



# Cochise County

## Development Services

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### MEMORANDUM

**TO:** Cochise County Planning and Zoning Commission  
**FROM:** Christine Mclachlan, AICP, Planner II  
**FOR:** Daniel Coxworth, AICP, Development Director  
**SUBJECT:** Docket SU-22-04 (Chiricahua Sky Village)  
**DATE:** March 2, 2022 for the March 9, 2022 Meeting

### APPLICATION FOR A SPECIAL USE AUTHORIZATION

The applicant, Christopher Smythies, requests a Special Use Authorization to construct an amateur astronomer campground on a 36.13-acre undeveloped parcel of land in Pearce, Arizona. The establishment of a campground is subject to site development standards contained in the Cochise County Zoning Regulations and requires Special Use Authorization from the Planning and Zoning Commission in a rural zoning district. The proposed development, parcel 401-60-009D, is located 10 miles west of the Coronado National Forest, approximately 0.4 miles south of Highway 181 and 0.3 miles east of Clovis Road. The subject parcel is currently undeveloped.

### I. DESCRIPTION OF SUBJECT PARCEL AND SURROUNDING LAND USES

Parcel Size: 36.13-acres  
Current Zoning: RU-4 (Rural; one dwelling per 4 acres)  
Proposed Zoning: Same  
Growth Area: Category D  
Comprehensive Plan Designation: Rural  
Area Plan: None  
Existing Uses: Vacant  
Proposed Uses: Camground

### Zoning/Use of Surrounding Properties

Relation to Subject Parcel	Zoning District	Use of Property
North	RU-4	Undeveloped/Vacant
South	RU-4	Undeveloped/Vacant
East	RU-4	Undeveloped/Vacant
West	RU-4	Undeveloped/Vacant

### **Planning, Zoning and Building Safety**

1415 Melody Lane, Building F  
Bisbee, Arizona 85603  
520-432-9300  
520-432-9278 fax  
planningandzoning@cochise.az.gov



Figure 1: Parcel Location Map

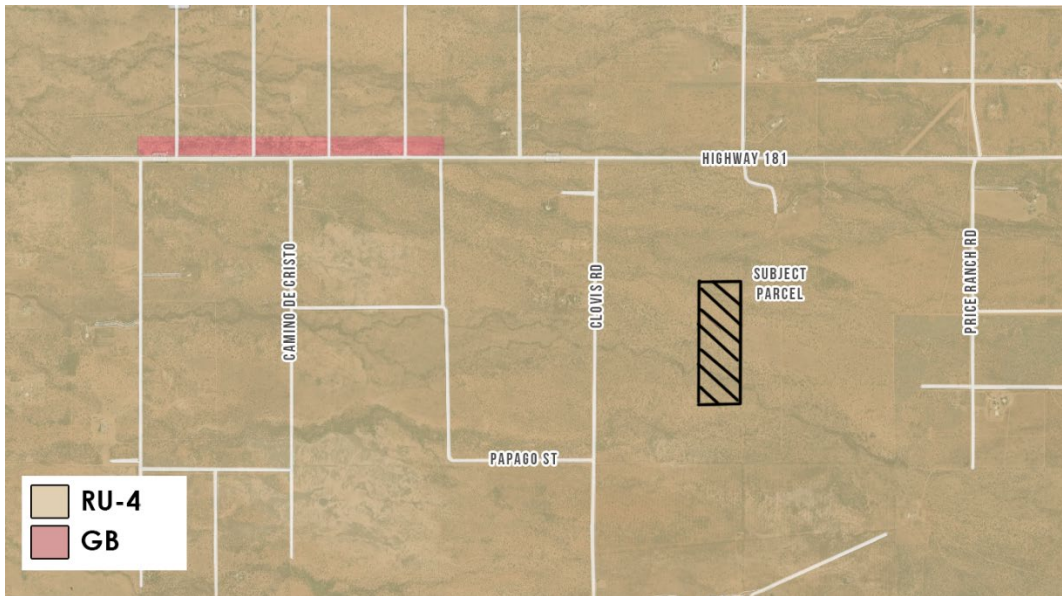


Figure 2: Zoning Map

**II. PARCEL HISTORY**

- None

**III. NATURE OF REQUEST**

The applicant, Chiricahua Sky Village represented by Christopher Smythies, requests a Special Use Authorization to

construct an amateur astronomer campground on a 36.13-acre undeveloped parcel of land in Pearce, Arizona. The establishment of a campground is subject to site development standards contained in the Cochise County Zoning Regulations and requires Special Use Authorization from the Planning and Zoning Commission in a rural zoning district. The proposed development, parcel 401-60-009D, is located 10 miles west of the Coronado National Forest, approximately 0.4 miles south of Highway 181 and 0.3 miles east of Clovis Road. The property is undeveloped.

According to the submitted site plan\*, it includes:

- 32 camp sites clustered on the northern portion of the site
- Scattered telescope fields
- Access roads

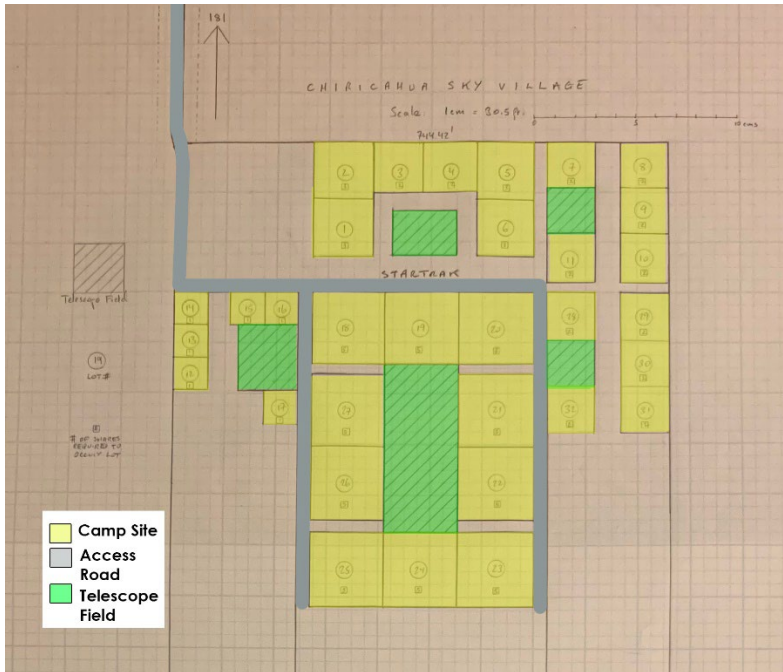


Figure 3: Rendered Site Plan

\* This is a rendered and cropped version of the submitted site plan, for additional clarification. For the original version please see the attached application.

#### **IV. ANALYSIS OF IMPACTS – COMPLIANCE WITH SPECIAL USE FACTORS**

Section 1716.02 of the Zoning Regulations provides a list of ten factors with which to evaluate Special Use applications. Staff uses these factors to help determine the suitability of a given Special Use request, whether to recommend approval for a Special Use Authorization, as well as to determine what Conditions and/or Modifications may be needed.

With the information provided, nine (9) factors apply to this request. The Project, as submitted, fully complies with all nine factors.

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

The Comprehensive Plan describes Category D- Rural Areas as follows:

*This category includes the outlying rural areas between cities and unincorporated communities and characterized by a low rate of growth; unimproved roads; low density, large lot rural residential development; agricultural production;*

and large tracts of undeveloped private and public lands. Non-residential development is geared toward providing local services, tourism or intensive uses that are not appropriate in more the densely populated parts of the county, such as power plants and feedlots.

The proposed camping use is also consistent with the following Comprehensive Plan Elements:

- The Rural Character Element states: "Preserve the dark night skies of Cochise County, to the greatest extent possible." As a camping site geared towards attracting astronomers this development is supportive of the County's dark sky goal.

The subject property is not within an Area Plan.

**2. Compliance with the Zoning District Purpose Statement: Complies**

As stated in Section 601 (Purpose) of the zoning regulations:

RU (Rural) Zoning Districts are established to achieve the following purposes:

- 601.01** To preserve the character of areas designated as "Rural" in the Cochise County Comprehensive Plan;
- 601.02** 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;
- 601.03** To preserve the agricultural character of those portions of the County capable of resource production;
- 601.04** To provide space for people, minimize traffic congestion, and preserve the existing rural environment of unincorporated areas of the County situated outside of existing communities;
- 601.05** To provide recreational support services that are compatible with rural living;
- 601.06** To protect the quality of the natural environment as it relates to safeguarding the health, safety and welfare of the people in Cochise County; and
- 601.07** To allow consideration of some more intense non-residential uses as Special Uses that are inappropriate in more densely populated urban/suburban areas that may under some circumstances be appropriate in rural areas if designed to be sensitive to the general character of rural districts and natural environment and harmonious and in scale with existing development near the proposed site and in conformance with Section 601.06.

The proposed use is intended to help support appreciation in nature and night skies. The applicant does not propose any services, such as electrical or water hookups at the site. Most specifically, the use is consistent with 601.05, which states the purpose of the established: "To provide recreational support services that are compatible with rural living."





*Photos of the Surrounding Area of the Subject Parcel*

The surrounding area is zoned RU-4 (Rural, minimum parcel size 4-acres). Most parcels in the area are developed with single-family homes on 4-acres or greater within half a mile. Of note, the subject parcel is approximately a mile from the TAAA Chiricahua Astronomy Complex (CAC). This is a private observing facility, that sponsors a community “Evening Under the Stars” event twice a year. Both facilities are geared towards individuals with an interest in astronomy and rely on dark skies.

### **3. Development Along Major Streets: Complies**

The intent of this factor is to consider limitation on the number of access points on major thoroughfares or arterial streets, and County collectors through the use of frontage roads, shared access, no access easements or other safe methods designed to minimize road cuts that create unsafe traffic conflicts, hazardous traffic congestion and obstruct the functioning of arterials. As shown on the plat, Figure 4, future access to the site is limited to one access point on Highway 181. On the plat there is a 30’ wide easement that runs the entire span of the parcel, north-south. This will be the only possible access to the site for ingress/egress.

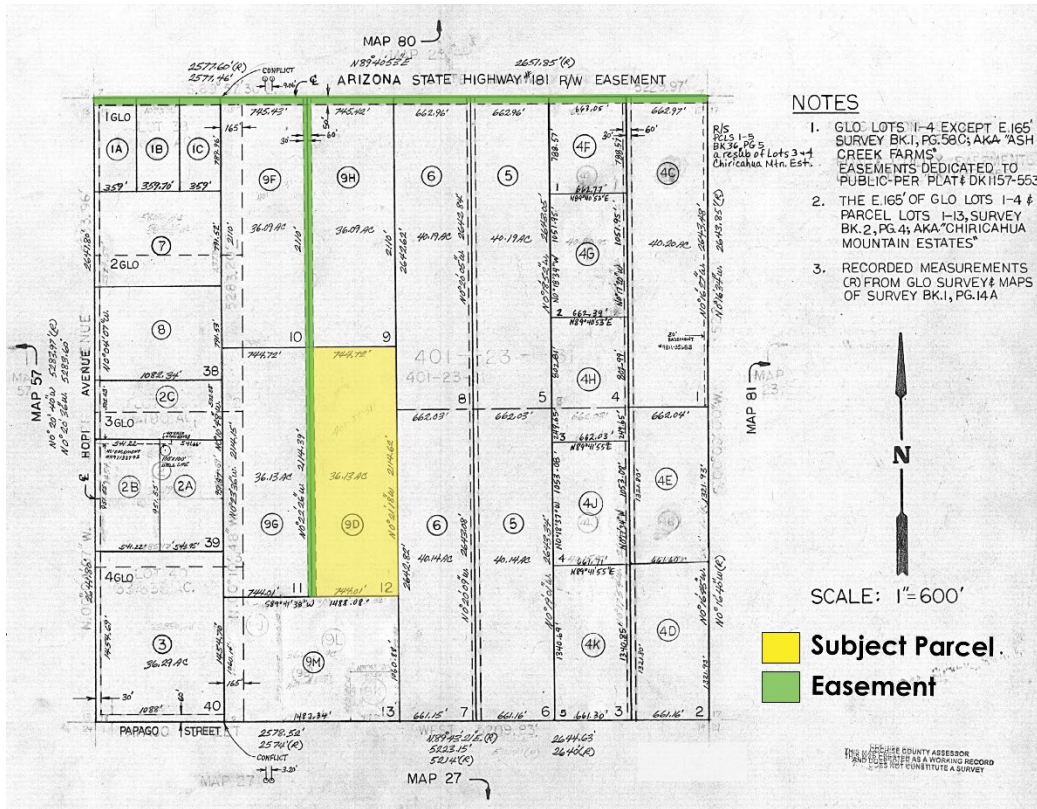


Figure 4: Rendered Plat showing access point and easement

**4. Traffic Circulation Factors: Complies**

Specifically, this factor stipulates that the Special Use Authorization request should not result in the use of any residential street for non-residential through traffic. Because the site relies on Highway 181 for ingress/egress, it will not burden any residential street traffic for non-residential traffic. The highway is intended to serve all forms of traffic.

**5. Adequate Services and Infrastructure: Complies**

There are no existing services to the site. The applicant intends to keep the site as rural as possible, with little-to-no services provided. Per the County’s Health Department, it may still need to apply for a campground permit from the health department in order to verify compliance with AAC R9-8-601 et seq, which are state health requirements for camp grounds. This may require the provision of water, safe for human consumption, and will regulate the placement and type of acceptable toilets.

**6. Significant Site Development Standards: Complies with Condition/Waiver**

There are different standards for primitive campgrounds and RV parks. The Zoning Regulations consider primitive campgrounds a type of “guest lodging” while RV parks are additional site development standards that are included in Section 1812 of the Zoning Regulations. Per the application, the applicant states that, “the 36-acre parcel of land would have multiple campsites, each with a place to park an RV and set up a telescope.”

Recreational Vehicle Parks are subject to a set of use-specific site development standards contained in Section 1812 of the Zoning Regulations. Among them are standards relative to density, road setbacks, site coverage, screening, parking and recreational facilities. All standards will be further evaluated following a formal building plan submittal to assure that the development standards are followed.

Development Standard	Proposed
The maximum density shall be the maximum density specified in the Zoning District in which the Park is located.	*32 sites, waiver requested
Setback to roads: The minimum setback from all streets and from the perimeter of the Park shall be 10-feet.	Complies
Site coverage: the maximum site coverage shall be 55-percent for each residential space and for the entire Park, exclusive of rights-of-way and recreational areas. The maximum site coverage for recreational areas shall be 75-percent.	Complies
Screening: A six-foot high solid wall, fence or existing vegetative equivalent, or any combination thereof, shall be provided along all Park boundaries, except at vehicle and pedestrian access locations. Such screening shall not encroach upon the sight triangles.	Will be verified in permitting
Parking: One parking space per lot space	Will be verified in permitting
Recreational Facilities in Parks: Not less than 10-percent of the gross area of any Park established under these Zoning Regulations shall be devoted to common recreational areas and facilities, such as playgrounds, swimming pools, community buildings, or common open space.	Complies (Telescope Fields)

**7. Public Input: Complies**

See Section V. Public Comment

**8. Hazardous Materials: Not Applicable**

The Applicant states that the use of hazardous and dangerous materials is not anticipated on site.

**9. Offsite Impacts: Complies**

This installation is primarily intended to provide more robust internet, wireless phone and data coverage for the immediate area, which is technically an offsite impact. Other impacts, such as dust, smoke, lights, and storm water run-off are not applicable in this case. Noise and vibration are regulated by section 1813 of the Zoning Regulations. As a small-scale telecom structure, the proposed use should readily comply.

**10. Water Conservation: Complies**

There is not an existing water source to serve the site. The applicant proposes that individual users will be responsible for bringing in all potable water for consumption. No dumping stations for grey or black water are proposed.

**V. PUBLIC COMMENT**

The Applicant mailed letters to property owners within 1,000 feet of the property prior to their application submittal.

The case planner mailed letters to the same property owners within 1,000 feet of the subject property, published a legal ad in the *Sierra Vista Herald* and posted legal notices on the property. To date, staff has received four responses in support and zero responses in opposition.

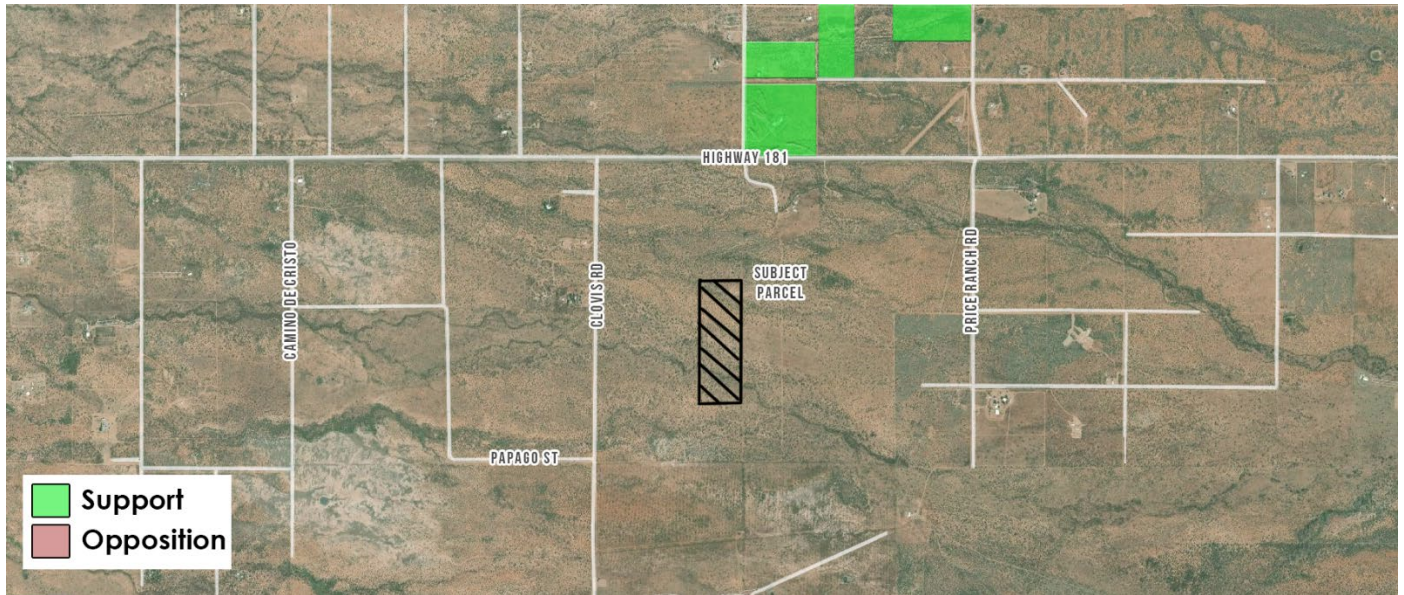


Figure 3: Public Input Map

**VI. WAIVERS**

The applicant proposes the development of a 32 camping sites on the concept plan. According to Aection 1812.01 Maximum Density of Parks, this 36-acre site would be limited to 9 spots. Staff recommends a condition limiting the density to no more than 40 camping spots be permitted.

**VII. SUMMARY AND CONCLUSION**

This request is for a Special Use authorization to approve the construction of an amateur astronomer campground on a 36.13-acre undeveloped parcel of land in Pearce, Arizona.

**Factors in Favor of Approving the Special Use**

1. The project is consistent with goals and policies of the Comprehensive Plan and the purpose of the Zoning District;
2. The project complies with nine of the criteria used to evaluate special use requests, which is all the criteria applicable to this particular request; and
3. The proposed use would provide additional recreational use and would help support the conservation of dark skies.
4. The proposed use is sensitive the rural environment and compatible with the adjacent development.
5. Four letters of support and no letters of opposition were received.

**Factors Against Approving the Special Use**

1. None

**VIII. RECOMMENDATION**

Based on the factors in favor of approval, staff recommends **Conditional Approval** of the Special Use request. If the Commission chooses to approve the request, staff recommends the approval be subject to the following conditions:

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 18-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 24-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, in addition, all standards and requirements of the County Health Services District shall be met, and all permits or licenses shall be obtained prior to operation;
3. Any changes to the approved Special Use shall be subject to review by the Planning Division and may require additional modification and approval by the Planning and Zoning Commission;
4. The applicant shall be limited to no more than 40 individual camp sites. Only one recreational vehicle is permitted at each camp site.
5. Detached accessory structures are not permitted on RV parking pads or in their accompanying side yards.
6. Permanent occupation of a recreational vehicle or tent is not allowed. This is defined as more than 30-days without a 7-day break.
7. Additional landscaping may be required if current vegetation is insufficient for screening. Site development shall be sensitive to the preservation of existing vegetation.
8. A Firewise Plan and/or Emergency Response Plan may be required by the Development Services Department.
9. The property owner shall be responsible for maintaining the parcel in a clean and orderly state, free of any uncontrolled garbage.

**Sample Motions:**

*Mr. Chairman, I move to approve Docket SU 22-04, with the Conditions of Approval recommended by staff; the Factors of Approval constituting Findings of Fact.*