

**COCHISE COUNTY PLANNING & ZONING COMMISSION
FINAL MINUTES
November 12, 2014
REGULAR MEETING and WORK SESSION 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-Chair Martzke at the Cochise County Complex, 1415 Melody Lane, Building G, Bisbee, Arizona in the Board of Supervisors' Hearing Room. 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 there were one Regulation Docket, four Special Use Dockets, and one Rezoning Docket on the agenda, followed by a Work Session regarding proposed updates and re-adoption of the Comprehensive Plan. He 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; six Commissioners (Carmen Miller, Pat Edie, Jim Martzke, Patrick Greene, Tim Cervantes, and newly appointed District 1 Commissioner Wayne Gegan) indicated their presence. Staff members present included Beverly Wilson, Planning Director; Peter Gardner, Planner I; Jesse Drake, Planner II; Dora Flores, Zoning Administrator; and Elda Orduno, Civil Deputy County Attorney.

APPROVAL OF THE MINUTES

Motion: Approve the minutes of the October 8, 2014 meeting. **Action:** Approve

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

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

Yes: Ms. Miller, Mr. Martzke, Ms. Edie, and Mr. Greene **No:** 0 **Abstain:** Mr. Gegan and Mr. Cervantes

CALL TO THE PUBLIC:

Mr. Jack Cook of Bisbee spoke of various matters.

NEW BUSINESS

Item 1

PUBLIC HEARING - Docket R-14-08 (Zoning Regulation Amendments). This is a resolution to revise portions of the Cochise County Zoning Regulations to simplify and clarify the existing regulations. The proposed changes would incorporate the addition of the Cochise County Light Pollution Code as Article 16 of the Zoning Regulations as well as include clerical edits and amendments.

Vice-Chair Martzke called for the Planning Director's report. Dora Flores presented the Docket, explaining the background of the request.

Ms. Miller asked for clarification regarding the proposed changes to Accessory Living Quarters (ALQ), and wondered why the proposal was made as the current regulation was less than a year old. Mr. Gardner explained how the proposal simplified the computation of area, easing the process for applicants as well as staff. He explained that the change was driven by actual situations that staff had encountered in the last year, and also noted that the change brought parity between site built and manufactured homes for this process.

Mr. Martzke then opened the Public Hearing, but there being no one interested in speaking, he closed the Public Hearing and asked for further discussion.

Mr. Martzke called for a motion. Ms. Edie made a motion to forward the Docket to the Board of Supervisors with a recommendation of approval. Mr. Cervantes seconded the motion and Mr. Martzke asked for discussion. The motion passed unanimously with no further discussion.

Motion: Motioned to forward the Docket to the Board of Supervisors with a recommendation of Approval. **Action:** Recommend Approval.

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

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

Yes: Ms. Miller, , Ms. Edie, Mr. Martzke, Mr. Cervantes, Mr. Gregan, and Mr. Greene

No: 0

Abstain: 0

Item 2

PUBLIC HEARING - Docket SU-14-18 (HILL).

This is a request for a Special Use authorization to place an office and storage for operating an existing concrete and aggregate business located on an adjoining parcel to the north of the subject parcel. The parcel is located on Highway 191 north of Elfrida.

Vice-Chair Martzke called for the Planning Director's report. Peter Gardner presented the Docket, explaining the background of the request, using maps, photos, and other visual aids. Mr. Gregan asked about access. Mr. Gardner deferred the question to the Applicant.

Mr. Martzke then invited the Applicant to make a statement.

Ms. Patricia Hill of Elfrida spoke, explaining the nature of the business and her request. Mr. Gregan asked about access, and Ms. Hill explained that the access was existing.

Mr. Martzke then opened the Public Hearing but there being no one interested in speaking, closed the Public Hearing.

Mr. Martzke asked for Commission Discussion. There being none, he then called for a motion. Mr. Greene made a motion to Approve the Docket with the Conditions recommended by staff. Ms. Edie seconded the motion and Mr. Martzke called for a vote. The motion passed unanimously with no further discussion.

Motion: Motioned to Approve the Docket with the Conditions recommended by staff. **Action:** Approve with Conditions.

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

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

Yes: Ms. Miller, Ms. Edie, Mr. Martzke, Mr. Cervantes, Mr. Gregan, and Mr. Greene

No: 0

Abstain: 0

Items 3, 4, & 5

PUBLIC HEARING - Docket SU-14-15 (HPAZ NEVADA).

This is a request for a Special Use authorization to approve commercial radio antennas used for internet service that have been installed on an existing residential 40-foot high tower in a RU-4 rural residential zoning district on E. Nevada Drive in Hereford.

PUBLIC HEARING - Docket SU-14-16 (HPAZ BURRO).

This is a request for a Special Use authorization to approve commercial radio antennas used for internet service that have been installed on an existing residential 80-foot high tower in a RU-4 rural residential zoning district on S. Burro Drive in Hereford.

PUBLIC HEARING - Docket SU-14-17 (HPAZ STONE RIDGE).

This is a request for a Special Use authorization to approve commercial radio antennas used for internet service that have been installed on an existing residential 100-foot high tower in a RU-4 rural residential zoning district on S. Stone Ridge Drive in Hereford.

Vice-Chair Martzke noted that Staff was had a request regarding these Dockets. Ms. Jesse Drake explained that staff was requesting these Dockets be tabled to a time certain to allow more time for technical analysis based on a request by the Applicant. Mr. Martzke moved to table the three Dockets to the December 10 meeting, Mr. Gregan seconded, and the vote was unanimous.

Motion: Motioned to Table the Dockets to the December 10 meeting. **Action:** Table to time certain.

Moved by: Mr. Martzke **Seconded by:** Mr. Gregan

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

Yes: Ms. Miller, , Ms. Edie, Mr. Martzke, Mr. Cervantes, Mr. Gregan, and Mr. Greene

No: 0

Abstain: 0

Item 6

PUBLIC HEARING - Docket Z-14-07 (BLOOMGARDEN). This is a request to rezone a non-conforming residential parcel from R-36 (36,000 sq. ft.) to R-18 (18,000 sq. ft.) on Camino Segundo, south of Sierra Vista.

Vice-Chair Martzke called for the Planning Director's report. Peter Gardner presented the Docket, explaining the background of the request, using maps, photos, and other visual aids. He noted that while the request would generally be considered spot zoning, and therefore discouraged, it was not out of place in the neighborhood, which included many similar parcels, which were Legal Non-Conforming. He also noted that all the parcels were currently developed,

so this request would not lead to an increase in density in the existing neighborhood. The request would simply legitimize the parcel for future repairs.

Mr. Martzke then invited the Applicant to make a statement.

Mr. David Weigel of Bisbee spoke on behalf of the Applicant, noting he was a real estate agent listing the property for sale. He explained the circumstances of the property and why the rezoning was necessary for any sale of the property.

Mr. Martzke then opened the Public Hearing, but there being no one interested in speaking, he then closed the Public Hearing and invited Commission discussion. There being none, he then called for a motion.

Ms. Edie made a motion to forward the Docket to the Board of Supervisors with a recommendation of Approval with the Conditions recommended by staff. Mr. Greene seconded the motion and Mr. Martzke asked for discussion. The motion passed unanimously with no further discussion.

Motion: Motioned to forward the Docket to the Board of Supervisors with the Conditions recommended by staff. **Action:** Forward with recommendation of Conditional Approval.

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

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

Yes: Ms. Miller, , Ms. Edie, Mr. Martzke, Mr. Cervantes, Mr. Gegan, and Mr. Greene

No: 0

Abstain: 0

Item 7

WORK SESSION Docket CP-14-01 (Re-adoption of the Cochise County Comprehensive Plan). This is a work session between the Commission and staff, to discuss the revisions and additions made to a proposed Comprehensive Plan for Cochise County. Arizona Revised Statutes require re-adoption of a Comprehensive Plan every ten years. Staff will be available to answer any questions regarding this revision, and to discuss any proposals that the Commission might have to further amend it.

Ms. Wilson presented the proposed document and asked for input from the Commissioners. Ms. Miller presented a written list of questions and concerns to staff. After discussion regarding how to proceed, Mr. Gegan made a motion to direct Staff to cease taking written comments from the Public as of November 30, 2014. Mr. Greene seconded the motion, which then passed unanimously. Staff was directed to prepare all comments for the Commission's consideration at the next meeting. The Commission concurred with Staffs' recommendation that a Work Session and a Public Hearing be scheduled at the December meeting, to permit the Commission the possibility of forwarding a recommendation at that time.

PLANNING DIRECTOR'S REPORT:

Planning Director Beverly Wilson stated that there were the tabled three Special Use Dockets, and another Comprehensive Plan work session and public hearing at the next meeting.

CALL TO COMMISSIONERS ON RECENT MATTERS:

None

ADJOURNMENT – Vice Chair Martzke moved to adjourn, Ms. Edie seconded and the meeting was adjourned at 6:03 pm.