

# DRAFT

## PROCEEDINGS OF THE COCHISE COUNTY PLANNING AND ZONING COMMISSION REGULAR MEETING HELD ON Wednesday, JANUARY 10, 2024

A regular board meeting of the Cochise County Planning and Zoning Commission was held on Wednesday, JANUARY 10, 2024 at 4:00 p.m. in the Board of Supervisors' Hearing Room, 1415 Melody Lane, Building G, Bisbee, Arizona.

Present: Kim DePew, Chair; Robert Montgomery, Vice Chair; Randall Limbach, Member; Nathan Watkins, Member; Gerry Gonzalez, Member; Larry Saunders, Member

Absent: Jim Martzke, Member; Albert Young, Member; Nancy Welch, Member

Staff Present: Dan Coxworth, Development Services Director  
Christine McLachlan, Planning Division Manager  
Matthew Taylor, Planner II  
Paul Correa, Civil Deputy County Attorney

Attendees: Merlin Hinrichs, Applicant (SU 23-29 Pomerene Tower)

Chairman DePew called the meeting to order at 4:00 p.m.

**ANY ITEM ON THIS AGENDA IS OPEN FOR DISCUSSION AND POSSIBLE ACTION**

**PLEDGE OF ALLEGIANCE**

**THE ORDER OR DELETION OF ANY ITEM ON THIS AGENDA IS SUBJECT TO MODIFICATION AT THE MEETING**

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**CALL TO ORDER**

PLEDGE OF ALLEGIANCE

**ROLL CALL** (Introduce Commission members and explain quorum and requirements for taking legal action).

**CALL TO THE PUBLIC** – Pursuant to A.R.S . § 38-431.01 (H) this is an opportunity for the public to comment. Individuals are invited to address the Commission on any issue within the Commission’s jurisdiction. Since Commissioners may not discuss items that are not specifically identified on the agenda, Commission action taken as a result of public comment will be limited to directing staff to study the matter, responding to any criticism or scheduling the matter for further consideration and decision at a later date.

*No one was present for Call to the Public*

## **ELECTION OF CHAIRMAN AND VICE-CHAIRMAN**

*Motion by Vice Chair Robert Montgomery, Second by Member Nathan Watkins Election for 2024 Chair: Vice Chair Montgomery nominated Chair DePew to serve as the 2024 chair of the Planning and Zoning Commission. The was seconded by Member Watkins. There were no other nominations. Chair DePew stated she was willing to continue as chair. The motion passed unanimously (6-0).*

*Election for 2024 Vice Chair: Member Limbach nominated Vice Chair Montgomery to serve as the 2024 Vice Chair of the Planning and Zoning Commission. Member Gonzalez seconded the motion. Vice Chair Montgomery accepted the nomination. The motion passed unanimously (6-0).*

*Kim DePew will serve as the Chair of the Planning and Zoning Commission, Robert Montgomery will serve as the Vice Chair.*

**Vote:** 6 - 0 Approved

## **APPROVAL OF THE PREVIOUS MONTH’S MINUTES**

Motion by Member Larry Saunders, Second by Member Nathan Watkins

**Vote:** 6 - 0 Approved

## **PUBLIC HEARING**

1. An applicant-initiated Special Use Authorization request for an existing communication tower with supporting ground equipment at 1026 E. Pomerene Road.

Motion by Member Nathan Watkins, Second by Member Larry Saunders

*Case planner Taylor provided a staff presentation, which is preserved in the files. Applicant Merlin Henrichs, who was present at the meeting, provided an applicant's statement following the presentation. Commission discussion: Member Saunders asked for additional clarification of the tower's status and the special use request. The applicant clarified this was an existing tower and that there was a code compliance complaint filed against him. Member Limbach asked whether the applicant intended to increase or expand the use. The applicant clarified he thought expansion was unlikely. Member Limbach asked whether there were pre-determined outages or usage limits associated with the*

request. The applicant stated the member usage would be according to contract, with no redetermined outages. Member Limbach asked Planner Taylor about site development standard for communication tower compliance. Planner Taylor stated the applicant would need to follow all site development standards, unless waived by the commission. Member Watkins asked whether there was a mechanism for WISP providers to be notified of the process and requirements. Director Coxworth stated the county could provide additional notice through the PIO, but the county response is largely complaint-driven (reactive). The Chair closed the public hearing. Staff recommended conditional approval. The motion passed unanimously (6-0).

**Vote:** 6 - 0 Approved

## **WORKSESSIONS**

1. R 23-04 (Agritourism) Work session regarding a staff-initiated amendment to the Cochise County Zoning Regulations, Sections 2.03, 2.15, 2.18, 2.42, and 2.48

*Director Coxworth provided a presentation which is preserved in the files. Commission discussion: Member Gonzalez asked how this could apply to his farm. Director Coxworth did not think the agritourism designation would apply. Member Watkins provided an example of how this measure could apply to his property, indicating it could be helpful to similar farms in the area and diversify income on farms. Chair DePew asked Director Coxworth to clarify that the intent was to help make things easier for farmers. Director Coxworth stated there would need to be some expectation of profit and this could provide additional income to farmers before their crop is harvested. Member Gonzalez stated there was a large initial capital investment required of farmers. Member Saunders asked whether RV parks would be permitted. Chair DePew asked why this had been brought up by staff. Director Coxworth stated this had been considered for a while and there was a lighter docket load this month which allowed some time to draft the amendment. Chair DePew asked if there was a GIS layer showing the ag exempt properties. Director Coxworth stated there was not. Chair DePew stated she was concerned about the unrestricted allowance of RVs. Director Coxworth stated the applicant would need a permit for agritourism and staff would verify whether the RV use was subordinate and follow density limits for the zoning designation. Member Limbach asked about RV parking provision under guest lodging. Chair DePew stated there was an overuse of the word "enterprise" in the zoning regulations and Comprehensive Plan and she would prefer that it not be attached to this measure.*

*This item was for discussion only. No vote was taken.*

2. Year in Review (2023)

*Planning Manager McLachlan provided a summation of the 2023 commission year, which is preserved in the case file.*

*This item was for discussion only. No vote was taken.*

**PLANNING DIRECTOR'S REPORT, INCLUDING PENDING, RECENT AND FUTURE AGENDA ITEMS AND BOARD OF SUPERVISORS' ACTIONS.**

**CALL TO COMMISSIONERS ON RECENT MATTERS.**

**ADJOURNMENT**

Chairman DePew adjourned the meeting at 5:19 PM.

APPROVED:

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Kim DePew, Chairman

ATTEST:

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Daniel Coxworth, Development Services Director