

DRAFT

PROCEEDINGS OF THE COCHISE COUNTY PLANNING AND ZONING COMMISSION REGULAR MEETING HELD ON Wednesday, NOVEMBER 13, 2024

A regular board meeting of the Cochise County Planning and Zoning Commission was held on Wednesday, NOVEMBER 13, 2024, at 4:00 p.m. in the Board of Supervisors' Hearing Room, 1415 Melody Lane, Building G, Bisbee, Arizona.

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

Absent: Jim Martzke, Member

Staff Present: Matthew Taylor, Planner II
Christine McLachlan, Planning Division Manager
Paul Correa, Chief Civil Deputy County Attorney

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

PLEDGE OF ALLEGIANCE, INTRODUCTION, AND ROLL CALL (Introduce Commission members and explain quorum and requirements for taking legal action).

CALL TO THE PUBLIC – *This is the time for the public to comment. Members of the Commission may not discuss items that are not specifically identified on the agenda.*

CALL TO ORDER

APPROVAL OF THE PREVIOUS MONTH'S MINUTES

Approval of the November 2024 Meeting Minutes

Motion by Member Gonzalez, Second by Member Limbach

Vote: 6 - 0 Approved (Members Saunders and Young not voting)

APPROVAL OF THE 2025 MEETING CALENDAR

Motion by Member Gonzalez, Second by Member Watkins

Vote: 8 - 0 Approved

PUBLIC HEARING

1. Docket RZ24-19: Docket RZ24-19: An applicant-initiated request to rezone APN 410-07-427B from R-36 (Residential District, one dwelling per 36,000 square feet) to R-9 (Residential District, one dwelling per 9,000 square feet). The parcel is located at the southwest corner of Primrose Street and Lincoln Avenue near Douglas.

Motion by Member Limbach, Second by Vice Chair Montgomery. Case planner Taylor provided a staff presentation, which is preserved in the files. Applicant Trystan Trenberth provided a presentation summarizing the project, which is also preserved in the files.

Cindy Hayostek spoke in opposition to the rezoning, citing stormwater runoff, flooding potential, and possible lack of demand with the nearby Bay Acres mobile home subdivision having available lots. Tricia Gerrodette, spoke in opposition to the rezoning, citing water availability concerns for the proposed subdivision. The development must have an assured or adequate water supply per County requirements and because of property location within the Douglas active water management area. Ms. Gerrodette suggested the rezoning does not comply with the adequate services and infrastructure as stated in the staff report.

Mr. Trenberth provided a rebuttal, addressing concerns about housing quality and meeting flooding related requirements. Mr. Trenberth also stated he has met the filing requirements for the change in land use and will meet county subdivision requirements.

Chair DePew closed the public hearing.

Commission discussion:

Vice Chair Montgomery asked the applicant to provide additional details on the development. Mr. Trenberth stated the project will not be a mobile home park but a subdivision with quality housing product from known manufacturers. Vice Chair Montgomery also requested a description of the proposed R-9 zoning district from staff. Member Limbach asked the applicant about the proposed landscape buffer along the east property line and Mr. Trenberth confirmed proposed buffer width on the site plan is 8'. Member Gonzalez asked who owns the property and Mr. Trenberth confirmed the property is owned by Roy Clark and under contract. Member Gonzalez asked the applicant if there is an agreement with the City of Douglas to provide water and Mr. Trenberth stated they have contacted the City of Douglas but there are no water capacity or supply agreements or agreements with other service providers such as electricity providers in place. Member Gonzalez also expressed concerns about flooding in the area. Mr. Trenberth addressed the flood potential at the northwest corner of the property and invited input into alternate locations for the project. Member Watkins stated that based on the size of the property up to 80 homes could and asked staff if the number of homes could be conditionally restricted to 40. Case planner Taylor responded that placing conditions on rezoning requests is atypical and that stormwater retention, open space, internal circulation, and other subdivision requirements will significantly reduce the number of homes. Member Young asked about the type of manufactured homes used for the project. Mr. Trenberth stated all manufactured homes will be new and affixed to the property. Member Young asked if the applicant was aware of the expense of having water lines extended to the property. Mr. Trenberth stated there have been conversations with the City of Douglas on water availability but cost was not discussed since the number of housing units is estimated at 35-45 units but has not been specifically identified. Chair DePew stated the current R-36 zoning allows up to 15 homes on the property and asked the applicant if any of the homes would be available as rentals. Mr. Trenberth stated he would be open to rental occupancy based on the new port of entry project and possible need for temporary housing. Mr. Trenberth restated that the property is under contract and if the zoning is approved the project will go through the county subdivision process, including by-laws. Chair DePew read the residential zoning classification purpose from the zoning regulations and stated the discussion is about density. Member Montgomery asked Ms. Hayostek if her property was in the staff presentation photos and Ms. Hayostek said yes. Member Montgomery read staff's recommended condition to underscore required project approvals.

Staff recommended forwarding a favorable recommendation to the Board of Supervisors with the following condition:

- Within 24 months of the rezoning approval date, either an approved subdivision plat must be recorded or a permit for an approved manufactured home park must be issued; otherwise, the rezoning may be revoked by the Board of Supervisors.

Vote: 5 - 3 Approved (Members Limbach, Gonzalez, and Young dissenting)

Member Limbach voted no based on flooding concerns expressed by neighbor that has observed those issues. Member Gonzalez voted not because of water issues, possible offsite impacts, and infrastructure costs. Member Young voted no based on flooding and water availability concerns.

2. Docket RZ24-21: An applicant-initiated request to rezone APN 202-28-028 from R-36 (Residential District, one dwelling per 36,000 square feet) to RU-2 (Rural District, one dwelling per 2 acres). The parcel is located at the approximate southwest corner of Fort Grant and Taylor Roads west of Willcox.

Motion by Member Limbach, Second by Member Gonzalez. Case planner Taylor provided a staff presentation, which is preserved in the files. Applicant Anthony Peters stated the property has a solar powered well. Lavender is planted on the property and a 40'X42' barn will be built. No one present spoke in favor or against the request. The applicant waived his rebuttal.

Commission discussion:

Member Watkins asked Mr. Peters if he was aware of Arizona Department of Water Resources intent to designate the Willcox basin as an active water management area. Mr. Peters stated he is aware and would attend a meeting on Friday. Chair DePew asked the applicant why a rezoning to RU-2 is requested. Mr. Peters stated his understanding is RU-2 is what is allowed in the area. Case planner Taylor clarified RU-2 is consistent with the area's Comprehensive Plan designations. Chair DePew asked the applicant if there would be any sales or other activities on the property and Mr. Peters stated that would occur elsewhere.

Staff recommended forwarding a favorable recommendation to the Board of Supervisors with no conditions attached.

Vote: 8 - 0 Approved

3. Docket RZ24-22: An applicant-initiated request to rezone APN 116-18-085C from SR-22 (Single-Household Residential District, one dwelling per 22,000 square feet) to SR-174 (Single-Household Residential District, one dwelling per 4 acres). The parcel is located at the approximate northwest corner of Fargo Street and Sidney Road in Arizona Sunsites Unit #4.

Motion by Member Watkins, Second by Member Gonzalez. Case planner Taylor provided a staff presentation, which is preserved in the files. No one present spoke in favor or against the request.

Commission discussion: No discussion.

Staff recommended forwarding a favorable recommendation to the Board of Supervisors with no conditions attached.

Vote: 8 - 0 Approved

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

Manager McLachlan provided the director's report, discussing Comprehensive Plan 2045, December meeting dockets, and Hearing Officer appointment. The Commission will vote for chair and vice chair in January, and some members have terms ending in December. Manager McLachlan stated the Board of Supervisors unanimously upheld the Commission's decision on the Dahlia Solar project, responding to a question by Member Watkins.

CALL TO COMMISSIONERS ON RECENT MATTERS

Chair DePew adjourned the meeting at 5:32 p.m.

APPROVED:

Kim DePew, Chair

ATTEST:

Daniel Coxworth, Development Services Director