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MEMORANDUM

TO: Cochise County Planning and Zoning Commission
FROM: Matthew Taylor, AICP, Planner II
FOR: Christine McLachlan, AICP, Planning Division Manager
SUBJECT: SU23-28 (Commercial Plant Nursery)
DATE: December 13, 2023

Docket SU23-28 (Commercial Plant Nursery)

The applicant requests Special Use Authorization for a commercial plant nursery. The property is located on the east side of Ocotillo Road, approximately 2/3 mile north of Interstate 10 between Four Feathers Lane and Aviation Drive.

I. DESCRIPTION OF SUBJECT PARCEL AND SURROUNDING USES

Applicant: Diamond II Bar Group, LLC
Location: Ocotillo Road, north of Interstate 10
APN: 123-08-003S
Parcel Size: 5.8 acres
Zoning: R-36 (Residential District, 36,000 SF minimum site area)
Growth Area: B – Community Growth
Plan Designation: Developing
Existing Use: Undeveloped
Proposed Use: Commercial Plant Nursery

Surrounding Zoning and Uses

North	RU-4	Undeveloped, agriculture, single family residential
South	R-36	Undeveloped, single family residential, RV park
East	R-36	Undeveloped, single family residential
West	City of Benson	Undeveloped, single family residential

II. SITE HISTORY

None.

III. SPECIAL USE AUTHORIZATION REQUEST

The applicant requests Special Use Authorization approval for a commercial plant nursery. About 2 of the site's 5.8 acres will be developed for the plant nursery. There are multiple accessory-type structures on the property, and proposed improvements include office trailer, greenhouses, storage buildings, and shade structures. Hours of operation are identified as Monday through Saturday, 8am – 5pm, with two employees and about 8-12 vehicle trips per day. Estimated water usage is 500-1000 gallons per day (12,000 gallons per year).

IV. ANALYSIS OF IMPACTS – COMPLIANCE WITH SPECIAL USE FACTORS

Section 2.48.160 of the Zoning Regulations identifies ten (10) factors to evaluate Special Use applications. Staff uses these factors to determine the suitability of a special use request, whether to recommend approval, and to determine if conditions and/or modifications are needed to mitigate potentially negative impacts on surrounding properties. With the information provided, nine (9) factors apply to this special use request with eight (8) factors complying.

1. Compliance with Duly Adopted Plans: Complies

The subject property is designated “Developing” by the comprehensive plan and falls within Growth Area B (Community Growth). R-36 is a consistent zoning district with this land use designation as is General Business District (GB), which is the least intense zoning district that allows commercial plant nurseries as a permitted use. The property’s plan designation describes areas experiencing residential and non-residential growth that may include business, industrial, and agricultural-related uses. The site is about 1 mile south of the *Tres Alamos Community Plan* (Rural Residential, Growth Area D).



2. Compliance with the Zoning District Purpose: Partially Complies

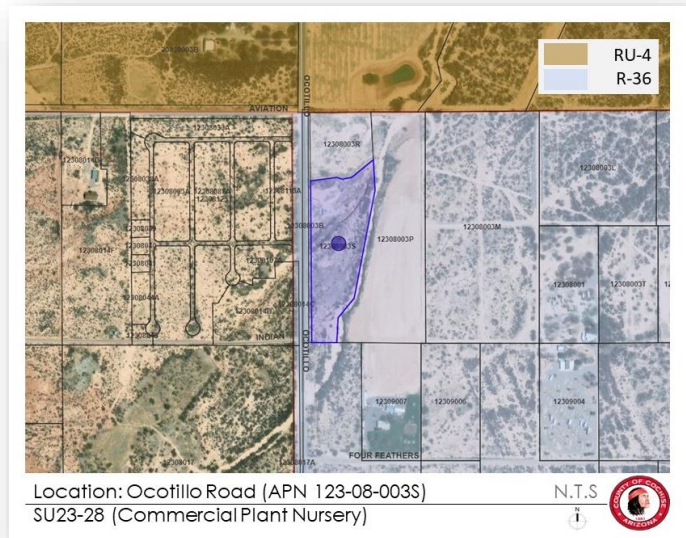
The property’s R-36 zoning is a residential zoning district with sub-categories ranging in minimum site areas from 9000 SF to 36,000 SF. The district accommodates small to medium single-family residential development to achieve the following:

1. Provide an area for families living at a variety of low to medium densities.
2. Provide an area where single-household dwellings, rehabilitated mobile homes, and manufactured homes can co-exist.

The proposed special use does not comply with the purposes of the zoning district as currently identified in zoning regulations. However, R-36 allows non-residential uses without special use approval, including mobile, manufactured, and recreation vehicle parks; utility installations which may include substations, booster stations, water tanks, and communications towers; churches or places of religious worship; emergency vehicle stations; and community gardens.

In addition to commercial plant nurseries, uses allowed in R-36 with an approved Special Use Authorization include:

- Animal Husbandry Services
- Cemeteries
- Civic, Social, Fraternal, and/or Business Associations
- Communication Towers (subject to site development standards in Article 2.51)
- Contract Construction Services (R-36 only)
- Cultural, Historic, and/or Nature Exhibits
- Day Care Facilities or Establishments
- Educational Services
- Farmers Markets
- Golf Courses (subject to site development standards in Article 2.51)
- Grocery Stores
- Group Quarters
- Health Clinics
- Manufacturing, Wholesaling, Warehousing, Distribution, and/or Storage of Agriculture-Related Products (R-36 only)
- Mini-Warehouses
- Personal and Professional Services
- Recreational Facilities, Indoor and/or Outdoor
- Repair Services, Light (not to exceed 2,500 square feet of floor area)
- Residential Care Institutions
- Veterinary Clinics and/or Animal Hospitals
- Welfare and/or Charitable Services



3. Development Along Major Streets: Complies

The intent of this factor is to consider limiting the number of access points on major thoroughfares, arterials, or collectors by using frontage roads, shared access, and no access easements. Incorporating such measures promotes fewer road cuts to avoid potentially unsafe traffic conflicts, hazardous traffic congestion, and roadway obstruction caused by traffic.

The subject property has an existing driveway with approach apron. Additional access points along Ocotillo Road are not proposed. Ocotillo Road is a county-maintained, improved surface roadway classified as a Rural Minor Collector. The applicant estimates about 90% site traffic will travel to and from the direction of Interstate 10.

4. Traffic Circulation: Complies

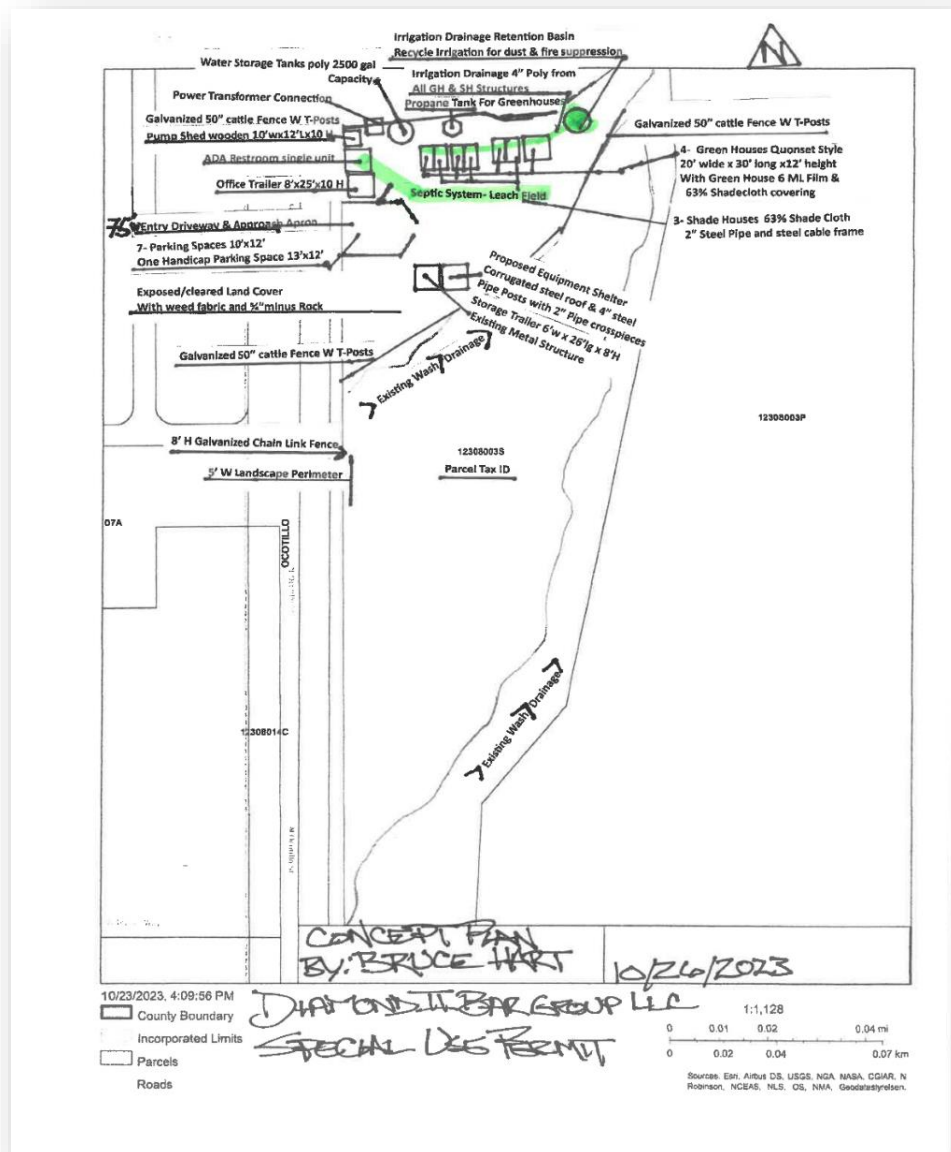
This Special Use Authorization factor stipulates:

1. The request is consistent with the preservation of the functions of surrounding streets as defined in the County Comprehensive Plan.
2. The request does not result in the use of any residential street for non-residential traffic.
3. Consideration of future circulation needs in the surrounding area has been considered through right-of-way dedication and off-site improvements if warranted.

The subject property has direct access to Ocotillo Road, a rural minor collector. Business traffic is unlikely to use

unimproved local roads in the area when traveling to and from the site, and the limited scope of the use does not require off-site improvements or an over-intensification of Ocotillo Road's existing roadway classification. A right-of-way permit may be required at site development to ensure Ocotillo Road access meets minimum county standards.

Site Plan



5. Adequate Services and Infrastructure: Complies

The subject property has direct access to an existing, improved collector road (Ocotillo Road). Benson Fire Station is located less than 3 miles to the south, and applicant proposes on-site well, septic, and propane for the project. Power is provided by SSVEC. The subject property is located about ½ mile west of Pomerene water and fire districts.

6. Significant Site Development Standards: Complies

The County does not have site development standards specific to commercial plant nurseries. Consequently, site development standards are determined by zoning district and other specific site development standards found in Sections 2.18 and 2.51 of county zoning regulations. Requirements include bulk standards (setbacks, building height, lot coverage), parking, screening, and landscaping. Given the presence of Flood Zone A along the western edge of the property along with the existing wash, Article 8 (Floodplain Regulations) also applies to the project. A drainage analysis is required, and a floodplain use permit may also be required at development. Special erosion hazard setbacks may be required, depending on drainage analysis findings. County floodplain regulations will be revised in 2023 with an estimated effective date of December 14th.

<u>STANDARD</u>	<u>REQUIREMENT</u>	<u>SECTION</u>
Site Area	36,000 SF	2.18.040
Setback	20'	2.18.040
Building Height	30'/20' above grade (principal/accessory)	2.18.040
Site Coverage	65%	2.18.040
Building Separation	15'	2.18.040
Parking and Loading	-1 space per 250 SF of gross floor area. -Head-in parking requires 9'X19' space size and 24' aisle width; angled parking requires 9'X19' space size and 18' aisle width. -Paved parking and loading surfaces required in Category B growth area. Outdoor storage and display areas require a dust-free, gravel surface. -All gravel surfaces must be designed to prevent water collection. *Applicant requests a waiver from parking and loading area paving requirement, proposing fabric and ¾ inch crushed granite surface with as needed dust control.	2.51.040
Screening	Developed, non-residential areas and outdoor storage areas must be screened with a 6-foot solid screen. This requirement can be deferred if adjacent residential zoned properties are undeveloped.	2.51.050
Landscaping	-Category B requires a minimum 5% of developed site area to be landscaped. 5' landscape strip is required along Ocotillo Road in the developed area. All landscape materials must be consistent with County approved list.	2.51.060

7. Public Input: Complies

Section 2.48.160 of the Zoning Regulations states, "If public concerns have been raised, it is fair to ask if the applicant has made a reasonable effort to address these concerns through the Citizen Review Process." The applicant sent letters to surrounding property owners on October 23, 2023, and has not receive any concerns about the project.

8. Hazardous Materials: Not Applicable

The applicant does not propose using hazardous or dangerous materials on the site.

9. Off-Site Impacts: Partially Complies

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.

- Dust: The applicant requests a waiver from paved surface requirements for parking and loading areas. The applicant proposes nylon fabric and $\frac{3}{4}$ gravel with mechanical watering in lieu of chip seal surfaces for parking, loading and storage areas.
- Smoke: Activities generating smoke that could negatively impact neighboring properties are not proposed for this use.
- Odors: Activities generating odors that could negatively impact neighboring properties are not proposed for this use.
- Noise: Minimal use of large vehicles and loader equipment is anticipated by the applicant. Adjacent properties to the north and east are undeveloped as are properties



Ocotillo Road, viewing south

- to the west within City of Benson jurisdiction. The closest residences to the subject property are to the south (~450'), north (900'), and west (1200'). Site development will occur on the north of the subject property in the vicinity of the Ocotillo Road – Aviation Drive intersection due to the presence of washes and broken terrain.
- Lighting: Outdoor lighting is proposed for the use. Shielded fixtures will be utilized. The applicant does not request waivers from on-site lighting requirements found in Section 2.45 of the zoning regulations.
- Stormwater Runoff: County floodplain regulations are in effect for this project. A drainage analysis is required, and a floodplain use permit may also be required at development. Special erosion hazard setbacks from the wash may also be required, depending on drainage analysis findings.

10. Water Conservation: Complies

The proposed project will comply with applicable county-wide water conservation requirements of Section 2.51.170 of the Zoning Regulations. Applicable provisions include:

- Landscaping improvements must include plants and groundcover contained in the county approved landscape plant list. The applicant states this requirement will be met.
- Misterters are not allowed for commercial or industrial developments (not proposed).
- New artificial water features such as ponds and lakes and other decorative water features are prohibited with new nonresidential development unless their sole source is harvested rainwater, or they functionally service other allowable uses. The applicant proposes retention basins for water capture and reuse.

V. PUBLIC COMMENT

Per Section 2.63.030 of the Zoning Regulations, the applicant notified surrounding property owners of the Special Use Authorization request on October 23, 2023. The applicant has not received concerns or opposition to the project. Staff mailed notices to property owners within 600' of the subject property on November 15, 2023. Staff also posted the property on November 21, 2023, and published legal notice in the Herald/Review on November 22, 2023. Staff has not received public input in favor of or opposed to the special use request.

VI. WAIVERS

A waiver from parking and loading area paving requirements is requested, proposing nylon fabric and ¾ inch gravel with watering to control dust as needed.

VII. SUMMARY AND CONCLUSION

The applicant requests special use authorization for a commercial plant nursery on APN 123-08-003S, which totals about 5.8 acres and is undeveloped. The northern 2 acres of the site will support the plant nursery use. Most site improvements will be located north of an existing property entrance along Ocotillo Road. The nearest residence to the subject property is 450' to the south. There are no residences within 900' of the proposed project site itself.

Factors in Favor of Approval

1. Complies with eight Special Use Authorization factors.
2. Compatible use along an improved roadway in an area with an existing residential and non-residential development pattern.
3. No opposition from surrounding property owners.

Factors Against Approval

1. Potential off-site impacts from fugitive dust and stormwater runoff.

VIII. RECOMMENDATION

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

1. A combination of fabric and ¾ inch gravel may be used instead of chip sealed surfaces for parking, loading, and storage areas. Dust control measures shall be implemented as needed to reduce fugitive dust.
2. Soils, fertilizers, and pesticides/herbicides shall be utilized and stored in a manner that prevents migration onto surrounding properties due to wind, stormwater runoff, or other causes.

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

Sample Motion

Madam Chair, I move to approve Docket SU23-28 (Commercial Plant Nursery) with Conditions of Approval recommended by staff, the Factors of Approval constituting Findings of Fact.