



MEMORANDUM

TO: Cochise County Planning and Zoning Commission
FROM: Christine McLachlan, AICP, Planner II
FOR: Daniel Coxworth AICP, Development Services Director
SUBJECT: SU 23-05 (Kaibab Manuf) Application for a Special Use Authorization
DATE: February 16, 2023, for the March 8, 2023, Meeting

Docket SU 23-05 (Kaibab Manuf)

The applicants, Christopher and Gloria Beth Rush, request Special Use Authorization to operate a manufacturing business, not to exceed 5,000 SF on a 5-acre parcel (APN 206-22-115) in unincorporated Cochise, Arizona. The establishment of a manufacturing business (607.17) is subject to Special Use Authorization from the Planning and Zoning Commission in a rural zoning district. The business will be co-located on a parcel with an existing home at 372 W. Kaibab Way Cochise, AZ, where indicated on the location map (Figure 1). Currently, the parcel has a manufactured home, detached garage, small storage buildings, septic and well, which will remain. The applicant proposes construction of a steel building, not to exceed 5,000 SF in size, to conduct a business that manufactures electrical components, including thermostatic switches, thermal resistors, electromagnetic solenoids, relays and PC boards.

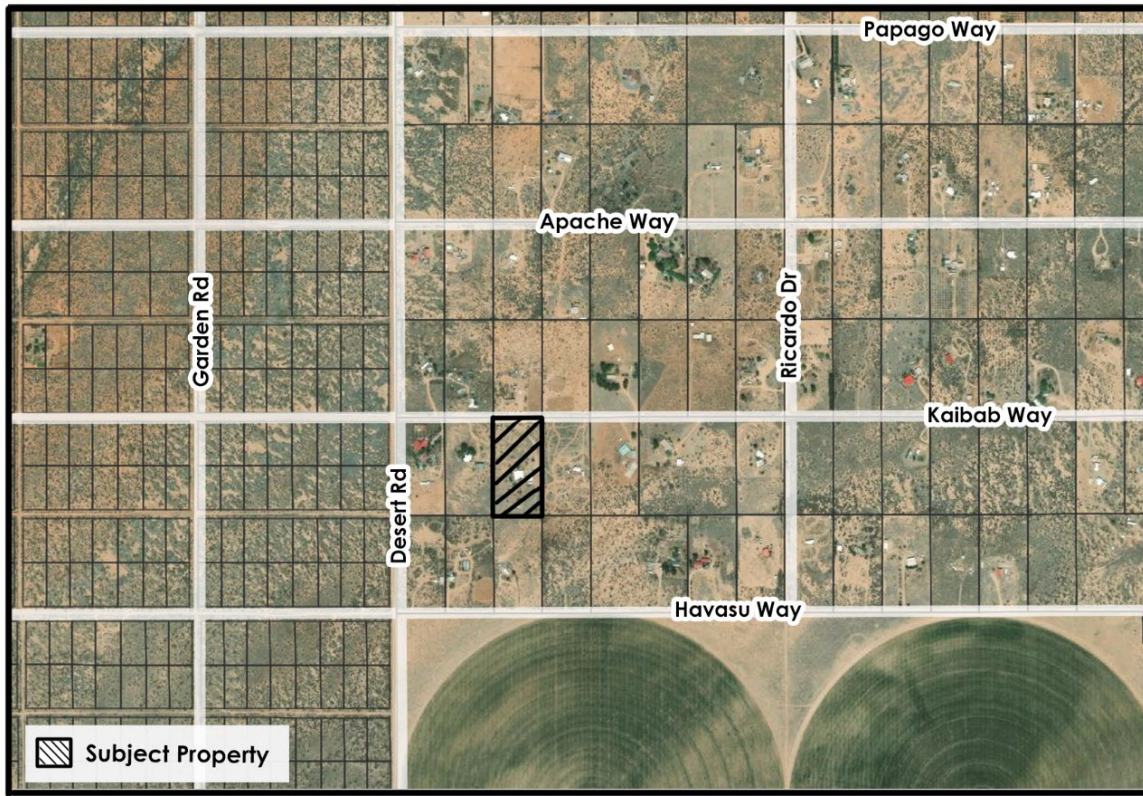
I. Description of Subject Parcel and Surrounding Uses

Parcel Size: 5.03-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: Residential
Proposed Uses: Residential, with manufacturing

Surrounding Zoning and Uses (See Figure 2)

<i>Relation to Subject Parcel</i>	<i>Zoning District</i>	<i>Use of Property</i>
North	RU-4	Low Density Residential
South	RU-4	Low Density Residential
East	RU-4	Low Density Residential
West	RU-4	Low Density Residential

Figure 1: Location Map



Location
SU 23-05 Kaibab Manufacturing

N.T.S



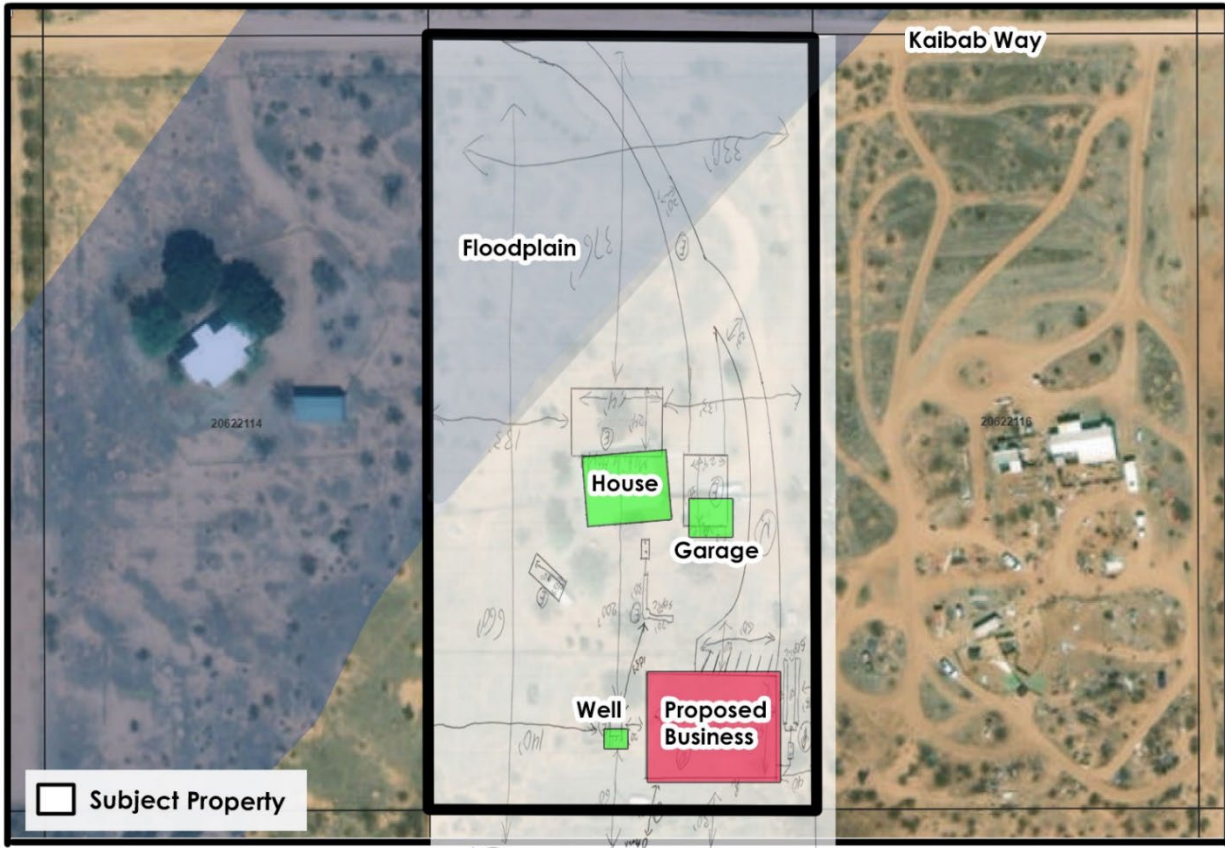
II. SITE HISTORY

- 1977: Affixed mobile home double wide
- 2002: 720 SF accessory building
- 2006: 120 SF patio, septic improvements

III. REQUEST DESCRIPTION

The applicants, Christopher and Gloria Beth Rush, request Special Use Authorization to operate a manufacturing business, not to exceed 5,000 SF on a 5-acre parcel (APN 20622115) in unincorporated Cochise, Arizona. The business will be co-located on a parcel with an existing home at 372 W. Kaibab Way Cochise, AZ. Currently, the parcel has a manufactured home, detached garage, small storage buildings, septic and well, which will remain. "Manufacturing" is defined as follows in the Zoning Regulations: "a broad category of uses involving the use of mechanical power and machinery to produce products from raw materials, to prepare or alter materials for use in a finished product, or to assemble parts into products, including processing." More specifically, the applicant proposes construction of a steel building, not exceed 5,000 SF, to conduct a business that manufactures electrical components, including thermostatic switches, thermal resistors, electromagnetic solenoids, relays and PC boards. The location of the proposed business is on the southeastern corner of the parcel, where indicated in Figure 2: Concept Plan.

Figure 2: Concept Plan



Concept Plan
SU 23-05 Kaibab Manufacturing



Examples of Products Manufactured



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, eight of the eight factors apply to this request. The proposal, as submitted, fully complies with five factors, and complies with conditions/waivers on three factors. The development along major streets and hazardous materials factors do not apply.

1. Compliance with Duly Adopted Plans: Complies

The project supports the goals of the Cochise County Comprehensive Plan including goals in the Economic Development and Land Use Elements. The Economic Development element supports entrepreneurship and small business development. Additionally, the proposal supports the Comprehensive Plan Rural Residential Designation. As stated in the Comprehensive Plan, “Due to the well-established residential character of these areas, rezonings or special uses to allow for more intensive developments that do not directly serve the residents of these areas are not generally appropriate. Less intensive businesses that serve area residents may be appropriate.” This is a small, establish, family-owned business that manufactures small electrical components for sale, off-site.

2. Compliance with the Zoning District Purpose Statement: Complies

The property is zoned RU-4, which is rural zoning, one dwelling per four acres. The surrounding area, east of Desert Road, is similarly zoned, as indicated in Figure 2. As stated in Section 601 (Purpose) of the zoning regulations: RU (Rural) Zoning Districts are established to achieve the following purposes (relevant statements cited):

- 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;

The applicants wish to manufacture electrical components on the same parcel in which they currently live. This is an existing business in Tucson that would move to the subject parcel, if approved. The Department of Defense is America’s largest governmental agency. Military support is a key industry in Cochise County.

Figure 3: Zoning Map



Zoning
SU 23-05 Kaibab Manufacturing



3. Development along Major Streets: Not applicable

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. The subject parcel is on a segment of Kaibab Way that is classified as a local, dirt private road. It is not County-maintained. County-maintenance on Kaibab Way begins approximately 800 feet west at the intersection of Desert Road and Kaibab Way. This factor does not apply.

4. Traffic Circulation Factors: Complies with Condition

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. The area can be characterized as developed rural with low-density residential use. The applicant wishes to erect a pre-manufactured steel building, up to 5,000 SF, to house and operate a manufacturing business. According to the application, the business attracts two additional vehicles to the parcel daily. As stated in Section 1807.02 of the Zoning Regulations, "No building permit for non-residential use shall be issued unless a site has direct permanent access to a publicly maintained street or to a street where a private maintenance agreement is in place." Because this parcel does not access to a public road, a private maintenance agreement (PMA) is required. Through the PMA the applicant must agree to participate with the other property owners to maintain a passable roadway condition along Kaibab Way from their driveway to Desert Road for the duration of the commercial use.

Recommended Condition 1: The applicant will be required to enter into a Private Maintenance Agreement to participate in the maintenance of the non-maintained roadway.

5. Adequate Services and Infrastructure: Complies

The site currently includes the following (see figure 2):

- Manufactured home (24' x 64')
- Detached garage (24' x 30')
- Storage building (10' x 30')
- Septic tank (1,000 gallon) and well house

The property is served by SSVEC for electricity. The nearest fire district is Sunsites Fire. There is no natural gas. As stated above, the applicant forecasts two additional vehicles per day and between two to four additional employees, not including the applicants who live and work on-site. The business does not attract on-site retail customers. The amount of traffic forecasted for the use is similar in impact to residential use and can be accommodated.

6. Significant Site Development Standards: Complies with waiver and condition

The Zoning Regulations do not contain site development standards specifically for manufacturing. Consequently, only site development standards that apply to a broad range of nonresidential uses, like parking and floodplain requirements, or those that apply to uses within RU-4 zoning, apply in this case.

- Landscape/Irrigation (Section 1806): The site is within Category D growth area, making it is exempt from landscape and irrigation requirements.
- Parking and Loading (Section 1804): This use is subject to the schedule of required off-street parking in Section 1804.05 of the Zoning Regulations, which requires "1 per employee plus 1 per 1,000-square feet of gross floor area or 1-per 3-employees in the largest working shift, whichever is greater" for manufacturing. Based on this requirement, and the application, 9 parking spaces would be required. Because this is a live-work request, with a very limited number of employees and no outside customers, the applicant requests a parking reduction waiver. Staff supports the waiver request. It is a reasonable reduction commiserate with their projected need and a lesser number of parking spaces will help the use blend in with the neighborhood.
- Scale and aesthetics: 5,000 square feet is approximately double the size of a typical single-family home. Within RU-4 zoning, the maximum height for principal and accessory structures is 30' above grade, which is approximately 2-stories. Homes in this area are predominately single-story and are earth-toned. Staff recommends a condition limiting the request to one story, no higher than 20' above grade at roof peak, and the outside shall be earth toned in color.
- The proposed use complies, and/or will comply, with all remaining site development standards for RU-4 zoning, including maximum site coverage, setbacks, distance between structures.

Waiver request 1: The applicant requests a 28% reduction in the required parking (1804.05), bringing the required number of spaces from 9 to 7 total.

Recommended Condition 2: The proposed building shall be no greater size than 5,000 SF, it shall be no higher than one-story (20' above grade) and the outside shall be earth-toned in color.



View into property, looking south, from Kaibab Way



View of manufactured home and north side of property



View of eastern adjacent property from proposed site



Looking west from proposed building location

7. Public Input: Complies

Objections were received from property owners in three neighboring parcels (see Figure 4). Concerns noted included increased traffic and noise. Also noted were concerns about environmental impacts, pollutants, and the presence of a manufacturing business in a residential area. Another adjacent landowner expressed support for allowing the applicant to work from home. For more information, please see the attached public input packet and and Section IV. Public Comment for additional discussion.

8. Hazardous Materials: Not Applicable

The applicant states they do not anticipate the use of any hazardous or dangerous materials.

9. Off-Site Impacts: Complies with conditions

This factor is intended to ensure adequate measures have been taken to mitigate off-site impacts such as dust, smoke, noise, odors, lights, and/or stormwater run-off. When evaluating manufacturing, the following potential off-site impacts were identified:

- No outdoor activity or material storage (all work performed indoors)

- No odors or on-site activities that attract pests are anticipated or common with the type of manufacturing request.
- No outdoor lighting is proposed, and work activity is limited to daytime hours during weekdays.
- Up to two employees, besides the parcel owners/residents are anticipated.
- No land clearing and minimal grading is required – the building would be pre-manufactured.

As a use, manufacturing can produce noise concerns. However, this is a relatively large parcel and all manufacturing will take place indoors, within an pre-manufactured insulated building. Moreover, the products produced are small, there is no anticipated outdoor activity or storage, and hours of operation shall be limited to weekdays between 7am and 5:30pm.

Recommended Condition 3: All manufacturing activity shall be completed indoors, within the proposed insulated building, and there shall be no outdoor storage of business products.

Recommended Condition 4: Hours of operation shall be limited to weekdays between 7am and 5:30pm.

10. Water Conservation: Complies

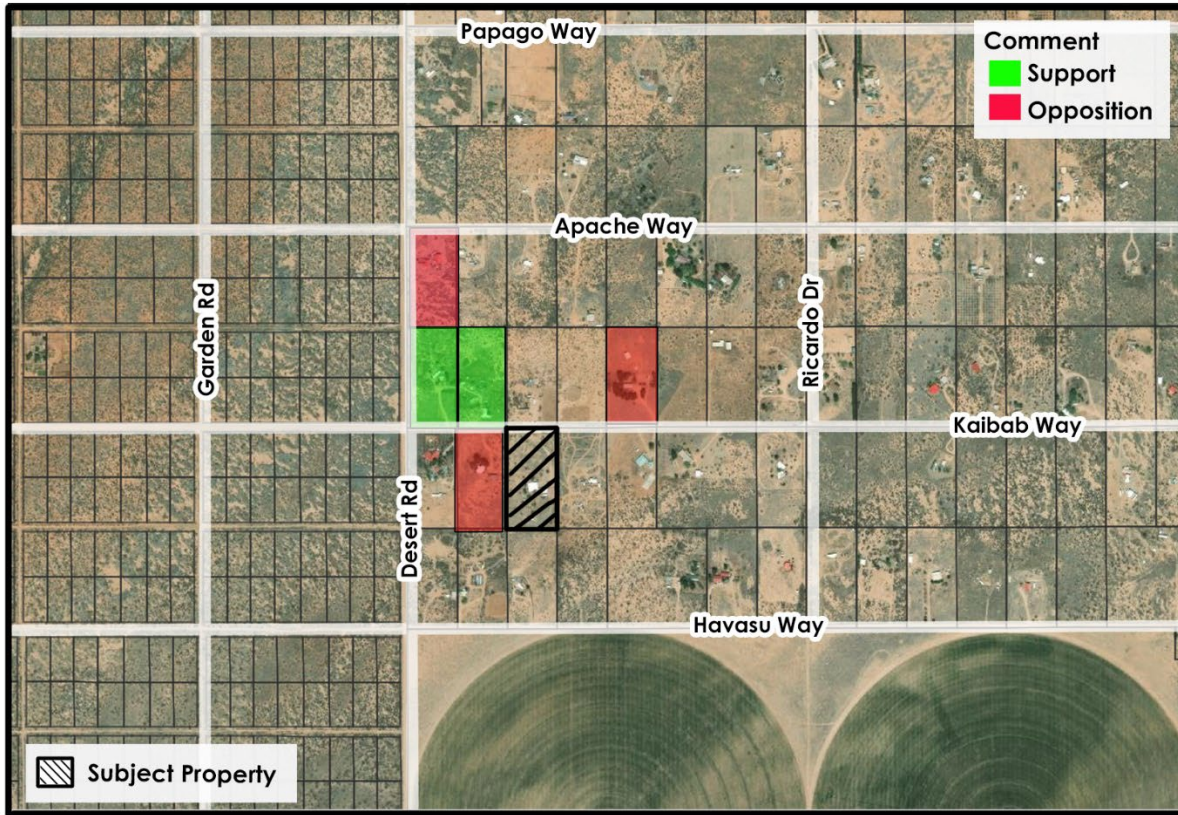
The current house is served by a private well. The proposed manufacturing use is not water intensive. Outside of normal hand washing and toilet use, water use is limited to washing of parts and similar to the water demands of residential use.

VI. PUBLIC COMMENT

The applicant mailed letters to property owners within 750 feet of the property prior to application submittal and received no written responses.

The case planner mailed letters to the same property owners within 750 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 six responses, from five neighboring parcels. Two of the parcels, owned by one property owners, expressed support. The remaining four responses, from three property owners, were not in support of the request. They expressed concern regarding the non-residential aspect of the use, possible noise and additional traffic. There were also concerns about environmental and health impacts noted.

Figure 4: Public Input



Public Input
 SU 23-05 Kaibab Manufacturing



VII. WAIVERS

The applicant requests a 28% reduction in the required parking (1804.05), bringing the required number of spaces from 9 to 7 total.

VI. SUMMARY AND CONCLUSION

This is a request for Special Use Authorization to construct and operate a manufacturing business, in a building not to exceed 5,000 SF on a 5-acre parcel (APN 206-22-115) in unincorporated Cochise, 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 seven of the criteria used to evaluate special use requests;
3. This is an established, family-owned business; and
4. The project would bring additional employment to Cochise County.

Factors Against Approving the Special Use

1. Generally, there can be compatibility issues between residential and manufacturing if not properly conditioned.

VII. RECOMMENDATION

Based on the factors in favor of approval, staff recommends **conditional approval** of the Special Use request, subject to the following conditions*:

1. *The applicant will be required to enter into a Private Maintenance Agreement to participate in the maintenance of the non-maintained roadway.*
2. *The proposed building shall be no greater size than 5,000 SF, it shall be no higher than one-story (20' above grade) and the outside shall be earth-toned in color.*
3. *All manufacturing activity shall be completed indoors, within the proposed insulated building, and there shall be no outdoor storage of business products.*
4. *Hours of operation shall be limited to weekdays between 7am and 5:30pm.*
5. *The commission grants a parking requirement waiver granting a 28% reduction in the required parking, bringing the required number of spaces from 9 to 7 total.*

* Standard conditions related to acceptance of conditions, permitting timeframes, and modifications apply, and have not been modified by this request

Sample Motion:

Madam Chair, I move to approve Docket SU-23-05 (Kaibab Manufacturing), with the Conditions of Approval recommended by staff; the Factors of Approval constituting Findings of Fact.