

**COCHISE COUNTY**

**Docket SU-20-13 (Van Acker)**

**Request for a Special Use Authorization**

**Guest Lodging**

Planning & Zoning Commission

November 10, 2020



***Public Programs...Personal Service***

- The request is to allow two 320 square foot buildings to be used as guest lodging subordinate to the primary residence.
- The site is located at 8185 E. Hereford Road, in Hereford and identified as parcel 104-75-009E
- The site is approximately 4.96 acres
- The Zoning is RU-4
- The Applicant is Mr. and Mrs. Van Acker



**Location**





## Factors for or Against a Proposed Special Use Authorization

- Zoning Regulations have 10 factors used to evaluate a proposal
  - Ten of the criteria apply to this request
  - As submitted complies with six criteria
  - Three criteria comply with conditions
  - One partially complies



## **Compliance with Duly Adopted Plans: Complies**

- **Comp Plan:** Rural Residential
- **Growth Area:** Category D (Rural Growth Areas)
- **Area Plan:** None

*The “Rural Residential” (RR) plan designation is used to describe areas in Category D (Rural) areas with a definite pattern of residential development on larger lots, two-acres or larger in size. Due to the well-established residential character of these areas, Rezoning or Special Use Authorizations to allow for more intensive developments that do not directly serve the residents of these areas are not generally appropriate. However,*

*Goal 1 of the Comprehensive Plan which states Support the preservation and expansion of Cochise County’s tourism...*

*Policy b: Encourage commercial development that enhances and complements regional tourism*

The Economic Development Element also encourages supporting entrepreneurship such as this small business.

**Development Along Major Streets/Traffic  
Circulation: Complies with Conditions**

- Access on Hereford Road
- COA: Provide driveway to commercial standards



# COCHISE COUNTY

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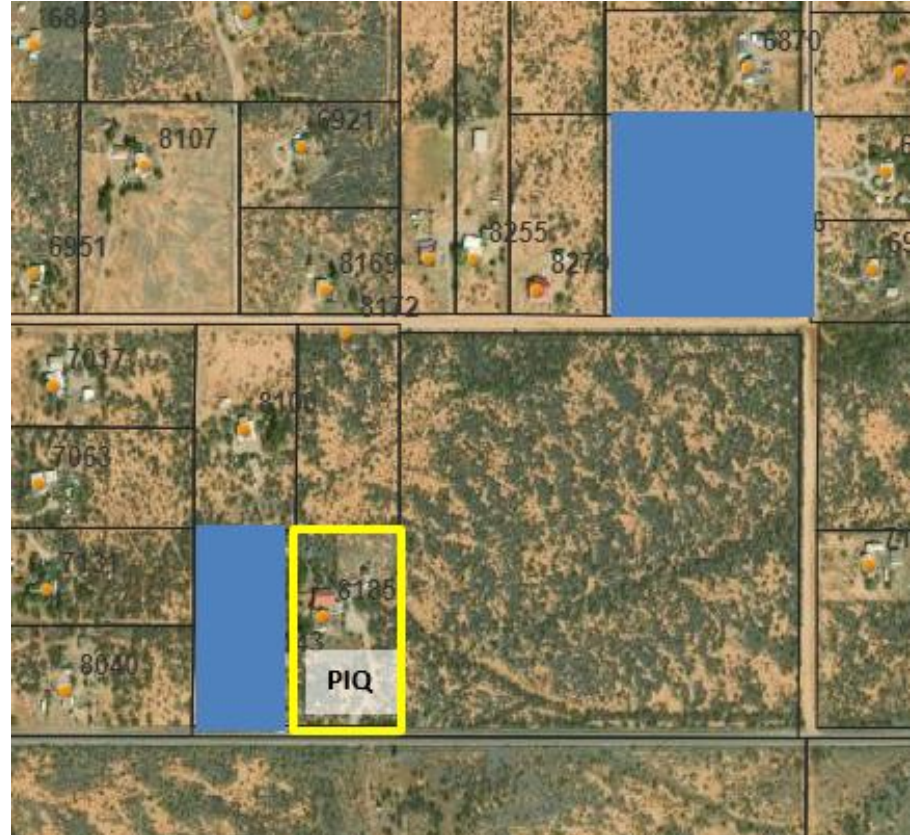
## Significant Site Development Standards: Complies with Conditions and modification

- Meets/exceeds setbacks
- Lot coverage
  - Allowed 25%
  - To be verified at permit issuance
- COA for detailed Site Plan
- Must comply with Outdoor Lighting Regulations
- Modification for site to be treated as residential



Public Input: Complies

- 2 Letters in Support



## Factors in Favor of Approval

1. With the recommended Conditions of Approval/modification, the proposed use would fully comply with nine(9) of the ten Special Use factors used by staff to analyze this request and would comply with two additional factors if the Conditions of approval are met;
2. Goal 1 of the Comprehensive Plan which states “Support the preservation and expansion of Cochise County’s tourism...”
3. Policy b of the Comprehensive Plan states “Encourage commercial development that enhances and complements regional tourism.”
4. The Economic Development Element also encourages supporting entrepreneurship such as this small business.
5. Two letters of support have been received.

## Factor Against Approval

1. Rural Residential states *the “Rural Residential” (RR) plan designation is used to describe areas in Category D (Rural) areas with a definite pattern of residential development on larger lots, two-acres or larger in size. Due to the well-established residential character of these areas, Rezoning or Special Use Authorizations to allow for more intensive developments that do not directly serve the residents of these areas are not generally appropriate.*
2. The request only partially complies with one Factor.

**Discussion**



***Public Programs...Personal Service***

# **Recommendation: Conditional Approval**

1. Within 30-days of approval of the Special Use, the Applicant shall provide the County a signed Acceptance of Conditions form and a Waiver of Claims form arising from ARS Section 12-1134. Prior to operation of the Special Use, the Applicant shall apply for a building/use permit for the project within 12-months of approval. The building/use permit shall include a site plan in conformance with all applicable site development standards (except as modified) and with Section 1705 of the Zoning Regulations, the completed Special Use permit questionnaire and application, and appropriate fees. A permit must be issued within 18-months of the Special Use approval, otherwise the Special Use may be deemed void upon 30-day notification to the Applicant;
2. It is the Applicant's 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. Any changes to the approved Special Use will be considered a Modification to this Special Use and will require review and approval of the Planning and Zoning Commission.



# Recommendation: Conditional Approval

4. The applicant shall work with the right-of-way department and construct an appropriate commercial driveway and approach to Hereford Road.
5. A detailed, dimensioned site plan shall be provided with non-residential permits;



## Sample Motion

*Mr. Chairman, I move to approve Special Use Docket SU-20-13 (Van Acker), located on parcels, 104-75-00E with the Conditions of Approval recommended by staff; the Factors in Favor of Approval constituting the Findings of Fact.*

