

**COCHISE COUNTY**

**Docket SU21-14 (Mason)**

**Request for a Special Use Authorization**

**Animal Husbandry**

Planning & Zoning Commission

May 12, 2021



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

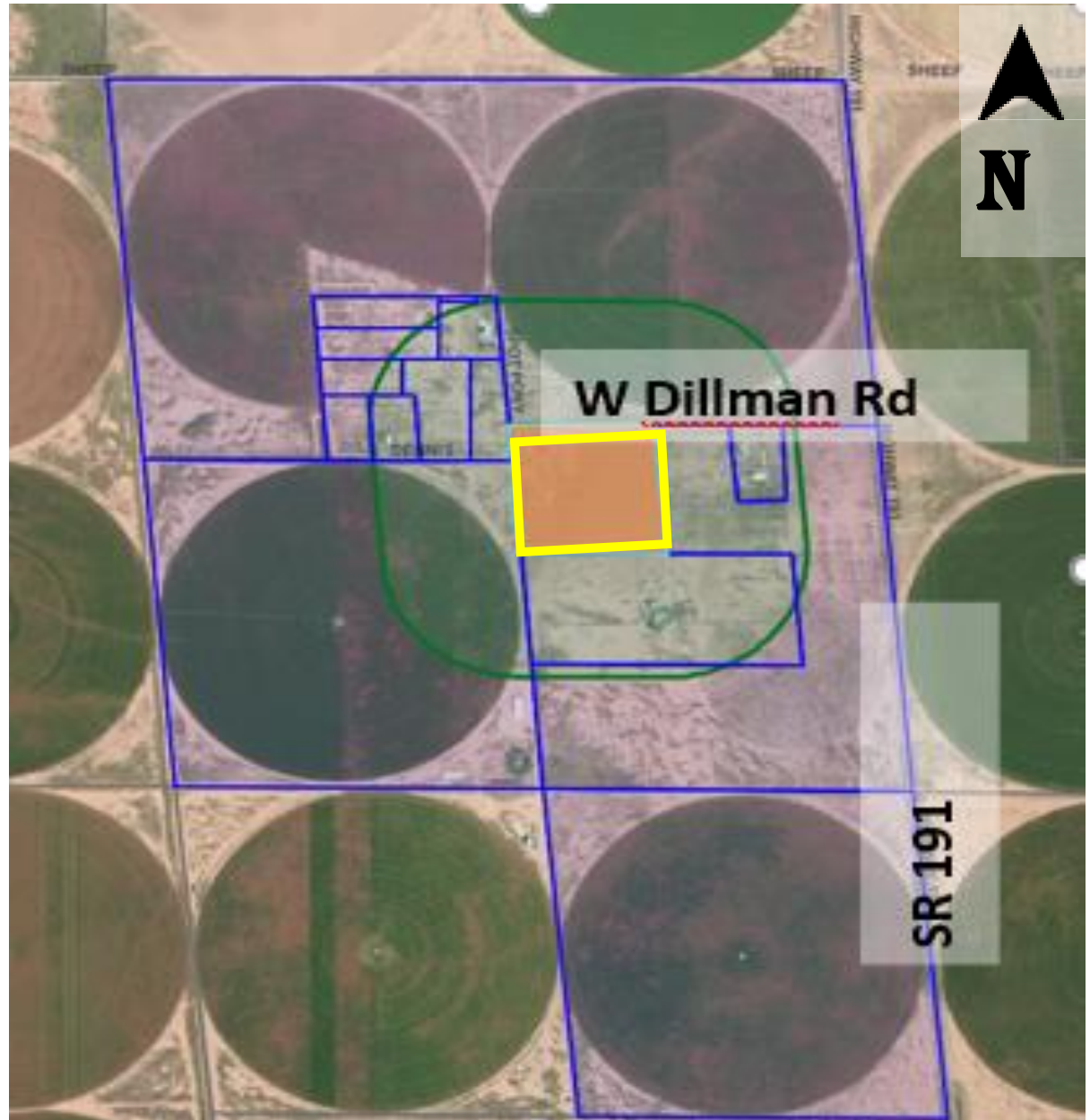
- The request is to establish and AKC Dog and Exotic Cat Breeding facility
- The site is located at 4333 W Dillman Rd.
- Parcel number 401-36-003A
- Site is ~25 acres
- The Zoning is RU-4
- The Applicant is Mr. Chance Mason



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**Location**



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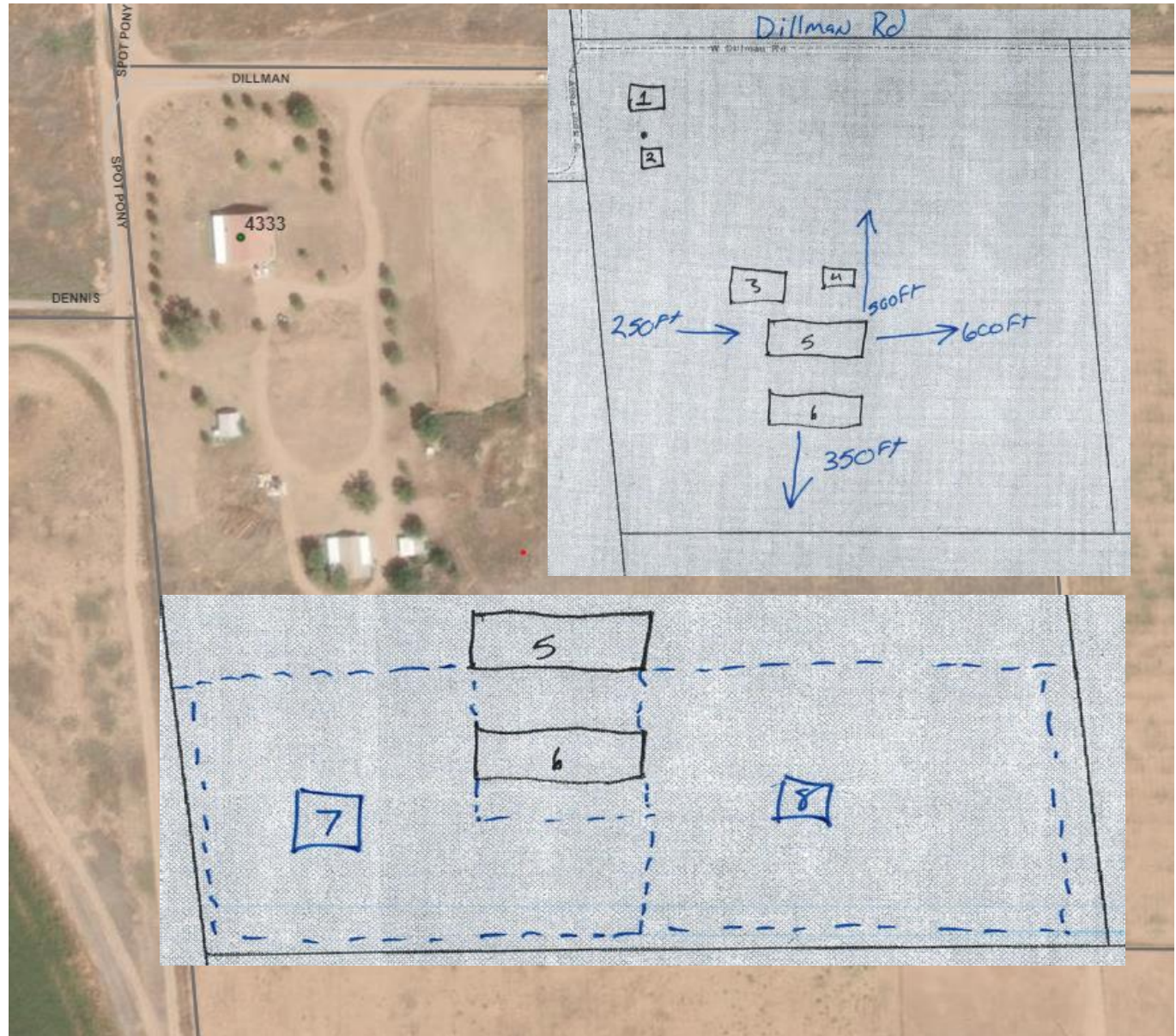
**Aerial Photo-  
Current Conditions**



# COCHISE COUNTY

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## Proposed Site Plan-



## 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 eight criteria
  - Two criteria complies with conditions/modifications



## Compliance with Duly Adopted Plans: Complies

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

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



## Compliance with the Zoning District

### Purpose Statement: Complies

- Section 601.02 states “To encourage those types of non-residential and non-agricultural activities which serve local needs or provide a service and are compatible with rural living”
- Animal husbandry is allowed with Special Use approval
- Horse breeder located east



**COCHISE COUNTY**

**Development Along Major Streets/Traffic  
Circulation/Adequate Services and  
Infrastructure: Complies**

- Private dirt road
- Maximum 4 employees (including the home owners)
- No customers onsite (this was a Staff suggestion)
- No dedication or improvements required
- Site has existing Electric connection, well and septic
- New septic for kennels

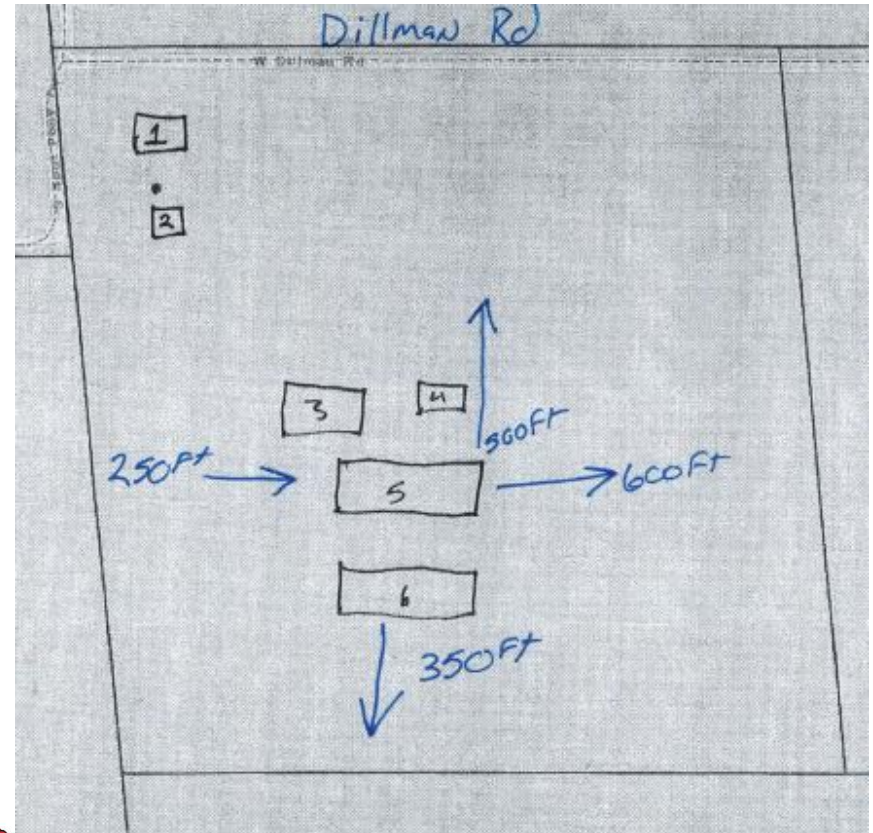


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## Significant Site Development Standards: Complies with Conditions and modification

- Several site plan revisions (worked with neighbors)
- Exceeds setbacks
- COA: Fenced play areas shall be a minimum 20 feet from property line
- Meets lot coverage/height
- Must comply with Outdoor Lighting Regulations



## COCHISE COUNTY

### Public Input: Complies with Conditions

- Property owners within 1,000 feet notified, property posted and notice in Sierra Vista Herald
- 10 Property Owners w/ in 1,000 radius
- 6 letters returned in support
- 16 Total letters in support
- ~270 emails in opposition/ largely form email

#### Issues cited:

- Puppy Mill
- Number of dogs
- Refusal to allow customers onsite
- Lack of detailed info

#### COA

- Limit to 20 dogs
- Reasonable inspections by professional organizations to be allowed



**Off-Site Impacts: Complies**

- Noise:
  - Buildings insulated and conditioned
  - Brought in at night
  - Dark collars as needed
- Odor
  - Kennels treated with epoxy, cleaned without need for harsh chemicals
  - Drain into a new septic tank



## **Factors in Favor of Approval**

1. With the recommended Conditions of Approval/modification, the proposed use would fully comply with all 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. Sixteen letters of support were received including six from neighbors;
3. The Economic Development Element encourages supporting entrepreneurship such as this small business.

## **Factor Against Approval**

1. 274 letters in opposition were received outside the notification radius;
2. Although staff has included conditions to help mitigate the project, there is the possibility of noise and odors impacting adjacent neighbors.

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# 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. A detailed, dimensioned site plan shall be provided with at time of permits (All parking and maneuvering shall take place within the property);
5. The number of breeding females shall be limited to a maximum 20. Should the applicant need to increase this number in the future a modification to the special use shall be requested;
6. The outdoor fenced play areas for the dogs shall be setback a minimum of 20 feet from the property lines;
7. The applicant shall allow reasonable inspections by professional organizations such as Animal Control and the Humane Society;
8. The Kennel Buildings shall be insulated to help reduce noise impacts to surrounding properties;



## Recommendation: Conditional Approval

9. Animals that present a barking issue shall be controlled through training, bark collars or other industry standards;
10. Animals shall be housed indoors over night;
11. This property is located within FEMA Zone A. Therefore, a FPUP will be required;
12. A land clearing permit will be required for clearing over 1 acre;
13. The property owner is aware that there cannot be any adverse impacts to the property, property boundaries, adjacent properties, roadways, etc. that will occur as a result of this proposed development;
14. The applicant is required to obtain a permit from Environmental Health for the new septic system.



## Sample Motion

*Mr. Chairman, I move to approve Special Use Docket SU21-14 (Mason), located on parcel 401-36-003A, with the Conditions of Approval recommended by staff; the Factors in Favor of Approval constituting the Findings of Fact.*

