



Cochise County

Development Services

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MEMORANDUM

TO: Cochise County Planning and Zoning Commission
FROM: Robert Kirschmann, Planner II
FOR: Daniel Coxworth, AICP, Development Director
SUBJECT: Docket SU23-06 (Scott Hip Camp)
DATE: February 27, 2023 for the March 8, 2023 Meeting

APPLICATION FOR A SPECIAL USE AUTHORIZATION

The Applicant, Mr. Dave Scott requests a Special Use Authorization to establish a campground (Guest lodging). The plan includes two (2) Calistoga wagons refurbished into lodging, two (2) 26 foot tall tipis, and six (6) campsites.

The project is located on a nine (9) acre portion of a 36 acre parcel on Drifters Way, west of Frontier Road. The property is also identified as Assessor Parcel Number 111-45-054.

I. DESCRIPTION OF SUBJECT PARCEL AND SURROUNDING LAND USES

Parcel Size: 36 acres, ~9 acres request for the Special Use
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/ Recreational Vehicle/ Cargo container
Proposed Uses: Guest lodging/campground

Zoning/Use of Surrounding Properties

Relation to Subject Parcel	Zoning District	Use of Property
North	RU-4	Vacant/Rural Residential
South	RU-4	Rural Residential
East	RU-4	Vacant/Ag Support
West	RU-4	Vacant

II. PARCEL HISTORY

Minor Land Division approved December of 2022.

Planning, Zoning and Building Safety

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

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 (8) factors apply to this request. The project, as submitted, fully complies with five (5) of the factors. With the recommended conditions, the project complies with three (3) additional factors.

1. Compliance with Duly Adopted Plans: Complies



The project site is located in Category D, Rural. These areas are specifically not designated as rural residential because of sparse population, larger lot size, and grazing. It can also include areas that have developed or undeveloped recreational resources. This area meets all of that criteria.

The Economic Development Element states *Goal 1. Support the preservation and expansion of the Cochise County’s tourism, technology, agriculture, security, renewable energy, and transportation sectors...*

This project will provide a service for new and existing visitors to Cochise County. The campground provides a place for guests to stay so that they can explore the Chiricahua, Dragoon and other mountains and trails nearby. Additionally, Whitewater Draw, Leslie Canyon, Bisbee and Tombstone are all nearby. The Comprehensive Plan goes further with policy b which states *Encourage commercial development that enhances and complements regional tourism.*

The Comprehensive Plan also states:



Goal 1. Provide for a continuation of traditional rural ways of life, such as farming, ranching, and other agricultural-related activities, and provide for diverse and viable economic and development opportunities that are consistent with the character of Cochise County’s rural areas.

Policies

1. With property rights considered, protect rural character from the intrusion of urban uses and recognize that resources, such as agricultural lands, open space, and scenic view sheds, provide economic, social, and environmental benefits.

The project as proposed complies with the Comprehensive Plan.

2. Compliance with the Zoning District Purpose Statement: Complies

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 purpose statement of the Rural Zoning District in Article 6 includes seven points. Section 601.02 encourages non-residential uses which serves local need or provides a service that are compatible with rural living. A small campground will provide a low impact option for tourists visiting the area.



The project supports Section 601.05 in that it will provide recreational support services that are compatible with rural living.

Therefore, this project complies with this factor.

3. Development along Major Streets: Not applicable

The proposed use is located on Drifters Way. The site is approximately 1,1100 feet west of Frontier Road. Drifters Way is a non-County Maintained Road, but Frontier Road is. A condition of approval is included requiring a private maintenance agreement of Drifters Way.

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 Site is approximately 1,100 feet from Frontier Road, there is one parcel north and one south. The northern parcel has been developed with agricultural support services and the southern parcel has been cleared for future agriculture. Therefore, the minimal traffic created by a small campground would not impact any nearby residences.



As previously mentioned Staff is recommending a condition for a private maintenance agreement:

Staff recommends the following condition:

The Applicant shall sign a Private Road Maintenance Agreement (PMA) for Drifters Way.

5. Adequate Services and Infrastructure: Complies

The site has electricity being brought to the site, a well drilled and a future septic system. The Applicant is advised to verify with the State Department of Water Resources and their well driller the capacity of well and whether the well will be permitted for commercial use as proposed.

All sites are proposed to be dry. In the future a communal bath house will be provided. Until that time portable toilets will be provided.

6. Significant Site Development Standards: Complies with conditions

Site Plan:

The site plan shows a circular driveway with campsites located in southwest corner. The eastern side will have the two refurbished wagons. The northern portion of the site shows two (2) tipis, bathhouse, home, garage and storage. The concept plan shows sites five and six taking access from a road that does not currently exist. Staff reached out to the applicant regarding this. After discussion with the Applicant, they are in agreement to a condition requiring all sites to be accessed internally. As we are only looking at a concept at this time, the non-residential permit will need to provide additional details, include this revision.

The site is able to accommodate the development. The site plan submitted for permits will need to be detailed, fully dimensioned, showing all setbacks,



structure sizes, parking, etc. Additionally, an ongoing table shall be provided and updated with each permit submittal showing over all lot coverage.

Setbacks:

Setbacks to all property lines shall be maintained at twenty feet. The applicant is showing at least 50 feet.

Lot Coverage:

The residential Land Use district restricts lot coverage to a maximum of 25%. As proposed, approximately 12% is proposed to be covered with impervious surfaces.

Height:

The RU-4 allows for a height of up to 30 feet. Fencing shall be less than eight (8) feet. The tipis are approximately 26 feet in height.

Lighting:

The Applicant is not proposing any lighting, however any lighting required shall be shown on the non-residential permit application and will be required to be fully shielded and comply with the Outdoor Lighting Regulations.

Landscaping: No landscaping or screening is required by code. The applicant is proposing to only remove the vegetation required for improvements. Although there is minimal vegetation aside from grasses, this will help with screening and reducing impacts.

Staff recommends the following condition:

The Applicant shall provide a revised legible, detailed, dimensioned site plan with the non residential permits. The site plan shall show access to all camping sites will be internal and not to Drifters Way or the unnamed easement to the west.



7. Public Input: Complies with conditions

The applicant mailed letters to property owners within 1,200 feet of the property prior to application submittal. The owner received several responses to the request.

The Planning Department mailed letters to the same property owners within 1,200 feet of the subject property, published a legal ad in the *Sierra Vista Herald*, and posted a legal notice on the property. To date, staff has received two (2) letters in opposition and one in favor. One of the letters in opposition is from the board of the Home Owners Association.

The opposition discusses the following:

- **Water, Liquid and solid waste concerns**

Concerns were raised about the use of water and how will that water and solid waste be disposed of. The campsites will be dry and have no water to them. Initially, a portable restroom facility will be provided. Ultimately a bathhouse will be made available to the guests. Low flow fixtures and use of gray water will be required. A septic system will be installed for black water. Portable toilets and not a very desirable option for a number of reasons including but not limited to visual, odor, etc. Additionally, with the winds and heat it can be difficult to keep these from becoming a nuisance. Therefore, Staff is recommending that the bathhouse be constructed within six months of operation.

Solid waste is handled by a centrally located dumpster.

- **Violation of CC&Rs**

Though the County does not enforce CC&Rs, a letter was provided by Mr. Karl Schmitt representing Tombstone Valley Ranches HOA stating that the Development is in violation on the CC&Rs. The Applicant disagrees with the interpretation.

Should the Commission approve the request we recommend the following condition:

Staff recommends the following condition:

The applicant is required to complete the bathhouse within six months of receiving a final inspection of the improvements.

8. Hazardous Materials: Not applicable

There are no proposed hazardous materials.

9. Off-Site Impacts: Complies

The Applicant is proposing a low impact campground. Only areas required for access and structures will be cleared. The other vegetation will remain. The Applicant currently shows one acre of disturbance. The non residential permit shall provide a revised, detailed, and fully dimension plan. The Engineering Department will evaluate the request at that time and determine if a drainage analysis is required to be submitted.

10. Water Conservation: Complies

The proposed campground will not include any water hook ups. A bathhouse will be constructed in the future. Low flow fixtures will be utilized and grey water will be used for landscaping.

The property is located in the Douglas AMA and the Applicant is advised to check with them in regards to what permits/requirements may be required.

The site is located outside of the Sierra Vista Sub-watershed.

V. WAIVERS

None requested.

VI. SUMMARY AND CONCLUSION

This request is for a Special Use authorization to establish a campground (Guest lodging). The plan includes two (2) Calistoga wagons refurbished into lodging, two (2) 26 foot tall tipis, and six (6) campsites.

Factors in Favor of Approving the Special Use

1. With the recommended Condition of Approval, the proposed use would fully comply with eight (8) of the eight (8) applicable Special Use factors used by staff to analyze this request;
2. This project will provide the diversity of business discussed within the Comprehensive Plan by providing support of entrepreneurship of a different type of business in the County.
3. The Comprehensive Plan states: *...entrepreneurship is essential and should be encouraged as part of an economy-based land use policy. Supporting small businesses will not only spur diversified income opportunities*

and ensure economic competitiveness but will also foster resilience in the face of economic challenges such as natural disasters. This business adds to that diversity.

4. The Comprehensive plan also states *Support the preservation and expansion of the Cochise County's tourism...*
5. One letter of support received.

Factors Against Allowing the Special Use

1. Though the County does not enforce CC&Rs, the HOA has
2. Two letters in opposition received

VII. RECOMMENDATION

Based on the factors in favor of approval, staff recommends **Approval** of the Special Use request.

Should the Commission approve the Applications, staff recommends the following Conditions:

1. The applicant shall be limited to no more than six (6) individual sites, two (2) Conestoga style wagons, and two (2) tipis. No recreational vehicles are permitted in the campground.
2. A Firewise Plan and/or Emergency Response Plan may be required by the Development Services Department.
3. The property owner shall be responsible for maintaining the parcel in a clean and orderly state, free of any uncontrolled garbage.
4. The Applicant shall provide a revised legible, detailed, dimensioned site plan with the non residential permits. The site plan shall show access to all camping sites will be internal and not to Drifters Way or the unnamed easement to the west.
5. The applicant is required to complete the bathhouse within six months of receiving a final inspection of the improvements.
6. The park shall establish quiet hours from a minimum of 10PM to 6AM.
7. The Applicant shall sign a Private Road Maintenance Agreement (PMA) for Drifters Way.
8. All comments by outside agencies are included as conditions of approval, including but not limited to a drainage analysis to be required in conjunction with the non-residential permit.

Sample Motion:

Madam Chair, I move to approve Special Use Docket SU23-06 (Scott Hip Camp) located on parcel, 111-45-054 with the Conditions of Approval recommended by staff; the Factors in Favor of Approval constituting the Findings of Fact.