



MEMORANDUM

TO: Cochise County Planning and Zoning Commission
FROM: Daniel Coxworth AICP, Development Services Director
SUBJECT: SU 23-18 (Ramsey Canyon Cabins) Modification of Special Use SU-08-03
DATE: August 9, 2023

The applicants, Jen and Greg Scialdone request a Modification to Special Use SU-08-03 authorization approved in 2008 for Guest Lodging. Two guest cabins were approved in 2008. The applicants are requesting the following:

- **Additional Guest Cabin for a total of three.**
- **Four RV spaces**
- **Parking for day guests not staying in the cabins.**

The establishment of guest lodging (607.01) is subject to Special Use Authorization from the Planning and Zoning Commission in a rural zoning district.

I. Description of Subject Parcel and Surrounding Uses

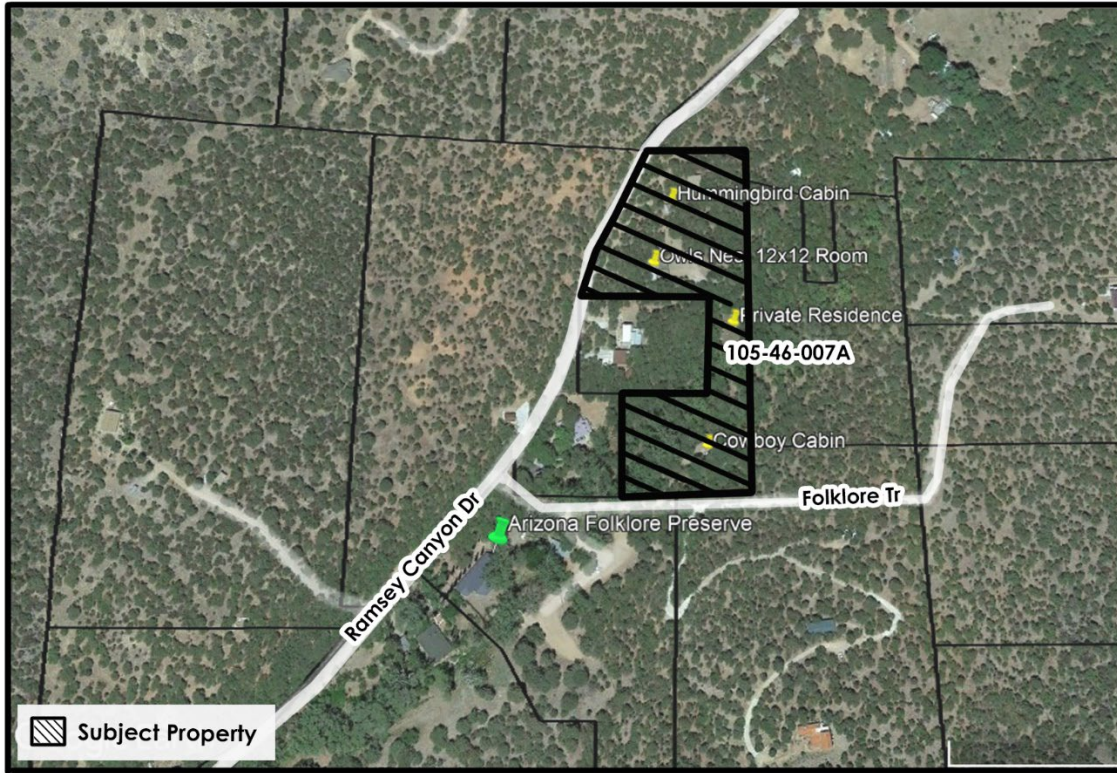
Location: 76 E Ramsey Canyon Road, Hereford
APN: 105-46-007A (4 acres)
 105-46-004B (4 acres, not subject to Special Use Approval)
Parcel Size: 4 acres
Current Zoning: RU-4 (Rural; one dwelling per 4 acres)
Growth Area: Category D
Comprehensive Plan Designation: Rural Residential
Area Plan: NA
Existing Uses: Single-Family Residence, Two Cabins for rent

Surrounding Zoning and Uses

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

II. SITE HISTORY

File # 23-002208 - Violation for exceeding the scope of SU-08-03
 2021 – 200 Amp Service Upgrade
 HCP-09-5007 – Right-of-Way Permit for access apron
 SU-08-03 – Special Use approval for two cabins



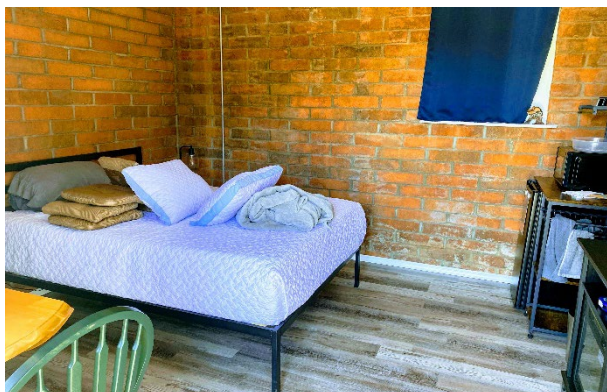
Location
SU 23-18 (Ramsey Canyon Cabins Mod)



III. REQUEST DESCRIPTION

The Zoning Regulations define Guest Lodging as "a building or group of buildings furnishing rooms or an area for accommodation for overnight or short-term lodging such as a hotel or motel, resorts, guest ranches, group camps, and campgrounds and may include recreational facilities, restaurants, meeting rooms, or similar facilities. This definition does not include Recreational Vehicle Parks or Bed and Breakfast land uses."

The subject parcel has a home, three cabins for rent, and a parking area near Ramsey Canyon Road for day guests. The Applicant is requesting to permit the additional cabin, the parking for day guests, and four RV spaces.



Cabin 3



Site Access from Ramsey Canyon Road



Parking Area

IV. ANALYSIS OF IMPACTS – COMPLIANCE WITH SPECIAL USE FACTORS

Section 1716.02 of the Zoning Regulations lists ten factors 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 and to determine what Conditions and/or Modifications may be needed.

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 the Comprehensive Plan states, "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, locally owned business.

2. Compliance with the Zoning District Purpose Statement: Complies

The property is zoned RU-4, rural zoning, with one dwelling per four acres. The surrounding area is similarly zoned. 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 nonresidential and non-agricultural activities which serve local needs or provide a service and are compatible with rural living;
- 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; and
- 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

The proposed uses are consistent with five of the seven purpose statements for rural zoning districts. In particular, it meets the less common purpose of providing recreational services compatible with rural living.

3. Development along Major Streets: Complies

This factor intends to consider limitations 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.

Access to the site is from Ramsey Canyon Road. The Cowboy Cabin is accessed via an easement across the Arizona Folklore Preserve property. Ramsey Canyon Road is a County maintained road. The access apron to the site was improved in 2009. The County right-of-way division commented that no additional improvements to the access drive are necessary.

4. Traffic Circulation Factors: Complies

This factor stipulates that the Special Use Authorization request should not result in the use of any residential street for nonresidential traffic. The area can be characterized by scattered, low-density residential and commercial uses for guest lodging and outdoor recreation. Section 1807.02 of the Zoning Regulations states, "No building permit for nonresidential 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."

The site has access to Ramsey Canyon Road and adequate internal traffic circulation. As mentioned, the Cowboy Cabin is accessed from an easement across the Arizona Folklore Preserve property.

5. Adequate Services and Infrastructure: Complies

The property also includes a well and three septic systems. SSVEC serves it for electricity. It is located in the Fry Fire District.

6. Significant Site Development Standards: Complies

The Zoning Regulations do not contain site development standards for guest lodging outside recreational vehicle parks. Consequently, only site development standards apply to a broad range of nonresidential uses, like parking and floodplain requirements, or those that apply to uses within RU-4 zoning.

- 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 guest room or suite of rooms plus 1 per three- employees in the largest working shift" for guest ranches.
- The proposed use complies, and/or will comply, with all site development standards for RU-4 zoning, including maximum site coverage, setbacks, and distance between structures.

7. Public Input: Complies

Staff has received the following public comments:

- Three letters in opposition from neighboring property owners stated concerns with traffic, density, privacy, and noise.
- Seven letters in support from property owners in the area and additional letters from property owners outside the 300' notification.

8. Hazardous Materials: Not Applicable

No hazardous materials are proposed.

9. Off-Site Impacts: Complies with conditions

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

- No odors or on-site activities that attract pests are anticipated
- No outdoor lighting is proposed
- One to two additional employees may be employed on the site
- No additional land clearing is proposed (The Applicant will bring in fill for the RV pads)
- The owners do not allow pets or children to stay overnight

Staff has concerns with the request for four RV sites and the limited space available. To reduce the potential for negative off-site impacts and reduce the amount of RV traffic on Ramsey Canyon Road, **staff recommends no more than two RV sites** allowed on the property, although at the Commission's discretion, may amend condition #4 below and grant four RV sites or no RV sites on the property.

10. Water Conservation: Complies

A private well serves the current house and business. The proposed use of limited guest lodging is not water intensive, and no additional development is proposed. The RVs will hook up to electricity. No sewer or water will be provided.

VI. PUBLIC COMMENT

The Applicant mailed letters to properties within 300 feet of the property before application submittal and received no written responses.

The case planner mailed letters to the same property owners within 300 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 responses from several adjacent landowners. Their complete responses are included as an attachment to this docket.

VII. WAIVERS

None requested.

VI. SUMMARY AND CONCLUSION

This is a special use modification request to add one additional cabin for rent, four RV spaces, and parking for day guests.

Factors in Favor of Approving the Special Use

1. With the recommended conditions, the project complies with the ten criteria used to evaluate special use requests.
2. The project is consistent with the goals and policies of the Comprehensive Plan and the purpose of the Zoning District;
3. Ramsey Canyon Cabins is an established, locally-owned existing business that promotes local and regional tourism; and

4. The business provides a recreational service to area residents.
5. Letter in support from seven property owners in the area

Factors Against Approving the Special Use

1. Letters of opposition from 3 property owners in the area.
2. Off-site impact concerns of neighbors (conditions recommended); and

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. 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. Before the 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 conforming with all applicable site development standards (except as modified) and 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. The Applicant's responsible for obtaining any additional permits or meeting any additional Conditions that may apply 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.
4. Guest lodging is limited to **two rental RV** sites for RVs not longer than 24 feet.
5. One additional guest cottage (Owl's Nest) for a total of three.
6. RV sites shall provide electrical hookups, and the use of generators is prohibited.
7. Meet all Health Department Requirements.

Sample Motion:

Madam Chair, I move to approve Docket SU-23-18 (Ramsey Canyon Cabins Guest Lodging), with the Conditions of Approval recommended by staff; the Factors of Approval constituting Findings of Fact.