



Cochise County

Development Services
Planning Division

Public Programs...Personal Service
www.cochise.az.gov

APPLICATION FOR A SPECIAL USE

Applicant's Name: Brandon D. Collins

Name of All Property Owner(s): Brandon and Anna Collins

Applicant Mailing Address:

| | | | |
|----------------------------|-----------------|-----------|--------------|
| <u>5715 S Natoma Trail</u> | <u>Hereford</u> | <u>AZ</u> | <u>85615</u> |
| Street # | Town | State | Zip code |

Subject Property Address (if different than mailing address):

| | | | |
|----------|------|-------|----------|
| Street # | Town | State | Zip code |
|----------|------|-------|----------|

Email Address: bcollins.777@comcast.net

Phone Number: 6152904612

Tax Parcel Number: 104-77-004C3

Current Zoning Designation: RU-4

Comprehensive Plan Land Use Category/Growth Area: N/A

Comprehensive Plan Land Use Designation: N/A

Area Plan Designation (if applicable): N/A

Size of Property (in acreage or square feet): 4.04

How many acres will be cleared and developed? 0.395

Describe your relationship to this application. (Select one)



I am the property owner



I am an authorized agent for the property owner

Bisbee Office

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

If the applicant is not the property owner, please attach a notarized letter of authorization to this application.

The Purpose of a Special Use

Special Uses include uses or activities with a greater potential for impacts on neighboring properties than the permitted uses in a Zoning District. Examples of Special Uses are manufacturing, RV Parks, guest ranches, hospitals and schools. These more intense uses must be carefully reviewed to decide if they could make good neighbors to the existing uses. For this reason, a Special Use Permit requires a public hearing and approval by the Planning and Zoning Commission before it is allowed.

What is the Process?

1. Pre-application meeting with County planning staff.
2. Citizen Review Process – the applicant must send notice to all property owners within a radius of no less than 300 feet of the subject parcel(s), as shown on the most recent available records of the last property tax assessment. The County Zoning Inspector may expand the mailed notification area to greater than a 300-foot radius at time of application acceptance if there are compatibility concerns associated with the request.
3. Application Submittal
4. Technical review by relevant internal staff and external agencies
5. Public Hearing – Planning and Zoning Commission (Approval/Denial)

Appeals

The Commission action can be appealed to the Board of Supervisors by anyone who disagrees with the outcome. Appeals must be filed within fifteen (15) calendar days of the Commission action. The applications are available online "Appeal: Board of Supervisors."

Required Submittals

1. This application
2. Citizen Review Report
3. Site plan -drawn to scale showing the existing and proposed District boundaries and an accurate legal description of the area being petitioned for amendment. See "concept plan instructions for special uses" (included in this application). Please see our website for an example plan: <https://www.cochise.az.gov/development-services/special-uses>
4. Letter of Authorization (for authorized agents, if applicable)
5. Hazardous or polluting materials attachment (only if hazardous materials are proposed, if applicable)
6. Deed restrictions (if applicable)
7. Outdoor lighting, manufacturers specifications (if applicable)
8. Processing Fee

Concept Plan Instructions for Special Uses

Sometimes, an applicant will seek approval for a particular special use or uses on a piece of property well ahead of actual construction or operation of that use. Often the exact dimensions of structures or configuration of uses on the property are not known yet until the uses have been approved and the applicant has invested resources into site planning. The Zoning Regulations allow for the submittal of a "Concept Plan" in lieu of a site plan in the case of phased special uses on one property or a special use where construction is not anticipated within one year. However, if the use(s) are approved by the Planning and Zoning Commission, then a detailed site plan meeting the requirements of the Zoning Regulations will be required for each use or phase and shall be in substantial conformance with the approved special use. If the site plan is not within substantial conformance with the approved use and concept plan, then the special use will need to be reviewed, in a public hearing, by the Commission once again to modify the original proposal. **Note: any**

anticipated waivers of site development standards such as setbacks, screening, landscaping or parking spaces must be requested, justified, and approved by the Commission prior to the issuance of a building permit.

In order to adequately review the proposed special use(s) on a piece of property, a Concept Plan must include at a minimum the following information:

- Parcel boundaries and adjacent roads;
- The general location, size and height of all structures and uses (existing and proposed), including minimum setbacks from parcel boundaries, washes and roads;
- The general location and minimum number of parking spaces to be provided, including proposed surface and width of driveways;
- Proposed screening and landscaping;
- Any significant topographical features (washes, hills, rock outcroppings, wetlands) and cultural features of the property and adjacent parcels;
- If applicable, project phasing (approximate schedule of uses and construction) and any other information deemed necessary to effectively review the Special Use.

Please state the reason for this request and why it should be supported.

This request is for us to be granted a special use from the county to open a commercial plant nursery. This nursery will serve as a place for local residents to purchase inexpensive and locally grown plants for their use. This includes but not limited to: vegetables and vegetable plants, herbs and herbaceous plants, fruit and fruiting plants, and handmade products such as soaps, woodworking decor, and products listed in the Homestead Act.

Identify the utility company/service provider for each of the following services and state if additional provisions or future connections are required in the space below.

| Service Provider | Service Provider | Additional Provisions Required |
|-------------------------|-------------------------|---------------------------------------|
| Water/Well | Tanner Well Service LLC | None |
| Sewer/Septic | American Septic Service | None |
| Electricity | SSVEC | None |
| Natural Gas | N/A | N/A |
| Telephone | CenturyLink | None |
| Fire Protection | N/A | N/A |
| Waste Disposal | Waste Management (WM) | None |

Is this request consistent with all deed restrictions or private covenants in effect for this property? If applicable, please include a copy of these restrictions/covenants with this application.

- Yes
 No
 Not applicable (no deed restrictions or covenants)

Describe all **existing** structures/uses present on the subject parcel. Note: the size and location of existing structures must be shown on the accompanying site plan.

House (Dwelling)
Barn
Storage Building
Well House
Garage

Describe all **proposed** structures/uses on the parcel that to be placed on the parcel. Note: the size and location of proposed structures must be shown on the accompanying site plan.

No additional structures are to be constructed.

Is the proposed special use consistent with stated purpose of the current zoning district? Explain.

Yes. In the Cochise County Zoning Regulations, a commercial plant nursery is listed under 707.20 for R districts.

Describe all intermediate and final products/services that will be produced/offered/sold, if applicable.

Plants, Vegetables, Herbs, Fruits, gifts, decor, body care, and landscape consultin.

What materials will be used to construct the new building(s)? (Note, for an existing building(s), please also list the construction type(s), i.e., factory-built building, wood, block, metal).

N/A as no new buildings are to be constructed.

Will the project be constructed/completed within one year or phased?



One year

Phased

If this is a phased project, describe the phases here and physically depict them on the site plan.
N/A

What are the days and hours of operation (if applicable)?

Days of the week: Friday, Saturday, and Sunday (maybe 7 days in the future)

8 AM to 6 PM

Number of employees (if applicable):

Initially 2 Future: 2

Total average daily traffic generated (non-residential uses):

How many vehicles will be entering and leaving the site (per day)? 10-15

Total trucks (e.g., by type, number of wheels, or weight)? 0

Estimate which direction(s) and on which road(s) the traffic will travel from the site.

Vehicles will come from the north via East Ramsey Rd and south via E Dakota Rd

If more than one direction, estimate the percentage that travel in each direction.

90% E Ramsey, 10% E Dakota

At what time of day, day of week and season (if applicable) is traffic the heaviest?

Evening, Summer, Weekend

Water Use:

Estimate the total gallons of water needed for the proposed use: per day 30-50 per year 18,000

Please indicate your water source Well, Rainwater collection, Rain

If your property is served by a private well, show the existing or proposed location on the site plan.

List any strategies you will employ, on site, to minimize water use, recycle water, and/or enhance onsite natural recharge.

We will be placing the plants on a drip irrigation system that will provide water to the plants. The plants will mostly sit in trays that will collect the water. The plants will be bottom watered. This means that all plants that are receiving water will not have any waste. Additionally, we plan on adding at a minimum of 500 gallons of rainwater storage.

Will your property be served by a septic system? Yes No

If yes, show the septic tank, leach field and 100% expansion area on the site plan, and indicate whether the system is existing or proposed.

Does your parcel have permanent legal access*? If no, what steps are you taking to obtain such access? (*Our Zoning Regulations state that no building permit for a nonresidential use shall be issued unless a site has permanent and direct access to a publicly maintained street or street where a private maintenance agreement is in place. Said access shall be not less than twenty (20) feet wide throughout its entire length and shall adjoin the site for a minimum distance of twenty (20) feet. If access is from a private road or easement provide documentation of your right to use this road or easement and a private maintenance agreement.)

Yes. The property has direct access to South Natoma Trail.

Which streets or easements will be used for traffic entering or exiting the property? (Please label on the accompanying plan)

South Natoma Trail

What impact will this have on the traffic volume of roads serving this subject property?

Minimal impact from traffic as the business will be small. Additionally, we are the second house on the street from East Ramsey Rd, so vehicles and guests will not impact most of the residents on the street.

How many driveway cuts are proposed along streets or easements to allow site access? State whether this is an increase/decrease and whether any existing cuts will need relocation.

We will be adding (1) entryway into the property via S Natoma Trail approx. 30 feet before our currently driveway.

Does the subject parcel have site access onto a major road?

Yes No

Are you requesting any modifications or waivers from site development standards? If yes, explain.
None

Is the subject property within Sierra Vista Sub-Watershed Overlay Zone? If so, please indicate this, and that you understand that it may be subject to additional plan reviews and inspections whenever a building permit is required.



Yes, and I understand the permitting requirements



No, it's outside the boundaries

Please describe your citizen review process (if applicable). Specifically, state whether you received any responses to your mailed notice or public meeting. Explain how your special use application has incorporated the feedback you received.

On Monday, November 28th 2022, we sent out letters to residents owning property within 300 feet of the property as required by this proposal. The names and addresses were provided to us by the county. We have received (0) responses to date. The neighbors were sent a letter describing the business plans and a basic site map of the proposed business layout.

Describe any outdoor activity associated with your special use proposal, if applicable.

The business will be entirely outdoors. There will be plant tables constructed outdoors with the storefront and register being located in a event style tent (canopy tent) that will only be up when the business is open.

Will outdoor storage of equipment, materials or products be needed? If yes, show the location on the site plan. Describe any measures to be taken to screen this storage from neighboring properties.

The plants will be kept outdoors. The plants will not be in view from any house that is neighboring us. If construction is done where a residence will be able to see the business, we will get in touch with the owners and resolve any issues. As the only thing neighbors will see is plants, we don't see this causing any issues.

Will any noise or vibrations be produced that can be heard or felt on neighboring properties on a regular basis? if yes; describe the level and duration of this noise. What measures are you proposing to prevent this noise from being heard on neighboring properties?

None

Will odors be created? If yes, what measures will be taken to prevent these odors from escaping onto neighboring properties?

None

Will any on-site activities attract pests, such as flies or mice? If yes, what measures will be taken to prevent a nuisance on neighboring properties?

None.

Will additional dust be created on a regular basis? If yes, what measures will be taken to prevent this dust from escaping onto neighboring properties or roadways?

None

Is outdoor lighting proposed? If yes, show the location(s) on the site plan. Indicate how neighboring properties and roadways will be shielded from light spillover. Please submit manufacturer's specifications for all light fixtures.

Yes No

Will you be performing any off-site construction (e.g., access aprons, driveways, and culverts)? If yes, show details on the site plan. Note: The County may require off-site improvements reasonably related to the impacts of the use such as road or drainage improvements.

Yes No

Show on-site drainage flow on the site plan. Will drainage patterns on site be changed? If so, please indicate on the site plan and describe below.

Drainage patterns will not change.

If more than one acre is to be cleared, describe the proposed dust and erosion control measures to be used and show on site plan, if appropriate.

No land is being cleared. The land was cleared before we purchased the property.

Do you anticipate the use of any hazardous or dangerous materials? If yes, please complete a "Hazardous or Polluting Materials Attachment" and attach it to this application.

Yes No

I hereby certify that I am the owner or duly authorized owner's agent and all information in this questionnaire, in the Joint Permit Application and on the site plan is accurate. I understand that if any information is false, it may be grounds for revocation of the Commercial Use/ Building/ Special Use Permit. In addition, I hereby request all inspections necessary to process this application, and if the permit is issued, I request all inspections necessary to monitor progress, and document completion, at all stages of the work related to this permit. Failure to obtain permits may result in fines or other penalties.

Brandon D. Collins

12/15/2022

Applicant Signature

Date

