

COCHISE COUNTY

Docket SU21-04 (Bit Coin)

**Request for a Special Use Authorization
Warehousing for Bit Coin Mining
Planning & Zoning Commission**

March 10, 2021

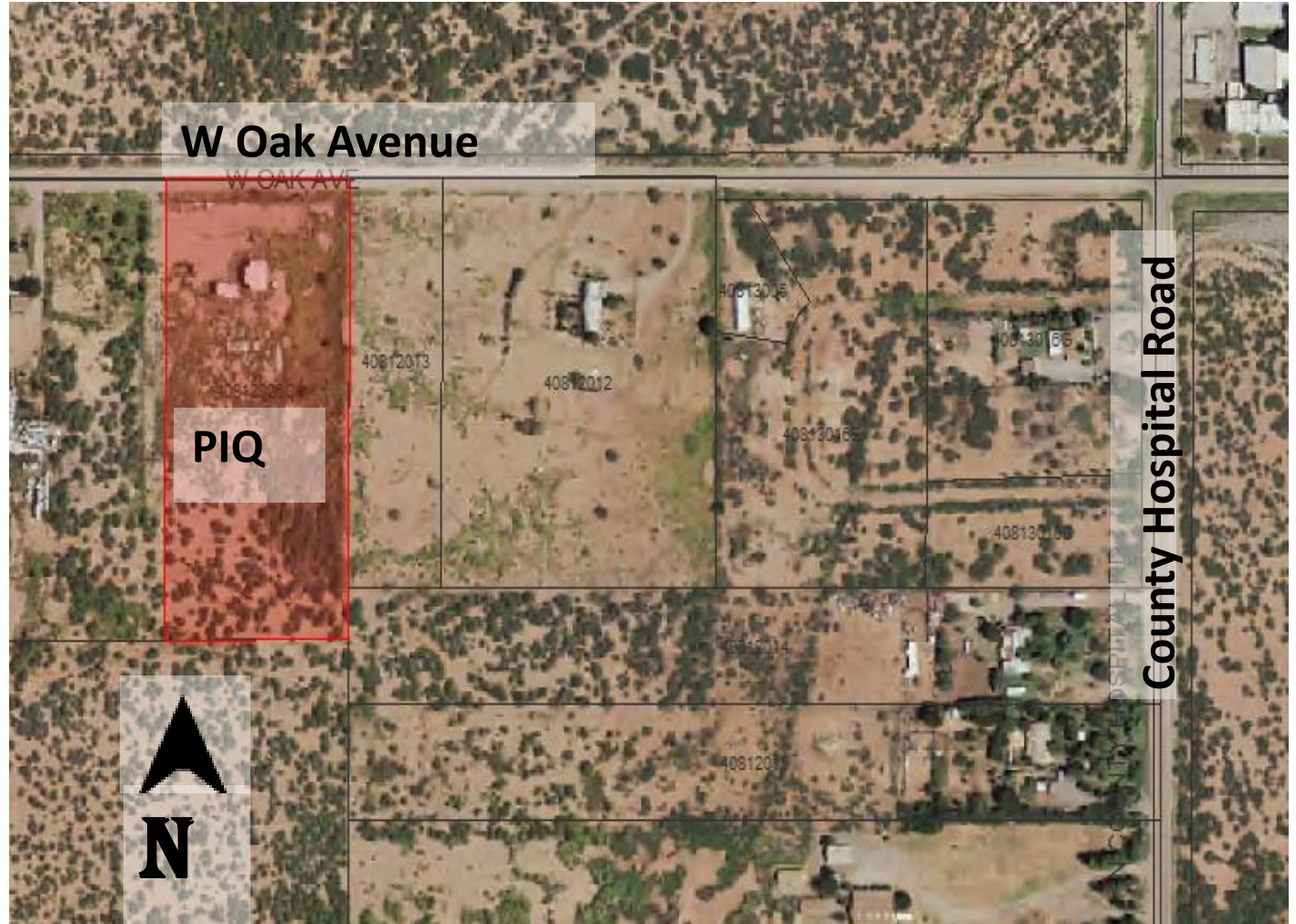


Public Programs...Personal Service

- The request is to construct a phased warehouse project and solar panels
- The site is located at 2515 W. Oak Ave in Douglass, AZ and identified as Assessor Parcel Number 408-12-026C
- The site is approximately 4.51 acres
- The Zoning is R-36
- The Applicant is Ms. Norma Brandenburg



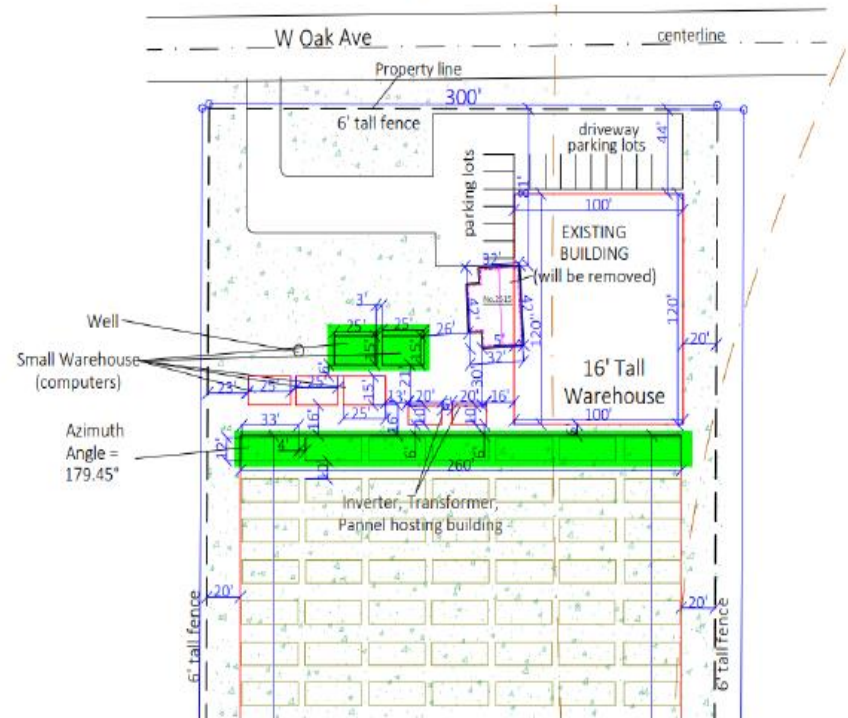
Location



Phase 1

Phase 1(February 2021- January 2022):

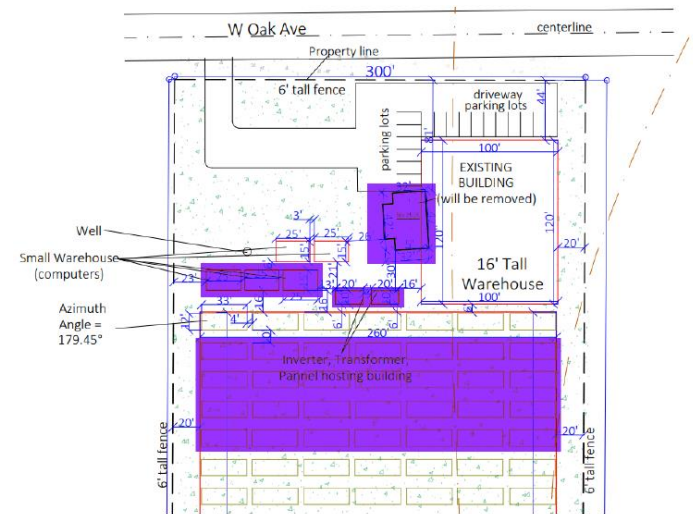
- Two ~400 square foot warehouses (sheds)
- Seven (7) solar arrays (20 solar panels)



Phase 2

Phase 2(February 2022- December 2022):

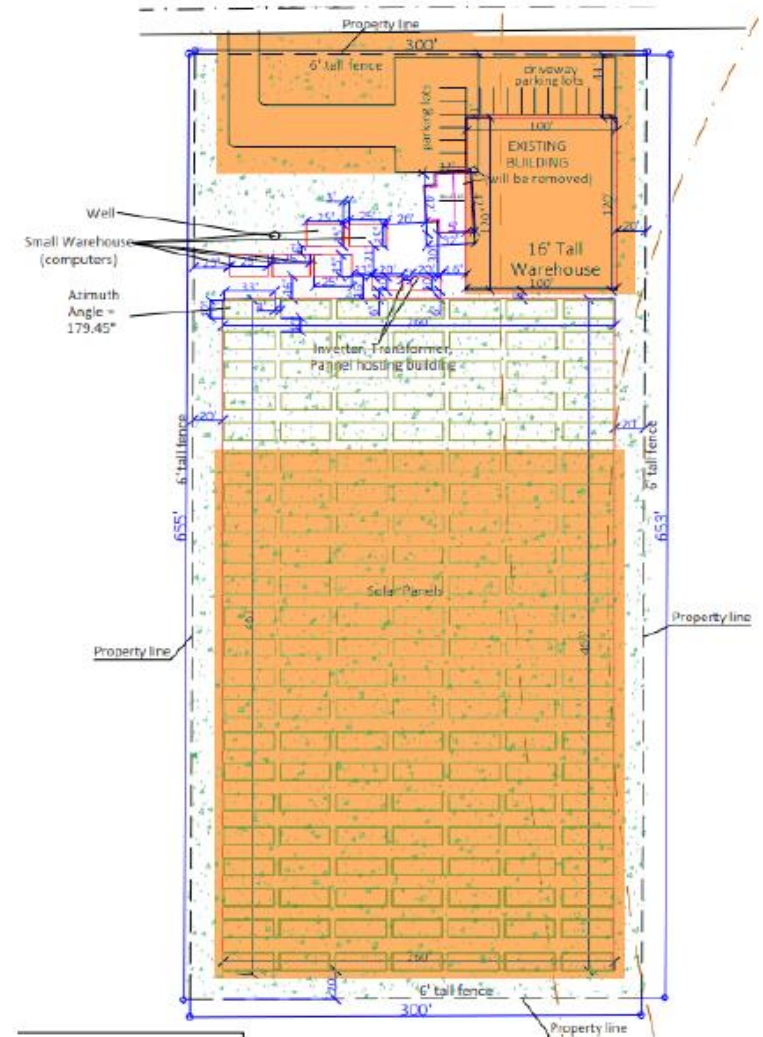
- Three ~400 square foot warehouses (sheds)
- Twenty-eight (28) solar arrays (560 panels)
- Removal of manufacture home in poor repair
- Six foot tall property fencing



Phase 3

Phase 3 (January 2023- July 2024):

- ~12,000 square foot warehouse building
- Parking lot/paved driveway
- 119 solar array (2,380 panels)



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 five criteria
 - Four criteria comply with conditions
 - One, public input, does not comply



Compliance with Duly Adopted Plans: Complies

- **Comp Plan:** Developing
- **Growth Area:** Category B (Community Growth Areas)
- **Area Plan:** None

Category B, Developing are areas which are expecting to have a *moderate level of residential and/or non-residential growth.*

The Economic Development Element states *Goal 1. Support the preservation and expansion of the Cochise County's tourism, technology, agriculture, security, renewable energy, and transportation sectors. Policy a. Continue to support Fort Huachuca, the Ports of Entry, and related businesses as regional economic clusters. Policy d. Encourage development in areas with access to existing infrastructure and services.*

The Plan also states: *Education, creativity, and entrepreneurship are essential and should be encouraged as part of an economy-based land use policy...*

Compliance with Duly Adopted Plans: Complies (cont)

The Zoning Regulations define a solar energy system as:

Solar Energy System - A device or devices, structural design feature, series of mechanisms, or combinations thereof, designed for the primary purpose of producing electrical or mechanical power for use primarily on premises; some conveyance of electricity to the grid is allowed.

The Comprehensive Plan encourages the use of solar energy resources in Element E, Renewable Energy. Goal 1 states: *Support the development of local renewable energy projects and technologies.* This is implemented by several policies including:

- *Encourage renewable energy business development.*
- *Permit flexible site development standards.*

COA: The solar is proposed with the primary intention to support the proposed project. In conjunction with each phase, the applicant shall provide documentation that shows the anticipated amount of energy required and an appropriate number of corresponding solar panels.

Compliance with the Zoning District

Purpose Statement: Complies

- Residential Zoning District purpose statements call family living consisting of single-household dwellings, manufactured homes, rehabilitated mobile homes and at low to medium densities
- Section 707-17 allows Manufacturing, Wholesaling, Warehousing, Distribution, and/or Storage of Agriculture Related Products in the R-36 zoning.



**Development Along Major Streets: Complies
with Conditions**

- Access on W Oak Avenue
- County maintained dirt road
- **COAS:**
 - 1.The applicant shall install a fence, curbing or some other approved barrier along Oak Ave restricting access to only one access point.
 - 2.The Applicant shall obtain a right-of-way permit in conjunction with phase one.
 - 3.Additional right-of-way for Oak Ave will be required prior to issuance of any permits for phase one.



Traffic Circulation Factors: Complies

- Oak is minor access local road
- Maximum nine employees, most will be remote
- Impact less than if developed with five SFR



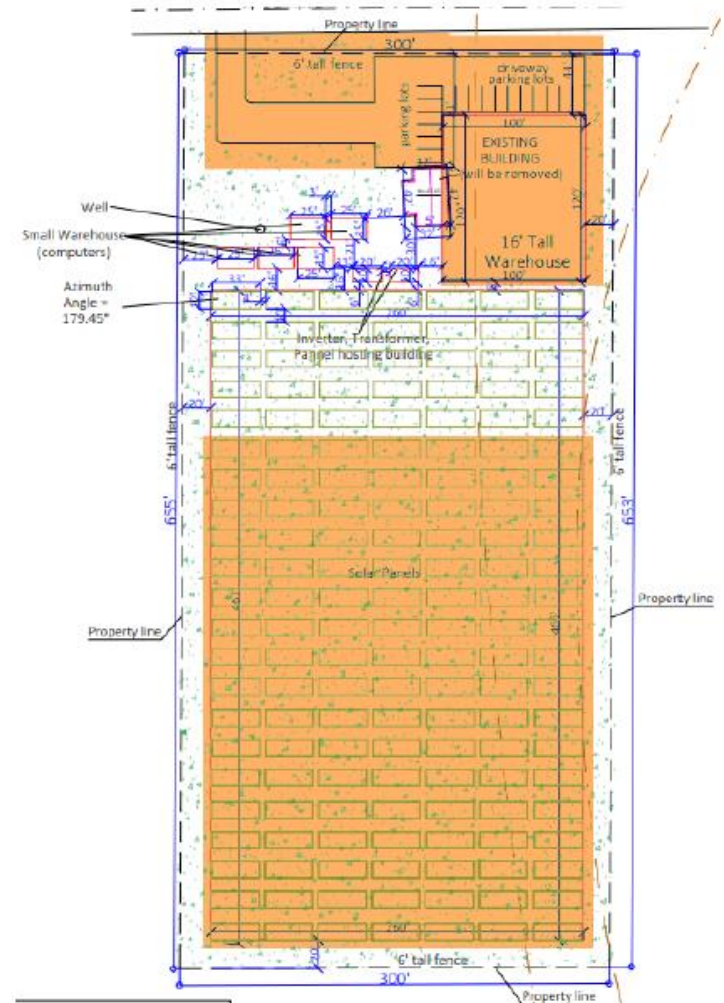
**Adequate Services and Infrastructure:
Complies**

- Road is County maintained
- No customers
- Minimal traffic generated



Significant Site Development Standards: Complies with Conditions and modification

- Meets setbacks
- Exceeds lot coverage
 - Allowed 65%
 - ~85% proposed
 - Comp Plan states to provide flexibility in site development standards in reference to solar
- Height
 - Panels ~ 6 feet, solar is exempt, up to 20 feet for accessory structures
- Lighting
 - Must comply with Outdoor Lighting Regulations
- Landscaping:
 - Five feet along Oak Ave
 - Minimum 5% of site



**Significant Site Development Standards:
Complies with Conditions and modification
(Cont)**

COAs:

1. The overall height of the solar panels shall not exceed six (6) feet.
2. Solid screening of at least six (6) feet shall be provided in conjunction with each phase of the proposed development.
3. In conjunction with the permit submittal for each phase, the site plan shall include a table with proposed lot coverage. At build at, the site shall not exceed 85% lot coverage.
4. The site plan submitted for phase one, shall show landscaping proposed and include a corresponding tabulation.



Public Input: Does Not Comply

- 3 Letters in opposition

Issues cited:

- No business wanted in the area
- State of the property next door to SU Request
- Traffic added to road



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Hazardous Materials: Complies

No hazardous waste will be used or stored onsite.



Off-Site Impacts: Complies



- Temporary Construction impacts
 - Noise
 - Dust
 - Traffic

- After Construction minimal impacts
- **COA:**
 1. All vegetation that can provide screening such as mesquite and catsclaw shall remain undisturbed within the twenty-foot setback areas.



Water Conservation: Complies

- There will be a maximum of nine employees, most working remotely
- Significantly less than if five SFRs were built



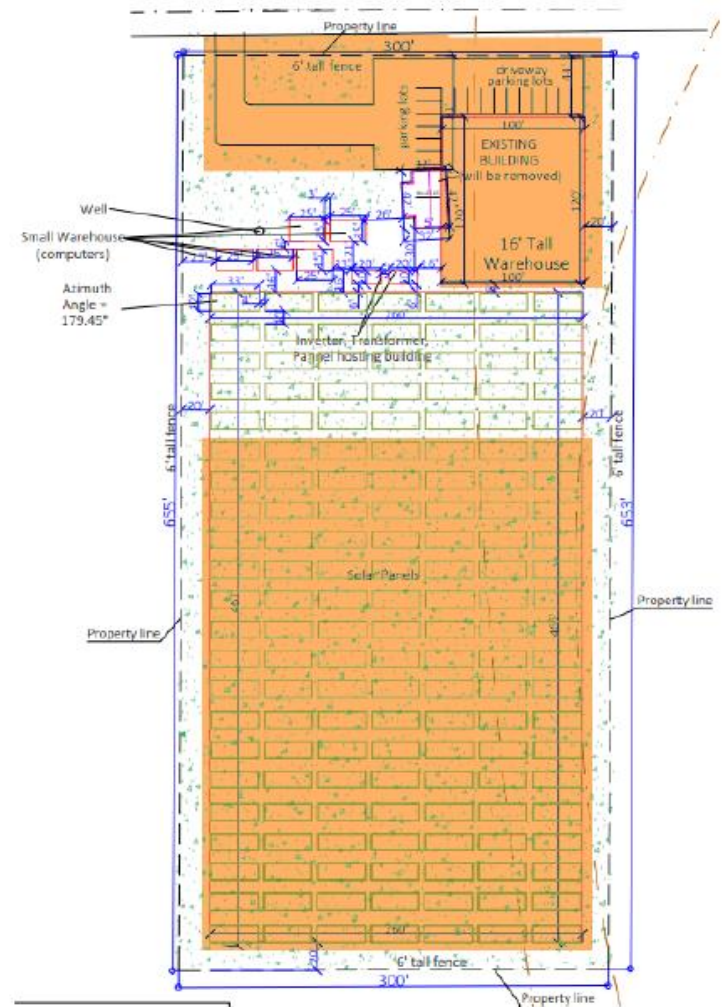
Factors in Favor of Approval

1. With the recommended Conditions of Approval/modification, the proposed use would fully comply with nine 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. This project will provide the diversity of business discussed within the Comprehensive Plan by providing support of entrepreneurship of a different type of business in the County.
3. The Comprehensive Plan states: *Education, creativity, and entrepreneurship are essential and should be encouraged as part of an economy-based land use policy. Supporting small businesses will not only spur diversified income opportunities and ensure economic competitiveness but will also foster resilience in the face of economic challenges such as natural disasters.* This business adds to that diversity.
4. The Comprehensive Goals and Policies support renewable energy;

Factor Against Approval

1. The Planning Department has received three (3) letters in opposition to the request;
2. The proposal would cover approximately 85% of a residentially zoned lot with buildings and solar panels (65% allowed in zoning regulations)

Discussion



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 solar is proposed with the primary intention to support the proposed project. In conjunction with each phase, the applicant shall provide documentation that shows the anticipated amount of energy required and an appropriate number of corresponding solar panels.
5. The applicant shall install a fence, curbing or some other approved barrier along Oak Ave restricting access to only one access point.
6. The Applicant shall obtain a right-of-way permit in conjunction with phase one.
7. Additional right-of-way for Oak Ave will be required prior to issuance of any permits for phase one.
8. The overall height of the solar panels shall not exceed six (6) feet.



Recommendation: Conditional Approval

9. Solid screening of at least six (6) feet shall be provided in conjunction with each phase of the proposed development.
10. In conjunction with the permit submittal for each phase, the site plan shall include a table with proposed lot coverage. At build at, the site shall not exceed 85% lot coverage.
11. The site plan submitted for phase one, shall show landscaping proposed and include a corresponding tabulation.
12. All vegetation that can provide screening such as mesquite and catsclaw shall remain undisturbed withing the twenty foot setback areas.



Sample Motion

Mr. Chairman, I move to approve Special Use Docket SU21-04 located on parcel, 408-12-026C with the Conditions of Approval recommended by staff; the Factors in Favor of Approval constituting the Findings of Fact.

