

ZONING ORDINANCE 18-___

Re: Docket Z-18-01 Application of Maby C. Pena & Ricardo Andres Pena Cruz

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**AMENDING CERTAIN ZONING DISTRICT BOUNDARIES FROM R-9
TO GB, PURSUANT TO THE APPLICATION OF MABY C. PENA &
RICARDO ANDRES PENA CRUZ**

WHEREAS, A.R.S. § 11-814 allows property owners or their authorized agent to request amendments to the Zoning District boundaries through the Board of Supervisors in a public hearing; and

WHEREAS, the Cochise County Board of Supervisors recognizes that zoning amendments can affect land use patterns and therefore warrant careful consideration of local and regional impacts at a public hearing; and

WHEREAS, Tax Parcels 408-23-013D and 408-23-013E were zoned as R-9; and

WHEREAS, the parcel is located in an area designated as Developing under the Comprehensive Plan; and

WHEREAS, the parcel is located in an area of the County primarily characterized by commercial and light industrial uses with scattered residential uses; and

WHEREAS, the Applicant has removed an illegal dumping site discouraged by the Comprehensive Plan designation; and

WHEREAS, the Applicant wishes to bring the Zoning into compliance with the Comprehensive Plan designation and development pattern, and wishes to amend the zoning to GB; and

WHEREAS, the Applicant wishes to construct a trucking terminal on the property, as use requiring GB zoning; and

WHEREAS, the requested zoning district is harmonious with the surrounding zoning districts; and

WHEREAS, the Cochise County Board of Supervisors promotes effective, early and continuous public participation by citizens; and

WHEREAS, the Board of Supervisors held a duly noticed public hearing on the amendments to the Zoning District boundaries proposed by Applicants Maby C. Pena & Ricardo Andres Pena Cruz; and

WHEREAS, the Board of Supervisors conditionally approved the request for a change in the Zoning District boundaries,

NOW, THEREFORE, BE IT RESOLVED that the Cochise County Zoning District Boundaries shall be amended as follows:

The zoning classification for Tax Parcels 408-23-013D and 408-23-013E, as shown on the map attached to this Resolution as Exhibit A, is changed from R-9 to GB. The property is located adjacent to the City of Douglas, AZ. The property is further described as being in Section 12 of Township 24 South, Range 27 East of the G&SRB&M in Cochise County, Arizona. The Board of Supervisors approves Docket Z-18-01 subject to the following modification and conditions of approval:

1. The Applicant shall provide the County with a signed Acceptance of Conditions and a Waiver of Claims form arising from ARS Section 12-1134 signed by the property owner of the subject property within thirty (30) days of Board of Supervisors approval of the rezoning; and
2. It is the Applicants' responsibility to obtain any additional permits, or meet any additional conditions, that may be applicable to the proposed use pursuant to other federal, state, or local laws or regulations; and
3. The Applicant shall direct truck traffic along the route designated above.

Modification - The existing homes may maintain a ten-foot setback from property lines.

PASSED AND ADOPTED by the Board of Supervisors of Cochise County, Arizona, this 27th day of February, 2018

Ann English, Chair
Board of Supervisors

ATTEST:

Arlethe Rios,
Clerk of the Board

APPROVED AS TO FORM:

Britt Hanson,
Chief Civil Deputy County Attorney