

RZ23-11/ CPA 23-03 (Hereford Moson)

Rezone from RU-4 to GB
And Comp Plan Amendment from
D- Rural Residential to C-Developing

Planning and Zoning Commission
July 12, 2023



The Request

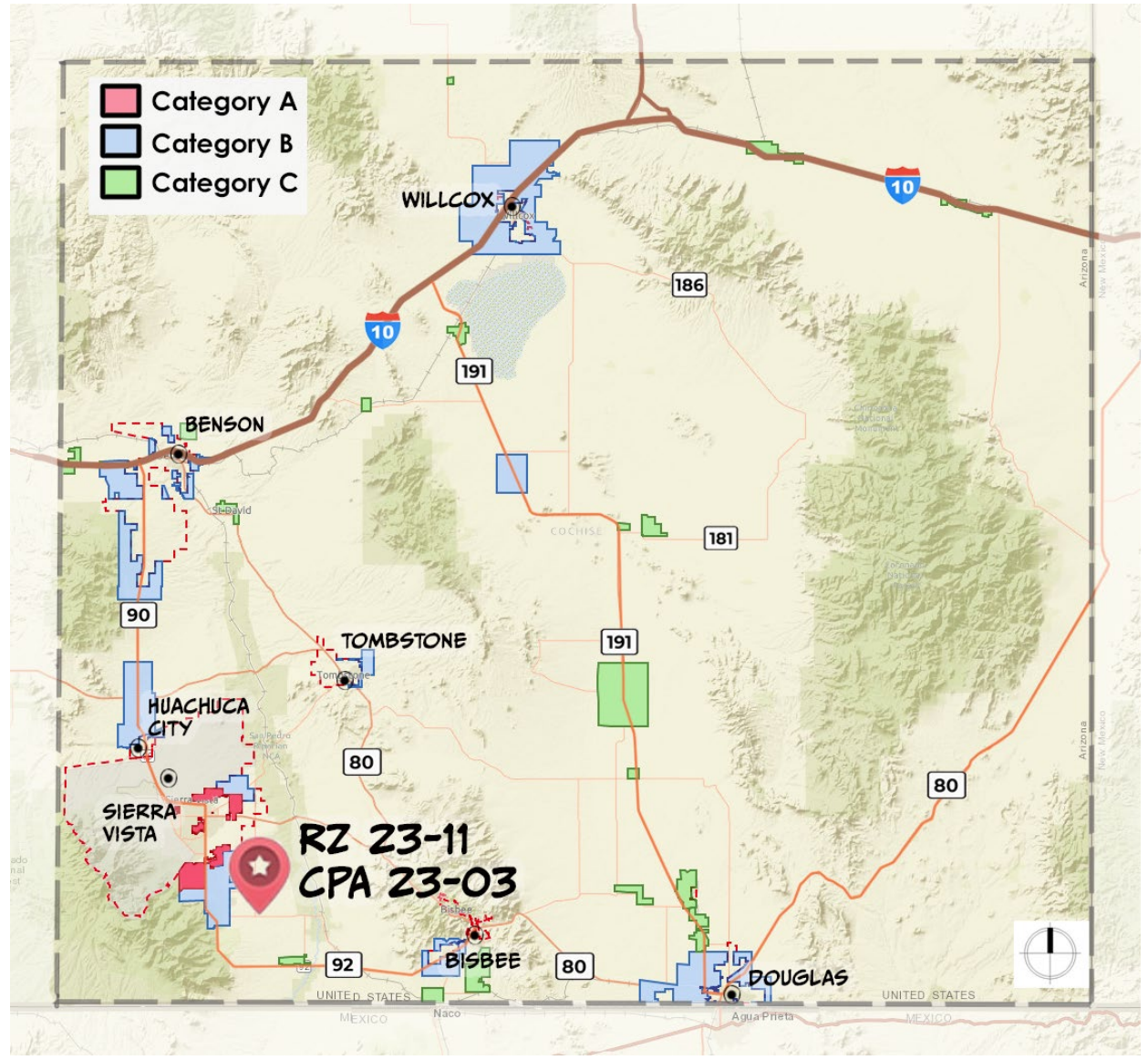
Applicant:	Shawn McKeown
Current Zoning:	RU-4 (Rural, one dwelling per 4-acres)
Proposed Zoning:	GB (General Business)
Current Growth Area & Plan Designation:	D-Rural Residential
Proposed Growth Area & Plan Designation:	C- Developing
Area Plan:	None
Existing Uses:	Vacant/Undeveloped
Proposed Uses:	Commercial (Conditioned)



DEVELOPMENT SERVICES

APN:
104-75-006

Size: 13.04 acres



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Site
RZ 23-11/CPA23-03 Hereford Moson

N.T.S

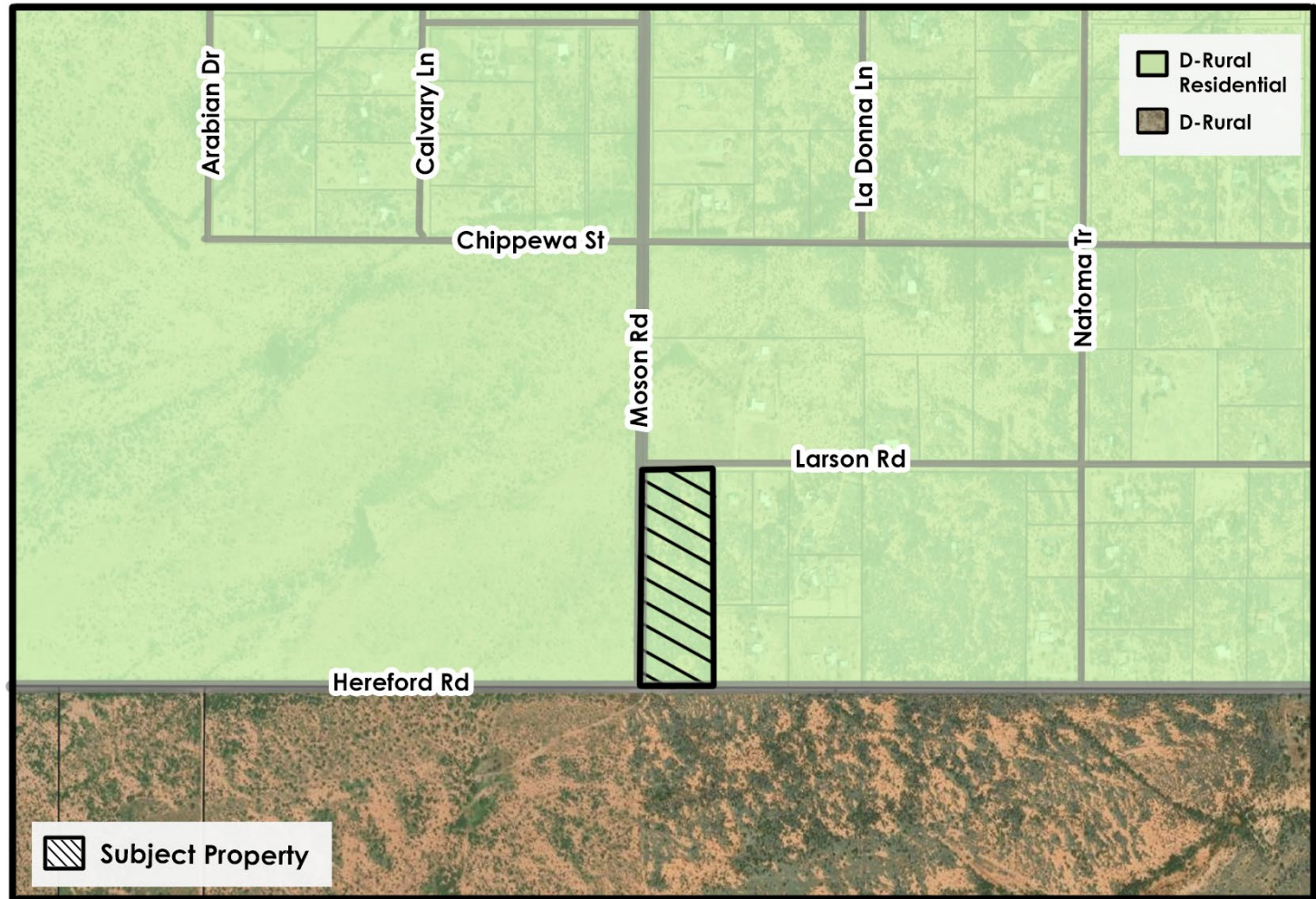


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Current Land Use



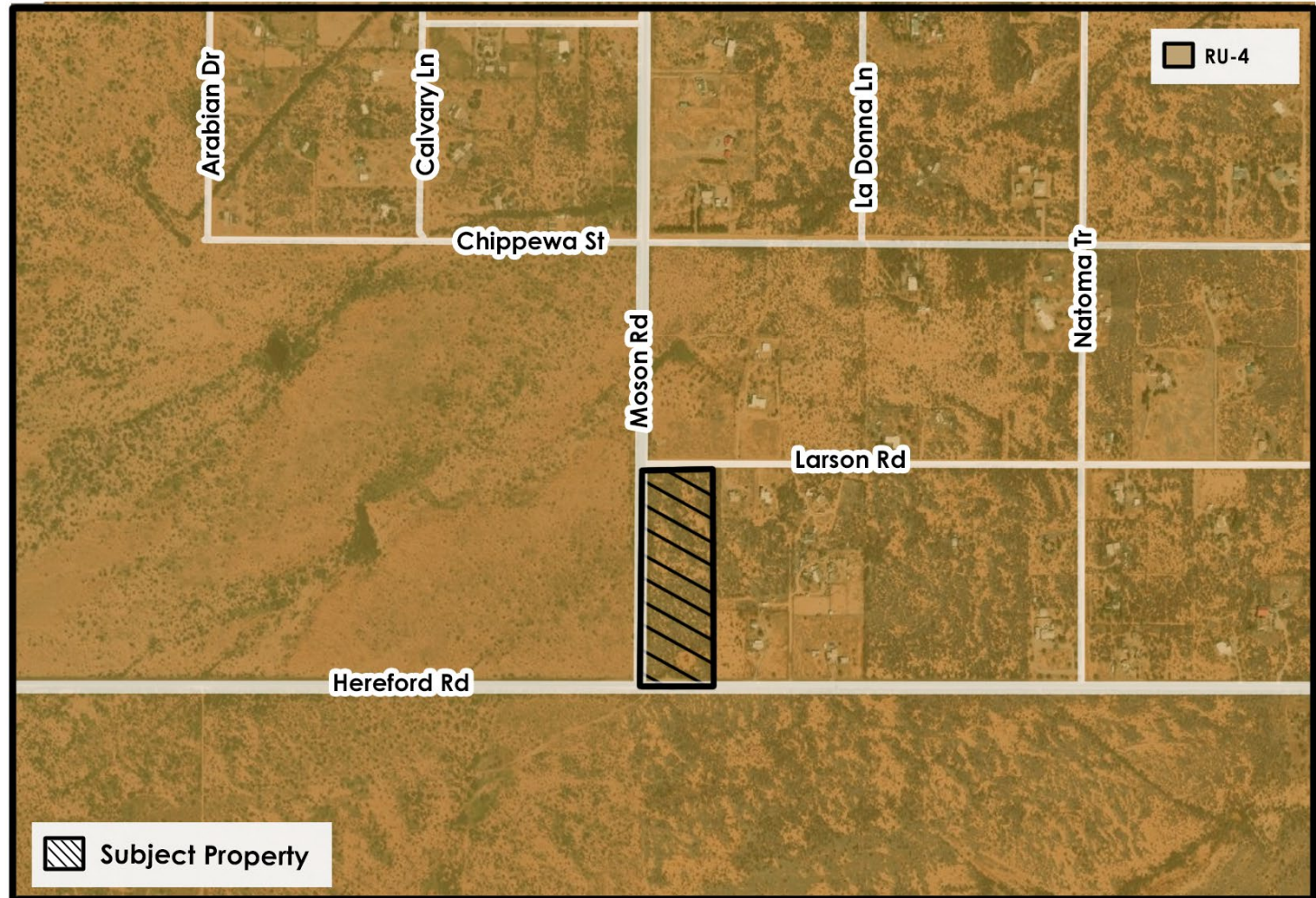
Land Use
RZ 23-11/CPA23-03 Hereford Moson

N.T.S.



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Current Zoning



Zoning
RZ 23-11/CPA23-03 Hereford Moson

N.T.S



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There are 6 factors used to evaluate all Land Use Map Amendment proposals. As submitted, the application:

Complies: 4 factors

Changing Growth Pattern

Substantial Area Changes

Changing Optimum Type of Development

Follows Distinguishable Pattern of Development

Does Not Comply: 2 factors

Substantial Property Owner Support

Harmonious Transition

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**There are 15 factors used to evaluate all Rezoning proposals.
As submitted, the application:**

Complies: 8 factors

Applicable site development standards
Adjacent districts remain capable of development
Traffic Circulation
Development along major streets
Limitation on the creation of nonconforming uses
Adequate services and infrastructure
Unique topographic features
Water conservation

Complies with Conditions: 2 factors

Compatibility with existing development
Rezoning to more intense districts

Does not Comply: 3 factors

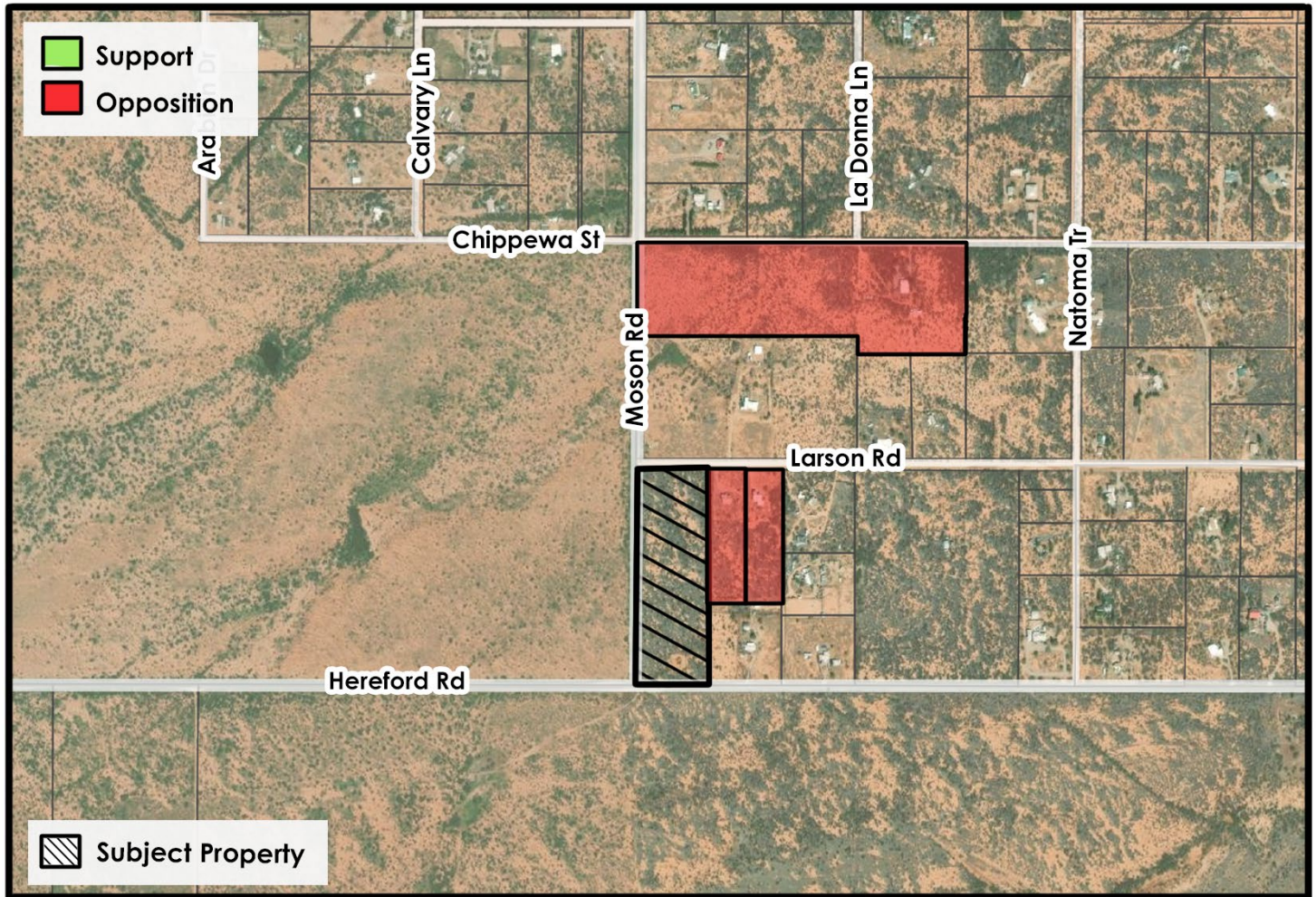
Provides adequate site plan/concept plan
Infill
Public input (4 letters in opposition)

Not applicable: 2 factors

Hazardous materials
Area Plan Compliance

DEVELOPMENT SERVICES

Public Input



Public Input
RZ 23-11/CPA23-03 Hereford Moson

N.T.S



Factors in favor of the Comprehensive Plan Amendment

1. The pattern of growth no longer reflects the type of growth expected in the current designation. Substantial changes have occurred, or are likely to occur, in the area.
2. The current land use countywide land use pattern is unbalanced. Over 90% of the County is D-Rural/Residential. There is very little Category C land use/developing designation, which allows for commercial zoning.
3. The subject property is at the intersection of two major local roads, making it a less desirable location for rural residential living.
4. Given the location/visibility/accessibility of the parcel, low density residential is not the highest and best use of the property.

Factors not in favor of the Comprehensive Plan Amendment

1. The application does not have substantial support from neighboring property owners.
2. The Comprehensive Plan Amendment will break the Growth Area and Plan Designation pattern of D-Rural and D-Rural Residential.

Factors in favor of the Rezoning

1. There is very little GB zoning in Cochise County. This zoning is only permitted within the Enterprise and Developing plan designations.
2. If the board conditionally approves the request, future redevelopment will be limited to some of the less intensive commercial uses, it will be held to a higher standard for landscape installation and maintenance, and the county will gain 50' of ROW along Hereford and Moson Roads.

Factors not in favor of the Rezoning

1. The application does not have substantial support from neighboring property owners.
2. The rezoning will break the development pattern of RU-4 zoning in the area.

Recommended Conditions

1. The Applicant shall obtain a building/use permit for development of the property within ten years of Board of Supervisors approval of the rezoning, otherwise the rezoning approval shall be deemed null and void, and the property shall revert to RU-4 zoning.
2. The permitted principal uses of the property shall be limited to the following, provided that they conform to the applicable site development standards for such uses and meet any other requirements for such uses found in these Zoning Regulations, such as off-site road and drainage improvements:
 - 1202.04 Day Care Facilities or Establishments.
 - 1202.10 Civic, Social, Fraternal, and/or Business Associations.
 - 1202.11 Hospitals, including Ambulatory Services.
 - 1202.12 Personal and Professional Services.
 - 1202.13 Banks and/or Banking Services.
 - 1202.15 Veterinary Clinics and/or Animal Hospitals.
 - 1202.18 Recreational Facilities, Indoor and/or Outdoor
 - 1202.20 Gasoline/Service Stations.
 - 1202.21 Convenience Stores.
 - 1202.22 Grocery Stores.
 - 1202.23 Restaurants, Bars, Taverns, and/or Off-site Winery Tasting Room.
 - 1202.24 Shopping Centers.
 - 1202.25 Retail Sales/Rentals.
 - 1202.27 Repair Services, Light.
 - 1202.29 Communications Towers at a maximum height of 40 feet, subject to site dev. standards in Article 18
 - 1202.32 Mini-Warehouses.
 - 1202.40 Health Clinics.
 - 1202.41 Car Washes

Recommended Conditions, Continued

3. The permitted special uses of the property, which require a Special Use Authorization from the Planning Commission in the GB Zoning Districts, subject to the procedures and review criteria set forth in Article 17. If granted, each land use will also require a Non-Residential Use permit. Future special uses of the property shall be limited to the following:
 - 1205.01 Manufacturing, Wholesaling, Warehousing, Distribution, and/or Storage of Goods
 - 1205.10 Repair Services, Large Engines
 - 1205.11 Repair Services (unenclosed), Small Engines.
4. The applicant shall dedicate no less than fifty (50) feet for right-of-way to the county along Hereford and Moson Roads.
5. This parcel shall not be exempt from the installation and maintenance of landscape, per Section 1806.02A of the Zoning Regulations. It shall be subject to the placement of landscaping requirements of 1806.02B of the Zoning Regulations.

Discussion



Staff Recommendations and Sample Motions

Docket CPA 23-03, Staff recommends **Conditional Approval**

Docket RZ 23-11, Staff recommends **Conditional Approval**

Madam Chair, I move to recommend approval to the Board of Supervisors Comprehensive Plan Amendment CPA 23-03 (Hereford Moson) located on parcel 104-75-006, with the Conditions of Approval recommended by staff; the Factors in Favor of Approval constituting the Findings of Fact.

Madam Chair, I move to recommend approval to the Board of Supervisors Rezoning, RZ23-11 (Hereford Moson) located on parcel 104-75-006, with the Conditions of Approval recommended by staff; the Factors in Favor of Approval constituting the Findings of Fact.