

**COCHISE COUNTY PLANNING & ZONING COMMISSION
MINUTES**

Wednesday, June 8, 2011

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

ROLL CALL

Chair Lynch noted the presence of a quorum. He then introduced the Commissioners to the public. Chair Lynch then explained to the audience the procedures for considering a docket.

Roll Call.

Present: Rusty Harguess, Cruz Silva, Pat Edie, Jim Lynch, Ron Bemis, Gary Brauchla, Dan Abrams.

Absent/Excused: Jim Martzke, Duane Brofer.

APPROVAL OF THE MINUTES

Chair Lynch stated that on page 2 of the minutes, in the last paragraph, condition number 7 limits approaches. **Motion:** Motion to approve the minutes with the correction stated,

Action: Approve, **Moved by** Ron Bemis, **Seconded by** Gary Brauchla.

Vote: Motion passed (**summary:** Yes = 4, No = 0, Abstain = 3).

Yes: Jim Lynch, Ron Bemis, Gary Brauchla, Dan Abrams.

Abstain: Rusty Harguess, Cruz Silva, and Pat Edie.

CALL TO THE PUBLIC

Chair Lynch opened the meeting to the public, being there was no one who wished to speak; Chair Lynch closed the "Call to the Public"

Item 1

Public Hearing, Docket MDP-11-01 / Z-11-03: Community Development Director Carlos De La Torre asked the Commission to table the item to a time uncertain. It is a proposal for a 1,240-acre Master Development Plan (MDP) West of Willcox, Arizona. The nature of the proposed development, which would take place in several phases, would include a rezoning of the entire tract to PD (Planned Development District), in order to facilitate the MDP.

Motion: Table to a time uncertain, **Action:** Table, **Moved by** Ron Bemis, and **Seconded by** Dan Abrams.

Vote: Motion carried by unanimous roll call vote (**summary:** Yes = 7).

Yes: Rusty Harguess, Cruz Silva, Pat Edie, Jim Lynch, Ron Bemis, Gary Brauchla, Dan Abrams.

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Item 2

SU-11-05: Senior Planner Beverly Wilson presented the application for a Special Use Permit for an Accessory Living Quarter (ALQ), per Section 1717 of the Cochise County Zoning Regulations. The Applicant intends to install a 600 square foot guest home with attached RV Carport. The subject property is located at 3111 South Moson Road, Sierra Vista, AZ (Parcel No. 107-54-008Q), and is located approximately 2.6 miles south of East Highway 90 on South Moson Road. Mrs. Wilson presented photos of the property and surrounding area, she also presented a site plan of the proposal. Mrs. Wilson explained the applicant requested a waiver for the setbacks, she further explained factors in favor and against and that staff had received 4 letters in support of the proposal and 1 letter in opposition.

Commissioner Bemis asked if the leach field would be located 5' from the property line.

Mrs. Wilson stated that is what the applicant had proposed on the site plan.

Chair Lynch asked for the Applicant's statement.

Timothy Williams, Applicant, stated they would be taking care of his wife's mother and that is why they had applied for the Accessory Living Quarters.

Commissioner Edie asked how many people share the well.

Mr. Williams explained it is a 1/3rd well share, but at the moment he is the only one using it. Mr. Williams explained there was a civil action involved with the well agreement.

Several commissioners asked questions about the well share agreement.

David Fifer Deputy County Attorney, stated the well share agreement is a civil matter, and is not a land use issue, therefore should not be considered by the Commission.

Commissioner Silva asked why they were asking for the waiver.

Mr. Williams explained the original application would have required 20' setbacks, but because the application became a Special Use the setbacks required were 40'.

Chair Lynch opened the meeting to the public.

Dale Bent stated he was the property owner that protested the application. He stated he thinks the septic leach field would be too close to the well.

Mr. Williams stated he will follow all the County regulations, and would like his mother in law to have a home of her own.

Chair Lynch closed the meeting to the public.

Beverly Wilson stated that staff recommends a conditional approval with the conditions stated in the staff report along with the modification for setbacks.

Motion: Motion to approve with the conditions stated by staff with the modification,
Action: Approve, **Moved by** Cruz Silva, **Seconded by** Pat Edie.

Vote: Motion carried by unanimous roll call vote (summary: Yes = 7).

Yes: Rusty Harguess, Cruz Silva, Pat Edie, Jim Lynch, Ron Bemis, Gary Brauchla, Dan Abrams.

Item 3

Docket CP-11-01: Community Development Director Carlos De La Torre presented the proposed amendments to the Cochise County Comprehensive Plan to include certain policies codifying the need for federal government agencies to coordinate with Cochise County to ensure local government and stakeholder consideration into federal agency land-use planning and actions. On January 1, 1970, Congress enacted the National Environmental Policy Act of 1969 (NEPA). Federal law, including the NEPA, requires federal agencies to engage local governments, including Cochise County, to participate in the developing of federal land use plans and decisions, and to cooperate and coordinate with local governments in developing such plans and decisions. Cooperation and coordination are essential ingredients in the NEPA process, and are required in order to determine the impacts of proposed federal actions and policies on the cultures, history, environments, economies and lifestyles of Cochise County. Since a large percentage of land in Cochise County is administered by federal agencies, it is important for local governments, including Cochise County and members of the public, to participate in the federal land-use planning and policy-making processes.

Commissioner Abrams asked if policies up to this time had been decided by the State or Federal Government without County input.

Mr. De La Torre stated they had.

Mr. Bemis asked if the PLAC was supportive of the changes made by staff.

Deputy County Administrator Jim Vlahovich stated they were aware and had no comment.

Chair Lynch opened the meeting to the public.

Tricia Gerrodette stated she had questions about wildlife. She stated that the Arizona Game and Fish had tried to engage Cochise County on wildlands policies, but the County

had not provided input. Furthermore she asked for clarification of the percentage of State trust lands and Federal lands were being discussed. She stated that the document should perhaps remove the reference to the State.

Rod Mondt, Protected Areas Coordinator for of sky island alliance, stated he is a former National Park Service Ranger and Forest Service Recreation Manager. He further stated in his experience almost all the policies stated in the plan are already policy and processed in the Federal Agencies.

Chair Lynch closed the meeting to the public.

Commissioner Bemis stated he hopes the plan is approved as it is written.

Chair Lynch asked for a motion.

Motion: Motion to forward the document as written with the caveat that they look into the State trust land equally as Federal lands. **Action:** Approve, **Moved by** Ron Bemis, **Seconded by** Cruz Silva.

Vote: Motion carried by unanimous roll call vote (**summary:** Yes = 7).

Yes: Rusty Harguess, Cruz Silva, Pat Edie, Jim Lynch, Ron Bemis, Gary Brauchla, Dan Abrams.

PLANNING DIRECTOR'S REPORT

1. Next Month's Dockets include a Master Development Plan, 4 Special uses for Medical Marijuana and a rezoning.

CALL TO COMMISSIONERS

ADJOURNMENT

Motion: To Adjourn, **Action:** Adjourn, **Moved by** Ron Bemis, **Dan Abrams** seconded.

Vote: Motion carried by unanimous roll call vote (**summary:** Yes = 7).

Yes: Rusty Harguess, Cruz Silva, Pat Edie, Jim Lynch, Ron Bemis, Gary Brauchla, Dan Abrams.