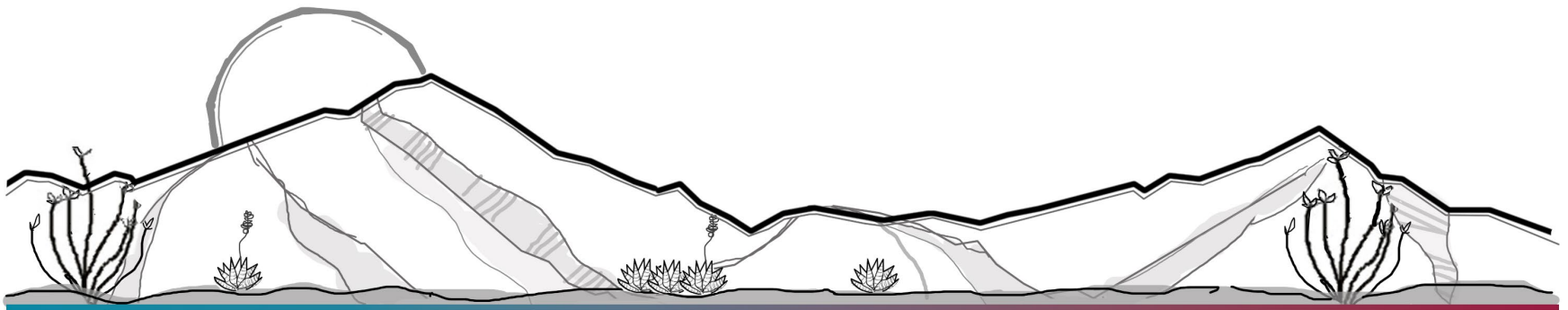


SU 23-02 (Sirota Guest Lodging)

Special Use Authorization for Guest Lodging
in a Rural Zoning District

Planning & Zoning Commission
February 8, 2023



DEVELOPMENT SERVICES

- This is a request to allow guest lodging on 2 parcels zoned RU-4
- Parcel 208-67-026 and 25A/440 W Cimmaron Ln Benson, AZ and 536 W Alamo Ln
- Expansion of home occupation permit
- The Applicant is Ronald Sirota



Concept Plan

- Continue to offer horseback riding/ lessons *(permitted use)*
- Offer a limited amount of overnight stays to guests *(special use)*



Concept Plan
SU 23-02 Sirota Guest Lodging

N.T.S



Permitted vs. Special Uses in Rural Zoning

Permitted use:

- Allowed by right
- Administrative approval (no public notice or hearing)
- Subject to the requirements of residential or non-residential permitting
- Commercial riding stables and short-term rentals are permitted principal uses, home occupation permits are permitted accessory uses

Special use:

- May have impacts beyond other permitted uses
- A public hearing is required, and conditions to increase compatibility are typical
- Guest lodging is a special use



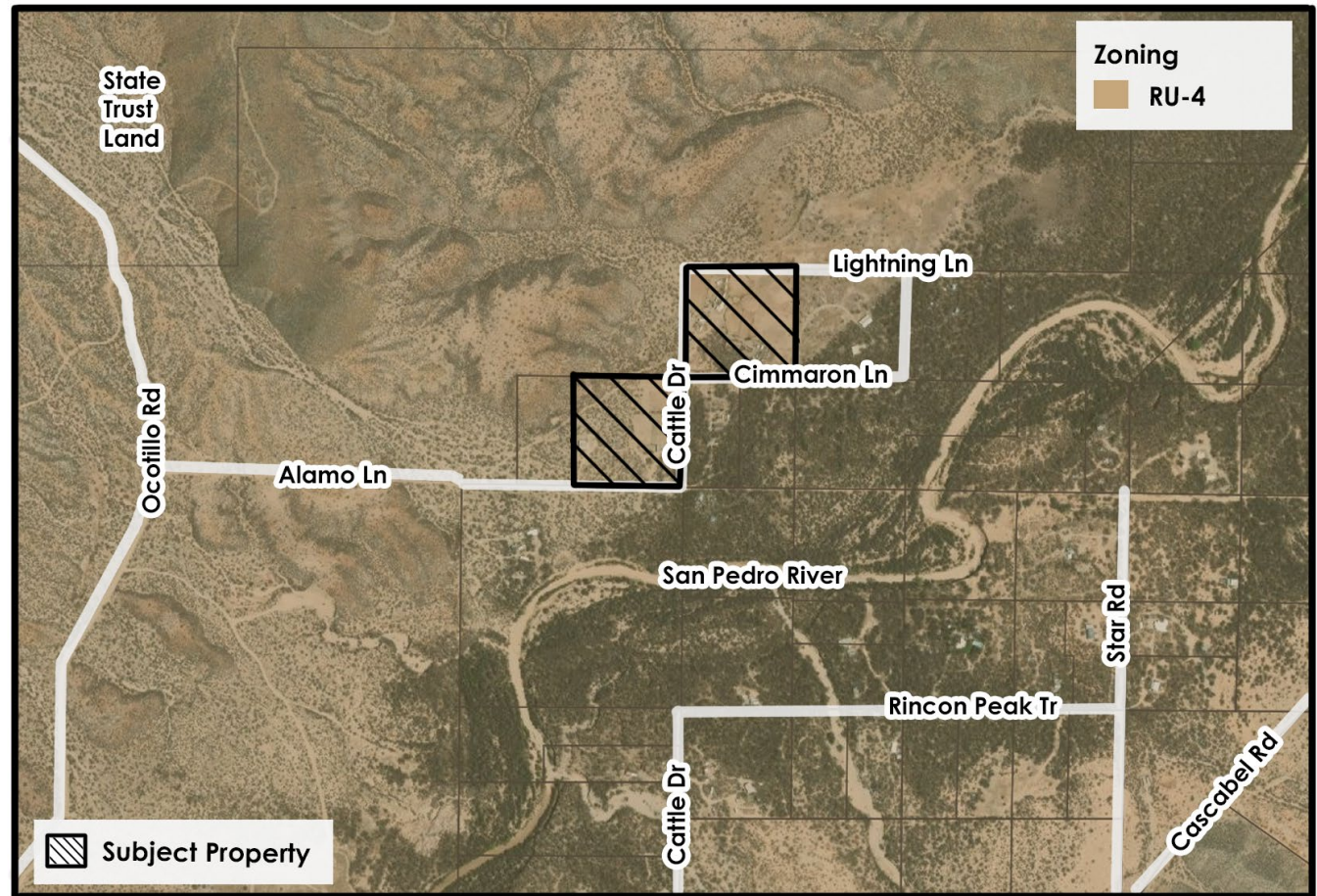
DEVELOPMENT SERVICES



Zoning

RU-4:

To provide recreational support services that are compatible with rural living



Zoning
SU 23-02 Sirota Guest Lodging

N.T.S



DEVELOPMENT SERVICES

There are 10 factors used to evaluate all special use proposals. As submitted, the application:

Complies: 4 factors

- Compliance with Duly Adopted Plans
- Compliance with the Zoning District Purpose
- Significant Site Development Standards
- Water Conservation

Does Not Comply: 1 factor

- Public Input

Complies with Conditions: 3 factors

- Traffic Circulation
- Adequate Services and Infrastructure
- Offsite Impacts

Not applicable: 2 factors

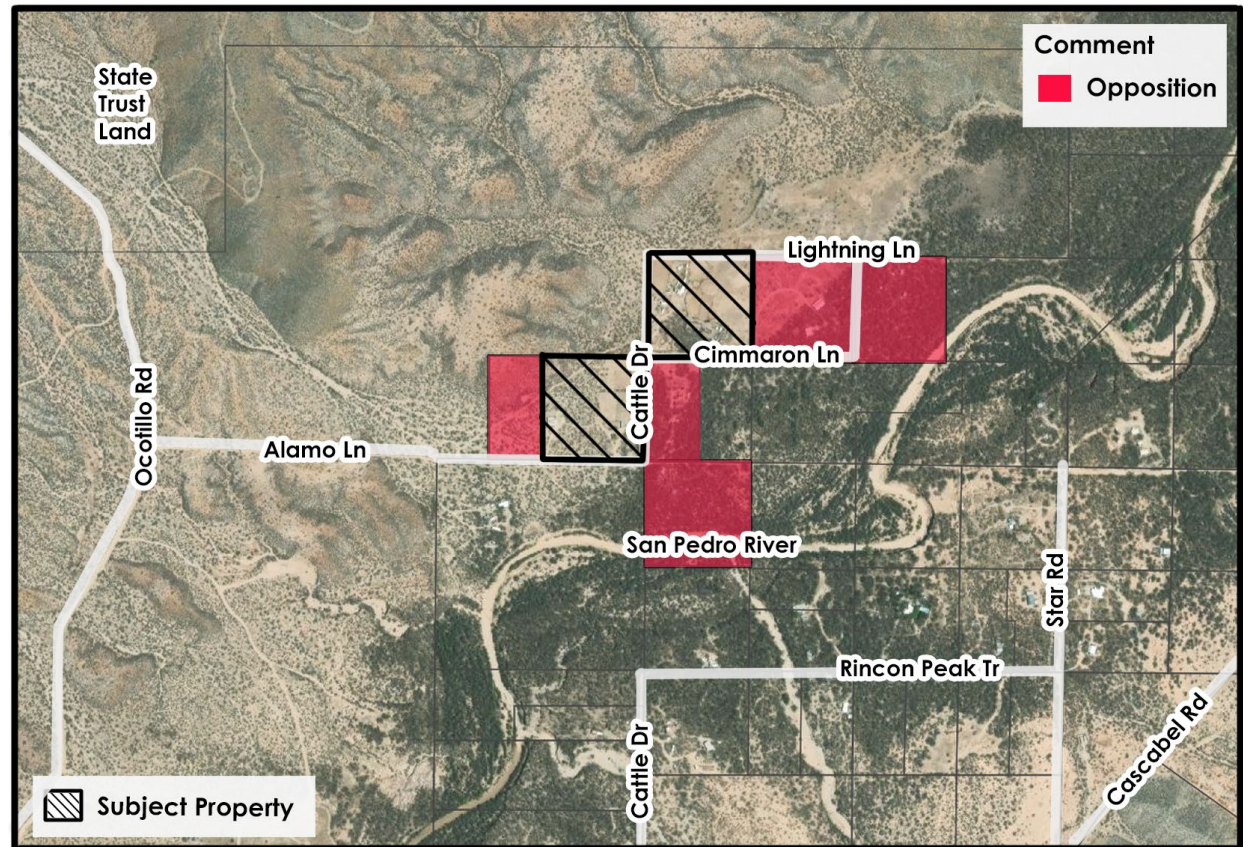
- Development Along Major Streets
- Hazardous Materials



Public Comment

Concerns Noted

- Traffic
- Safety of road
- Dust/erosion
- Commercial nature of business
- Lack of regulation
- Odor (horse manure)
- Unleashed dogs



Public Comment
SU 23-02 Sirota Guest Lodging

N.T.S



Factors in Favor of Request

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 four of the criteria used to evaluate special use requests;
3. Commercial riding stables are a permitted use in rural zoning;
4. The guest cottage could qualify as permitted short term rental, subject to state law requirements;
5. This is an established, locally-owned existing business that promotes local and regional tourism; and
6. The business provides a recreational service to area residents.



Factors Against Approving the Request

1. Letters of opposition from 5 neighbors;
2. Off-site impact concerns of neighbors (conditions recommended); and
3. Does not fully comply with four factors used to evaluate special use requests (conditions recommended)



Applicant Presentation/Discussion



Staff Recommendations

Home Occupation Permit (Docket No. HO-17-10):The business has expanded to a level that exceeds the limits of the original permit. Staff recommends replacement of the home occupation permit with a commercial permit for the commercial riding stables business.

Docket SU-23-02, Staff recommends **Conditional Approval**

If the Commission wishes to grant approval, staff recommends the following conditions:



Recommended 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 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.



Recommended Conditions (continued)

4. The applicant will be required to enter into a Private Maintenance Agreement to participate in the maintenance of the non-maintained roadway, removal of horse manure attached;
5. Guest lodging is limited to four rental RV sites, two tent camping sites, and one guest cottage;
6. The designated guest lodging, other than the guest cottage, shall not be used or occupied for permanent residential living purposes. Seasonal use is permitted for up to six months a calendar year by the same occupant;



Recommended Conditions (continued)

7. The property owner shall follow best management practices for odor and pest control at all times. Horse manure shall not be allowed to accumulate on site to create nuisance odors and flies. The property owner shall retain the services of a licensed pest control service if they are unable to control flies; and
8. All onsite riding areas shall be adequately maintained to prevent the creation of nuisance dust during training and riding activities. Periodic watering of these areas is required, as necessary, to control dust.



Sample Motion

Madam Chair, I move to approve Docket SU 23-02, Sirota Guest Lodging, with the Conditions of Approval recommended by staff; the Factors of Approval constituting Findings of Fact.

