

ZONING ORDINANCE 19-__

AMENDING A CERTAIN COCHISE COUNTY COMPREHENSIVE PLAN DESIGNATION FROM NC TO DEV AND CONDITIONALLY AMENDING CERTAIN ZONING DISTRICT BOUNDARIES FROM MH-72 TO GB, PURSUANT TO THE APPLICATION OF COCHISE COUNTY, PLANNING

WHEREAS, Arizona Revised Statutes (A.R.S.) § 11-829 allows property owners or their authorized agent to request amendments to the Comprehensive Plan Designation, through the Board of Supervisors in a public hearing;

WHEREAS, pursuant to A.R.S. § 11-814, property owners or their authorized agents may request amendments to the Zoning District boundaries, through the Board of Supervisors at a public hearing;

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

WHEREAS, the property owners of parcels 104-10-104, 104-10-105, 104-10-106, 104-10-107A, 104-10-090 are desirous of and agree to a rezoning of their respective parcels;

WHEREAS, the request by Cochise County, planning to rezone parcels 104-10-104, 104-10-105, 104-10-106, 104-10-107A, 104-10-090 from MH-72 (Mobile Home District, one dwelling per 7,200 SF) to GB (General Business) requires a change in the Comprehensive Plan Designation out of NC (Neighborhood Conservation) to DEV (Developing);

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

WHEREAS, on December 11, 2019, the Planning and Zoning Commission held a duly noticed public hearing on the proposed amendments to the Comprehensive Plan Designation and Zoning District Classification for parcels 104-10-104, 104-10-105, 104-10-106, 104-10-107A, 104-10-090, equally 1.92 acres, as depicted on the legal description, attached hereto as "Exhibit A," and hereby known as Docket CP-19-07/Z-19-02 (Hereford92), being an Application to amend the land use designation and Zoning District boundaries; and

WHEREAS, on January 7, 2020, the Board of Supervisors held a duly noticed public hearing on the amendments to the Comprehensive Plan Designation and the Zoning District Classification for Parcels 104-10-104, 104-10-105, 104-10-106, 104-10-107A, 104-10-090.

IT IS HEREBY RESOLVED AND ORDERED, that the Comprehensive Plan Designation for parcels 104-10-104, 104-10-105, 104-10-106, 104-10-107A, 104-10-090, equally as described in "Exhibit A," is changed from NC to DEV. The subject parcels are generally located at the southeastern corner of SR-92 and Hereford Road in Hereford. They are further described as being situated in Section 18 of Township 23 South and Range 21 East, in unincorporated Cochise County, Arizona.

IT IS FURTHER RESOLVED AND ORDERED, that the zoning classification for a portion parcels 104-10-104, 104-10-105, 104-10-106, 104-10-107A, 104-10-090 as described in "Exhibit A," is changed from MH-72 to GB. The change comprises approximately 1.92 acres. The subject parcels are generally located at the southeastern corner of SR-92 and Hereford Road in Hereford. They are further described as being situated in Section 18 of Township 23 South and Range 21 East, in unincorporated Cochise County, Arizona.

IT IS FINALLY RESOLVED AND ORDERED, that the change in Land Use and Zoning is subject to the following conditions:

1. The Property Owners shall provide the County with a signed Acceptance of Conditions and a Waiver of Claims form arising from A.R.S. § 12-1134 within thirty (30) days of Board of Supervisors' approval of the rezoning;
2. It is the Property Owners' 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. Parcels 104-10-107A, 104-10-106, 104-10-105, 104-10-104 shall be combined either prior or in conjunction with the submittal of a non-residential site plan.
4. Any new driveway access shall follow all applicable State or County standards;
5. Approval of any re-zoning request (Z-19-07) is contingent upon approval of the associated land use amendment (CP-19-02);
6. All development shall comply with County water conservation regulations adopted at the time of construction; and
7. All future development proposals must include a drainage analysis to demonstrate the proposed development will not result in adverse impacts (increasing water surface elevations and increasing velocities) on the adjacent parcels. Detention/retention requirements shall follow Arizona Department of Water Resources (ADWR) Standard 8-99. The finished floors, electrical and mechanical equipment of all future structures will be required to be elevated one foot above the 100-yr water surface elevation, as determined by the drainage analysis. If proposing retention basins, the dry wells must be registered with the Arizona Department of Water Resources (ADWR). A maintenance plan for the detention/retention basins shall be required. If sound walls are proposed, they will need to be designed so that they do not divert, retard or obstruct stormwater flow. This area is within Cochise County's Municipal Separate Storm Sewer System (MS4) area and more than one acre may be disturbed; consequently, Cochise County will require a Stormwater Pollution Prevention Plan (SWPPP) for any proposed development improvements.
8. The subject parcels shall not be used for storage, warehousing and/or maintenance yards. The following uses are prohibited from all future development proposals: Impoundment storage yard; contract construction services; mini-warehouses and warehousing; and distribution and storage of non-hazardous goods, not to exceed 10,000 SF floor area.

PASSED AND ADOPTED by the Board of Supervisors for the County of Cochise, Arizona this _____ day of _____, 2020.

Thomas E. Borer, Chairman
Cochise County Board of Supervisors

ATTEST:

APPROVED AS TO FORM:

Arlethe R. Morrison
Clerk of the Board

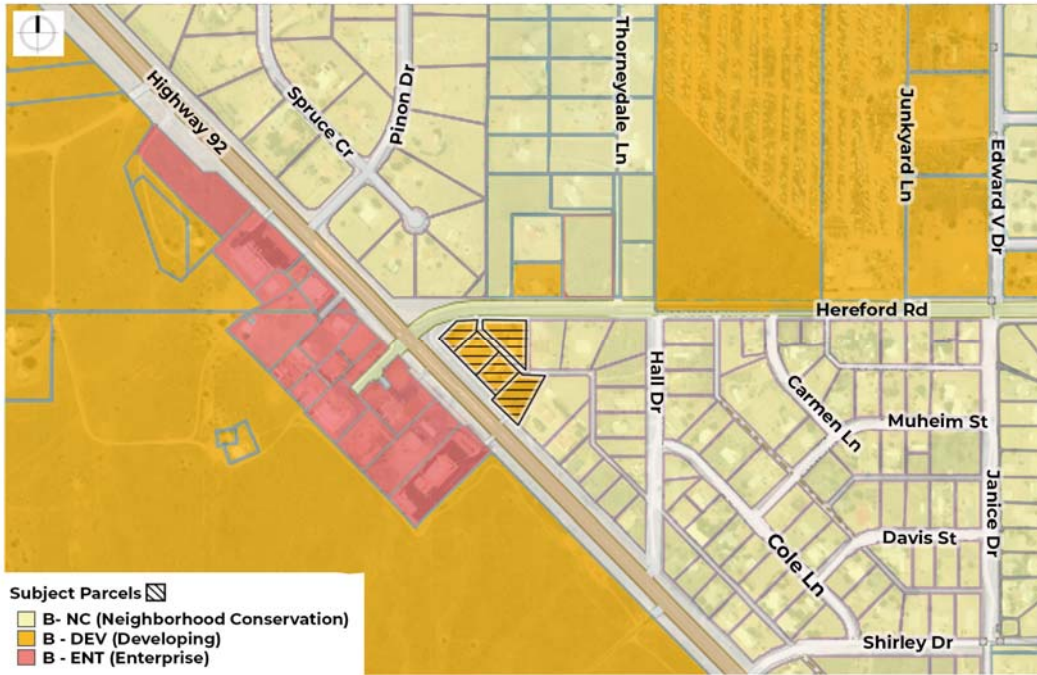
Christine J. Roberts
Civil Deputy County Attorney

"Exhibit A"

Subject Parcels



Proposed Land Use



Proposed Zoning

