



## Development Services

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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:** SU24-18 (Ringtail Road Fabrication)  
**DATE:** September 11, 2024

### **Docket SU24-18 (Ringtail Road Fabrication)**

A Special Use Authorization request for a fabrication business. The applicant resides on the property and the business is family-owned and operated.

### **I. DESCRIPTION OF SUBJECT PARCEL AND SURROUNDING USES**

Applicant: Kirk Stearns  
Location: 2582 W. Ringtail Road)  
APN: 124-21-001A  
Parcel Size: 20.4 acres  
Zoning: RU-4 (Rural District, one dwelling per 4 acres)  
Plan Designation: Developing  
Growth Area: B – Community Growth Areas  
Existing Use: Residential with  
Proposed Use: Residential, Custom Cabinet Shop

### **Surrounding Zoning and Uses**

North	RU-4	Undeveloped
South	RU-4	Single family residence
East	RU-4	Single family residence
West	RU-4	Single family residence

### **II. SITE HISTORY**

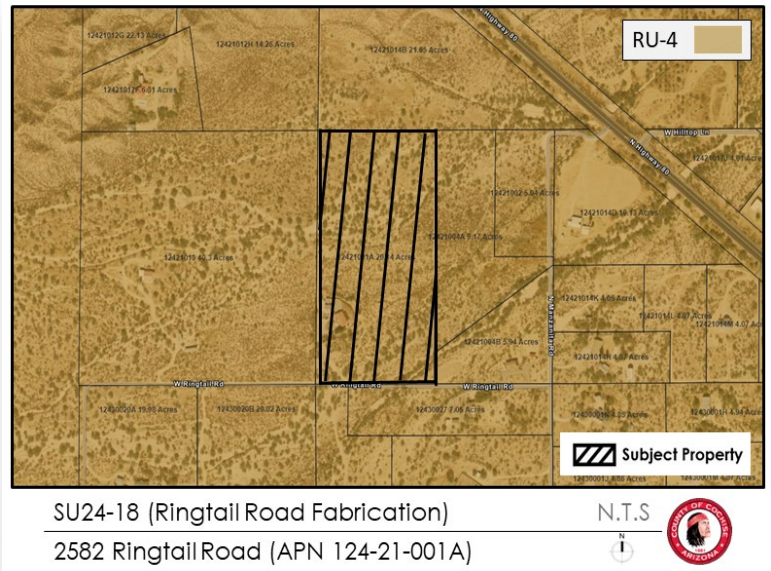
- 2001-2002: Manufactured home, septic system, accessory structures
- 2024: Home occupation permit for fabrication business (#HO24-16)
- Code Violations
  - #24-000892: Construction without permit, outdoor storage (closed 29 March 2024, no violations observed upon site inspection)
  - #24-001904: Metal fabrication business without permit, outdoor storage, occupied RVs (opened 20 June 2024, pending)

### **III. SPECIAL USE AUTHORIZATION REQUEST**

The applicant requests special use approval for a fabrication business, specifically to allow the outside storage of

materials and equipment which is not permitted by home occupation provisions identified in the zoning ordinance. Current and future non-residential activities include repair, maintenance, and outside storage of equipment, outdoor materials storage, machinery assembly, and fleet maintenance.

Mechanical repair services are provided to large-scale industrial customers off-site though occasional on-site fabrication services occur on-site. Three employees currently visit the site Monday through Friday. The fabrication business (dba *Integrity fabrication and Millwright Service*) received county approval in June 2024 as a home-based business, recognizing the following on-site activities:



- 456 square foot home office in existing 1600 square foot detached garage. Section 2.48 of zoning regulations limits business activities to ¼ of residential floor area whether occurring within the residence or a detached structure. Existing residence totals 1,867 square feet.
- Company truck and equipment maintenance within existing detached garage.
- Two employees other than residents or family members of residents.
- The business is not open to the public.

Home occupations restrict outdoor storage and business activity includes this business component, including outside storage of materials and equipment to the north of the residence and garage. Based on the special application, the applicant has three employees and anticipates up to five in the future. The county approved a home occupation permit for the business in June of 2024 (#HO24-16).

**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. These factors 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, eight (8) factors apply to this special use request with all applicable 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 Areas). The property is zoned RU-4 which is not consistent with either Plan designations. Special use approval does not affect the base zoning district or Plan designations.

**2. Compliance with the Zoning District Purpose: Complies**

Rural districts allow non-residential activities that provide services provided they are compatible with rural living. These zoning districts, which range in site area from 2 acres to 36 acres, allow residential and non-residential uses compatible with an area's rural character. The applicant has an established family business on the property previously approved as a home occupation.

County home occupation provisions do not allow home businesses with activities that include outdoor storage of materials, supplies, or equipment or off-site impacts (noise, vibrations, noxious odors, dust, heat, or glare) detectable beyond the property line. Additionally, home occupation provisions cap the number of employees not residing on the property or related to the business owner to two. The zoning regulations authorize manufacturing and contract construction uses with an approved special use authorization by the Planning and Zoning Commission. The fabrication business is subordinate to the existing residential use of the property given its small scale relative to the overall size of the property.

### **3. Development Along Major Streets: Not Applicable**

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 property has direct access from Ringtail Road with secondary access from Manzanita Road through an adjacent property also owned by the applicant. Both roads are unimproved and not maintained by the county.

### **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 property has legal access via Ringtail and Manzanita Roads, unimproved local roads. The Manzanita Road driveway is about 900' south of Highway 80 about that connects to J Six Ranch Road about 300' west. Per the application, customers do not visit the site, ensuring business vehicles are limited to the applicant and employees. Use of the Manzanita Road entrance limits business traffic impacts to one owner (1001 Manzanita Road) where access along Ringtail Road has the potential to impact an additional five residents.

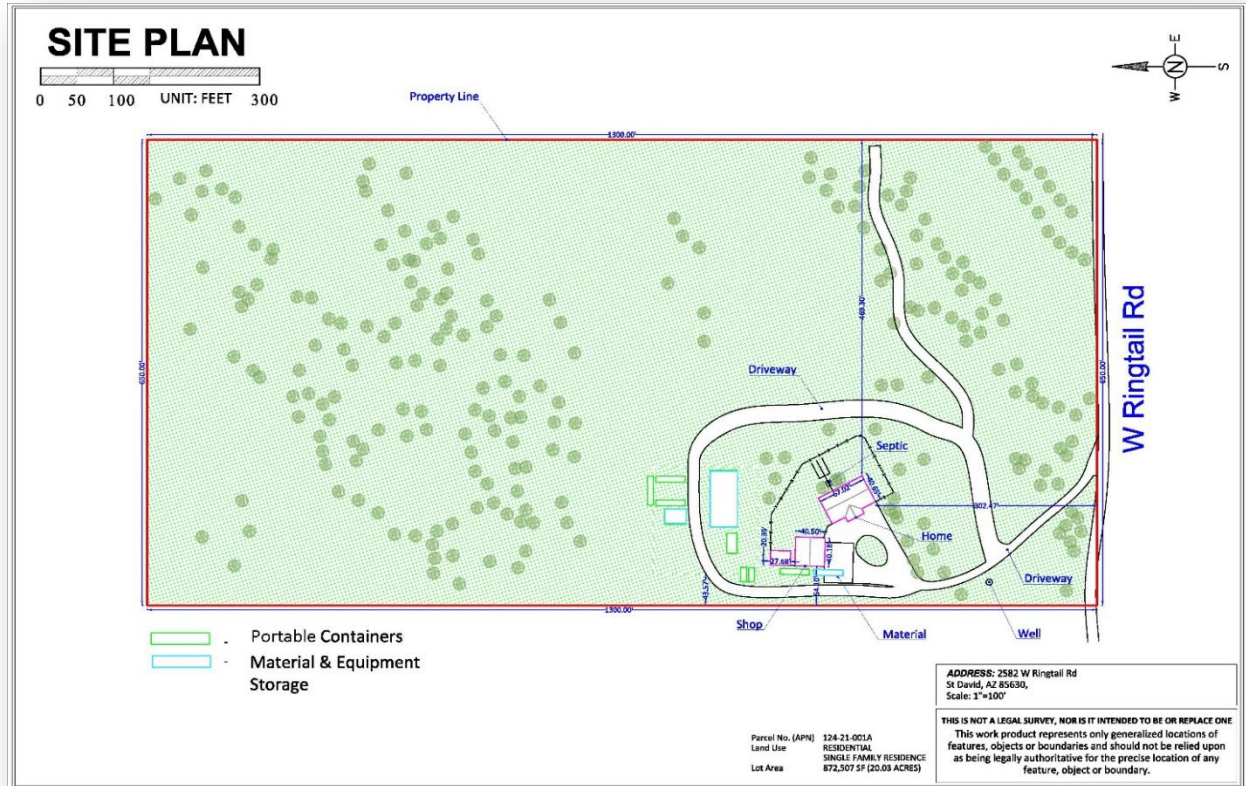
### **5. Adequate Services and Infrastructure: Complies**

The property is served by a private well and septic system and falls within Sulphur Springs Valley Electric Cooperative (SSVEC) and Saint David Fire District. The nearest fire station is located on Dragoon Vista Lane about 5 miles east of the site. Waste Disposal is provided by San Pedro Valley Sanitation. An expansion of existing services is not necessary if the special use is approved by the Commission.

### **6. Significant Site Development Standards: Complies**

Applicable development standards identified in Section 2.15 (*RU Districts*) apply to this property. Current improvements include a residence, large shop building, and other accessory structures. Additional improvements to support the special use are not currently proposed. The detached garage supporting the

fabrication business was built by a previous property owner. Existing structures are generally located near the southwest corner of the property near Ringtail Road and demonstrate general compliance with zoning district development standards.



**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 property owners within 500’ on August 6, 2024, receiving considerable response in opposition with concerns about noise, traffic, and a potential reduction in property values. The applicant sent a second letter on August 20, 2024, expressing an understanding of noise concerns and an intent to mitigate noise impacts (closing garage bay doors for most operations, planting new vegetation). Staff has received written opposition from nearby property owners.

**8. Hazardous Materials: Not Applicable**

Hazardous or dangerous materials are not proposed for this special use.

**9. Off-Site Impacts: Complies**

This factor is intended to ensure adequate measures have been taken to mitigate off-site impacts such as dust, smoke, noise, odors, outdoor lighting, and traffic. See also Section 6 (Significant Site Development Standards):

- **Parking:** Driveways and parking areas on the property are used by residents and employees, as no customer visit the site. Staff recommends laying two-inch gravel in high traffic/high activity areas to reduce dust impacts on nearby residents.
- **Noise:** Staff recommends business activities, particularly on-site fabrication activities, occur within the existing 1,600 square foot garage or other accessory structure. Activities should be limited to 7am to 7pm to limit noise impacts on adjacent properties and residents. The applicant has identified work hours not exceeding 5pm.
- **Lighting and Signs:** Outdoor lighting is regulated by Section 2.45 of the zoning regulations which governs overall brightness and requires shielded fixtures. These standards apply to residential and non-residential properties. Additional lighting and signage supporting the business are not proposed.
- **Landscaping:** Landscaping is required for properties located within Growth Area B. The property consists of 20 acres and is heavily vegetated, obscuring most structures on the site. New landscaping along the Ringtail Road would not serve a practical purpose since the site has significant natural vegetation and the use is not a “storefront” type business. Current improvements to the property are not out of character with residential properties in large lot, predominately rural areas.
- **Odors:** Fabrication work generally occurs within the existing garage with occasional outside work. Staff suggests a condition to require garage bay doors remain closed and the applicant take steps to limit both noise and odor impacts on adjacent properties.
- **Traffic:** Customers do not visit the property per the special use application. Traffic is limited to resident and employee with business activity estimated at up to 12 trips per day. The use of the applicant’s adjacent property (APN 124-21-004A) to access Manzanita Road, bypassing Ringtail Road, reduces vehicle noise and dust impacts on adjacent property. Staff recommends the applicant apply two-inch gravel to driveway and parking areas closest to adjacent property owners to limit dust.



#### **10. Water Conservation: Complies**

County water conservation requirements apply to non-residential uses and properties, potentially including this project. Section 2.51.170 of the zoning regulations requires water saving strategies and applicable water conservation regulations and policies identified in the zoning regulations and comprehensive plan will be identified at permitting.

## **V. PUBLIC COMMENT**

Staff published legal notice and mailed notification letters to property owners within 500' on September 18, 2024, posting the property on September 23, 2024. Staff has received two responses in opposition.

## **VI. WAIVERS**

Waive Growth Area B landscaping requirements required in Growth Area B (5% developed site area, 5' strip along abutting streets) since the site is located on an unimproved local road and heavily vegetated.



## **VII. SUMMARY AND CONCLUSION**

The applicant requests special use authorization approval for a fabrication business previously approved in accordance with county home occupation provisions. The special use will allow outdoor storage of materials and equipment and an increase in the number of employees from two to three. Customers do not visit the subject property.

The special use application is a result of a code compliance action for activities exceeding those otherwise approved under county home occupation regulations. Most business activities will continue to occur inside of a detached garage, and staff recommends conditions to reduce potential off-site impacts relative to noise, traffic impacts, and dust. Expansion of the use beyond what is described in the application or conditionally approved will require an administrative review or modification approval by the Commission during a public hearing.

### **Factors in Favor of Approval**

1. Complies with eight (8) of eight (8) applicable factors.

### **Factors Against Approval**

2. Business activities resulted in neighbor complaint and subsequent code compliance action.

## **VIII. RECOMMENDATION**

Based on the factors in favor of approval, staff recommends approval of Docket SU24-18 to allow a fabrication business:

1. Business activities are limited to Monday through Friday between 7am and 5pm.
2. Outdoor storage areas shall be screened using a wall or fence, vegetation, and/or natural features.
3. Fabrication and maintenance activities shall occur within a building to limit noise or offensive odors.
4. Business vehicles shall use the secondary entrance at Manzanita Road to access the property.
5. The applicant shall apply two-inch gravel to driveway, storage, and parking areas where needed to reduce dust.

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

**Sample Motion**

Madam Chair, I move to approve Docket SU24-18 to allow a fabrication business with conditions recommended by staff, the factors in favor of approval constituting the findings of fact.

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