

**ZONING ORDINANCE 18-\_\_\_**

**Re: Docket Z-18-07 Application of Soventix**

**Page 1**

**ZONING ORDINANCE 18-\_\_\_**

**AMENDING CERTAIN ZONING DISTRICT BOUNDARIES FROM R-36  
TO LI, PURSUANT TO THE APPLICATION OF SOVENTIX**

**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 123-34-005, 123-28-006, 123-27-014, 123-35-001, 123-34-003C, 123-34-003D, 123-28-007, 123-27-024A, 123-30-046 were zoned as R-36; and

**WHEREAS**, the parcels are located in an area designated as Community Growth under the Comprehensive Plan; and

**WHEREAS**, the parcels are located in an area designated as Enterprise and Developing areas; and

**WHEREAS**, the parcels are located in an area of the adjacent to the City of Benson with similar land use designations; and

**WHEREAS**, the Applicant wishes to amend the zoning to LI and

**WHEREAS**, the Applicant wishes to construct a solar generating facility on parcel 123-34-005

**WHEREAS**, the requested zoning district is harmonious with existing parcels to the west; 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 Applicant Soventix; 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 123-34-005, 123-28-006, 123-27-014, 123-35-001, 123-34-003C, 123-34-003D, 123-28-007, 123-27-024A, 123-30-046, as shown on the map attached to this Resolution as Exhibit A, is changed from R-36 to LI. The property is located at near the intersection of East 4<sup>th</sup> Street and Benson Airport Road, east of Benson, AZ. The property is further described as being in Section 14 of Township 17 South, Range 20 East of the G&SRB&M in Cochise County, Arizona. The Board of Supervisors approves Docket Z-18-07 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 work with right-of-way staff to dedicate additional right to the County.
4. The Applicant shall maintain the existing berm and vegetation located along the east side of Benson Airport Road.

Modification - The existing vegetation, berm and wash provide adequate screening and no additional solid screening or landscaping would be required.

**PASSED AND ADOPTED** by the Board of Supervisors of Cochise County, Arizona, this 11<sup>th</sup> day of September, 2018

---

Peggy Judd, Chair  
Board of Supervisors

**ATTEST:**

**APPROVED AS TO FORM:**

---

Arlethe Rios,  
Clerk of the Board

---

Elda Orduno,  
Civil Deputy County Attorney