose no threat to the electromagnetic environment on Fort Huachuca nor have any adverse impact to the installation's EPG or training missions.

Thank you,

v/r  
Eric Gordon  
USAG Fort Huachuca PAIO  
☎ Phone: 520-533-4980

-----Original Message-----

**From:** Drake, Jesse [<mailto:JDrake@cochise.az.gov>]  
**Sent:** Wednesday, March 25, 2015 10:48 AM  
**To:** [KENMCCOOL@aol.com](mailto:KENMCCOOL@aol.com); Call, Pat G; Capas, Carol; Dist1a; Dist1b; Dist1c; Dist2a; Dist2b; Dist2c; Dist3a; Dist3b; Dist3c; English, Ann S; Flores, Dora V; Gordon, Eric K CIV USARMY IMCOM CENTRAL (US); Hanson, Britt W; Hudgins, Pamela A; Izzo, Michael D; Lamberton, Karen L; Lopez, Rosa I; Megan Resor/SSVEC; Searle, Richard R; Wilson, Beverly J  
**Subject:** SU-15-07 (Red Horse Micro Tower)

For your review and comments.

Jesse Drake

Planner II  
Cochise County Community Development  
Planning, Zoning and Building Safety Division  
1415 Melody Lane, Building E  
Bisbee, AZ 85603  
520-432-9300  
520-432-9278 fax

Public Programs...Personal Service



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

**INTEROFFICE MEMO**

**Date:** April 2, 2015

**To:** Jesse Drake, Planner II

**From:** Pam Hudgins, Right-of-Way Agent II

**Subject:** Special Use Permit for Swinerton Renewable Energy (SU-15-07)

**Background:**

Swinerton Renewable Energy is requesting a Special Use Permit for Assessor Parcel Number 209-84-000 for the use of a wireless communications facility including a 90 foot tower to support microwave antennas on a State land parcel adjacent to a remote electrical substation facility on an RU-4 Rural zoned property. The proposed use is considered a Special Use in RU-4 Rural Zoning Districts under Section 607.40 of the Zoning Regulations. 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 from N. Cascabel Road to Three Links Road East to 2633 Three Links Road, Willcox and is approximately 19 miles West of Highway 191. Three Links Road serves as the Northerly boundary of the subject parcel.
- Adjoining the subject parcel, Three Links Road is a county maintained road (#1231).
- Three Links Road was established as a County Highway at a width of 66'. The designation change to a Primitive Road classification per ARS 28-6706 (those roads and road segments that were open prior to June 1975 and not constructed in accordance with County standards) by Board of Supervisors Resolution 03-82 date December 1, 2003.
- Three Links Road was dedicated to the public at a width of 30' per Arizona State lease AR209-00130 dated 1999 in document # 1999-03451.

**Recommendation:**

- No need for right-of-way dedication is required for Three Links Road at this time.

**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**  
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Bisbee, Arizona 85603  
520-432-9300  
520-432-9278 fax  
1-877-777-7958  
planningandzoning@cochise.az.gov



# Sulphur Springs Valley Electric Cooperative, Inc.

A Touchstone Energy® Cooperative 

## REVIEW

**To:** Jesse Drake, Planner II  
**From:** Ruth Bigelow-Right of Way Agent  
**Date:** 03/26/2015  
**Re:** Red Horse Tower-SU-15-07

---

- SSVEC shows no conflict with our existing facilities
- SSVEC has no objections



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

**TO:** Cochise County Planning and Zoning Commission  
**FROM:** Beverly J. Wilson, Planning Director *bw*  
**SUBJECT:** Docket SU-03-04B (Rule)  
**DATE:** April 21, 2015 for the May 13, 2015 Meeting

**APPLICATION TO MODIFY A SPECIAL USE AUTHORIZATION**

The Applicant requests a modification of an existing Special Use Permit (SU-03-04), to allow the Applicant to expand an existing 6,000-square foot gymnastics facility by adding an additional 13,600-square feet building.

The subject parcel (Parcel # 107-75-010D) is located at 7557 E Thuma Road, in Sierra Vista, AZ.

The Applicant is Lonnie Rule of Desert Thunder Gymnastics.

**I. Description of Subject Parcel and Surrounding Uses**

- Size: 4.93-Acres
- Zoning: RU-4 – Rural (One residence per four-acres)
- Growth Area: Category D – Rural growth area
- Plan Designation: RR – Rural Residential
- Area Plan: None Applicable
- Existing Uses: 6,000-square foot gymnastics facility, single-family manufactured home dwelling
- Proposed Uses: Same, but the Applicant seeks to expand the existing facility by 13,600-square feet. The resulting structure would be 19,600-square feet.

**Surrounding Zoning**

Relation to Subject Parcel	Zoning District	Use of Property
North	RU-4 - Rural	Single-Family Residence
South	RU-4 - Rural	Coronado Elementary School
East	RU-4 - Rural	Single Family Residence
West	RU-4 - Rural	Single Family Residence

**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**

1981 – Permit issued for single-family mobile home and septic tank

2003 – Special Use Authorization for Gymnastics Studio

2003 – Permit issued for Gymnastics Studio with septic tank

2013 – Permit issued for barn/storage shed



*Looking northeast: Desert Thunder Gymnastics.*

## **III. PROJECT DESCRIPTION**

A Special Use Authorization is required for indoor recreational land uses in the RU-4 (one dwelling per four acres) zoning district per Section 607.07 of the Cochise County Zoning Regulations. Lonnie and Charles Rule obtained a Special Use Permit for a gymnastics facility in 2003 and have been operating Desert Thunder Gymnastics since 2004. This is a request to modify the Special Use Authorization granted by the Planning and Zoning Commission on April 25, 2003 to expand their facility.

The business has enjoyed great success, such that the Applicant has now applied to meet their growing need for additional space, which will allow room for parent viewing, front offices, and classroom areas, as well as expanded space for equipment. The addition will also provide a safer layout for students, staff, and parents. The Applicant is asking to modify the existing Special Use Authorization to expand the size of the gymnastics studio by adding another metal building with additional 13,600-square feet, which will result in a facility of 19,600-square feet in size.

Desert Thunder Gymnastics is providing a unique service to families in Cochise County. Many community, city, sports, and school groups have used this facility to expand programs for children such as Kid's World, Boys and Girls Club, the Scouts, as well as cheer, football, and

diving teams from community schools. Increasing awareness of childhood obesity has also increased the number of participants in the many programs offered by this facility.

The proposed addition will continue to be accessed by Thuma Road, which runs north of the Coronado School. The participants in the many classes offered are using the access from Thuma Road after school hours, with the heaviest traffic from 4:30 pm to 6:30 pm, Monday through Friday. The facility has programs on Saturdays from 9:30 AM to noon with heaviest traffic between 10 AM and 11:30 AM. Traffic does not pass any residences, and many of the participants are dropped off for their classes and then picked up after classes, which creates less need for parking spaces.



*Looking northeast at the existing parking area.*

#### **IV. ANALYSIS OF IMPACTS**

As an expansion of an existing business, the Applicant anticipates additional traffic to and from the site. The hours of operation for the business are unchanged; as such, additional traffic will access the site during these hours. The Applicant estimates about 20 vehicles per hour. The current Special Use was approved with "approximately 30-per day with 15-vehicles on Saturday".

Traffic enters the site from an improved apron on the West side of the property along Thuma Road, and through an unimproved driveway towards the East along Thuma Road. Coronado Elementary School also uses this portion of Thuma Road as a secondary access, which is improved with chip-seal. While the road can accommodate additional traffic generated by an expanded gymnastics facility, the County Transportation Planner is recommending that the Applicant provide an Internal Traffic Circulation plan as well as a Right-of-Way/Encroachment permit at the time of commercial permitting (Attachment D).

The existing building, which is 20-feet high, 60-feet wide and 100-feet long, does have a visual impact on the view of the Huachuca Mountains to the southwest. Any expansion of the building will increase this impact. The proposed addition will be 70 feet south of the shared property line. Currently the existing building is 90 feet south of the shared property line, and the home

immediately north is approximately 150 feet away from the property line. The property south of this proposed facility is vacant, and the Coronado Elementary School is located to the southwest, also a fairly high structure.

**V. COMPLIANCE WITH SPECIAL USE FACTORS (SECTION 1716.02)**

Section 1716.02 of the Zoning Regulations provides a list of ten criteria with which to evaluate Special Use applications. These are considered factors in determining whether to approve a Special Use Permit, as well as to determine what conditions and/or modifications may be needed. Eight of the ten criteria apply to this request. With the recommended Conditions, the project complies with each of the eight applicable criteria.

**A. Compliance with Duly Adopted Plans: Complies**

The project complies with the Category D (Rural) Growth Area as provided by the Cochise County Comprehensive Plan, in that it provides a local service. The Rural Residential plan designation also supports Special Use requests that provide a service to area residents.

**B. Compliance with the Zoning District Purpose Statement: Complies**

The proposal complies with the Rural Zoning District purpose statements (Section 601) in the following ways:

1. The project would preserve the character of the Rural plan designation;
2. The project would expand an existing business which provides a service to area residents; and
3. The existing facility provides recreational services to the area, which are compatible with rural living. This is indicated by the success of the business, which has been sufficient to prompt the Applicant's proposed expansion.

**C. Development Along Major Streets: Not Applicable**

Although the project site borders Moson Road, which is a Rural Access–Collector thoroughfare, the site does not directly access this road.

**D. Traffic Circulation Factors: Complies (Subject to Conditions #4 and #5)**

Though the site does not directly access Moson Road, the Thuma Road frontage does provide immediate access to a road designed to accommodate the existing and anticipated traffic generated by the business. Traffic accessing Moson Road does not pass through any residential areas.

The Eastern driveway is to be improved and used for ingress to the parking area. The Applicant must obtain a Right-of-Way/Encroachment permit to legitimize this access drive during the commercial permitting phase, with improvements completed within one year of permit issuance (Condition #4).

Section 1807.05 of the Zoning Regulations requires an internal circulation plan to avoid traffic congestion and to ensure the protection of both pedestrians and vehicles. Condition #5 will require such plan be submitted for review and approval during the commercial permitting phase of this project.

**E. Adequate Services and Infrastructure: Complies**

Desert Thunder Gymnastics obtains electrical service from Sulphur Springs Valley Electric Cooperative; all other vital utilities, such as water, propane, and septic systems are on-site. The property is within the Fry Fire Department service area.

**F. Significant Site Development Standards: Complies**

The Applicants intend to satisfy all applicable site development standards.

**G. Public Input: Complies**

As part of this Modification request, the Applicant has completed the required Citizen Review Report by mailing 49 letters to all property owners located within 1,500-feet of the facility. The Applicant submitted her report showing 17-responses supporting her request, one neighbor verbally expressed 'I don't care' and two letters in objection to the proposal.

The objections expressed were concerns about the capacity of the well serving this facility, and opposition to any commercial endeavor in the RU-4 zoning district with the additional lighting, obstacle to the viewshed, and increased traffic.

**H. Hazardous Materials: Not Applicable**

**I. Off-site Impacts: Complies**

The Applicant will conform to the County Regulations regarding light pollution. No impacts from noise, dust, stormwater runoff, or odors are anticipated.

**J. Water Conservation: Complies**

The Applicant currently uses low-flow water fixtures. Any new plumbing fixtures will meet the Zoning Regulations.



*Left: Unimproved driveway. Right: improved driveway with gravel and concrete apron.*

**VII. PUBLIC COMMENT**

The Department mailed notices to neighboring property owners within 1,500-feet. Staff posted the property on April 20, 2015 and published a legal notice on April 23, 2015. To date, the Department has received one letter of support, and ten letters of opposition to the proposed Special Use modification.

**VIII. SUMMARY AND CONCLUSION**

**Factors in Favor of Allowing the Special Use**

1. Desert Thunder Gymnastics provides a source of recreation, physical fitness, and community-building values that are important to the local community. The requested Special Use modification, to expand the existing business, is evidence of the value that the regional community places on this operation.
2. The business complies with the Comprehensive Plan Growth Area, Plan Designation, as well as the Rural Zoning District purpose statements.
3. With the recommended conditions, the proposal would comply with each of the eight applicable Special Use evaluation factors.
4. Seventeen of the Citizen Review respondents expressed support for the project

**Factors Against Approval**

1. Two Citizen Review respondents expressed opposition to the project.
2. The existing building carries a strong visual impact in a neighborhood otherwise characterized by rural residential development.

**IX. RECOMMENDATIONS**

Based on the factors in favor of approval, Staff recommends **conditional approval** of the Special Use Permit Modification, with the following conditions:

1. Within thirty (30) days of approval of the Special Use Modification request, the Applicant shall provide the County a signed Acceptance of Conditions form and a Waiver of Claims form arising from ARS Section 12-1134. The Applicant shall submit and obtain a new use permit and a building permit for the expanded facility within 12 months of approval, including a completed joint permit application. The building/use permit shall include a site plan in conformance with this approval and meeting all site development standards, the completed special use permit questionnaire, and appropriate fees. A use permit must be issued within 18 months of the special use approval, otherwise the modified special use approval 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 Modification shall be subject to review by the Planning Department and may require a modification and approval by the Planning and Zoning Commission;
4. The Applicant must obtain a Right-of-Way/Encroachment permit to legitimize this access drive during the commercial permitting phase, with improvements completed within one year of permit issuance; and
5. The Applicant will provide an internal circulation plan to be reviewed and approved during the commercial permitting process per Section 1807.05 of the Zoning Regulations.

**Sample Motion:**

*Mr. Chairman, I move to approve Special Use Docket SU-03-04B (Rule), with the Conditions of Approval recommended by staff; the Factors in Favor of Approval constituting the Findings of Fact.*

**X. ATTACHMENTS**

- A. Special Use Application
- B. Location/Surrounding Zoning Map
- C. Site Plan
- D. Transportation Planner's Comments
- E. Citizen Review Report



# COCHISE COUNTY COMMUNITY DEVELOPMENT

*"Public Programs... Personal Service"*

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

TAX PARCEL NUMBER 107-75-010D

APPLICANT Lonnie Rule

ADDRESS <sup>7557</sup>/7505/E. Thuma Rd, Sierra Vista, AZ 85650

CONTACT TELEPHONE NUMBER 520-559-2442

EMAIL ADDRESS: thunder\_gym@yahoo.com

PROPERTY OWNER (IF OTHER THAN APPLICANT) \_\_\_\_\_

ADDRESS \_\_\_\_\_

DATE SUBMITTED \_\_\_\_\_

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

### 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.)

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? Special Use indoor/outdoor recreation  
Gymnastics, Tumbling, Cheer, Parkour instruction
2. What is the proposed use or improvement? addition of 13,000 square foot  
building attached next to existing building.
3. Describe all activities that will occur as part of the proposed use. In your estimation, what impacts do you think these activities will have on neighboring properties? The larger facility will  
continue to be used for gymnastic instruction and other related physical  
type activities. No impact is foreseen on neighboring properties.
4. Describe all intermediate and final products/services that will be produced/offered/sold.  
Instruction services, Gymnastic, Cheer, Tumbling and Parkour  
skills will be produced. T-shirts, Leotards and other  
apparel relating to the instruction of such skills  
will be sold in the Pro Shop.

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)

Metal building

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: 6 Hours <sup>M-F 4pm to 6:30pm - some mornings M-F 9-noon</sup> (from 9 AM to 3 PM)

B. Number of employees: Initially: 12 <sup>parttime</sup> Future: approx 20 parttime  
Number per shift Seasonal changes

C. Total average daily traffic generated:

(1) How many vehicles will be entering and leaving the site.  
approximately 80 vehicles over a 4 hour span, which would equal 20 vehicles per hour

(2) Total trucks (e.g., by type, number of wheels, or weight)  
no industrial type trucks, except occasional Fedex, UPS type delivery trucks

(3) Estimate which direction(s) and on which road(s) the traffic will travel from the site?  
Traffic will travel East from Thoma Rd to Mason Rd. Some traffic may travel west down Thoma (only those going to the school or local residences)

(4) If more than one direction, estimate the percentage that travel in each direction  
Over 95% of traffic travels East. Under 5% will travel west down Thoma.

(5) At what time of day, day of week and season (if applicable) is traffic the heaviest  
The heaviest time of traffic is between the hours of 4:30 and 6:30pm, Monday through Friday and 10am and 11:30am on Saturday

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

D. Estimated total gallons of water used: per day 150 per year \_\_\_\_\_

Will you use a septic system? Yes  No \_\_\_ If yes, is the septic tank system existing?

Yes  No \_\_\_ Show the septic tank, leach field and 100% expansion area on the site plan.

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

\_\_\_\_\_

\_\_\_\_\_

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

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

Attached \_\_\_\_\_ NA

8. Identify how the following services will be provided:

Service	Utility Company/Service Provider	Provisions to be made
Water	Private Well	n/a
Sewer/Septic	Septic on Property	n/a
Electricity	Sulphur Springs	n/a
Natural Gas	Propane	n/a
Telephone	Century Link	n/a
Fire Protection	Fry Fire	n/a

**SECTION B - Outdoors Activities/Off-site Impacts**

1. Describe any activities that will occur outdoors.

All proposed activities are indoors

\_\_\_\_\_

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

\_\_\_\_\_

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

\_\_\_\_\_

\_\_\_\_\_

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

\_\_\_\_\_

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

\_\_\_\_\_

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

\_\_\_\_\_

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

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

A. \_\_\_\_\_ B. \_\_\_\_\_ C. \_\_\_\_\_ D. \_\_\_\_\_

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

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

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

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

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

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

*driveway on easement is concrete, parking lot is crushed aggregate*

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

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

**SECTION C - Water Conservation and Land Clearing**

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

n/a

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2. How many acres will be cleared? None  
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.)

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**SECTION D - Hazardous or Polluting Materials**

Some businesses involve materials that can contaminate the soil, air, water, waste disposal system or environment in general. Precautions must be taken to protect the environment when such products are distributed to or from the site, stored, manufactured, processed, disposed of, or released as raw materials, products, wastes, emissions, or discharges (When sold or incorporated in a product these materials are required to have Material Safety Data Sheets (MSDS) supplied by the manufacturer.) Examples of such products include but are not limited to paint, solvents, chemicals and chemical wastes, oil, pesticides, herbicides, fertilizers, radioactive materials, biological wastes etc.

Does the proposed use have any activities involving such materials?

Yes \_\_\_ No  If yes, complete the attached *Hazardous or Polluting Materials Use Questionnaire*.

**Note:** Depending on quantities, this question does not apply to ordinary household or office products or wastes such as cleansers, waxes or office supplies. Answer YES only if the materials are involved in the commercial or special use process or if landscaping or maintenance chemicals (pesticides, fertilizers, paints, etc.) will be present in quantities greater than 50 pounds (solids) or 25 gallons (liquids).

If you answer NO to this question but in the County's experience, the type of business proposed typically uses such materials, you will be asked to complete the *Hazardous or Polluting Materials Questionnaire* prior to processing this Commercial Use/ Building/ Special Use Permit.

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

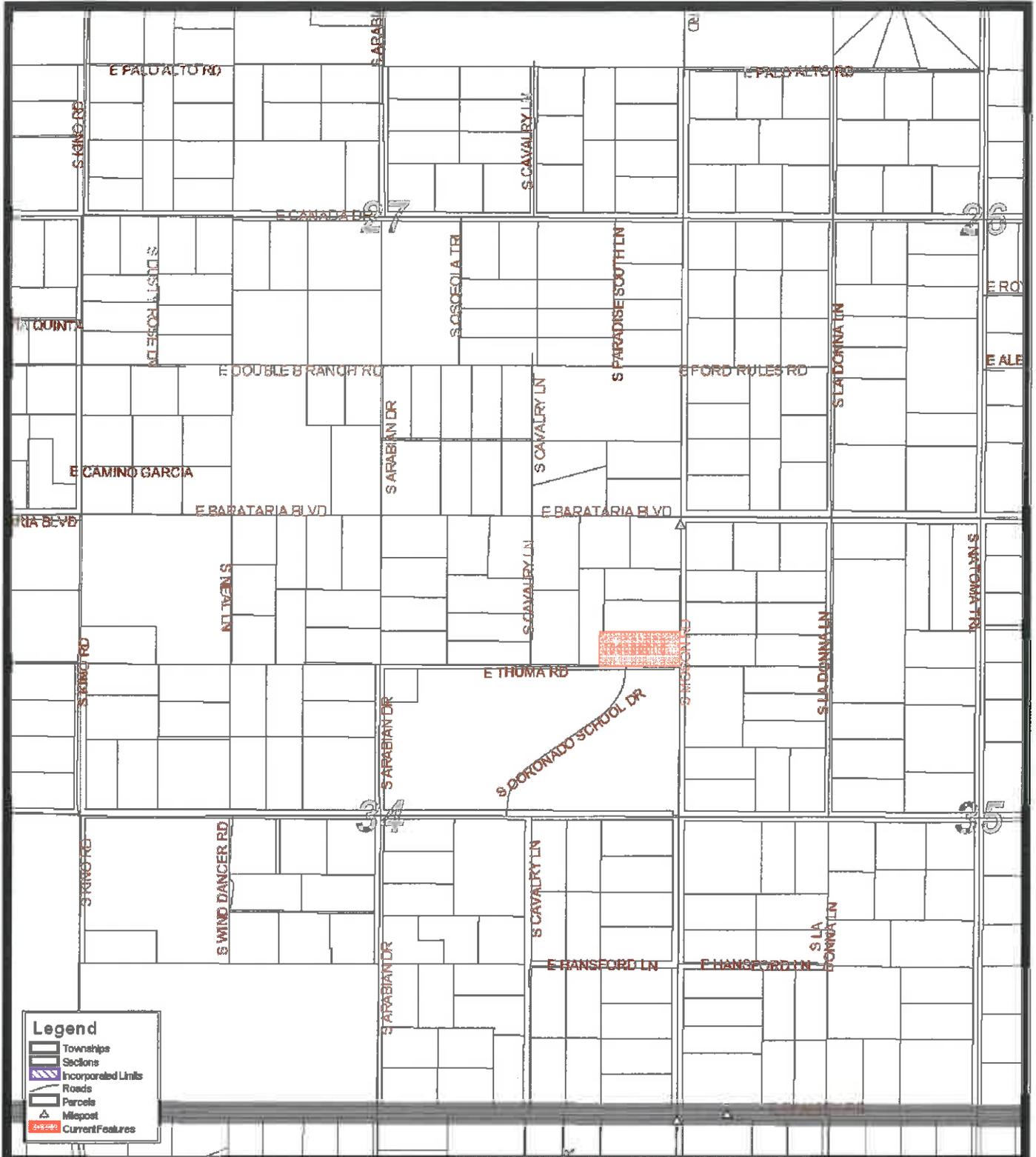
**SECTION E - Applicant's Statement**

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 Lonnie S Role

Print Applicant's Name Lonnie S Role

Date signed 4.2.15



**Legend**

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



**7557 E Thuma Road**

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

0' 1" = 1200'

B 43





**Cochise County  
Community Development**

**Highway and Floodplain Division**

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

**MEMORANDUM**

**Date:** April 22, 2015  
**To:** Jesse Drake, Senior Planner  
**From:** Karen L. Lamberton, County Transportation Planner  
**Subject:** Desert Thunder Gymnastics Studio Expansion/SU 03-04B/Parcel #107-75-010D

The Applicant is seeking to modify an approved Special Use Permit (SU-03-04) in order to expand the size of an existing 6,000 square foot (sf) gymnastics facility with an addition to the building of 13,000sf. The addition will provide parent viewing areas, offices and classrooms.

We have no objection to issuing the requested permit with the following conditions:

- The applicant is requested to obtain a Right-of-Way/Encroachment Permit for both access driveways prior to, or concurrently with, their Commercial Permit application.
- Both access driveways should be constructed to meet commercial design standards, or as modified in coordination with the Highway Dept, within a year of obtaining an approved ROW permit.
- An internal parking and circulation plan should be submitted for review during the Commercial permit phase.
- No off-site improvements are required at this time.

**Desert Thunder Gymnastics Facility Access**

The gymnastics facility is located on the northwest corner of Moson Rd. and Thuma Rd. Thuma is a rural minor access road, 24 feet in width and chip-sealed. Moson Rd. is a rural minor collector, 28 feet in width with drainage ditches on either side of the asphalt-paved road. A culvert is located underneath Thuma on the west side of Moson Rd. The most recent traffic count on Moson Rd. was taken in 2013 and the annual average daily travel was 2,939 vehicles per day. The 85th percentile speeds averaged 48 miles per hour on this 45 mile hour road with approximately 7 to 10 percent of the traffic traveling at speeds over 50 mph on any given day. There are no left or right turn lanes at this intersection.

Vehicles may also use Madera, the street immediately south of Thuma, to access the gymnastics facility from the west. Both Thuma and Madera also serve the Coronado Elementary School located south and west of the gymnastics facility. There are also no left or right turn lanes at the Madera intersection.

**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

### **Traffic Analysis**

Trip generation for this type of facility varies widely from site to site with a very general trip generation for full-time recreational facilities with 12 to 20 employees ranging from 152 to 508 vehicles trips per day (ITE Manual, 8<sup>th</sup> edition). This facility is not in operation all day and has a higher coach to student ratio due to the very individualized nature of gymnastics training. Trip generation, even given the increased size of the facility, would be expected to be less than the ITE Manual's estimate for this rural, specialized recreation use. However, class schedules do result in clusters of vehicle trips during peak hour travel on the adjacent collector street.

Off-site impacts are not expected to substantially increase over the existing traffic volumes and traffic circulation patterns that were approved in the original 2003 Special Use Permit. The applicant estimates approximately 80 vehicles daily; clustered for class-times with an average of 20 vehicles per hour.

The high speeds on Moson Rd. do create a potential problem with safe turning movements, especially those turning left from Moson Rd. onto Thuma. Additional speed limit signs may be needed on either side of Thuma to remind drivers of the actual design speed of the road not only for the gymnastic facility but also for the elementary school traffic. The Highway and Floodplain Department will conduct a review of signage along this section of Moson Rd. and will install, if appropriate, additional speed limit and cautionary signs.

### **Driveway Access**

The site has a one concrete driveway with a gravel parking lot. The site also has another dirt driveway created by off-road travel that is well used, in spite of previous attempts by the Applicant to block or otherwise restrict the use of the secondary access. It is located about 50 feet from the intersection and results in almost a circular drive. Staff observation on site noted that drivers would frequently use the first driveway to access the site, drive to the building entrance to pick up their passengers and then exit out the second driveway. Staff also noted that the use of the secondary access also resulted in separation of entering and existing vehicles as well as faster dispersal of vehicles when classes were completed.

The secondary driveway located on the east portion of the lot should be identified as a permanent access point, a right-of-way permit obtained, and constructed with a sufficiently wide apron to facilitate the right turning movements. If this access point is less than 50 feet from the intersection, a waiver will be needed; however, staff measurements on site note that this driveway point can be placed at least 50 feet from the roadway intersection. A concrete or chip-sealed apron, similar to that of the westerly driveway would be needed to ensure that turning movements are occurring a safe distance from the intersection of Thuma and Moson or, alternatively, the driveway permanently blocked off so that it could no longer be used.

No Right-of-Way/Encroachment permits for driveways to access this parcel appear to be on file. A third access point further west along Thuma appears to serve the residential unit, separately addressed but on this same parcel.

### **On-Site Circulation**

The Applicant met with County staff in 2008 and re-designed the internal circulation of the site and plans to designate specific drop off and pick up area so that children were not mingling with moving vehicles in the dark: this is reflected in the current site plan. However,

on-site parking circulation seems to indicate that there are existing conflicts between identified parking spaces and typical travel patterns of drivers dropping and picking up students. Landscaping and other types of barriers to separate and direct pedestrian and vehicle traffic will mitigate this issue and significantly improve safety on site. At the Commercial Permit phase a parking and internal circulation detail will be needed to illustrate how the applicant plans to control access, parking and circulation of both vehicles and pedestrian on the site.

The Applicant is advised to plan for designated parking spaces of at least 9 by 19 individual spaces. At least 24 feet should be allowed for driving lanes between parking spaces or otherwise designed in accordance with Zoning Regulation 1804.09 (Parking Area Design standards). Previously the applicant was allowed to use a gravel surface for the parking areas; if needed, the applicant should obtain a modification to be allowed to continue to use a gravel surface for this expanded use.

There appears to be one identified handicapped parking space: it is signed but not a hard surface at this time.

**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. The site plan provided will need to be much larger so that staff can adequately review the proposal, dimensions appear to be identified for the driveways and distances to the intersection but are not readable at the scale of the conceptual plan, sight distance triangles will be needed, per Roadway Design standards D-300 & Zoning Regulation 1807.06 for the driveways onto Thuma.

In addition, a separate detail showing the internal circulation plan for student drop-off and pick-up should be included with the Commercial Permit application. Adequate lighting scaled for pedestrian movement during the night-time hours, but in compliance with the County's Lighting Code, should be planned and included with the final design plans.

***Driveways onto Thuma Rd.***



D 47

Lonnie Rule  
7505 E. Thuma Rd.  
Sierra Vista, AZ 85650

February 11, 2015

Dear Neighbor,

My name is Lonnie Rule, I own and operate Desert Thunder Gymnastics at 7557 E. Thuma Rd, (NE corner of Moson and Thuma Road). Desert Thunder, an approved special use business, which falls under the many approved non-residential uses for RU zoning.

Desert Thunder has been in operation for over 10 years. Due to the overwhelming popularity of the programs we offer in Cochise County, we are facing a pressing need to expand.

The current facility is 6000 square feet and 20 feet in height. The proposed expansion in an additional building of 13,000 square feet of the same height. As per code, the maximum allowable height is 30 feet. This addition will provide the much needed space for parent viewing, front offices, classroom areas and increased space for equipment, developing a safer more progressive layout.

The majority of business occurs Monday through Friday evenings and Saturday mornings. The busiest time frame is between 4 and 7pm, Monday through Friday, and 9:30 to noon on Saturday. This business does not make much noise, nor emit noxious odors. There are two restrooms (1 sink and toilet in each), with the prospect of three more restrooms. There will be no showers. All outdoor lighting is shielded. Any new required lighting will also be shielded, conforming to all building code requirements, including the light pollution code. Access to Desert Thunder is from Thuma Road. This is the same road of travel for Coronado school students, buses and employees. Most Desert Thunder Gym traffic occurs after school hours and does not flow by any residential properties.

Desert Thunder has been able to provide additional quality of life choices for the families of Cochise County. Many community, city, sports and school groups have used our facility to further develop their programs, such as Kid's World, Boys and Girls Club, Scouts, school field trips, cheer, football and dive teams. DTG has the only safe training equipment and ceiling height for their flipping and stunting needs.

It is our desire to stay in the current location. Many clients live south of the gym and others are more than happy to drive the 15 to 20 minutes versus and 1 ½ drive to Tucson. Moson Road is also the road traveled for Sierra Vista, Palominas and Tombstone school buses. This has allowed students to be dropped off for classes, after school. Along with our clientele's unanimous vote to expand, many neighbors I have spoken with, are also agreeable to the expansion of Desert Thunder.

You can take a tour of our current facility. Click the following link and take a tour on-line <https://www.youtube.com/watch?v=o5P6gJ9SCmQ>, or call 520-559-2442 to schedule an onsite tour. You may also stop by anytime, during business hours, to view Desert Thunder in operation. Also visit our website at [www.desertthundergym.com](http://www.desertthundergym.com) to view all that we offer the community of Cochise County.

I have attached a response letter and return envelope, which can be filled out and returned to me. Please include your phone number or email address, so that I may respond to any questions you may have. Your feedback is very important.

Thank You,

Lonnie Rule  
General Manager

February 16, 2015

Dept. of Zoning-Cochise County  
Attention: Beverly Wilson, Director  
1415 Melody Lane, Bldg. E  
Bisbee, AZ 85603

COCHISE COUNTY  
FEB 19 2015  
PLANNING

Dear Ms. Wilson,

We recently received a letter from a Ms. Lonnie Rule, who owns Desert Thunder Gym, in our neighborhood, at the corners of Moson and Thuma Roads. We have included a copy of the letter for your files and your awareness.

Ms. Rule has asked that she be allowed to expand the business, to over twice the size of the existing building. This is not the first time she has asked "neighbors" to agree to this expansion. Ms. Rule attempted to have a special use permit granted to her back in 2008-2009. She states that she has recently discussed this with the other neighbors. We are against this expansion.

Our home sits northeast and across Moson Road from her business. We feel that if she is allowed to expand her business in an area where it is zoned for RU-4, residential area, the parking lot will be bigger, which leads to more traffic, more lighting, and more noise. We are not concerned with the number of bathrooms she is planning on installing, the school schedules, nor "the quality of life choices for families" that she feels that she has provided. We feel that businesses of any kind need to be conducted in areas zoned for commercial uses. We do not support ANY special use permits in our residential neighborhood to be used as a commercial property.

Please feel free to contact us for future comments or questions concerning Desert Thunder Gym. We thank you for your time and consideration in dealing with this matter.

Sincerely,  
Rick and Debra Pease  
7702 E. Barataria Blvd.  
Sierra Vista, AZ 85650  
520-559-5323  
[LVSweet1@aol.com](mailto:LVSweet1@aol.com)

E 49

# Citizen Review Response Letter

With regards to Lonnie Rule's expansion request for the property at 7557 E. Thuma Rd, please complete the following questions:

YES, I SUPPORT THIS REQUEST

Please State your reasons: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

NO, I DO NOT SUPPORT THIS REQUEST

Please State your reasons: No business should be allowed in a residential/RU area. This expansion is unnecessary. More parking = larger parking lot = more lighting = more glare! The glare from your lights now shine into our windows. Please take any additional

PLEASE LIST ANY INTERIOR, EXTERIOR OR OTHER IMPROVEMENTS THAT YOU WOULD LIKE TO SEE:

business to town, where business should be conducted! your clients will go the extra miles. (The majority of your business, I'm sure, already live in town. They might appreciate less travel time.) Doubling your sq. footage to bring in more business is unnecessary and unwanted, especially

YES, I would like to attend a meeting with the neighbors to discuss this.

NO, I am not interested in attending a meeting with the neighbors to discuss this.

NAME: Rick & Debbie Pease

ADDRESS: 7702 E. Barataria BLVD.

CONTACT PHONE OR EMAIL: LVSweet1@aol.com

"COPY"

Lonnie Rule  
7505 E. Thuma Rd.  
Sierra Vista, AZ 85650

February 11, 2015

Dear Neighbor,

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<http://www.youtube.com/watch?v=0SP6gJ9SCmQ>, or call 520-559-2442 to schedule an onsite tour. You may also stop by anytime, during business hours, to view Desert Thunder in operation. Also visit our website at [www.desertthundergym.com](http://www.desertthundergym.com) to view all that we offer the community of Cochise County.

I have attached a response letter and return envelope, which can be filled out and returned to me. Please include your phone number or email address, so that I may respond to any questions you may have. Your feedback is very important.

Thank You,

Lonnie Rule  
General Manager

E 51

"COPY"

# Citizen Review Response Letter

With regards to Lonnie Rule's expansion request for the property at 7557 E. Thuma Rd, please complete the following questions:

YES, I SUPPORT THIS REQUEST

Please State your reasons: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

NO, I DO NOT SUPPORT THIS REQUEST

Please State your reasons: No business should be allowed in a residential/RU area. This expansion is unnecessary. More parking = larger parking lot = more lighting = more glare. The glare from your lights now shine into our windows. Please take any additional

PLEASE LIST ANY INTERIOR, EXTERIOR OR OTHER IMPROVEMENTS THAT YOU WOULD LIKE TO SEE:

business to town, where business should be conducted! Your clients will go the extra miles. (The majority of your business, I'm sure, already live in town. They might appreciate less travel time.) Doubling your sq. footage to bring in more business is unnecessary and unwanted, especially out here.

YES, I would like to attend a meeting with the neighbors to discuss this.

NO, I am not interested in attending a meeting with the neighbors to discuss this.

NAME: Rick & Debbie Pease

ADDRESS: 7702 E. Barataria BLVD.

CONTACT PHONE OR EMAIL: LVSweet1@aol.com

# Citizen Review Response Letter

With regards to Lonnie Rule's expansion request for the property at 7557 E. Thuma Rd, please complete the following questions:

YES, I SUPPORT THIS REQUEST

Please State your reasons: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

NO, I DO NOT SUPPORT THIS REQUEST

Please State your reasons: The existing well was not built  
to sustain a commercial entity.  
\_\_\_\_\_  
\_\_\_\_\_

**PLEASE LIST ANY INTERIOR, EXTERIOR OR OTHER IMPROVEMENTS THAT YOU WOULD LIKE TO SEE:**

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

YES, I would like to attend a meeting with the neighbors to discuss this.

NO, I am not interested in attending a meeting with the neighbors to discuss this.

NAME: Olga e Antonio Gómez

ADDRESS: 6595 E. Calle Monjas Heretard AZ. 85665

CONTACT PHONE OR EMAIL: \_\_\_\_\_

# Citizen Review Response Letter

With regards to Lonnie Rule's expansion request for the property at 7557 E. Thuma Rd, please complete the following questions:

**YES, I SUPPORT THIS REQUEST**

Please State your reasons: I am proud to see an expansion  
that is growing and contributing to the development of  
our growth for the future  
Keep up the good work

**NO, I DO NOT SUPPORT THIS REQUEST**

Please State your reasons: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**PLEASE LIST ANY INTERIOR, EXTERIOR OR OTHER IMPROVEMENTS THAT YOU WOULD LIKE TO SEE:**

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**YES, I would like to attend a meeting with the neighbors to discuss this.**

**NO, I am not interested in attending a meeting with the neighbors to discuss this.**

NAME: Billy R. Seaman

ADDRESS: 4721 S. Main Rd

CONTACT PHONE OR EMAIL: (520) 508-7582 SeamanB@msa.com

# Citizen Review Response Letter

With regards to Lonnie Rule's expansion request for the property at 7557 E. Thuma Rd, please complete the following questions:

YES, I SUPPORT THIS REQUEST

Please State your reasons: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

NO, I DO NOT SUPPORT THIS REQUEST

Please State your reasons: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**PLEASE LIST ANY INTERIOR, EXTERIOR OR OTHER IMPROVEMENTS THAT YOU WOULD LIKE TO SEE:**

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

YES, I would like to attend a meeting with the neighbors to discuss this.

NO, I am not interested in attending a meeting with the neighbors to discuss this.

NAME: CURRAN & MALIA THOMAS

ADDRESS: 4700 S. CAVALRY LN.

CONTACT PHONE OR EMAIL: maliajana75@hotmail.com

# Citizen Review Response Letter

With regards to Lonnie Rule's expansion request for the property at 7557 E. Thuma Rd, please complete the following questions:

**YES, I SUPPORT THIS REQUEST**

Please State your reasons: Good business

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**NO, I DO NOT SUPPORT THIS REQUEST**

Please State your reasons: \_\_\_\_\_

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**PLEASE LIST ANY INTERIOR, EXTERIOR OR OTHER IMPROVEMENTS THAT YOU WOULD LIKE TO SEE:**

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**YES, I would like to attend a meeting with the neighbors to discuss this.**

**NO, I am not interested in attending a meeting with the neighbors to discuss this.**

NAME: David L Escrito

ADDRESS: 1025 Mesquite Dr, S.V., AZ 85635

CONTACT PHONE OR EMAIL: 249-0709

E 56

# Citizen Review Response Letter

With regards to Lonnie Rule's expansion request for the property at 7557 E. Thuma Rd, please complete the following questions:

YES, I SUPPORT THIS REQUEST

Please State your reasons: I do not see any  
conflict in any capacity. I also  
believe this is a great program  
and in an ideal place.

NO, I DO NOT SUPPORT THIS REQUEST

Please State your reasons: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**PLEASE LIST ANY INTERIOR, EXTERIOR OR OTHER IMPROVEMENTS THAT YOU WOULD LIKE TO SEE:**

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

YES, I would like to attend a meeting with the neighbors to discuss this.

NO, I am not interested in attending a meeting with the neighbors to discuss this.

NAME: Billy Cloud

ADDRESS: 5073 S. La Donna Ln.

CONTACT PHONE OR EMAIL: searainbow@msn.com

# Citizen Review Response Letter

With regards to Lonnie Rule's expansion request for the property at 7557 E. Thuma Rd, please complete the following questions:

YES, I SUPPORT THIS REQUEST

Please State your reasons: keeps children out of trouble  
they learn about life and how to  
mix with others, respect + truth  
we need more for kids

NO, I DO NOT SUPPORT THIS REQUEST

Please State your reasons: You should talk about  
the well and the health and the  
training of children for life, keep  
kids busy + they do good in life  
+ grow to be good adults.

PLEASE LIST ANY INTERIOR, EXTERIOR OR OTHER IMPROVEMENTS THAT YOU WOULD LIKE TO SEE:

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YES, I would like to attend a meeting with the neighbors to discuss this.

NO, I am not interested in attending a meeting with the neighbors to discuss this.

NAME: Joe Baltus

ADDRESS: 4900 Moson rd

CONTACT PHONE OR EMAIL: 570 378 3235

# Citizen Review Response Letter

With regards to Lonnie Rule's expansion request for the property at 7557 E. Thuma Rd, please complete the following questions:

YES, I SUPPORT THIS REQUEST

Please State your reasons: good for the students

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NO, I DO NOT SUPPORT THIS REQUEST

Please State your reasons: \_\_\_\_\_

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PLEASE LIST ANY INTERIOR, EXTERIOR OR OTHER IMPROVEMENTS THAT YOU WOULD LIKE TO SEE:

put a sign up displaying your name

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YES, I would like to attend a meeting with the neighbors to discuss this.

NO, I am not interested in attending a meeting with the neighbors to discuss this.

NAME: Palmview Elementary School District

ADDRESS: PO Box 38 Newford, AZ 85715

CONTACT PHONE OR EMAIL: 360-6204 x103 hortond@palmview.k12.az.us

# Citizen Review Response Letter

With regards to Lonnie Rule's expansion request for the property at 7557 E. Thuma Rd, please complete the following questions:

YES, I SUPPORT THIS REQUEST

Please State your reasons: I think that you have a good program for students and add value to our area.

NO, I DO NOT SUPPORT THIS REQUEST

Please State your reasons: \_\_\_\_\_

PLEASE LIST ANY INTERIOR, EXTERIOR OR OTHER IMPROVEMENTS THAT YOU WOULD LIKE TO SEE:

There might be increased traffic on E Thuma towards the fire station. In exchange of my support I would like to see the road graded from the black top to close to the fire station, grading the dirt road to make the road about two feet wider (what ever can be done to improve the road.) I have paid for this in the past.

YES, I would like to attend a meeting with the neighbors to discuss this.

TURN PAGE OVER

NO, I am not interested in attending a meeting with the neighbors to discuss this.

NAME: MARSHALL LEWIS

ADDRESS: 7363 E. THUMA RD SIERRA VISTA, AZ.

CONTACT PHONE OR EMAIL: MFLBJL@SBCGLOBAL.NET

419 654, 5422  
Marshall Lewis

E

60

My support is not depended on what I ask for. I know that.  
Either way - the DTG has my support.

*m.f.*

# Citizen Review Response Letter

With regards to Lonnie Rule's expansion request for the property at 7557 E. Thuma Rd, please complete the following questions:

YES, I SUPPORT THIS REQUEST

Please State your reasons:

Wonderful News! YOU are an  
asset to this community!  
Wish you much success!

NO, I DO NOT SUPPORT THIS REQUEST

Please State your reasons:

PLEASE LIST ANY INTERIOR, EXTERIOR OR OTHER IMPROVEMENTS THAT YOU WOULD LIKE TO SEE:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

YES, I would like to attend a meeting with the neighbors to discuss this.

NO, I am not interested in attending a meeting with the neighbors to discuss this.

NAME: Valeri Edsall (Nicole's mom) U  
ADDRESS: 4861 S. Arabian Drive SU. AL 35650  
CONTACT PHONE OR EMAIL: 520-803-9504 home#

# Citizen Review Response Letter

With regards to Lonnie Rule's expansion request for the property at 7557 E. Thuma Rd, please complete the following questions:

**YES, I SUPPORT THIS REQUEST**

Please State your reasons: Good Luck

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**NO, I DO NOT SUPPORT THIS REQUEST**

Please State your reasons: \_\_\_\_\_

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**PLEASE LIST ANY INTERIOR, EXTERIOR OR OTHER IMPROVEMENTS THAT YOU WOULD LIKE TO SEE:**

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**YES, I would like to attend a meeting with the neighbors to discuss this.**

**NO, I am not interested in attending a meeting with the neighbors to discuss this.**

**JOHN & KAREN ANDRUSZKA**

7551 E. Baratario Blvd.  
Sierra Vista, Arizona  
85650

NAME: \_\_\_\_\_

ADDRESS: \_\_\_\_\_

CONTACT PHONE OR EMAIL: 520 803 1251

# Citizen Review Response Letter

With regards to Lonnie Rule's expansion request for the property at 7557 E. Thuma Rd, please complete the following questions:

YES, I SUPPORT THIS REQUEST

Please State your reasons: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

NO, I DO NOT SUPPORT THIS REQUEST

Please State your reasons: \_\_\_\_\_

\_\_\_\_\_

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\_\_\_\_\_

**PLEASE LIST ANY INTERIOR, EXTERIOR OR OTHER IMPROVEMENTS THAT YOU WOULD LIKE TO SEE:**

\_\_\_\_\_

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\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

YES, I would like to attend a meeting with the neighbors to discuss this.

NO, I am not interested in attending a meeting with the neighbors to discuss this.

NAME: JOHN L. JONES

ADDRESS: 7647 E BARATARIA BLVD

CONTACT PHONE OR EMAIL: 378-6064

# Citizen Review Response Letter

With regards to Lonnie Rule's expansion request for the property at 7557 E. Thuma Rd, please complete the following questions:

YES, I SUPPORT THIS REQUEST

Please State your reasons: \_\_\_\_\_

What ever you want to do with it is fine with me I do not live that close and it has been no problem in the past it is good for the kids

NO, I DO NOT SUPPORT THIS REQUEST

Please State your reasons: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

PLEASE LIST ANY INTERIOR, EXTERIOR OR OTHER IMPROVEMENTS THAT YOU WOULD LIKE TO SEE:

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\_\_\_\_\_  
\_\_\_\_\_

YES, I would like to attend a meeting with the neighbors to discuss this.

NO, I am not interested in attending a meeting with the neighbors to discuss this.

NAME: Peggy McBride

ADDRESS: 7745 E. Beaverton Blvd SU. 89650

CONTACT PHONE OR EMAIL: 520-559-6838

E 05

# Citizen Review Response Letter

With regards to Lonnie Rule's expansion request for the property at 7557 E. Thuma Rd, please complete the following questions:

TB YES, I SUPPORT THIS REQUEST

Please State your reasons: DESERT THUNDER GYMNASTICS  
HAS NOT CAUSED AN UNDUÉ BURDEN TO THE  
AREA. I SEE NO REASON TO OBJECT. THE PROGRAMS  
OFFERED ARE WITHIN THE COMMUNITY STANDARDS

         NO, I DO NOT SUPPORT THIS REQUEST

Please State your reasons: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

PLEASE LIST ANY INTERIOR, EXTERIOR OR OTHER IMPROVEMENTS THAT YOU WOULD LIKE TO SEE:

\_\_\_\_\_  
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\_\_\_\_\_  
\_\_\_\_\_

         YES, I would like to attend a meeting with the neighbors to discuss this.  
          NO, I am not interested in attending a meeting with the neighbors to discuss this.

NAME: TIMOTHY BRYANT  
ADDRESS: 7424 E MADEIRA  
CONTACT PHONE OR EMAIL: 254-702-8098

E 66

# Citizen Review Response Letter

With regards to Lonnie Rule's expansion request for the property at 7557 E. Thuma Rd, please complete the following questions:

**YES, I SUPPORT THIS REQUEST**

Please State your reasons: We are ardent supporters of small businesses. They are the backbone of American Enterprise. Without them, America could not survive. The positive impact of these small businesses in America is enormous. We support this expansion effort without reservation!

**NO, I DO NOT SUPPORT THIS REQUEST**

Please State your reasons: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**PLEASE LIST ANY INTERIOR, EXTERIOR OR OTHER IMPROVEMENTS THAT YOU WOULD LIKE TO SEE:**

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**YES, I would like to attend a meeting with the neighbors to discuss this.**

**NO, I am not interested in attending a meeting with the neighbors to discuss this.**

NAME: Gene & Peggy Beaver

ADDRESS: 7713 E. Baratara Blvd., S. V. AZ 85656 (378-5791)

CONTACT PHONE OR EMAIL: (DISH) 378-5191

E 67

# Citizen Review Response Letter

With regards to Lonnie Rule's expansion request for the property at 7557 E. Thuma Rd, please complete the following questions:

YES, I SUPPORT THIS REQUEST

Please State your reasons: It give young people active  
lifestyle

NO, I DO NOT SUPPORT THIS REQUEST

Please State your reasons: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**PLEASE LIST ANY INTERIOR, EXTERIOR OR OTHER IMPROVEMENTS THAT YOU WOULD LIKE TO SEE:**

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

YES, I would like to attend a meeting with the neighbors to discuss this.

NO, I am not interested in attending a meeting with the neighbors to discuss this.

NAME: JESSE S. LATNER

ADDRESS: 4895 S. MASON RD, SIERRA VISTA, AZ

CONTACT PHONE OR EMAIL: jilatner.1@yahoo.com

# Citizen Review Response Letter

With regards to Lonnie Rule's expansion request for the property at 7557 E. Thuma Rd, please complete the following questions:

YES, I SUPPORT THIS REQUEST

Please State your reasons: We need this facility for our

Youth. This will all be

Commercial Someday

Won't affect me? Capitalism -

prop. values just go up, there has

never been an issue. There is a

NO, I DO NOT SUPPORT THIS REQUEST

Please State your reasons: Schools close - ideal

PLEASE LIST ANY INTERIOR, EXTERIOR OR OTHER IMPROVEMENTS THAT YOU WOULD LIKE TO SEE:

YES, I would like to attend a meeting with the neighbors to discuss this.

NO, I am not interested in attending a meeting with the neighbors to discuss this.

NAME: Dore Daulong

ADDRESS: 7428 E Madava Dr.

CONTACT PHONE OR EMAIL: 520-378-9569

# Citizen Review Response Letter

With regards to Lonnie Rule's expansion request for the property at 7557 E. Thuma Rd, please complete the following questions:

YES, I SUPPORT THIS REQUEST

Please State your reasons:

Good Problem  
for Kids in Area

NO, I DO NOT SUPPORT THIS REQUEST

Please State your reasons:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**PLEASE LIST ANY INTERIOR, EXTERIOR OR OTHER IMPROVEMENTS THAT YOU WOULD LIKE TO SEE:**

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

YES, I would like to attend a meeting with the neighbors to discuss this.

NO, I am not interested in attending a meeting with the neighbors to discuss this.

NAME:

Chris Bunker

ADDRESS:

CONTACT PHONE OR EMAIL:

TAXREP47@gmail.com

# Citizen Review Response Letter

With regards to Lonnie Rule's expansion request for the property at 7557 E. Thuma Rd, please complete the following questions:

YES, I SUPPORT THIS REQUEST

Please State your reasons: I have no objection to anyone trying to improve their business.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

NO, I DO NOT SUPPORT THIS REQUEST

Please State your reasons: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**PLEASE LIST ANY INTERIOR, EXTERIOR OR OTHER IMPROVEMENTS THAT YOU WOULD LIKE TO SEE:**

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

YES, I would like to attend a meeting with the neighbors to discuss this.

NO, I am not interested in attending a meeting with the neighbors to discuss this.

NAME: LOUCKS

ADDRESS: \_\_\_\_\_

CONTACT PHONE OR EMAIL: \_\_\_\_\_

E 71



**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, Planner II *JD*  
**FOR:** Beverly J. Wilson, Planning Director *bw*  
**SUBJECT:** Docket SU-06-14B (CQ Palominas)  
**DATE:** April 27, 2015 for the May 13, 2015 Meeting

**APPLICATION FOR A SPECIAL USE**

The Applicant is requesting a Special Use modification to permit a new sign overhanging the Highway 92 Right-of-Way at the Copper Queen Palominas-Hereford Clinic, an R-36, Residential zoned property. The proposed use is a modification of the conditional Special Use, SU-06-14, approved to allow the construction of a health clinic in Palominas for the Copper Queen Community Hospital on November 8, 2006. The subject parcel (104-64-007) is located 10524 Highway 92, Hereford, Arizona. The Applicant is Copper Queen Community Hospital/Palominas-Hereford Clinic.

**I. DESCRIPTION OF SUBJECT PARCEL AND SURROUNDING LAND USES**

Parcel Size: 1.76 acres  
 Zoning: R-36, Residential, one dwelling per 36,000 sq. ft.  
 Growth Area: Category C  
 Comprehensive Plan Designation: Business/High Density  
 Area Plan: Southern San Pedro Area Plan  
 Existing Uses: Hereford-Palominas Clinic  
 Proposed Uses: Same with new sign

**Zoning/Use of Surrounding Properties**

Relation to Subject Parcel	Zoning District	Use of Property
North	RU-4 Rural	Hwy 92, vacant land and electrical substation
South	RU-4 Rural	Vacant land
East	R-36	Single family residence
West	R-36	Single family residence

**II. PARCEL HISTORY**

**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**

Prior condition: Single family residence.

November 8, 2006 – Special Use authorization, SU-06-14, to construct a 2400 sq. ft. “southwestern style” family health care clinic approved with conditions including: a six-foot solid wall on the eastern, southern and western boundaries, screening of outdoor storage, low-level lighting with required automatic timers, no expansion beyond Phase I, fifteen parking spaces maximum. Signage was not a part of the 2006 Special Use request.

December 2006 – notation that sign permit would be applied for “by others”.

January 2007 – Appeal hearing before Board of Supervisors; 2006 approval upheld.

May 2007 – existing residence demolished and clinic construction begins.

October 9, 2007 – Certificate of Occupancy issued.

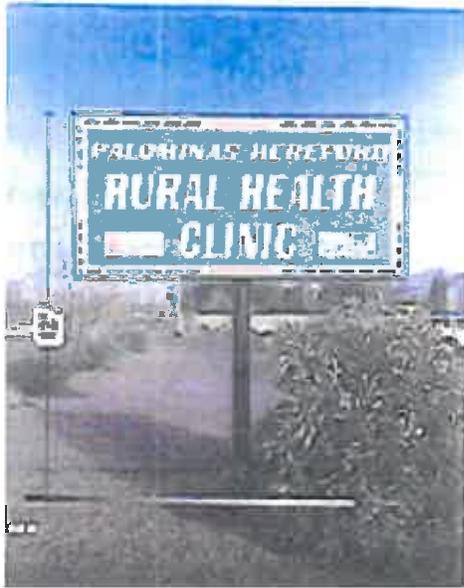
May 2009 – Special Use modification, SU-06-14A, approved to expand the clinic. In the report it is noted that a 64-sq. ft.; 9-foot high, double-faced, illuminated, free-standing identification sign is installed at the clinic.

February 24, 2015-Stop Work Order placed for sign construction without a permit.

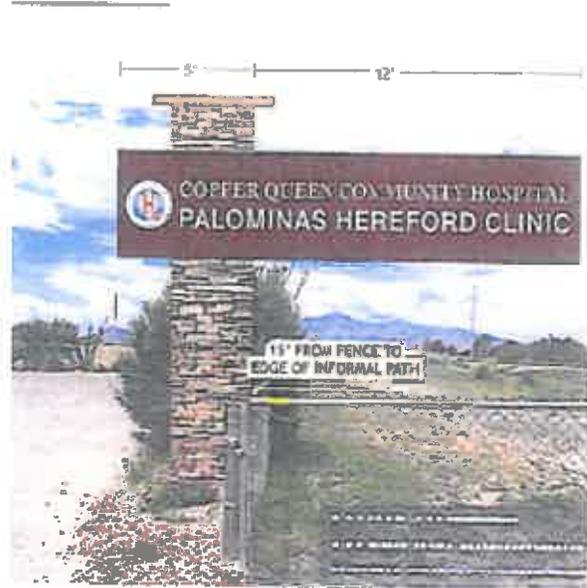
**III. NATURE OF REQUEST**



*Location Map*



*Existing 64-sq. ft. sign*



*Rendering of Proposed 68-sq. ft. sign*

The Applicant is requesting a modification to the existing Special Use to remove the existing pole sign at the Palominas Clinic on the south side of Highway 92 approximately 1/8 mile east of Palominas Road, and add a new free-standing pole sign (incorrectly described in the application as a monument sign, which is a low profile sign).

The existing sign, at 64-sq. ft. is setback twelve feet from the property line (a ten-foot setback is required). The existing vertical sign pole is setback 17-feet from the property line in a landscaped setback area therefore the existing sign is sized and located in conformance with the zoning regulations. The existing sign is fully visible from both eastbound and westbound traffic lanes on Highway 92.

The proposed sign would be constructed with a 2' x 3' base faced with cultured faux stone, topped with a double-faced, internally illuminated LED cabinet sign with white letters. The base of the sign is at 9-feet from the ground and the top of the sign face will be 12-feet high. Each side of the proposed sign face will be 68-sq. ft., four square feet larger than the maximum allowable sign area for the district and four feet larger than the existing 64-sq. ft. sign. Replacement of the existing sign with LED illumination will reduce the overall site illumination by 14,800 lumens.

The proposed new oversized sign would be installed directly on the property line, encroaching into the required ten-foot property setback for a sign on the clinic parcel, and also overhanging the Arizona Department of Transportation (ADOT) right-of-way on Highway 92 by twelve feet. ADOT has granted a permit, #1213737, to the Palominas Clinic allowing the sign encroachment into the ADOT right-of-way, however, the ADOT permit for this sign, dated November 18, 2014, was specifically conditioned (GR-8 & GR-8a) that the Applicant was to obtain from Cochise County any permits needed and must comply with any building or zoning regulations required. ADOT took the time to add, and specifically note, "i.e. Cochise County local jurisdiction authority" in highlighting for the applicant.

The proposed location for the new sign, directly adjacent to the property line and the vehicular drive aisle, has the potential to create a vehicular traffic hazard. The sign base is directly adjacent to the asphalt driveway opposite several parking spaces, and there is no curb to stop

vehicles from hitting the sign. The sign will extend five feet toward the building from the property line and will have a two-foot overhang into the one-way vehicular drive aisle for cars and trucks. The tall, vertical faux-rock covered element of the sign would be at a risk of damage from turning movements of vehicles, particularly from delivery trucks, especially as the sign has a two-foot high bump-out that is nine feet off the ground. Delivery vehicles may need to make an unusually wide swing out to avoid the sign at the point directly across the drive aisle from parking spaces where cars will be backing into the drive aisle.

The applicant contracted with a professional sign company, Addisigns, Inc., who in an email to Mr. Peter Gardner, Planner I, dated October 6, 2014, acknowledged that any sign for the Palominas Clinic would be limited by the Cochise County sign regulations to a maximum sign area of 64-square feet. Further, Addisigns Inc. was advised in an email from Mr. Peter Gardner dated October 16, 2014, five months prior to their application submittal, that the proposed sign location was not in conformance with Cochise County Zoning regulations.

Nevertheless, the sign company started construction without a permit in violation of the County regulations and began installation of the proposed sign in a location that does not comply with County regulations. The construction was begun early this year, at least three months after their email correspondence with Mr. Gardner, a fact confirmed by a Google Earth aerial photo dated January 3, 2015 that shows no disturbance at the proposed sign location site as of that date (see photo, next page).

A Stop Work Order (SWO-15-079) was placed on the construction site on February 24, 2015 and the next day, February 25, 2015, Mr. Guy Shoaf, representing Copper Queen Hospital Palominas Clinic, came into the County Community Development Department office and spoke with Ms. Beverly Wilson, Planning Director, and Mr. Peter Gardner, Planner I about the non-conformance of their proposal. Together they discussed options that would bring the proposed sign into conformance with the regulations and also discussed options that could be used with an administrative approval, eliminating the need for the Special Use modification.

At that time staff did, and staff still does, recommend that the new sign be installed in the location of the previously permitted sign, which would allow the internal pole of the new sign to be located at the identical location of the existing sign pole that is being removed. Ms. Wilson agreed to allow an administrative accommodation to let the long horizontal cantilever of the new sign extend to within 3.5 feet of the property line, rather than the required ten-foot setback in order to accommodate the applicants desire to have the sign closer to the property line. This accommodation would keep the new sign fully on the subject parcel in the landscaped setback area, and there would be no hazard from vehicular interference of turning movements or sightlines.

At staff's proposed location the new sign would be visible from both eastbound and westbound traffic (see photos below) and would not encroach into the ADOT right-of-way.

An email response from Mr. Shoaf the same day, February 25, 2015, contains a rejection of the proposals from staff to bring the proposed sign into conformance or to take advantage of the administrative approval option.

Staff can find no rationale for overriding the adopted Zoning regulations in order to allow the applicant to install the sign in the location proposed in this application.



Existing 64 sq. ft. sign in landscape setback, properly sized and sited; and located away from traffic turning - radius and parking area backing.

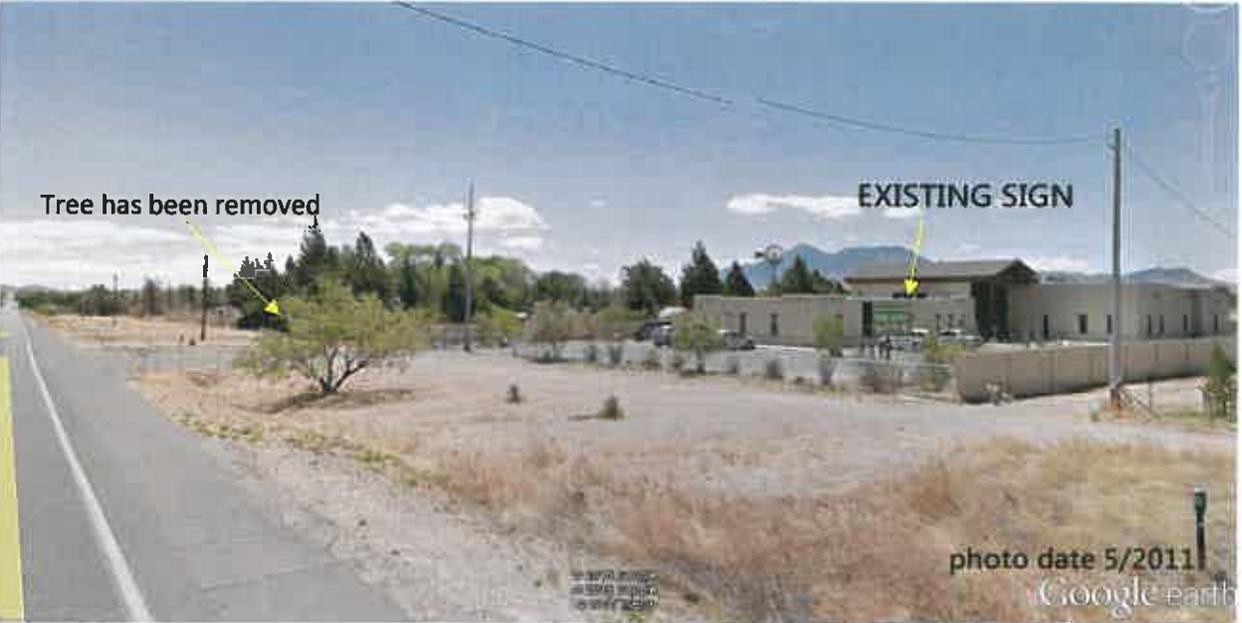
Proposed oversized sign adjacent to property line; overhanging both drive aisle and ADOT right-of-way. Sign is across drive aisle from parking spaces where cars will be backing.

Aerial of clinic site

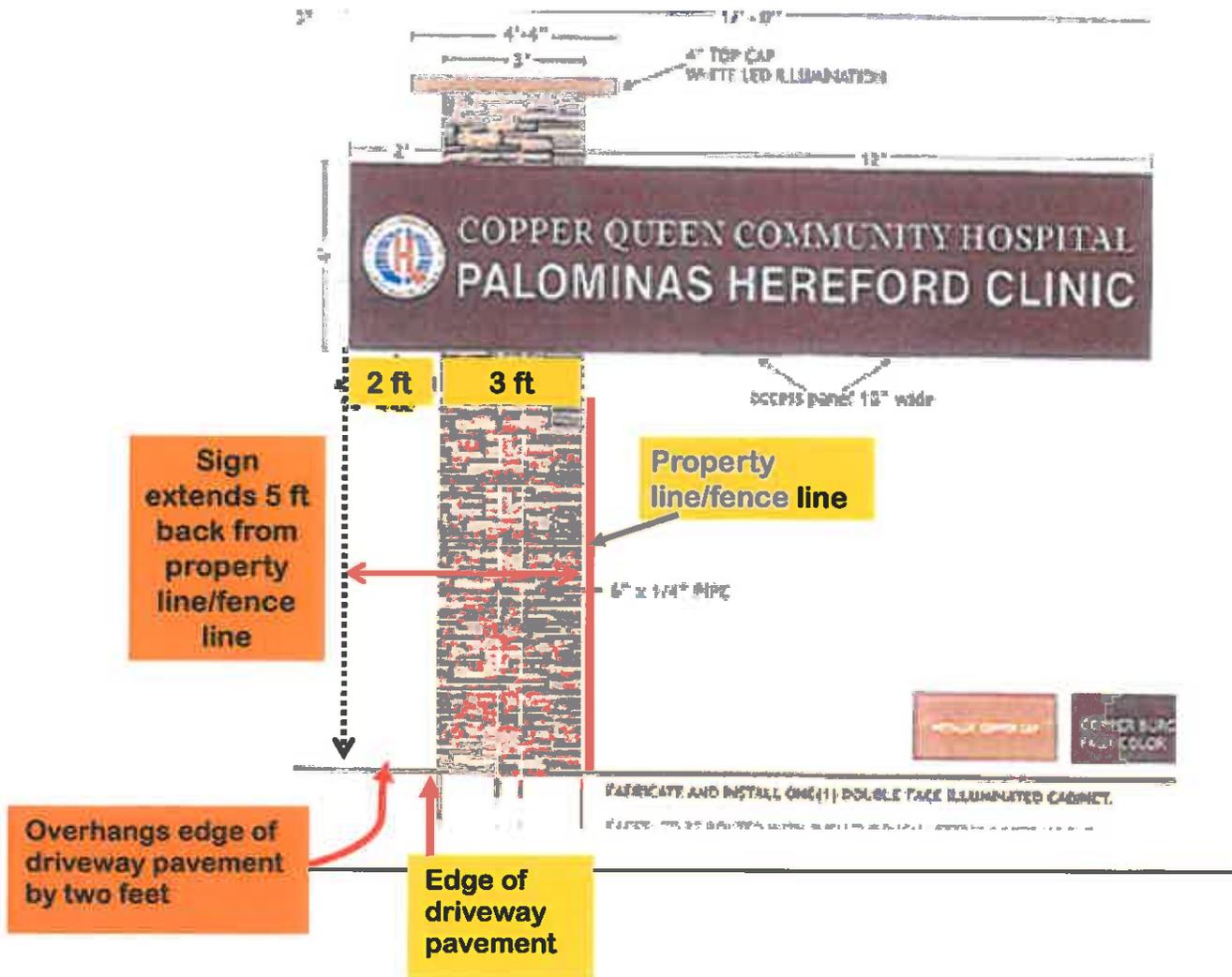
Photo date 1/3/15



*Existing sign location-Very visible for westbound traffic on Highway 92*



*Existing sign location-Very visible for eastbound traffic on Highway 92*



#### **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.

Five of the ten factors apply to this request. The project, as submitted, complies with three of those five factors and does not comply with two of the five factors. The five remaining factors do not pertain to this application.

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

The Copper Queen Palominas Clinic is in the SOUTHERN SAN PEDRO VALLEY AREA PLAN, Adopted 10/16/01, which includes:

Design Standards: preservation of rural qualities and natural resources

##### **C. Structure Design - Buildings, Fences and Signs**

1. Typical ranch signs that overhang the entrance are appropriate for sites designed to reflect ranch development; otherwise, signs to be unobtrusive and harmonious with the overall design and colors of the principal structures.

The proposed sign with its stone facing is rustic and in keeping with the rural area and the sign colors harmonize with the design and colors of the Clinic building.

##### **B. Compliance with the Zoning District Purpose Statement: Not Applicable**

The proposed sign does not change the land use, a health clinic, approved by the original Special Use authorization.

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

The site takes access directly onto Highway 92 and the addition of the proposed sign will not change the existing access, no new access points are proposed.

##### **D. Traffic Circulation Factors: Does Not Comply**

The presented site plan for an addition of a mounted sign for the Copper Queen Hospital, does not comply with the County's ten foot minimum setback requirements nor do the plans provide a sight distance triangle to ensure that the permanent placement of the sign will not cause any visual difficulty at that connection to the roadway.

##### **ADOT Permit Conditions**

Cochise County requires, and ADOT prefers, that we keep signs back to at least our 10 foot minimum setback. However, state regulations do allow overhang into the airspace, if not conflicting with roadway pavement, as long as the base is on private property. As a result, the applicant was able to obtain from ADOT a sign permit (Permit #1213737) to allow the updated business sign to be constructed along the Highway 90 corridor.

However, the ADOT permit for this sign, dated November 18, 2014, was specifically conditioned (GR-8 & GR-8a) that the Applicant was to obtain from us any permits needed and to comply with any building or zoning regulations required. ADOT took the time to add, and specifically note, "i.e. Cochise County local jurisdiction authority" in highlighting for the applicant.

**Typical County Conditions**

Unfortunately, the applicant did not immediately follow up with Cochise County and apparently began construction of the new sign base up against the property line. Typically, the Highway Department would recommend two conditions at the Commercial Permit stage for such a sign and would advise the applicant of these pending conditions at the Special Use Authorization. These two conditions are:

- Sight triangles, per Roadway Design Standards D-300 & Zoning Regulation 1807.06 are missing for the proposed access driveway; these will be required at the Commercial Permitting stage. Please add these to ensure that the proposed sign is not located within the sight triangle restricting visibility for drivers turning in or out of the facility.
- It is highly recommended that the applicant call for an inspection of their footings, prior to permanently setting their sign, as the applicant has chosen to place their sign at the minimum 10-foot setback distance. Please also note that the minimum distance is from the edge of sign, not from the base.

Given the pre-construction of the base in a location that not only does not meet the 10-foot setback but also is within the sight distance triangle the applicant cannot meet either of these typical County conditions for the placement of their business sign.

These setbacks and sight distance triangle conditions are included in our Highway standards and Zoning Regulations in order to preserve visibility and adequate roadway recovery space should an off-road departure occur along any given roadway. They also maintain a consistent sign code location for all signs located along a roadway corridor.

It is noted that at this particular location the ADOT Right-of-Way is fairly wide, it is unlikely that widening would result in the sign being in the way in the foreseeable future, drivers can pull a significant length past the sign post before making turns onto Highway 90.

If presented with this application in advance we would have advised the applicants that it could not be approved in this location and worked with the applicant to find a better location that met the setbacks and preserved the visibility for drivers turning into and out of this location. As construction is apparently underway, we observe that the chosen location does not meet with the County regulations and as such cannot comply with the Traffic Circulation Factor.

**E. Adequate Services and Infrastructure: Not Applicable.**

No new services are proposed for the sign modification.

**F. Significant Site Development Standards: Does Not Comply**

The proposed sign application does not include sight triangles as required in Section 1807.06 to ensure that vehicular traffic will be able to enter and exit the site safely.

The location of the proposed sign does not meet the following sign criteria of Article 19:

- 1901.02- the proposed sign is improperly placed.
- 1903.01- the proposed sign overhangs a public right-of-way.
- 1903.03 – the proposed sign is closer than 10-feet to a public right-of-way.
- 1907.01 – the proposed sign exceeds the maximum allowable sign area of 64-sq. ft.

**G. Public Input: Complies**

The Applicant sent letters to all property owners within 1,000-feet of the parcel to notify them of his application and to address any neighbor concerns. This notification produced no comments.

#### **H. Hazardous Materials: Not Applicable**

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

The proposed LED sign reduces the total lumen count of the lights on the property in protection of dark night skies and reduces energy consumption.

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

The facility does not require water.

### **V. MODIFICATIONS TO DEVELOPMENT STANDARDS**

None requested.

### **VI. PUBLIC COMMENT**

The Planning Department mailed notices to neighboring property owners within 300-feet of the subject property. Staff posted the property, and published a legal notice in the *Bisbee Observer* on April 23, 2015. In response to applicant and County mailings, the Planning Department received no letters regarding this request.

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

This is a request for a modification of Special Use SU-06-14 to authorize the removal of the existing 64 sq. ft. sign and the installation of a new 68 sq. ft. sign. As submitted the proposed sign does not conform to the sign size regulations or to the site development standards used for sign placement.

The applicant's *existing* sign is located in an appropriate location on the site in a landscaped area adjacent to the front parking lot. Although the applicant has requested a modification of the sign requirements for this proposed sign from the Arizona Department of Transportation in order to allow the proposed sign to overhang the right-of-way, the ADOT approval particularly states that their approval is based upon the applicant complying with the Cochise County regulations. There appears to be no valid reason why the proposed modification is necessary. The proposed sign location may create a hazard to vehicular movements on the subject parcel, the proposed sign can be manufactured to meet the sign area requirements, and the proposed sign can be installed in the landscape setback area where the existing sign is currently located in a manner that will not reduce the visibility of the sign on the site from eastbound or westbound traffic on Highway 92.

#### **Factors in Favor of Approving the Special Use**

1. The proposed use would comply with three of the five Special Use factors used by staff to analyze this request;
2. The proposed use conforms with the Area Plan design standards;
3. The proposed use will reduce the total lumen count on the site; and
4. No letters in opposition have been received.

#### **Factors Against Allowing the Special Use**

1. The proposed use does not comply with two of the Special Use factors used by staff to analyze this request;
2. The proposal may create a hazard for vehicular turning movements on the subject parcel;
3. The proposed use is located too close to the property line;
4. The proposed use overhangs the property line;
5. The proposed use cannot meet the conditions of the ADOT permit approval for the encroachment;
6. The sign area exceeds the maximum allowable sign area for the zoning district;
7. The location of the existing sign is fully visible from both eastbound and westbound traffic on Highway 92 so it is not necessary to install the proposed sign in a manner that is not in conformance with the zoning regulations;
8. The applicant is using a professional sign company who has begun construction without a permit in violation of the zoning ordinance; this company is capable of redesigning, fabricating and installing the proposed sign in conformance with the sign area requirements and site development standards.

**VIII. RECOMMENDATION**

Based on the factors against approval, Staff recommends **Denial** of the Special Use request.

**Sample Motion: A vote in favor will approve the request; a vote opposed will deny the request.**

*Mr. Chairman, I move to approve Special Use Docket SU-06-14B, based on the recommendations by staff; the Factors In Favor of Approval constituting the Findings of Fact.*

**IX. ATTACHMENTS**

- A. Application
- B. Sign permit renderings
- C. Location map
- D. Agency comment memos
- E. Stop Work Order



# COCHISE COUNTY COMMUNITY DEVELOPMENT

"Public Programs...Personal Service"

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

TAX PARCEL NUMBER 104-64-007

APPLICANT COPPER QUEEN COMMUNITY HOSPITAL - PALOMINAS HEREFORD

ADDRESS 10524 HIGHWAY 92, PALOMINAS AZ 85603 CLINIC

CONTACT TELEPHONE NUMBER GUY SHOWF - 520 349-3717

EMAIL ADDRESS: GSHOWF@COCH.ORG

PROPERTY OWNER (IF OTHER THAN APPLICANT) COPPER QUEEN COMMUNITY HOSPITAL

ADDRESS 101 COLLE AVENUE  
BISBEE, ARIZONA 85603

DATE SUBMITTED 3/23/2015

Special Use Permit Public Hearing Fee (if applicable)	\$ <u>150<sup>00</sup></u>
Building/Use Permit Fee	\$ _____
Total paid	\$ _____

### PART ONE - REQUIRED SUBMITTALS

1. Cochise County Joint Application (attached).
2. Questionnaire with all questions completely answered (attached).
3. A minimum of (6) copies of a site plan drawn to scale and completed with all the information requested on the attached Sample Site Plan and list of Non-residential Site Plan Requirements. (Please note that **nine (9) copies will be required for projects occurring inside the 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.)

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? HEALTHCARE CLINIC  
\_\_\_\_\_
2. What is the proposed use or improvement? NEW MONUMENT SIGN  
SER NARRATIVE  
\_\_\_\_\_
3. Describe all activities that will occur as part of the proposed use. In your estimation, what impacts do you think these activities will have on neighboring properties? \_\_\_\_\_  
NO CHANGE IN PROPERTY USE - SIGNAGE UPGRADE
4. Describe all intermediate and final products/services that will be produced/offered/sold.  
NO CHANGE  
\_\_\_\_\_

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)

SIGN MATERIALS: METAL 1 PUGH W/ FAUX STONE BASE.

6. Will the project be constructed/completed within one year or phased? One Year

Phased  if phased, describe the phases and depict on the site plan.

\_\_\_\_\_  
\_\_\_\_\_

7. Provide the following information (when applicable):

A. Days and hours of operation: Days: M-F Hours (from 8 AM to 5 PM)

B. Number of employees: Initially: \_\_\_\_\_ Future: \_\_\_\_\_

Number per shift Seasonal changes N/A

C. Total average daily traffic generated:

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

\_\_\_\_\_ N/A

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

\_\_\_\_\_ N/A

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

\_\_\_\_\_ Hwy 92

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

\_\_\_\_\_ N/A

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

\_\_\_\_\_ NO CHANGE IN CURRENT TRAFFIC PATTERNS

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

D. Estimated total gallons of water used: per day \_\_\_\_\_ per year \_\_\_\_\_

Will you use a septic system? Yes  No  If yes, is the septic tank system existing?

Yes  No  Show the septic tank, leach field and 100% expansion area on the site plan.

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

\_\_\_\_\_

\_\_\_\_\_

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

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

Attached \_\_\_\_\_ NA

8. Identify how the following services will be provided:

Service	Utility Company/Service Provider	Provisions to be made
Water	PRIVATE WELL	
Sewer/Septic	PRIVATE SEPTIC	
Electricity	APS	
Natural Gas	PRODANIE	
Telephone	CENTURY LINK	
Fire Protection	PALOMINAS	

**SECTION B - Outdoors Activities/Off-site Impacts**

1. Describe any activities that will occur outdoors.

NOTE

\_\_\_\_\_

\_\_\_\_\_

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

\_\_\_\_\_

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

\_\_\_\_\_

\_\_\_\_\_

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

\_\_\_\_\_

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

\_\_\_\_\_

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

\_\_\_\_\_

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

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

A. FREE STANDING B. — C. — D. —  
64 SF

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

10. Show on-site drainage flow on the site plan. Will drainage patterns on site be changed? N/A  
Yes \_\_\_ No

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

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

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

11. What surface will be used for driveways, parking and loading areas? (i.e., none, crushed aggregate, chipseal, asphalt, other)  
NO CHANGES

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

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

**SECTION C - Water Conservation and Land Clearing**

1. If the developed portion of the site is one acre or larger, specific measures to conserve water on-site must be addressed. Specifically, design features that will be incorporated into the development to reduce water use, provide for detention and conserve and enhance natural recharge areas must be described. The 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**

Some businesses involve materials that can contaminate the soil, air, water, waste disposal system or environment in general. Precautions must be taken to protect the environment when such products are distributed to or from the site, stored, manufactured, processed, disposed of, or released as raw materials, products, wastes, emissions, or discharges (When sold or incorporated in a product these materials are required to have Material Safety Data Sheets (MSDS) supplied by the manufacturer.) Examples of such products include but are not limited to paint, solvents, chemicals and chemical wastes, oil, pesticides, herbicides, fertilizers, radioactive materials, biological wastes etc.

Does the proposed use have any activities involving such materials?

Yes \_\_\_ No  If yes, complete the attached *Hazardous or Polluting Materials Use Questionnaire*.

**Note:** Depending on quantities, this question does not apply to ordinary household or office products or wastes such as cleansers, waxes or office supplies. Answer YES only if the materials are involved in the commercial or special use process or if landscaping or maintenance chemicals (pesticides, fertilizers, paints, etc.) will be present in quantities greater than 50 pounds (solids) or 25 gallons (liquids).

If you answer NO to this question but in the County's experience, the type of business proposed typically uses such materials, you will be asked to complete the *Hazardous or Polluting Materials Questionnaire* prior to processing this Commercial Use/ Building/ Special Use Permit.

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

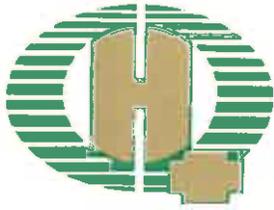
**SECTION E - Applicant's Statement**

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 \_\_\_\_\_ 

Print Applicant's Name \_\_\_\_\_ Gay Shouaf

Date signed \_\_\_\_\_ 3/23/2015



# Copper Queen Community Hospital

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Beverly J. Wilson, RLA, ASLA  
Director Cochise County Community Development  
Planning, Zoning and Building Safety Division  
1415 Melody Lane, Building E  
Bisbee, Arizona 85603

Re: Letter of Authorization

Dear Beverly Wilson:

This letter shall grant authorization to Mr. Guy Shoaf, Copper Queen Community Hospital Project Manager to act as the owner's representative to submit on behalf of Copper Queen Community Hospital, Palominas Hereford Clinic for application to modify Special Use Permit and all additional permits, applications and documentation related to the Special Use Permit application process.

Sincerely,

James Dickson, CEO  
Copper Queen Community Hospital  
101 Cole Avenue  
Bisbee, AZ 85603

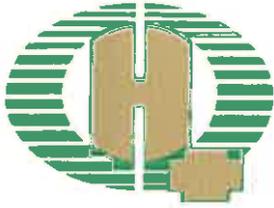
Copper Queen Community Hospital  
Hereford Palominas Clinic  
10524 State Highway 92  
Hereford, Arizona 85603

**Narrative: New Signage Proposal**

Copper Queen (CQ) request modification to the existing Special Use Permit to erect and install a new freestanding monument sign for the Palominas Clinic. The sign base is 2'-0" by 3'-0" to be constructed of 1 1/2" cultured faux stone. The sign will be 12'-0" high with 9'-0" clearance from the ground. The sign will be 68 total square feet, double faced illuminated cabinet with white plex letters. Illumination will be by LED with 2700 lumen.

To improve visibility the sign will be placed at the entrance drive along the existing fence /property line as indicated on the plans. The sign proposes to encroach into the required 10 foot setback and extend into the ADOT right of way. The set back from State Highway 92 is 69'-6". A permit has already been secured from ADOT (permit number 1213737, expiration 7/1/2015) allowing the sign to extend into the ADOT right of way. (Permit attached)

The existing monument sign on the site will be removed, reducing the overall site lumens by 14,800.



# Copper Queen Community Hospital

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3/3/2015

•••

James Dickson, CEO  
Copper Queen Community Hospital  
101 Cole Ave.  
Bisbee Arizona 85603

Dear Property Owner:

The Copper Queen Community Hospital is making application for modification to the Special Use Permit to install a new sign at the Copper Queen Community Hospital Palominas Hereford Clinic located at 10524 Highway 92. The Special Use Permit application is required to allow the sign to encroach into the 10 foot setback required by Cochise County zoning and development code. The new sign is more aesthetically pleasing and internally lit with energy efficient LED lights that meets or exceeds all Cochise County code requirement. A rendering and site plan of the sign is included in this package for your review.

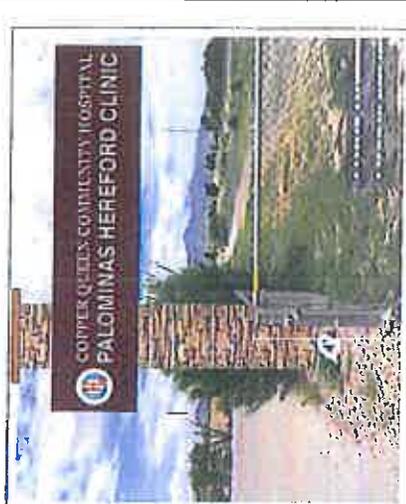
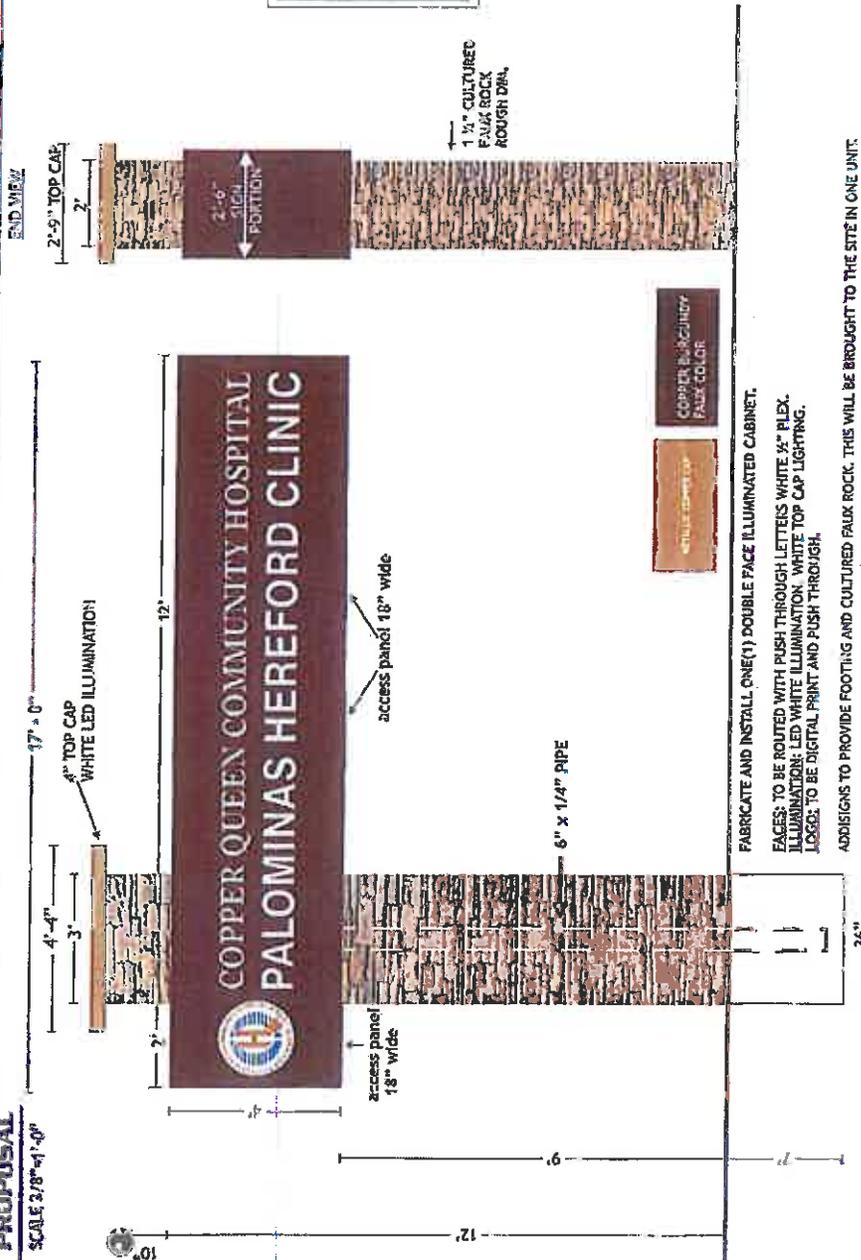
No action is necessary, however if you wish to provide comment please address them to Attn: Guy Shoaf at the address listed below or [gshoaf@cqch.org](mailto:gshoaf@cqch.org).

Sincerely

James Dickson, CEO  
Copper Queen Community Hospital  
101 Cole Ave. Bisbee AZ 85603

Enclosures

**PROPOSAL**  
SCALE 3/8"=1'-0"



FABRICATE AND INSTALL ONE(Y) DOUBLE FACE ILLUMINATED CABINET.  
FACES: TO BE ROUTED WITH PUSH THROUGH LETTERS WHITE 1/2" PLEX.  
ILLUMINATION: LED WHITE ILLUMINATION, WHITE TOP CAP LIGHTING.  
LOGO: TO BE DIGITAL PRINT AND PUSH THROUGH.

ADDISONS TO PROVIDE FOOTING AND CULTURED FAUX ROCK. THIS WILL BE BROUGHT TO THE SITE IN ONE UNIT.

INSTALL:  
CONDUIT FOR ELECTRICAL TO BE RUN FROM EXISTING SIGN ALONG THE FENCE,  
INSTALLED ONTO A CASSON FOOTING.

FILE NAME: 5050PRO(PALOMINOS)ROWJ  
JOB NAME: COPPER QUEEN HOSPITAL  
JOB ADDRESS: 10524 E. HIGHWAY 92  
CITY: HEREFORD, AZ  
STATE: N/A  
ZIP: 85615

ACCEPT DATE: \_\_\_\_\_ BUYER SIGNATURE: \_\_\_\_\_  
ADDISONS: \_\_\_\_\_ SHOP APPROVAL 1: \_\_\_\_\_ SHOP APPROVAL 2: \_\_\_\_\_

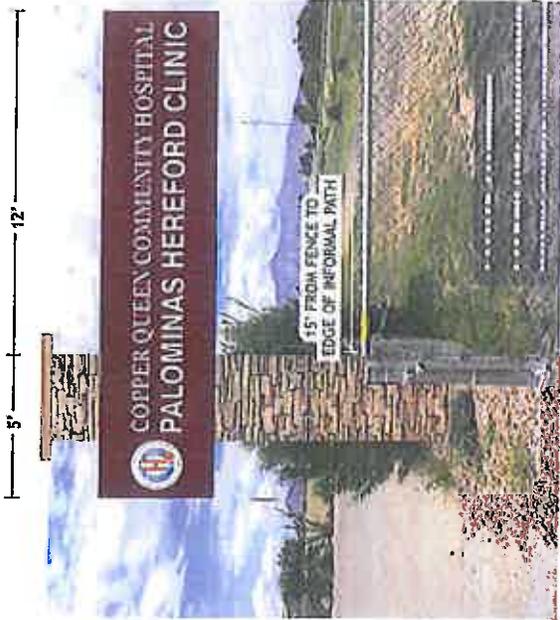
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**addisign**  
3608 E. 35TH STREET  
TUCSON, ARIZONA 85713  
520.748.1540  
520.571.9120 Fax

**PERMIT COPY**

B 93

PROPOSAL



FILE NAME: 5050PROIPALOMINOS(ROW)  
 JOB NAME: COPPER QUEEN HOSPITAL  
 JOB ADDRESS: 10524 E. HIGHWAY 92  
 CITY: HEREFORD, AZ  
 SUITE: N/A  
 ZIP: 85615



3808 E. 38TH STREET  
 TUCSON, ARIZONA 85711  
 520.748.1540  
 520.571.9120 Fax

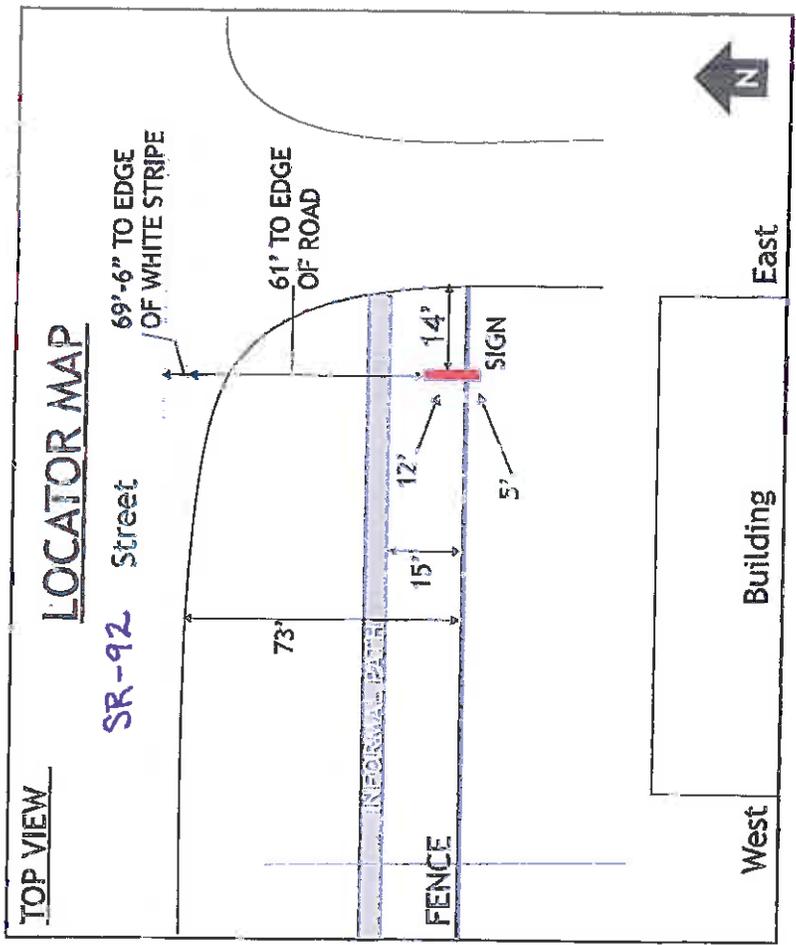
# PERMIT COPY

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ACCEPT DATE: \_\_\_\_\_ BUYER SIGNATURE: \_\_\_\_\_ ADDITIONS: \_\_\_\_\_ SHOP APPROVAL 1: \_\_\_\_\_ SHOP APPROVAL 2: \_\_\_\_\_

B 94

**PROPOSAL**  
NOT TO SCALE



FILE NAME: S050[PRO]PALOMINO[ROY]  
 JOB NAME: COPPER QUEEN HOSPITAL  
 JOB ADDRESS: 10524 E. HIGHWAY 92  
 CITY: HEREFORD, AZ  
 SUITE: N/A  
 ZIP: 85615

ACCEPT DATE: \_\_\_\_\_ BUYER SIGNATURE: \_\_\_\_\_  
 ADDISONS: \_\_\_\_\_ SHOP APPROVAL 1: \_\_\_\_\_ SHOP APPROVAL 2: \_\_\_\_\_

**addison.**

3806 E. 18TH STREET  
 TUCSON, ARIZONA 85713  
 520.748.1540  
 520.571.9120 Fax

**PERMIT COPY**

B 95





**Cochise County  
Community Development**

**Highway and Floodplain Division**

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

**MEMORANDUM**

**Date:** April 20, 2015  
**To:** Jesse Drake, Senior Planner  
**From:** Karen L. Lamberton, County Transportation Planner  
**Subject:** Copper Queen Hospital Sign/SU 06-14B/Parcel #104-64-007

The presented site plan for an addition of a mounted sign for the Copper Queen Hospital, does not comply with the County's 10 foot minimum setback requirements nor do the plans provide a sight distance triangle to ensure that the permanent placement of the sign will not cause any visual difficulty at that connection to the roadway.

**ADOT Permit Conditions**

Cochise County requires, and ADOT prefers, that we keep sign back to at least our 10 foot minimum setback. However, state regulations do allow overhang into the airspace, if not conflicting with roadway pavement, as long as the base is on private property. As a result, the applicant was able to obtain from ADOT a sign permit (Permit #1213737) to allow the updated business sign to be constructed along the Highway 90 corridor.

However, the ADOT permit for this sign, dated November 18, 2014, was specifically conditioned (GR-8 & GR-8a) that they were to obtain from us any permits needed and to comply with any building or zoning regulations required. ADOT took the time to add, and specifically note, "i.e. Cochise County local jurisdiction authority" in highlighting for the applicant.

**Typical County Conditions**

Unfortunately, the applicant did not immediately follow up with Cochise County and apparently began construction of the new sign base up against the property line. Typically, we would recommend two conditions at the Commercial Permit stage for such a sign and would advise the applicant of these pending conditions at the Special Use Authorization. These two conditions are:

- Sight triangles, per Roadway Design Standards D-300 & Zoning Regulation 1807.06 are missing for the proposed access driveway; these will be required at the Commercial Permitting stage. Please add these to ensure that the proposed sign is

**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

D 97

not located within the sight triangle restricting visibility for drivers turning in or out of the facility.

- It is highly recommended that the applicant call for an inspection of their footings, prior to permanently setting their sign, as the applicant has chosen to place their sign at the minimum 10 foot setback distance. Please also note that the minimum distance is from the edge of sign, not from the base.

Given the pre-construction of the base in a location that not only does not meet the 10-foot setback but also is within the sight distance triangle the applicant cannot meet either of these typical County conditions for the placement of their business sign.

These setbacks and sight distance triangle conditions are included in our Highway standards and Zoning Regulations in order to preserve visibility and adequate roadway recovery space should an off-road departure occur along any given roadway. They also maintain a consistent sign code location for all signs located along a roadway corridor.

It is noted that at this particular location the ADOT Right-of-Way is fairly wide, it is unlikely that widening would result in the sign being in the way in the foreseeable future, drivers can pull a significant length past the sign post before making turns onto Highway 90.

If presented with this application in advance we would have advised the applicants that it could not be approved in this location and worked with the applicant to find a better location that met the setbacks and preserved the visibility for drivers turning into and out of this location. As construction is apparently underway, we observe that the chosen location does not meet with the County regulations and as such cannot comply with the Traffic Circulation Factor.

SWO-15-079

T-3-6-15

**Cochise County Planning Department  
Zoning Correction Notice**

- Stop Work Order**  
(Section 1704 of Zoning Regulations)
    - Apply for Residential Building/Use Permit
    - Apply for Non-Residential Building/Use Permit
- Placed Pole For New Sign without Permi*

- Outdoor Storage (Sec. 1811 of Zoning Regulations)**
  - Residential
  - Residential - Category A
  - Automobiles
  - Construction Materials
  - Furniture and/or Appliances

- Recreational Vehicles**

- Permit is expired. Please call 432-9263 to schedule final inspection or obtain new permit.**

- Other:**

- Please call our Office (520) 432-9240.**

- Please correct items noted above within 10 days.**

This is a Courtesy Notice. Our office is committed to working with you to resolve the above noted items to comply with the Zoning Regulations (see sections noted). The Zoning Regulations are available on the County Website ([www.cochise.az.gov](http://www.cochise.az.gov)) and at all Cochise County Planning Department offices. For more information, clarification or assistance, please call (520) 432-9240.

Your prompt cooperation is appreciated.

Date: 2-24-15  
 Address: 10524 Hwy 98  
Parcel # 104-64-007  
 Inspector: Chuck



# COCHISE COUNTY COMMUNITY DEVELOPMENT

"Public Programs...Personal Service"

## MEMORANDUM

**TO:** Planning and Zoning Commission  
**FROM:** Beverly J. Wilson, Planning Director *bw*  
**SUBJECT:** Docket CP-15-01 (Readoption of Comprehensive Plan)  
**DATE:** April 21, 2015 for the May 13, 2015 Meeting

### I. BACK GROUND:

Beginning in September of 2012 and continuing throughout 2013 and 2014, staff worked to update the Comprehensive Plan for Cochise County. The existing Comprehensive Plan was last updated and readopted in 2003. Amendments have been added to the Plan since 2003, however State statutes require that Counties re-adopt their Comprehensive Plans every ten years. In 2009, due to the depressed economy, the Legislature extended this deadline to July 1, 2015.

The Planning and Zoning Commission held four work sessions to discuss, analyze, and recommend changes to the revised Comprehensive Plan. On January 14, 2015, the Commission unanimously voted to send the final version of the Comprehensive Plan to the Board of Supervisors for their consideration and final approval.

Staff presented the Comprehensive Plan to the Board of Supervisors on March 24, 2015. At that public hearing, the Board adopted the majority of the Comprehensive Plan. However, several changes were agreed upon, and the Board has returned these changes to the Commission for their recommendation, which will then be heard at the next Board of Supervisors meeting on May 19, 2015 for a final vote on adopting this document.

### II. SPECIFIC CHANGES

Specific changes to the document are shown in the attached document and excerpted as follows:

#### **Element F. Federal Government Coordination Element, Goal 1, Policies a and c:**

##### Goal

1. *To ensure that the Federal Government provides Cochise County the opportunity to participate in the development of land use plans, to cooperate and coordinate with Cochise County in developing such plans, and to ensure that federal policies are consistent with local or regional policies.*

##### Policies

- a. *Public lands, including the SPRNCA, shall be managed so as to minimize negative impacts on the regional ground water aquifer.*
- b. *Public access to public lands for recreation should be consistent with multiple use and conservation of a viable conservation area.*
- c. *Agricultural uses, including grazing, ~~may~~ should be permitted on all public lands within limits consistent with multiple use and conservation goals.*

- d. *Sub-watershed-wide conservation, reuse, recharge and augmentation policies, and projects must be used to resolve both riparian condition issues and the overall balance of water levels in the aquifer.*

**Element F. Federal Government Coordination Element Goal 3:**

Goal

3. *To protect the culture, history, economy, environment, and lifestyles of Cochise County residents by requiring working with federal agencies to coordinate land use plans with Cochise County and to establish plans that provide for continued multiple use of public lands consistent with the following policies:*

**Element F. Federal Government Coordination Element Goal 3, Policy a.iii:**

- i. *Wilderness designation limits potential land uses significantly to those compatible with the designation. Care should be taken to balance the need for resource protection from such designations with potential economic and other impacts. Diverse stakeholder input is critical and consensus is desirable, if not essential, in seeking such designations. In some instances, the lands in question can be adequately protected through mitigation, minimizing negative impacts and proper reclamation, so that wilderness designation is unnecessary—~~or~~ superfluous.*

**Element F. Federal Government Coordination Element Goal 3, Policy d.iv:**

- i. *Access to all water-related facilities such as delivery systems, monitoring facilities, livestock water and handling facilities, will-should be maintained taking account of restrictions, if any, associated with public lands. Access routes may be adequately maintained by the owner of that route or the holder of access rights. Unreasonable restrictions may result in the loss of use of such facilities and property rights.*

**Element F. Federal Government Coordination Element Goal 3: Policy i.iv.**

*i. Off Highway Vehicles (OHVs)*

- i. *OHVs have become an important segment of the recreation industry and are an important tool and mode of transportation for farmers, ranchers, and resource development.*
- ii. *Public Land Management agencies must implement and maintain an aggressive OHV program to educate users on how to reduce resource impacts. This is to be followed by an aggressive enforcement program.*
- iii. *The non-recreational use of OHVs, such as development and livestock operations, should be provided for where essential to operations and appropriate according to existing management plans, unless restricted by law.*

*iv. Federal Travel Management Plans should consider the growing popularity of OHV recreation and provide reasonable and responsible opportunities for OHV uses.*

**Element I. Rural Character Element Goal 1, Policies c, d, e, and g.**

*Policies*

*a. With property rights considered, protect rural character from the intrusion of urban uses and recognize that resources, such as agricultural lands, open space, and scenic view sheds, provide economic, social, and environmental benefits.*

*b. Industrial uses are discouraged along scenic corridors or at community gateways. Site design of commercial uses shall enhance and protect the aesthetic quality of community gateways and scenic corridors.*

~~*c. Future commercial uses shall be located in existing communities and population centers.*~~

~~*d. Wireless Communication Towers shall be sited in a manner that is in harmony with neighborhood character, scenic resources, wildlife and their habitat, and the surrounding environment.*~~

~~*e. Encourage installation of utilities in a manner compatible with the community character, scenic resources, and ecological conditions.*~~

~~*g. The County will work with landowners and agencies to protect open lands for the purposes of preserving scenic viewsheds, preventing the fragmentation of open lands, preserving important wildlife habitat, protecting watersheds, providing buffers between developed areas, and protecting environmentally sensitive lands.*~~

~~*c.h. Maintain and enhance a reasonable and diverse overall level of rural development that balances the need for rural growth against impacts on rural character. Leave as is*~~

~~*d. i. Encourage conservation design practices and other land use strategies, such as conservation subdivisions and cluster development for new residential and commercial projects.*~~

~~*e. j. Encourage protection of Cochise County's scenic resources and recognize these resources are a vital part of the county rural character by discouraging development which has the potential to seriously compromise viewshed integrity.*~~

~~*f. k. Recognize the importance of rural, native-surfaced roads for the purpose of protecting rural character and ensure that these roads help to maintain this character when considering new road improvement standards.*~~

~~*g. l. Support the establishment of voluntary County transfer of development rights (TDR) programs with landowners who adopt conservation easements to preserve habitat.*~~

~~*h. m. Develop a recognition program to encourage habitat protection and enhancement, to recognize efforts by individuals, communities, and developers.*~~

**VII. SUMMARY AND CONCLUSION**

Arizona Revised Statutes Article 11-805 directs the Board of Supervisors to hold a public hearing, and allows them to make changes or alter the Comprehensive Plan. However, prior to adopting those changes, the Statutes require ‘...that portion of the Comprehensive Plan proposed to be changed to be re-referred to the Commission for its recommendation, which may be accepted or rejected by the Board.’ The Board will hear your recommendations on Tuesday, May 19, 2015.

**This word document shows the changes as approved by the Board of Supervisors on March 24, 2015. Changes are on pages 14, 15, 19, 21 and 22. The photos and other formatting will be included in the final document in Word Publisher (which does not feature 'track changes').**

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## Article 1

### 101—Title, Purpose, and Background

There is hereby established and adopted a plan for the guidance of growth in Cochise County, to be known as the Cochise County Comprehensive Plan.

The purpose of the Cochise County Comprehensive Plan is to provide an official long-range vision and framework for Cochise County land use and development policies. The Plan will serve to protect and enhance natural resources, the customs, culture, economy, and the qualities of the places where people choose to live. Arizona Revised Statutes specifically requires counties to adopt and maintain comprehensive plans for the purpose of “guiding and accomplishing a coordinated, adjusted, and harmonious development of the area of jurisdiction. This plan provides a blueprint to be used as a decision-making tool by residents, land owners, developers, conservationists, the County Community Development Department, Planning and Zoning Commission, and the Board of Supervisors. The land use pattern in Cochise County reveals extensive rural landscapes and a mixture of urban and small crossroads communities, with a long history of farming, ranching, and mining. Fort Huachuca, the County’s largest single employer, has been and remains a significant part of the County’s history. The varied climate and topography supports a biologically rich county, attracting a wide range of outdoor enthusiasts. The County’s location along the international border provides a wide range of economic opportunities. Free market dynamics should be allowed to determine land use activity patterns to the maximum extent feasible within the public’s legitimate interest of health, safety, welfare, conservation, and convenience.

The Comprehensive Plan and its accompanying Land Use Map provide policies for the use of land, and guide the type and scope of development that should occur in the County. The Zoning Regulations, Subdivision Regulations, Light Pollution Code, and the Building Codes are the tools for implementation of those policies. The actions of other governmental agencies that impact the people, land, and resources within Cochise County must be carried out in a manner consistent with, or implemented in coordination with, the goals and policies expressed in this Comprehensive Plan.

Cochise County saw an explosion of growth and development in the mid-2000s, quickly followed by the Great Recession of 2008. This recession halted many development plans while also slowing population growth. The 2010 Census showed Cochise County grew by less than 1.2% annually in the last decade with a 2010 population of 131,346.

Envisioning 2020, in 2008, was a significant public outreach by the county to ascertain and document citizen sentiment. Utilizing telephone surveys and a series of 13 public meetings throughout the county this effort asked participants what they valued about their communities, their thoughts about the future, what aspects of their communities they wanted to see changed, and what they wished to keep. It was also explained to participants that one result of the Envisioning 2020 process would be to incorporate the findings into a Comprehensive Plan update. This is the promised update of the Plan and includes the information gathered during the Envisioning process directly from the citizens of Cochise County.

Four new Elements were incorporated into Article 1, with goals and policies formulated from the Envisioning 2020 study, including Rural Character, Economic Development, Renewable Energy, and Agriculture and Ranching.

The overall goal of this Plan is to promote the growth of Cochise County as prescribed by the Arizona Revised Statutes. Each county is directed to form a Comprehensive Plan, and to update it every ten years. This Comprehensive Plan includes three Articles:

Article 1 contains eleven Elements, each consisting of a narrative, followed by goals, and supporting policies.

Article 2 establishes the Comprehensive Plan Land Use Map, and describes the Growth Categories and Plan Designations.

Article 3 provides for administration and procedures for amending the Plan.

## 102 - Comprehensive Plan Elements—Goals and Policies

### A. Land Use Element

The Land Use Element's Goals and Policies form the foundation of the Comprehensive Plan. Arizona State Law requires that counties adopt a Comprehensive Plan for "the general purpose of guiding and accomplishing a coordinated, adjusted, and harmonious development of the area of jurisdiction pursuant to the present and future needs of the County." State law further requires that the Plan "be developed so as to conserve the natural resources of the County, to ensure efficient expenditure of public monies and to promote the health, safety, convenience, and general welfare of the public." This Land Use Element fulfills the primary statutory requirement by setting forth the general land use policies for Cochise County. It identifies where and how growth should occur.

#### Goal

1. Development in the Cochise County's unincorporated areas should occur in a manner consistent with the established Growth Categories and Plan Designations provided in this Plan with accompanying maps, plats, charts, and descriptive matter as per ARS.

#### Policies

- a. New intensive development should be located in areas designated for growth and higher densities in close proximity to adequate facilities and infrastructure, particularly in category A and B Growth Areas.

b. Cochise County should work with and encourage incorporated municipalities to upgrade and expand water and sewer utilities to accommodate new compact development on adjacent lands, especially in Category A and B Growth Areas.

c. In order to preserve the character and intent of each plan designation, maintain orderly growth patterns, and provide a direct relationship between the Comprehensive Plan and the regulatory mechanisms, the formation of zoning districts within Cochise County should be guided by Plan Designations. A compatible mixture of zoning districts should be promoted within each plan designation.

d. Growth Areas and Plan Designations should be regularly reviewed in order to reflect changes over time as appropriate and as desired by Cochise County residents.

### Goal

2. Development should occur in a manner that preserves open space, agricultural and ranching resources, and existing historical sites which may include: wildlife corridors; hydrologic recharge areas; floodplains; geologic features; historic, archaeological, or cultural resources; or arable soils.

### Policy

The protection of resource areas, and historical sites/landmarks especially in Category D Rural areas, should be considered by landowners and the County when developing or updating new regulations, master development plans, area plans, or the Comprehensive Plan. Protections may take the form of increased setbacks, open space dedication, and consideration of viewscapes, private deed restrictions, land purchases, and voluntary conservation easements.

### Goal

3. The Zoning Regulations, Subdivision Regulations, the Light Pollution Code, the Building Code, and other related documents or regulatory ordinances shall implement the land use policies in this Plan.

### Policies

- a. The County should monitor, review and update the Zoning and Subdivision Regulations, as necessary, to:
  - i. Ensure compliance with this Comprehensive Plan.
  - ii. Facilitate cost-efficient development and innovative land use design.
  - iii. Reduce complexity, contradictions, and unnecessary regulations.
  - iv. Tailor the number of zoning districts to accommodate the diversity of land use proposals found throughout the County.

- v. Create a compatible mix of uses conducive to convenient and economical circulation and the efficient provision of services and facilities within each zoning district.
  - vi. Encourage subdivision development in lieu of minor land divisions of property through density bonuses and other incentives.
- b. To the maximum extent feasible, the Zoning Regulations should specify requirements for each permitted use within the Regulations themselves, in most cases allowing property owners to obtain building/use permits immediately upon compliance with the specified criteria. Administrative delays should be kept to a minimum.
- c. A number of uses having a more intense impact than permitted uses on surrounding properties may require a "Special Use" hearing procedure. This would apply to uses and areas which can only be evaluated on a case-by-case basis using review criteria adopted in the Zoning Regulations.
- d. Statutory exemptions and non-conforming uses should be permitted to the full extent required by state law, but should be otherwise discouraged through a strict interpretation as to their existence and extent.
- e. Overlay zoning districts may be proposed by landowners or by Cochise County in areas or neighborhoods that warrant a relaxation or intensification of specific site development standards.
- f. Rezoning should not create sites, either within the area of the rezoning or adjacent to it, which cannot be developed with the typical use, permitted in the applicable zoning district (s).
- g. Small, isolated rezonings, also known as "spot zonings" should be discouraged.
- h. Rezonings that result in non-conforming land uses or sites should be discouraged.
- i. The County should require the following information for all proposed land uses involving hazardous materials (toxic, explosive, flammable, radioactive, corrosive, chemically reactive and biologically hazardous), and transmit these applications to all applicable Federal, State, and local agencies with an interest in regulating such land uses. To ensure the health, welfare and safety of the County citizens, industrial rezonings or special uses will be evaluated according to the following factors:
- i. Impact on sensitive land uses such as schools, residentially developed or zoned areas, hospitals, and parks.
  - ii. Impact on air, floodplains, wells, water systems, and aquifers.
  - iii. Suitability of soils.
  - iv. Appropriateness of transport routes.
  - v. Impact upon and adequacy of the infrastructure serving the site.

- j. Exclusion of residences and schools from a potential hazardous materials containment area.
- k. Adequate information for the review of rezonings and special uses should be provided before they are scheduled for Planning and Zoning Commission action. Information provided should include at a minimum, submission of a concept plan and a complete application, and public participation, as adopted in the Zoning Regulations.
- l. "Downzonings" should be encouraged through reduced regulatory requirements, and deemed appropriate in rural areas to increase the minimum lot size required for development. They should be viewed as a tool to decrease an area's overall potential residential density.
- m. Federal and state lands will be zoned by Cochise County so that these lands are regulated should they transfer into private ownership.
- n. Viable, cost-effective, voluntary development alternatives for the subdivision of land should be provided through the subdivision regulations. These alternatives might include:
  - i. Incentives, such as density bonuses, to encourage clustered development or conservation subdivisions, while maintaining a minimum percentage of a property as open space or conservation area, or other performance standards.
  - ii. Allowing for smaller lots with provision of shared ownership in common open space while maintaining overall densities of the zoning district.
  - iii. Conservation and agricultural easements for preservation of open space, agricultural and ranching resources.
  - iv. Streamlining and expediting certain subdivision processes as an alternative to lot-splitting.
  - v. Transfer of development rights to accommodate higher densities in growth areas while preserving open space, agricultural and ranching resources in undeveloped rural areas.

Goal

4. Cochise County should maintain official maps that visually demonstrate the boundaries of Growth Categories and Plan Designations in unincorporated areas of the county.

Policy

Significant resource areas, such as wildlife corridors, hydrologic recharge areas, floodplains, geologic features, and known historic or cultural resources should be identified and maintained as map layers in Cochise County's mapping software and available to landowners and County staff for consideration when developing new regulations, community plans, or updates to this Plan. Overlay zoning districts should also be maintained as part of the County's official map set and be made available to stakeholders.

Goal

5. Identify sources of aggregates in the Comprehensive Plan when maps identifying such resources become available from State agencies.

Policy

Cochise County will develop policies to preserve currently identified aggregates, once State maps become available.

B. Affordable Housing, Neighborhood Rehabilitation, and Enterprise Redevelopment Element

The needs of some groups within Cochise County are not provided for by the free-market system. These groups often need either direct provision of housing or government subsidies to meet the affordable housing demand. Cochise County has numerous designated Colonias which are characterized by being within 150-miles of the US/Mexico border; lacking critical infrastructure; and housing in poor condition. The rehabilitation of Colonias remains a national priority and as such these communities are eligible for additional funds from HUD and USDA. Community based planning provides a framework in which different agencies can understand the residents’ priorities and allow those agencies to work more effectively. To be eligible for some grants and assistance, adopted community development plans must be in effect.

Development standards within the Zoning and Subdivision Regulations can be a barrier to the development of affordable housing. Density bonuses, flexible development standards or other tools can lower these barriers, offering incentives to build or rehabilitate affordable housing while ensuring the health, safety, and welfare of the community. Flexibility is especially important in areas when rehabilitation and upgrading of infrastructure is ongoing. In 2013, the Board of Supervisors adopted an Anti-Displacement and Relocation Assistance Plan in accordance with federal law, to accomplish all of the above.

As the State housing trust fund is facing funding reductions, communities around Arizona need to create their own solutions to fill this gap. A regionally based housing trust fund could be a way for the entire county to pool resources and coordinate activities.

Goal

1. Revitalize and redevelop economically distressed areas within Cochise County.

Policies

- a. Residential neighborhoods having a high percentage of substandard lots or uses, but with sufficient potential for improvement to become acceptable places to live should be designated for neighborhood rehabilitation; only residential or neighborhood business zoning districts should be formed in such areas.
- b. Distressed areas that have become unsuitable for residential development due to condemnations for public right-of-way, the existence of a substantial percentage of incompatible uses, or extreme pressures for commercial development, should be designated for enterprise redevelopment; rezoning to residential districts in such areas should be prohibited.

- c. The development of Area or Neighborhood Plans should be encouraged and supported for distressed communities, including Colonias, to enable residents to focus their efforts to successfully compete for grant and other funding.

Goal

- 2. Promote Safe and Affordable Housing.

Policies

- a. Work with the Housing Authority of Cochise County to develop housing strategies affordable to very low, low, and moderate income persons as defined by the United States Department of Housing and Urban Development (HUD) income limits.
- b. Support Accessory Living Quarters or other affordable housing options as a means of increasing housing for seniors, the disabled and vulnerable populations.
- c. Create mechanisms to allow for flexible standards and codes to facilitate affordable housing within the limits of public health and safety in areas deemed appropriate.
- d. The County should partner with non-profits, state and federal agencies, and the Housing Authority of Cochise County to meet the housing needs of very low, low and moderate income special needs groups, including, but not limited to, the elderly, disabled, junior enlisted military personnel, and seasonal workers.
- e. The Housing Authority of Cochise County should create a task force comprised of representatives from Cochise County, all municipalities, and other stakeholders in order to address county-wide concerns and to examine the feasibility of creating and funding a housing trust fund.

Goal

- 3. Cochise County should work with developers and agencies to encourage the development of safe and affordable housing for all segments of the county.

Policy

Creative funding mechanisms could be examined including, but not limited to, a real estate transfer fee, impact fees, and inclusionary zoning with a buyout or in lieu of fee option.

### C. Agriculture and Ranching Element

It is important to ensure protection of Cochise County's agricultural lands as agricultural landowners come under financial pressure to subdivide their land. Some of that pressure may be relieved for those landowners if Cochise County permits a range of land use activities which provide supplemental income in agricultural areas.

Accessory agricultural uses that would generate minimal off-site impacts should continue to be permitted by-right. Those uses that would potentially create significant impacts will be required to obtain Special Use approval. Cochise County has rich agricultural resources and agriculture-based economic opportunities including wineries, orchards, community gardens, u-pick farms, nurseries, and farmers markets. By allowing a mixture of agricultural and other uses to occur on the same site, Cochise County would continue to support local agricultural economies and encourage innovative forms of production. The rich heritage of farming and ranching should remain a vital part of the County's future.

#### Goal

Protect and promote the agricultural economy of Cochise County, its agricultural and ranching lands, and related land uses.

#### Policies

- a. Residential development proposed in agricultural lands should minimize disruption to existing agriculture by using conservation subdivisions, conservation easements, and renewable energy development.
- b. Continue encouraging development of agricultural processing, both on-site and at industrial scale, to support production of value-added agriculture products in Cochise County.
- c. Support local initiatives for community-based agriculture, such as farmers' markets and community gardens.
- d. Support an increased awareness of the importance of agricultural resources to Cochise County's culture and economy through marketing and education programs.

#### D. Economic Development Element

Education, creativity, and entrepreneurship are essential and should be encouraged as part of an economy-based land use policy. 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.

Fort Huachuca provides a major anchor in Cochise County's economy, providing high-quality jobs and supporting Sierra Vista as a regional hub for retail goods and services. Cochise County supports the missions of Fort Huachuca, the men and women who serve on the Post, and the associated civilian workforce.

Tourism is one of the key components of the regional economy. Bed and breakfasts, wineries, art galleries, cultural and historic sites, wildlife, and a variety of outdoor recreation opportunities draw thousands of tourists to Cochise County each year. It is important to preserve the historic and rural landscape, due to its significance for our tourist economy.

With the expansion of the Douglas Port of Entry, a large increase in truck freight along US Highway 191 is expected. This will result in a major opportunity for Cochise County to provide goods and services for a burgeoning international trading hub. The existing Enterprise area along this corridor is pre-positioned for future development in support of international trade and traffic.

Airports and surrounding aviation-related land uses are also potential economic resources. In 2014, the County began the process of updating the airport master plans for both the Bisbee-Douglas International Airport, and the Cochise County Airport in Willcox, to develop these assets to their full economic potential.

Cochise College provides economic development and employment studies for both the County and its cities. In addition to being a major employer, Cochise College provides the local economy with workforce development. The University of Arizona-Sierra Vista provides residents with the opportunity to complete their undergraduate degrees in their own communities. Together, these institutions provide education and job training in areas that directly support sectors of the local economy, including Fort Huachuca.

#### Goal

1. Support the preservation and expansion of the Cochise County's tourism, technology, agriculture, security, renewable energy, and transportation sectors.

#### Policies

- a. Continue to support Fort Huachuca, the Ports of Entry, and related businesses as regional economic clusters.

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- b. Encourage commercial development that enhances and complements regional tourism.
- c. Continue to communicate with the business community, and be responsive to the changing needs of established and new businesses.
- d. Encourage development in areas with access to existing infrastructure and services.
- e. Protect existing businesses from non-compatible land uses.
- f. Maintain infrastructure to meet existing and future economic development needs.
- g. Support the development of renewable energy projects.

### Goal

- 2. Promote and support Cochise College, the University of Arizona-Sierra Vista, and other sources as providers of an educated and capable workforce, and as a source of quality employment.

### Policy

Support education and job training for residents in order to develop and enhance skills, particularly those with focus on tourism, technology, security, and renewable energy.

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## E. Renewable Energy Element

Abundant solar and wind resources, close proximity to existing and proposed regional power distribution infrastructure, and a capable workforce all indicate Cochise County is positioned to build a strong economy with local energy production facilities. A high resolution land use suitability analysis for locating utility-scale solar facilities was conducted by the University of Arizona in 2013 that shows over 770,000-acres of high potential for small scale solar projects of 5-Mega Watts (MW) or less, and over 640,000-acres of high potential for large scale solar projects greater than 5-MW, throughout the county. As a governmental entity, Cochise County directly and indirectly influences energy efficiency in the county through its planning activities.

### Goal

1. Support the development of local renewable energy projects and technologies.

### Policies

- a. Encourage utility-scale renewable energy projects, using the University of Arizona's Renewable Energy Opportunity Analysis and other resources as a guide for determining the suitability of proposals in any one location.
- b. Encourage renewable energy business development.
- c. Support renewable energy employment training opportunities at local colleges.
- d. Permit flexible site development standards.

### Goal

2. Foster a development climate where increased energy efficiency is encouraged.

### Policies

- a. Encourage builders to meet high-efficiency energy standards such as LEED (Leadership in Energy and Environmental Design) or WaterSense® for new development.
- b. Encourage the growth of county-wide recycling programs.

## F. Federal Government Coordination Element

Approximately 26% of land in Cochise County is administered by federal agencies. Policies for managing these lands significantly impact Cochise County's culture, history, economy, environment, and lifestyles. Therefore, it is extremely important for Cochise County to participate in making these policies, with opportunities for the public to be heard. The National Environmental Policy Act (NEPA), the National Forest Management Act (NFMA) and the Federal Land Policy and Management Act (FLPMA) require federal agencies to allow local governments, including Cochise County, to participate in the developing of land use plans, to cooperate and coordinate with local governments in developing such plans, and to ensure that federal policies are consistent with policies of local governments. Furthermore, Arizona Revised Statutes mandate that "[i]f a county has laws, regulations, plans or policies that are less restrictive than a federal or state regulation, rule, plan or policy, the county shall demand by any lawful means that the federal or state government coordinate with the county before the federal or state government implements, enforces, expands or extends the federal regulation, rule, plan or policy within the county's jurisdictional boundaries."

### Goal

1. To ensure that the Federal Government provides Cochise County the opportunity to participate in the development of land use plans, to cooperate and coordinate with Cochise County in developing such plans, and to ensure that federal policies are consistent with local or regional policies.

### Policies

- a. Public lands, including the SPRNCA, shall be managed so as to minimize negative impacts on the regional ground water aquifer.
- b. Public access to public lands for recreation should be consistent with multiple use and conservation of a viable conservation area.
- c. Agricultural uses, including grazing, may-should be permitted on all public lands within limits consistent with multiple use and conservation goals.
- d. Sub-watershed-wide conservation, reuse, recharge and augmentation policies, and projects must be used to resolve both riparian condition issues and the overall balance of water levels in the aquifer.

e. All water use, including riparian water use, must be carefully managed to help maintain a viable riparian area and protect the economic and social sustainability of Cochise County.

### San Pedro Riparian National Conservation Area (SPRNCA)

#### Goal

1. Coordinate efforts with other organizations and jurisdictions, including the Bureau of Land Management, to protect the SPRNCA, as well as the economic and social well-being of Cochise County residents, by assisting Fort Huachuca in meeting its environmental goals, especially regarding water conservation.

#### Policies

a. Cochise County recognizes both the historic and current value of the SPRNCA as a national riparian wildlife habitat, migratory bird corridor, recreational and agricultural resource, and critical habitat for an endangered species.

b. Fort Huachuca and its dependent and associated organizations both on and off the military reservation form the economic underpinning of communities in the surrounding area and contribute nearly \$3 billion annually to the economy of the State of Arizona. The economic, social, and cultural character of Cochise County would change unacceptably were we to fail to preserve the SPRNCA and thereby protect the Fort from environmental sanctions.

### Other Federal Lands

By becoming a participating and/or cooperating agency, Cochise County is guaranteed a “seat at the table” in the preparation of Environmental Assessments (EAs), Environmental Impact Statements (EISs) and other federal land use considerations that have the potential to affect the cultural, historical, recreational, economic and environmental character of Cochise County, and to preserve traditional rural ways of life, including farming, ranching and other agricultural-related activities in the county. In addition, however, Cochise County seeks to require federal agencies to establish plans consistent with County policies by requiring them to coordinate with County government.

#### Goal

3. To protect the culture, history, economy, environment, and lifestyles of Cochise County residents by requiring working with federal agencies to coordinate land use plans with Cochise County and to establish plans that provide for continued multiple use of public lands consistent with the following policies:

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## Policies

### a. Wilderness Designations

- i. Any consideration of any new wilderness designations of federal lands in Cochise County will be a result of a collaborative process, including federal, state, and county officials.
- ii. The only legal designations of Wilderness Study Areas (WSA) are those designated under section 603 of the Federal Land Policy and Management Act (FLPMA) and the opportunity to create additional wilderness ended in 1991, except as authorized by Congress; any new wilderness designation must be provided for by Congress and created in cooperation and coordination with Cochise County and the State.
- iii. Wilderness designation limits potential land uses significantly to those compatible with the designation. Care should be taken to balance the need for resource protection from such designations with potential economic and other impacts. Diverse stakeholder input is critical and consensus is desirable, if not essential, in seeking such designations. In some instances, the lands in question can be adequately protected through mitigation, minimizing negative impacts and proper reclamation, so that wilderness designation is unnecessary—~~or~~ **superfluous**.
- iv. Wilderness management must provide for continued and reasonable access for holders of property rights within the area and provide for full use and enjoyment of these rights.
- v. WSAs released by Congress must be managed based on the principles of multiple use and sustained yield.

### b. Other Designations

- i. Special designations, such as Areas of Critical Environmental Concern (ACEC), and critical habitat protect areas by precluding specific intensive uses like motorized travel. In some cases, these designations can restrict uses in ways that impact the area's economy, lifestyles, cultures, and heritage. Care must be used to balance the value of such designations with the potentially undesirable impacts.
- ii. No special designations or management plan should be proposed until it is determined and substantiated by reproducible scientific data, that there is a need for the designation, that protections cannot be provided by well-planned and managed development, and the area in question is unique when compared to other area lands.

iii. Designations must be made in accordance with the spirit and direction of the acts and regulations that created them.

iv. Designations must not be made without the full coordination and cooperation of Cochise County and full public disclosure and must provide for the continued full use and enjoyment of all existing rights.

c. **Introduced, Threatened, Endangered and Sensitive Species, Recovery Plans, Experimental Populations and Related Guidelines and Protocols**

i. Such designations or reintroductions can have impacts beyond the boundaries and scope that may affect the area's economy, lifestyles, cultures, and heritage, so care should be exercised in both their planning and implementation with stakeholder input.

ii. Such designations or reintroductions should be made only after it is determined and substantiated by reproducible scientific data that there is a need for such action, that protections cannot be provided effectively by other methods and the area in question is unique or a scarce resource when compared with other area lands.

iii. Designation or reintroduction plans, guidelines, and protocols must not be developed or implemented without the full coordination and cooperation of Cochise County and full public disclosure.

iv. Any analysis of such proposed designations or reintroductions must be inclusive and provide written details of all needed actions associated with the proposal to prevent growth beyond the scope and boundaries that were analyzed in the proposal.

v. Recovery plans must provide for indicators to track the effectiveness of the plan and identify at what point recovery is accomplished.

d. **Public Access, RS 2477 Roads**

i. Access across and to public lands is critical to the use, management, and development of those lands and adjoining private lands.

ii. No roads, trails, rights-of-way, easements, or other traditional access for the transportation of people, products, recreation, energy or livestock may be closed, abandoned, withdrawn, or have a change of use without coordination and cooperation with the County and full public disclosure and analysis.

iii. Roads covered by RS 2477 should remain open and Cochise County will take any action needed to protect these rights. This includes identification, inventory, and participation in any legal process to protect them. Page seventeen

- iv. Access to all water-related facilities such as delivery systems, monitoring facilities, livestock water and handling facilities, ~~will~~should be maintained taking account of restrictions, if any, associated with public lands. Access routes may be adequately maintained by the owner of that route or the holder of access rights. Unreasonable restrictions may result in the loss of use of such facilities and property rights.
- e. Land Exchanges, Acquisitions, and Sales
- i. The State and Federal Governments hold a sufficient amount of land to protect public interest, so there shall be no net loss of private land base.
  - ii. Any affected district within Cochise County must be compensated for any net loss of private lands with public lands of equal value or compensated for any loss of assessed valuation resulting from these exchanges by the appropriate acquiring agency.
  - iii. A private property owner has a right to dispose of or exchange their property as they see fit within applicable law.
- f. Recreation and Tourism
- i. Cochise County has outstanding potential for recreation and tourism.
  - ii. Resource development, recreation, and tourism are compatible through proper planning and management.
  - iii. Potential developments should include family-oriented activities and developments that are accessible to the general public and not limited to special interest groups.
  - iv. Cochise County supports cultivating recreational facility development and maintenance partnerships with other entities, agencies, and general special interest groups.
- g. Wildlife
- i. Properly managed wildlife populations are important to the recreation and tourism economy of Cochise County and to the preservation of the culture and lifestyles of its residents.
  - ii. With proper management and planning, healthy wildlife populations are compatible with other resource development.

- iii. No management actions resulting in increases in wildlife numbers or the introduction of additional species may be made until the availability of forage or habitat has been determined to be sufficient and the impacts on other wildlife species have been assessed and determined not to be detrimental. All steps in the planning process must be done in coordination and cooperation with the County.
- h. Forage Allocation/Livestock Grazing
- i. The proper management and allocation of forage on public lands is critical to the viability of the Cochise County's agriculture, recreation, and tourism industry.
  - ii. The viability of a large number of agriculture and livestock operations is dependent on access to grazing on public lands.
  - iii. Forage allocated to livestock should not be reduced for allocation to other uses. Current livestock allocation should be maintained and can be increased when resource conditions warrant additional livestock.
  - iv. Livestock management should be considered as a tool in any vegetative fuel management plans.

i. Off Highway Vehicles (OHVs)

- i. OHVs have become an important segment of the recreation industry and are an important tool and mode of transportation for farmers, ranchers, and resource development.
- ii. Public Land Management agencies must implement and maintain an aggressive OHV program to educate users on how to reduce resource impacts. This is to be followed by an aggressive enforcement program.
- iii. The non-recreational use of OHVs, such as development and livestock operations, should be provided for where essential to operations and appropriate according to existing management plans, unless restricted by law.

iv. Federal Travel Management Plans should consider the growing popularity of OHV recreation and provide reasonable and responsible opportunities for OHV uses.

G. Intergovernmental Coordination Element

This Comprehensive Plan, along with the Comprehensive Plan Land Use maps, are the basic land use planning documents of Cochise County. The goals and policies included herein collectively represent that which is determined by this local government to be necessary for the protection and preservation of the community stability, the heritage, the culture, the resources, the economy and the health and welfare of this area and its people. As required by applicable law, the actions of other governmental agencies which may impact upon the people, land, and resources within Cochise County must be carried out in a manner consistent with and implemented in coordination with the goals and policies expressed in this Comprehensive Plan.



## H. Adequate Facilities and Services Element

The purpose of this Element is to ensure that new development is served by adequate services and infrastructure.

### Goal

Facilities for sewage disposal, water service, fire protection, streets, and utilities should be commensurate with the growth area classification and the intensity of proposed development. New development should not be permitted to degrade the quality of those facilities for existing users or place an unreasonable financial burden upon those users or the public.

### Policies

- a. Subdivision developers should be required to construct street improvements or post security for deferred construction of street improvements before lots can be conveyed to the public.
- b. Developers should be encouraged to place construction of utilities beneath the surface of the public right-of-way or dedicated easement and make provisions other than alleys for garbage pick-up.
- c. Permissibility of individual septic systems will depend upon applicable health codes. However, availability of a sanitary sewer system or a State-approved waste disposal system alternative should be a guiding factor in the consideration of high-density development, especially within Category A (Urban Growth) areas.
- d. No Category A (Urban Growth) area should be formed unless said area is within an organized fire district.
- e. Development within flood hazard zones shall be subject to the Cochise County Floodplain Regulations, and shall be further controlled through site plan requirements.
- f. Where the need for such improvements is reasonably related to the use a developer proposes to establish, conditions of site plan approval should include on-site or off-site street improvements, acceptable State-approved waste disposal systems, and water systems.

## I. Rural Character Element

The Envisioning 2020 process consistently revealed that rural character is an important community asset worthy of protection. Participants in Envisioning 2020 mentioned farming and ranching economies, scenic vistas, ecotourism activities, dark night skies, unimproved roads, and large lots as measures of rural character.

The Rural Character Element seeks to preserve and enhance the rural nature of Cochise County, protect the character, landscape, and development patterns that many Cochise County residents embrace. Although a number of unique crossroad communities with diverse attitudes and interests exist in the county, the scenic rural landscape represents a commonly shared value. This Element works in harmony with other Plan Elements to provide additional guidance about the types and patterns of development appropriate in our rural areas.

Maintaining Cochise County's rural character is fundamental to residents whose lifestyles and economic activities depend on it. It is also important to larger incorporated communities which benefit by close proximity to the scenic vistas and recreation opportunities of the County's rural lands.

### Goal

1. 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.

### Policies

- a. With property rights considered, protect rural character from the intrusion of urban uses and recognize that resources, such as agricultural lands, open space, and scenic view sheds, provide economic, social, and environmental benefits.
- b. Industrial uses are discouraged along scenic corridors or at community gateways. Site design of commercial uses shall enhance and protect the aesthetic quality of community gateways and scenic corridors.
- ~~c. Future commercial uses shall be located in existing communities and population centers.~~
- ~~d. Wireless Communication Towers shall be sited in a manner that is in harmony with neighborhood character, scenic resources, wildlife and their habitat, and the surrounding environment.~~

~~e. Encourage installation of utilities in a manner compatible with the community character, scenic resources, and ecological conditions.~~

~~g. The County will work with landowners and agencies to protect open lands for the purposes of preserving scenic viewsheds, preventing the fragmentation of open lands, preserving important wildlife habitat, protecting watersheds, providing buffers between developed areas, and protecting environmentally sensitive lands.~~

~~h. c.~~ Maintain and enhance a reasonable and diverse overall level of rural development that balances the need for rural growth against impacts on rural character. Leave as is

~~i. d.~~ Encourage conservation design practices and other land use strategies, such as conservation subdivisions and cluster development for new residential and commercial projects.

~~j. e.~~ Encourage protection of Cochise County's scenic resources and recognize these resources are a vital part of the county rural character by discouraging development which has the potential to seriously compromise viewshed integrity.

~~k. f.~~ Recognize the importance of rural, native-surfaced roads for the purpose of protecting rural character and ensure that these roads help to maintain this character when considering new road improvement standards.

~~l. g.~~ Support the establishment of voluntary County transfer of development rights (TDR) programs with landowners who adopt conservation easements to preserve habitat.

~~m. h.~~ Develop a recognition program ~~for~~ to encourage habitat protection and enhancement, to recognize efforts by individuals, communities, and developers.

#### Goal

2. Preserve the dark night skies of Cochise County, to the greatest extent possible.

#### Policies

- a. Discourage new billboards in order to preserve dark skies and scenic vistas.
- b. Encourage lighting practices and systems that will minimize the adverse man-made light pollution effects of sky-glow, glare, and light trespass
- c. Encourage the use of low pressure sodium lights or other low intensity lights in commercial developments
- d. Encourage pedestrian-scaled and shielded lighting.
- e. Encourage new technologies such as timers, dimmers and motion sensors, and other methods to limit unnecessary lighting during the nighttime hours.
- f. Discourage lighting that is misdirected, excessive, or unnecessary.

## J. Transportation Element

Transportation infrastructure is the means by which people and goods move throughout the county, and is tied to the way land uses create a sense of place. Providing rural residents safe and efficient routes and the level of infrastructure and services that will afford opportunities for economic growth, while at the same time protecting rural lifestyles may be Cochise County's biggest transportation-related challenge. Rural businesses struggle to estimate the level of traffic that will ultimately be generated and it may be difficult for them to immediately fund necessary roadway improvements. Concerns that roadway improvements could promote undesired growth must be balanced with concerns that development could occur without needed infrastructure improvements. Other issues include long distances, low residential densities, dependence on the state highway system, and the seasonal impacts of flooding, dust, and tourist travel. Developing and maintaining adequate rural native surfaced roads, with minimal drainage features, helps to keep local ranches, agricultural areas, and rural residents connected to the larger transportation network while also facilitating storm water recharge.

Providing multi-modal opportunities for travel are also important to provide adequate travel options for those either physically or financially unable to rely upon a personal vehicle as their primary means of transportation. Leave language as written.

### Goal

Provide a safe, appropriate, well-maintained, cost-effective and energy efficient transportation network for the use and enjoyment of county residents and businesses, including residents who are transit-dependent or mobility-impaired or those who prefer non-motorized modes.

### Policies

- a. Roadways should be classified using the federal functional classification system. Function and design should be guided by the Cochise County Road Construction Standards and Specifications for Public Improvements. However, some flexibility in construction and design standards may be considered on a case-by-case basis in the interest of providing alternatives, conserving resources, and safety.
- b. Coordinate land use and circulation planning activities to encourage comprehensive and efficient land development patterns that support adjacent land uses, complement the character of communities and adjacent neighborhoods, and minimize impacts to the natural environment.
- c. Circulation systems and patterns should be designed to integrate land use development with adequate, multi-modal transportation infrastructure using existing roads where possible.

d. The interconnecting public street network should be based upon existing streets, topographic conditions, drainage, and surrounding land uses.

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e. Signs should be regulated to permit legibility and effectiveness but to prevent over-concentration and improper placement. Much more restrictive standards should be applied to signs in residential zonings districts; non-accessory billboards shall be severely restricted.

f. New major development should, where applicable, develop and maintain a safe, integrated, efficient, multi-modal transportation system that meets the needs of the development.

g. The County should work to ensure quality access management in new developments by encouraging street connections with adjacent developments when considering subdivisions, master development plans, street improvement proposals, and other developments. The use of cul-de-sacs, dead-end streets, and other design features that reduce circulation options should be minimized.

h. Commercial development consisting of a shallow tier of unrelated commercial developments lining a major thoroughfare should be discouraged.

i. The County should allow start-up businesses, especially those serving rural areas, to defer or phase significant on-site or off-site improvements.

j. The County should collaborate with other jurisdictions and organizations to develop a multi-use trails network throughout the County in order to promote tourism, protect the environment, maintain rural character, and enhance quality of life.

k. The County should support alternative surfacing methods that mitigate the impacts of surface water runoff and conserve water by facilitating aquifer recharge.

l. Development along a street should be at a location and in a manner consistent with preservation of the function of the street:

- i. Commercial development should be discouraged from accessing directly onto streets that primarily serve residential areas.
- ii. Adequate street capacity shall be assured for full build-out of areas served by arterials and collectors.
- iii. If a street is identified as a major thoroughfare on a transportation plan, master development plan or community plan or by approval of the Board of Supervisors, direct access should be limited.
- iv. Single-household dwellings, where possible, should not have direct access onto arterial and collector streets.
- v. Local subdivision streets should be designed and constructed so that connectivity is preserved.
- vi. Public alleys should be discouraged. Page twenty-four

## GOAL

2. Support air travel opportunities while minimizing the impacts on human and natural communities.

## Policy

a. As airport facilities are proposed, including heliports and private airstrips, compatibility with local land use patterns should be considered and adverse impact from aircraft noise minimized.

## GOAL

3. Improve non-motorized circulation networks and provide greater opportunity for alternative modes of travel.

## Policies

a. The County encourages development projects to provide infrastructure for non-motorized travel, and when appropriate for new developments along major roadways. The County encourages the installation of trails and bicycle lanes.

b. In coordination with ADOT, the Forest Service, and land managers and owners, the County promotes the connection of existing neighborhoods and communities (at both a local and regional scale) with trails, non-motorized, and multimodal facilities.

c. Multimodal and non-motorized travel facilities should be designed to complement and enhance local community character and provide opportunities for interaction among residents.

d. Where pedestrian and bicycle routes exist on adjacent properties, major developments, including subdivisions, will be encouraged to maintain connections and continue the cohesive development of the non-motorized circulation network.

## K. Water Conservation and Resources Element

This Element establishes Goals and Policies that encourage the County and residents to conserve existing resources, develop alternative sources of collecting and distributing water, and reuse water whenever possible. Arizona Revised Statutes requires counties to specifically plan for development as it relates to available water resources.

### Goal

Sustain an adequate, safe water supply through water conservation measures, incentive programs, education, conservation and enhancement of natural recharge areas, and cooperative, multi-jurisdictional planning.

### Policies

- a. The County will use current water resource inventories of available surface water, groundwater, and effluent supplies to evaluate the potential impacts to local water supplies from master development plans, subdivisions, rezonings, special uses, major amendments to this plan, and other major developments.
- b. The County will encourage effective water conservation Best Management Practices (BMPs) such as water harvesting features, storm water recharge, treated wastewater and gray water for non-potable use in new development throughout Cochise County, and in County facilities.

- c. All subdivisions and non-residential, multi-family residential and manufactured home park developments of one-acre or larger should indicate the design features that will be incorporated into the development to:
- d. Minimize overall water use through water conservation measures such as native, drought-tolerant landscaping, low-flow fixtures, re-use, water harvesting, deed restrictions, and other water conservation methods.
- e. Use Best Management Practices (BMPs) to minimize accelerated run-off generated by impervious surfaces or construction activities.
- f. Conserve and enhance aquifer recharge through methods such as the use of detention basins, protection of open space, and minimizing disturbance of soils.
- g. Working with water conservation resource groups, Cochise County will support methods for individual homeowners and businesses to decrease water use through incentives, education, various zoning mechanisms, and encouraging native, drought-tolerant landscaping in development throughout the county.
- h. Promote a stewardship ethic by continuing outreach and education programs that inform residents about sustainable water use.
- i. In order to minimize or mitigate water usage, high water uses, such as golf courses and water parks, will be considered only on a discretionary basis.
- j. Cochise County should develop additional water conservation and management policies to be applied to all new development on a sub-watershed by sub-watershed basis.

#### Goal

- 2. Protect hydrologically sensitive and unique areas such as the San Pedro River and Sierra Vista Sub-watershed, by adopting a regional, watershed-based approach to water resource management.

#### Policies

- a. Work with agencies, organizations, and local watershed groups throughout Cochise County, ~~as necessary~~, to address regional water resource issues as they relate to growth and protection of natural resources.

b. Cochise County may implement joint development plans for individual basins or watersheds through intergovernmental agreements and a joint planning effort with incorporated cities that choose to participate, per Arizona Revised Statutes. The joint development plans may address water issues that include existing and proposed mechanisms for conserving water, infrastructure, vested property rights, incentive programs, implementation schedules, and other issues as they relate to development.

c. Overlay zoning districts may be used by Cochise County as a tool to implement such additional water conservation and management policies, through the enforcement of applicable provisions of adopted building codes and specific site development standards for all residential and non-residential development, where appropriate.

## Article 2

### 201 — Growth Areas, Plan Designations

#### A. Area Categories

The entire area of Cochise County, with the exception of incorporated cities, shall be divided into four-categories, based on each area's existing or foreseeable infrastructure, character and capacity for growth:

**1. Category A—Urban Growth Areas:** This category includes those areas adjacent to or surrounded by incorporated cities, and having the necessary facilities and services to support it. These areas are largely built out or established but may have pockets of vacant land. Category A Urban Growth Areas include the areas presently identified as "Category A" and any additional areas that have been determined to meet the following criteria:

- a. The area has established or planned residential and/or non-residential development, and has the potential to be annexed by an abutting incorporated city.
- b. The area can be adequately served by a community sewer system, water system, and fire district.
- c. Average residential lot sizes are less than one-acre in size.
- d. The area provides major regional commercial and other non-residential services.
- e. Street improvements and urban site development standards (e.g. limitations on residential outdoor storage and requirements for asphaltic parking areas) are appropriate.
- f. The area has the potential for or is currently served by adequate drainage, transportation and K-12 school systems, as well as organized recreational facilities that can serve high-density development.

**2. Category B—Community Growth Areas:** This category includes those areas adjacent to Category A Urban Growth Areas as well as the larger unincorporated communities of the County, which are experiencing growth. These are areas in transition from a traditional rural environment to something more urbanized. Category B Community Growth Areas include the areas presently identified as "Category B" and any additional areas that have been determined to meet the following criteria:

- a. The area to be designated has a moderate level of residential and/or non-residential growth.
- b. The area serves as a logical transition between urban growth and rural areas and/or has a distinctive community identity.

- c. The area has adequate water, access, drainage and sewage disposal capability to accommodate medium to high density development.
- d. In general, residential lot sizes are one acre or less in size but may transition to larger lot sizes at the fringes of the area. Smaller lot sizes have access to sewer and/or water and are commonly found in established subdivisions and manufactured/mobile home parks or historic town sites.
- e. Improved streets designated as arterial or collectors can support limited non-residential development.
- f. There is substantial potential for further development along with opportunities to preserve undeveloped recreational resources, i.e. open space and washes.

**3. Category C—Rural Community Areas:** This category includes less populated rural communities that are characterized by a slow rate of growth and the desire to maintain the existing neighborhood or rural atmosphere. These areas are generally found as small clusters of residential and non-residential development adjacent to agricultural production areas. Non-residential enterprises generally serve or coincide with local agricultural, ranching or tourist activities. Category C areas are often populated enough to warrant or provide a K-8 grade school. Their rural, low density, and often scenic qualities have the potential to attract future residents at a growth rate that may warrant consideration of a plan change to Category B. Category C Rural Community Areas include those areas presently identified as “Category C” and additional areas that have been determined to meet the following criteria:

- a. Residential and non-residential development is clustered in settlements on a variety of lot sizes as typified in established town sites and immediate environs.
- b. Other than arterials and collectors, roads are generally unimproved. However, increases in residential and non-residential development will likely warrant improvements, such as paving, in the future.
- c. Farming and ranching are prevalent activities adjacent to these areas.
- d. Non-residential enterprises generally serve the rural/agricultural community as well as visitors passing through if located on a major arterial road.

**4. Category D—Rural Areas:** This category includes the outlying rural areas between cities and unincorporated communities and characterized by a low rate of growth; unimproved roads; low density, large lot rural residential development; agricultural production; and large tracts of undeveloped private and public lands. Non-residential development is geared toward providing local services, tourism or intensive uses that are not appropriate in more the densely populated parts of the county, such as power plants and feedlots.

These sparsely populated rural lands also have the potential for future master-planned communities that will provide the infrastructure to support any proposed increases in residential density or non-residential activities. Category D Rural Areas include those areas presently identified as "Category D" and all areas that do not meet the criteria for inclusion in either Category A, B or C.

## B. Plan Designations

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. Plan Designations may be established, in addition to those that presently exist, based upon the following criteria:

**1. Neighborhood Conservation (NC):** A "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:

- a. The area to be designated is a developed residential neighborhood that warrants protection from non-residential uses; or
- b. The area is an approved subdivision for which all the improvements are in place and constructed to minimum County standards.

**2. Enterprise (ENT):** An "Enterprise" (ENT) plan designation identifies an area as having an established pattern of commercial and/or industrial land use; any future development should follow that trend. The ENT plan designation may occur in Category A, B, or C Growth Area Categories, and shall be established according to the following criteria:

- a. The area consists of existing or proposed commercial or industrial enterprises.
- b. Enterprise development has reached the level whereby additional residential growth within the area to be designated is undesirable to the parties in interest.
- c. The area to be designated contains or can provide sufficient dedicated public access, improved to County standards, to carry traffic, which will be generated by and to such area.
- d. The infrastructure can accommodate enterprise uses.

**3. Developing (DEV):** The "Developing" (DEV) plan designation is used to describe areas experiencing non-rural growth rates that are developed with scattered, mixed residential, business or industrial and agriculture-related uses and that ultimately will accommodate future growth as the more populated areas reach build-out. Since these areas are assumed to be in transition, the Planning Department will periodically re-evaluate these areas to determine if the rate of new development warrants a new designation or growth area that is either more or less intense. The Developing designation may occur in Growth Category A, B, and C Areas that do not meet the criteria of the other designations.

**4. Neighborhood Rehabilitation (NR):** The "Neighborhood Rehabilitation" (NR) plan designation is assigned to deteriorating residential neighborhoods which show potential need for revitalization as residential neighborhoods. Such areas may be designated for improvement projects when the necessary funding is available. An NR plan designation may occur within a Growth Category A, B, or C Area, and shall be established according to the following criteria:

- a. The area is a residential neighborhood with a high number of dilapidated, or unsafe dwellings.
- b. The infrastructure of the area is unable to provide for adequate public health, safety, welfare, and general convenience.
- c. There is some existing private and/or municipal interest in improving the area.
- d. Some flexibility in site development and building code standards may be appropriate to facilitate investment.

**5. Enterprise Redevelopment (ER):** An "Enterprise Redevelopment" (ER) plan designation is assigned to an existing developed area undergoing change which may be designated for improvement as a commercial/industrial area. An ER plan designation may occur within a Growth Category A, B, or C Area, and shall be established according to the following criteria:

- a. The area is:
  - i. Composed of dilapidated or unsafe enterprise uses; and/or
  - ii. Has a large number of incompatible neighborhood and enterprise uses that are dilapidated or unsafe. Page 31

- iii. The infrastructure of the area is unable to provide for adequate public health, safety, welfare and general convenience.
- iv. There is some existing private and/or municipal interest in improving the area.
- v. Some flexibility in site development and building code standards may be appropriate to facilitate investment.

**6. 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, rezonings or special uses 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.

**7. Rural:** Areas designated as “Rural” are identified as those remaining lands in Category D Rural Areas that are not designated Rural Residential. They are identified by one or more of the following characteristics: sparsely populated; larger lot sizes, agricultural production or grazing, possible availability of sites large enough for intensive industrial uses that cannot be accommodated in other growth areas, large expanses of private and public lands, and/or have developed and undeveloped recreational resources.

### **C. Area Plans**

The Comprehensive Plan allows for the establishment of Area Plans that articulate the vision and desires of a given community with regard to land use. These are considered community-specific sub-sets of the overall Comprehensive Plan. Approval by the Board of Supervisors of an Area Plan constitutes an amendment to the Comprehensive Plan, and proceeds according to the procedures described herein (See Article 3). To date, the following Area Plans have been adopted by the County Board of Supervisors:

1. Babocomari Area Plan
2. Elfrida Community Plan
3. Mid-Sulphur Springs Valley Area Plan
4. Naco Community Plan
5. Saint David Area Plan
6. Sierra Vista Sub-Watershed Policy Plan
7. Southern San Pedro Valley Area Plan
8. Tres Alamos Community Plan

Area Plans are primarily vision or policy statements accompanying a map, and may include unique Plan Designations, and architectural and landscape design standards found within the Plan area. When applicable, Plan Designations that are specific to a given Area Plan may be found on the adopted map accompanying that Plan.

#### D. Master Development Plans

A master development plan is an adopted component of the Cochise County Comprehensive Plan, initiated by a developer, that provides a detailed plan for the coordinated development of a specific private property. Master development plans may result in changes to the boundaries of a Growth Area, Plan Designations, or, similar to Area Plans, the establishment of plan-specific designations and development standards. Approval by the Board of Supervisors of a master development plan amends this Comprehensive Plan.

#### E. Other Plan Areas

There may be established other plan areas, including community plans, area plans, neighborhood plans, specific plans and master development plans, which may either replace existing plan designations identified in this Section, or which may have policies, elements, or standards which modify, replace or supersede those in otherwise applicable growth areas or plan designations. Such plan areas may be adopted in whole or in part, and may contain elements such as: a land use element, circulation element, transportation element, housing element, conservation, rehabilitation or redevelopment element, recreation element, safety element, public services and facilities element, bicycling element, economic development element among others as well as policies and procedures applicable thereto.

## **202 - Comprehensive Plan Land Use Element Plan Map**

### **A. Adoption of Map**

The Cochise County Comprehensive Plan Use Element Map is hereby adopted by reference and declared to be a part of this Resolution.

### **B. Boundary Determination**

Where uncertainty exists as to the boundaries of plan designations on the official land use plan map, the following rules shall apply:

1. Boundaries indicated as approximately following the centerlines of streets, highways, or alleys shall be construed as following the centerlines.
2. Boundaries indicated as approximately following city limits shall be construed as following city limits.
3. Boundaries indicated as approximately following platted lot lines shall be construed as following such lot lines.
4. Boundaries indicated as following railroad lines shall be construed to be midway between the main tracks.
5. Boundaries indicated as approximately following the centerlines of streams, rivers, lakes or other bodies of water shall be construed to follow such centerlines.
6. Boundaries indicated as parallel to or extensions of features indicated in subsections (1) through (5) above shall be so construed.
7. Distances not specifically indicated on the land use plan maps shall be determined by the scale of the map.
8. Where physical or cultural features existing on the ground are at variance with those shown on the plan map; or in other circumstances not covered by subsections (1) through (7) above, the Board of Adjustment shall interpret the designation boundaries.

### C. Amendments and Corrections

Whenever amendments or changes are made in plan area boundaries, such amendments or changes shall be made promptly on the official plan. The Planning Director may order correction to drafting or other errors or omissions in the official plan map, but no such corrections shall have the effect of amending the Growth Area Category or Plan Designation of any property. No other changes shall be made in the official plan map except in conformance with the procedure set forth herein.

1. Whenever amendments or changes are made in plan area boundaries, such amendments or changes shall be made promptly on the official plan.
2. The Planning Director may order correction to drafting or other errors or omissions in the official plan map, but no such corrections shall have the effect of amending the Growth Area Category or Plan Designation of any property. No other changes shall be made in the official plan map except in conformance with the procedure set forth herein.
3. In the event that the official plan map becomes damaged, destroyed, lost, or difficult to interpret because of the nature or number of changes and amendments thereto, the Board of Supervisors may, by resolution, adopt a new official plan map, which shall supersede the prior plan map.
4. Per Arizona Revised Statutes, the Planning and Zoning Commission will review the entire Comprehensive Plan every ten years or more frequently as needed.

## **Article 3**

### **301—Administration**

The Cochise County Planning and Zoning Commission, the Board of Supervisors, and any other County department, commission, official, or employee acting in an advisory capacity to the Board of Supervisors shall consult, consider, and generally be guided by the Comprehensive Plan stated herein. The Cochise County Zoning Regulations, Subdivision Regulations, building code, and other ordinances affecting growth and land use in Cochise County shall be constructed to implement the policies and elements of the Comprehensive Plan.

### **302—Comprehensive Plan Amendments**

The Cochise County Comprehensive Plan may be amended from time to time. The Comprehensive Plan Growth Area Categories and Designations are designed to provide a measure of protection to the existing character of an area. An amendment must be justified by citing specific examples of existing or future growth patterns that do not support continuing the pattern that is implied by the existing Area Category or Designation. Otherwise, the presumption is in favor of retaining the existing Area Category or Designation.

Plan Amendments raise regional issues about the future character of an area. Once established, a precedent is set to request additional plan changes in proximity to the original request thus significantly changing the pattern of growth and drawing development away from established communities. Due to these larger issues, a small acreage plan amendment may not be supported unless a master development plan is submitted.

#### **A. Amending Growth Area Categories and Plan Designations**

1. Consideration of a change in Growth Area or Plan Designation should depend upon an evaluation of the following criteria:
  - a. The extension of urban standard facilities and services (including major road improvements and extensions of waste disposal systems and water service) into the area has changed the optimum intensity of development appropriate for the area.
  - b. Nearby growth areas have reached capacity and there is continued demand for new growth areas.
  - c. A master development plan is proposed.
  - d. The new Growth Area Category is an extension of an existing Growth Area Category or otherwise is not limited to a single parcel but is large enough to be expected to develop with the range of services and land uses expected in the Growth Area Category proposed.
2. Consideration of a change in a Plan Designation shall depend upon an evaluation of the following criteria:

- a. The pattern of growth in the area no longer reflects the type of growth expected in the current designation.
- b. Substantial changes in an area, for example a designated neighborhood conservation area, may make continuation of the conforming development within the plan designation undesirable. Such changes may include the deterioration of surrounding development, a change in character in the area due to capital improvements, non-conforming development by exempt entities, or approval of special uses or rezonings.
- c. The extensions of urban standard facilities and services (including major road improvements and extension of waste disposal systems and water service) into the area have changed the optimum type of development appropriate for the area.
- d. There is substantial support from property owners for the proposed change.
- e. 'Developing' designations should be changed to another appropriate designation as a distinguishable pattern of development has occurred.
- f. New designations should be of a size, type or design to provide a harmonious transition between existing designations.

#### B. Plan Amendments, Definition of Major Amendment

1. The Commission, either upon the application of interested persons or upon its own motion, may initiate Plan Designation or Growth Category Area amendments, or the adoption of new elements of the Plan, Area Plans, or master development plans.
2. An amendment shall be considered a "major amendment," per Arizona Revised Statutes, if it would result in a substantial alteration of the County's land use mixture or balance as established in the existing Comprehensive Plan land use element for that area of the County.
3. A "substantial alteration" is defined as an amendment of the Comprehensive Plan that would result in an increase in the potential densities or intensities of uses for an area of two thousand (2000) acres or more.

#### C. Time Frame for Acceptance of Major Amendments

1. Applications for major amendments shall be accepted from January 1 to the last business day in May.
2. The Board of Supervisors hearing shall be the first available meeting in December.

### **303—Public Participation Requirements**

The applicant shall complete the public participation process as described herein, before any amendment is presented to the Board of Supervisors for final adoption.

#### **A. Purpose**

The Cochise County public participation process is intended to:

1. Allow for effective, early and continuous public participation by citizens from all geographic, ethnic and economic areas of the county in the consideration of amendments;
2. Provide sufficient information to the public to give each citizen the opportunity to develop an informed response;
3. Provide opportunities for other interested governments, agencies and community groups to consult with, advise and provide official comment on Comprehensive Plan updates and amendments; and
4. Comply with ARS (CDO) 11806 requirements.

#### **B. Public Participation Requirements for Comprehensive Plan Amendments**

The requirements described below are the minimum County requirements for public notification.

##### **1. Pre-application meeting with County Planners:**

Prior to submitting a formal plan amendment application, an applicant shall participate in a pre-application meeting with planning staff. This meeting has a four-fold purpose:

- a. Review the public participation requirements;
- b. Review the application requirements;
- c. Familiarize staff with the project and identify and discuss any issues related to the amendment: and
- d. Determine if the plan amendment boundaries represent a logical plan amendment area.

##### **2. A formal plan amendment application consists of:**

The plan amendment application and all supporting documentation, and a report documenting the public participation process, including:

- a. Copies of notices;
- b. Copies of all information provided to the public
- c. Letters, advertisements, posters, flyers;

- d. Sign up sheets from all public meetings if any;
- e. Any responses received from the public during this process; and
- f. A description of how the applicant responded to this feedback.

**C. Notification Requirements for Major Comprehensive Plan Amendments**

1. The applicant shall send notices of the proposed amendment to, and if requested, meet with the following individuals and organizations. The notices shall contain a copy of the plan amendment application and all supporting documentation as submitted to the Planning Department so that the notified parties can effectively evaluate the impacts of the project:

- a. Each municipality in the County.
- b. Each other county that is contiguous to the County.
- c. The regional planning agency in the County ( Southeastern Arizona Government Organization (SEAGO)).
- d. The Arizona commerce authority or any other state agency that is subsequently designated as the general planning agency for this state.
- e. The department of water resources for review and comment on the water resources element, if a water resources element is required.
- f. If the comprehensive plan or an element or amendment of the comprehensive plan is applicable to territory in the vicinity of a military airport or ancillary military facility as defined in §28-8461
- g. If the comprehensive plan or an element or major amendment of the comprehensive plan is applicable to property in the high noise or accident potential zone of a military airport or ancillary military facility as defined in §28-8461, the attorney general. For the purposes of this paragraph, "major amendment" means a substantial alteration of the county's land use mixture or balance as established in the county's existing comprehensive plan land use element for that area of the county.
- h. Any person or entity that requests in writing to receive a review copy of the proposal.

2. The applicant shall place an 1/8th of a page display advertisement in the official County paper and at least one other subscription paper published in each geographical quarter of Cochise County, such that citizens of all geographic, ethnic, and economic areas of Cochise County are notified of the amendment. This advertisement shall include a description and location of the project and how verbal and written comments can be submitted. If public meeting (s) are scheduled, the time, date, and location of the meeting (s) shall be included.

**D. Notification Requirements for Comprehensive Plan Amendments Not Defined as Major Amendments**

1. The applicant shall notify and, if requested, meet with all adjacent and potentially impacted property owners. These property owners shall be defined to include:

a. All of those who own property located within the area subject to the amendment.

b. In Category D Rural Areas, all of those property owners who own property outside of the area subject to the application, but within 1500 feet from the boundaries of the subject property.

c. In Category A, B, or C Growth areas, all of those property owners who own property outside of the area subject to the application, but within 1000 feet from the boundaries of the subject property.

2. This notification shall include a description and location of the project and how verbal and written comments can be submitted. If public meeting(s) are scheduled, the time, date, and location of the meeting(s) shall be included.

**E. Formal Notification for Major Amendments**

1. Pursuant to ARS §11-805.F and 805.G., at least sixty days before a new element or major amendment of the Comprehensive Plan is noticed for a public hearing, the Commission shall transmit the proposal to the board of supervisors and submit a copy for review and further comment to:

a. All municipalities in the County.

b. Each other county that is contiguous to the County.

c. The regional planning agency in the County (Southeastern Arizona Government Organization (SEAGO)).

d. The department of commerce or any other state agency that is subsequently designated as the general planning agency for this state.

e. The department of water resources for review and comment on the water resources element, if a water resources element is required.

f. The military airport if the comprehensive plan or a portion, element or amendment of the comprehensive plan is applicable to territory in the vicinity of a military airport as defined in section ARS §28-8461.

g. Any person or entity that requests in writing to receive a review copy of the proposal.

2. After considering any recommendations from the review, the Commission shall hold at least one public hearing. Notice of the time and place of a hearing and availability of studies and summaries related to the hearing shall be given at least fifteen and not more than thirty calendar days before the hearing by:
  - a. Publication at least once in a newspaper of general circulation in the county seat.
  - b. Publication at least once in a newspaper of general circulation in the area to be affected, or adjacent to the area to be affected, if the area affected is other than the county seat.
  - c. Such other manner in addition to publication as Cochise County may deem necessary or desirable.
  
3. After the Commission recommends the Comprehensive Plan or any section of the Plan, the Plan shall be submitted to the Board of Supervisors for its consideration and official action. Before the adoption, amendment, or extension of the Comprehensive Plan, the Board shall hold at least one public hearing on the Plan. After the Board considers the Commission's recommendation and any recommendations from the review required under this Article, the Board shall hold at least one public hearing at which residents of the county shall be heard concerning the matters contained in the Plan. At least fifteen days' notice of the hearing shall be given by one publication in a newspaper of general circulation in the county seat. The Board shall consider protests and objections to the plan and may change or alter any portion of the Comprehensive Plan. However, before any change is made, that portion of the Comprehensive Plan proposed to be changed shall be re-referred to the Commission for its recommendation, which may be accepted or rejected by the Board. The Board of Supervisors may adopt the Comprehensive Plan as a whole or by successive actions adopt separate parts of the Comprehensive Plan. The adoption or re-adoption of the Comprehensive Plan or any amendment to the Comprehensive Plan shall be by resolution of the Board. The adoption or re-adoption of, or a major amendment to, the Comprehensive Plan shall be approved by the affirmative vote of at least two-thirds of the members of the Board. All major amendments proposed for adoption to the Comprehensive Plan by the Board shall be presented at a single public hearing during the calendar year the proposal is made.

**Article 4—VALIDITY**

**401—Severability**

If any provisions of the Cochise County Comprehensive Plan be held invalid, such invalidity shall not affect other provisions which can be given effect with the invalid provision, and to this end the provisions of the Cochise County Comprehensive Plan are declared to be severable.

**402—Conflicting Provisions Repealed**

All other ordinances, regulations, resolutions and parts thereof which conflict with the provisions of the Cochise County Comprehensive Plan, to the extent of such conflict and not further, are hereby repealed.

**403—Effective Date**

The Cochise County Comprehensive Plan shall become effective beginning on the 27th day of August, 1984 and remaining in full force thereafter.

APPROVED AND ADOPTED BY THE COCHISE COUNTY BOARD OF SUPERVISORS THIS 27th DAY OF AUGUST, 1984.

AMENDED AND ADOPTED BY THE COCHISE COUNTY BOARD OF SUPERVISORS THIS 14th DAY OF DECEMBER, 1992, ORDINANCE NO. 006-92

AMENDED AND ADOPTED BY THE COCHISE COUNTY BOARD OF SUPERVISORS THIS 1st DAY OF APRIL, 1996, RESOLUTION NO. 96-34

AMENDED AND ADOPTED BY THE COCHISE COUNTY BOARD OF SUPERVISORS THIS 27th DAY OF NOVEMBER, 2001, RESOLUTION NO. 01-72

AMENDED AND ADOPTED BY THE COCHISE COUNTY BOARD OF SUPERVISORS THIS 9th DATE OF SEPTEMBER, 2002, RESOLUTION NO. 02-79.

AMENDED AND ADOPTED BY THE COCHISE COUNTY BOARD OF SUPERVISORS THIS \_\_\_\_\_ DATE OF DECEMBER 16, 2003, RESOLUTION NO 03-.

AMENDED AND ADOPTED BY THE COCHISE COUNTY BOARD OF SUPERVISORS THIS 26TH DATE OF JULY, 2011, RESOLUTION NO. 11-34

AMENDED AND ADOPTED BY THE COCHISE COUNTY BOARD OF SUPERVISORS THIS \_\_\_\_ DATE OF \_\_\_\_\_, 2014, RESOLUTION NO. \_\_\_\_\_