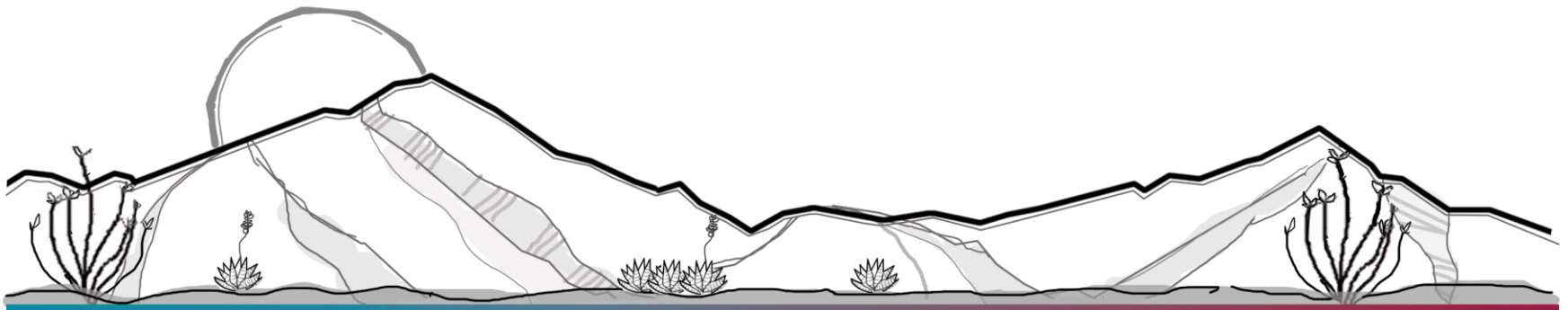


SUA 23-03 (Ocotillo Storage Appeal)

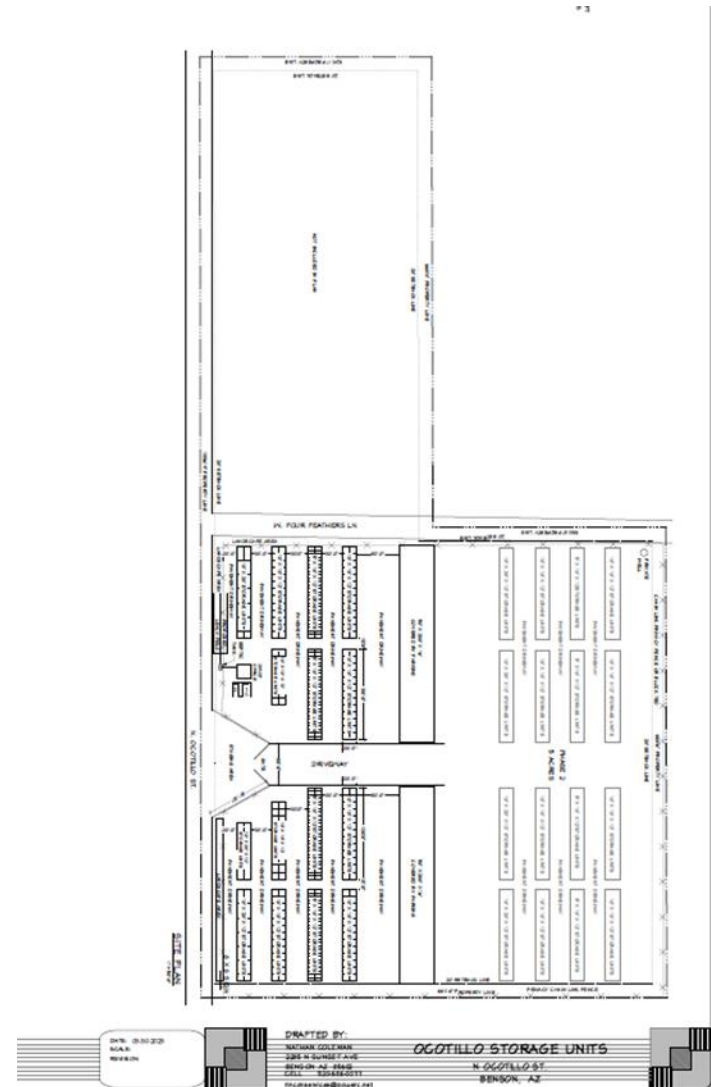
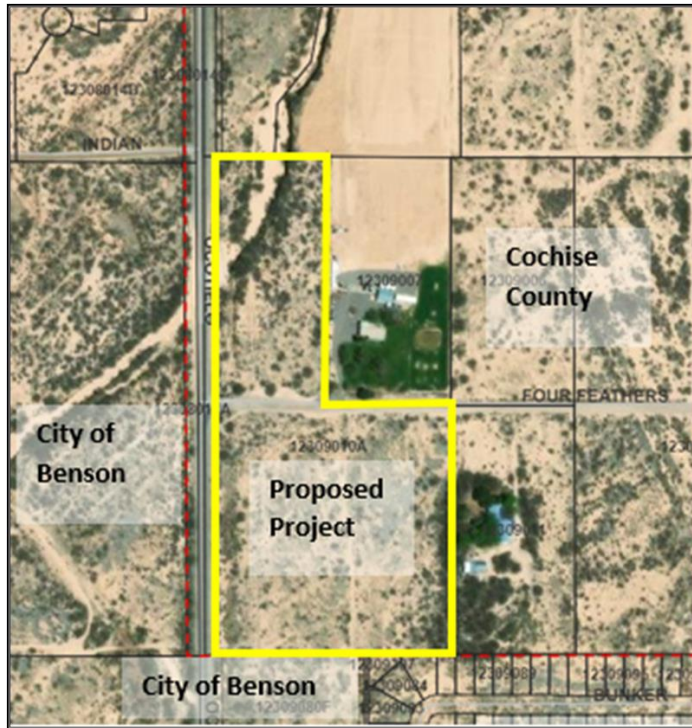
Appeal of a Planning and Zoning Commission Approval of
a Special Use Authorization for Mini-Warehouse Storage
Facility

Board of Supervisors
July 25, 2023



DEVELOPMENT SERVICES

- SU 23-12 was a request to permit mini-warehouse storage facility on a R-36 zoned property
- The subject property Parcel 123-09-010A (15 acres) is near Benson



Factors in Favor of Approval of the Special Use

1. The project, with the recommended conditions complies ten (10) of the ten (10) criteria used to evaluate special use requests;
2. The project is consistent with goals and policies of the Comprehensive Plan;
3. The project will be a locally owned business and provide a service to local citizens;
4. The request is consistent and compatible with the Zoning District purpose statement.

Factors Against Approval of the Special Use:

1. Two letters in opposition



Evaluation Criteria of An Appeal

There are two requirements the Board must consider to evaluate all appeals of special uses proposals.

1. All reasons why the appellant believes that the decision, or any part of the decision, was erroneous, arbitrary, capricious, or an abuse of discretion.
2. Written presentation of additional testimony and evidence, a full explanation of the additional testimony and evidence that will be submitted, with an explanation of why this was not presented to the Planning Commission.



Appellant Claims

Why the decision, or any part of the decision, was erroneous, arbitrary, capricious, or an abuse of discretion:

The appeal list impacts the appellant believes were not considered during the meeting, such as traffic, environmental impact, and property values in the area.



- A **denial** of this appeal request would **affirm** the decision of the Planning and Zoning Commission and would permit the special use request for mini-warehouse storage
- An **approval** of this appeal request would **reverse** the decision of the Planning and Zoning Commission and not permit the special use request for mini-warehouse storage



Conditions Approved by the Planning & Zoning Commission

1. The applicant shall dedicate the necessary right-of way Ocotillo Road;
2. The Applicant shall obtain a right-of-way permit the driveway and any required improvements;
3. A paved (to match Ocotillo) driveway, a minimum of 24- feet wide width, adequate turn radius and sight distance triangle taken into consideration is required;
4. Dimensions shall be added showing distance from edge of pavement to the property line and edge of pavement to the gate;
5. Dimensions for Four Feathers Lane needs to be added;
6. Plans need to show dedication of Ocotillo Road;
7. Change Ocotillo Street to Road;



Conditions Approved by the Planning & Zoning Commission

8. The 20-foot setback line shall be revised to show the distance as measured from the edge of road travel way or property line, whichever is greater;
9. The site plan submitted with each phase shall provide a table showing a cumulative square footage and percentage breakdown.
10. In conjunction with the commercial permit the applicant shall provide a landscape plan demonstrating that a minimum of a five-foot landscape strip is provided along both Ocotillo Road and Four Feathers Lane. A table shall also demonstrate that a minimum of 5% of the site is landscaped.

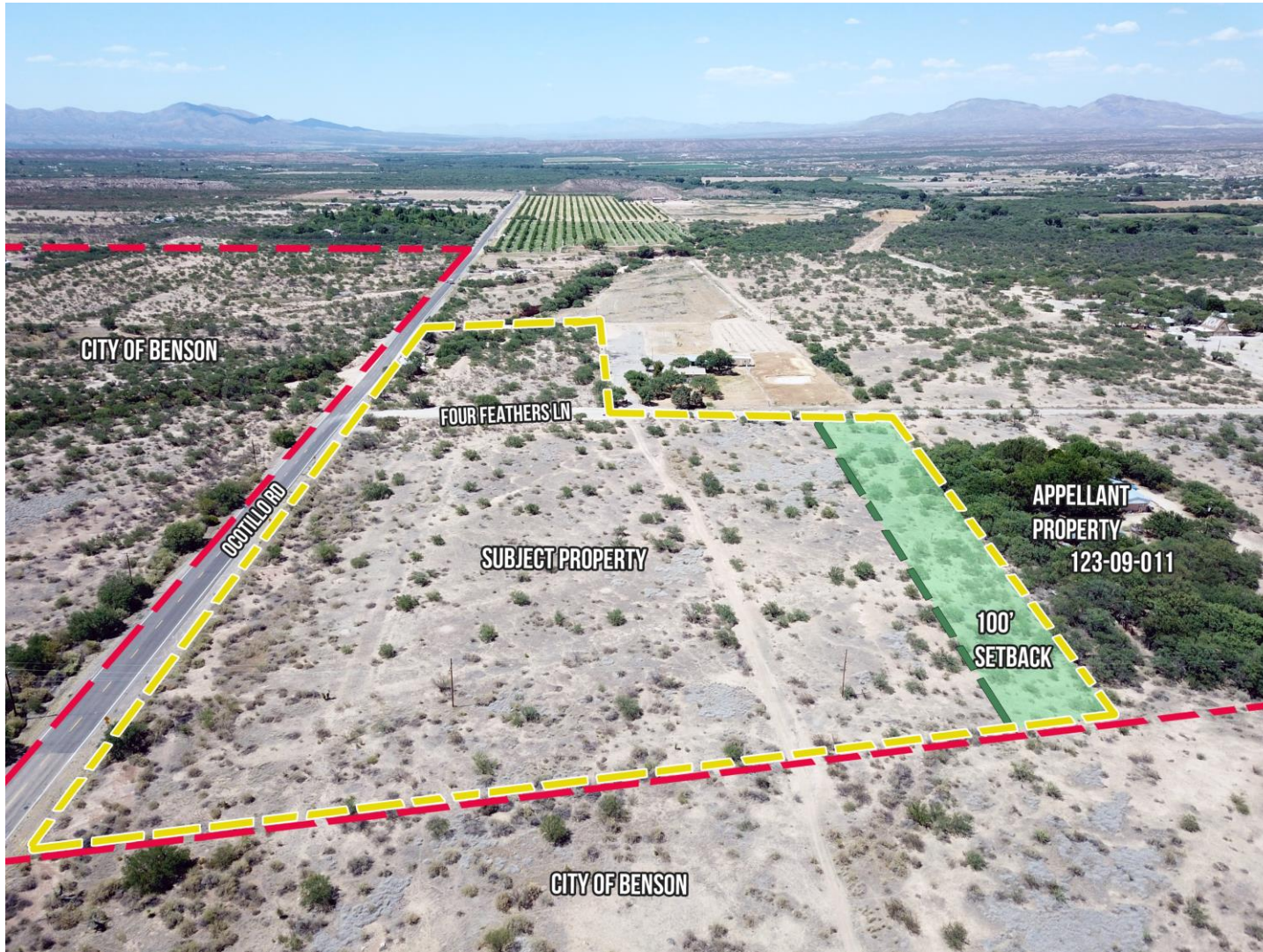


Two additional conditions recommend by staff for BOS consideration.

- 11. Provide a 100-foot setback from the east property line shared with the resident to the east, APN 123-09-011**
- 12. Install an 8-foot block wall along the east property line shared with the resident to the east, APN 123-09-011, if requested by the property owner, before the permit application is submitted to the County.**



DEVELOPMENT SERVICES



Factors In Favor of Appeal Denial

1. A denial of the appeal would affirm a unanimous 9-0 approval decision by the Planning and Zoning Commission, the board that is designated to consider all special use authorizations.
2. The Zoning Regulations allow for an application for Special Use approval by the Planning & Zoning Commission.
3. Staff and the Planning & Zoning Commission appropriately used the ten factors, per Section 1716.02 of the Zoning Regulations, to evaluate the request.

Factor in Favor of Appeal Approval

1. The appellant has submitted a rationale for why they feel why the decision, or any part of the decision, was erroneous, arbitrary, capricious, or an abuse of discretion.

Staff Recommendation

Based on the Factors in Favor of an Appeal Denial, Staff recommends **Denial of the Appeal** (SUA-23-03), **thereby affirming the Planning and Zoning Commission's Approval** of SU-23-12, attaching the original Conditions of Approval to the special use request and adding two additional conditions (11 and 12).



Sample Motion

*Madam Chair, I move to **deny** Docket SUA-23-03, **affirming** the June 14, 2023, **approval** by the Planning and Zoning Commission of Special Use Permit SU23-12 for mini-warehouse storage on parcel 123-09-010A, the Factors in Favor of an **Appeal Denial** constituting the Findings of Fact and attaching the original conditions of Approval with two additional conditions recommend by staff.*

