

DRAFT

PROCEEDINGS OF THE COCHISE COUNTY PLANNING AND ZONING COMMISSION REGULAR MEETING HELD ON Wednesday, DECEMBER 11, 2024

A regular board meeting of the Cochise County Planning and Zoning Commission was held on Wednesday, DECEMBER 11, 2024 at 4:00 p.m. in the Board of Supervisors' Hearing Room, 1415 Melody Lane, Building G, Bisbee, Arizona and virtually on Microsoft Teams.

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

Absent: Gerry Gonzalez, Member

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

Chairman 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 ORDER

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.

No one requested to speak during call to the public.

APPROVAL OF THE PREVIOUS MONTH'S MINUTES

1. Approval of the November 2024 Meeting Minutes.

Motion by Member Larry Saunders, Second by Member Nathan Watkins

Vote: 8 - 0 Approved

PUBLIC HEARING

1. Docket RZ24-23: An applicant-initiated request to rezone APN 102-53-017 from R-36 (Residential District, one dwelling per 36,000 square feet) to RU-4 (Rural District, one dwelling per 4 acres). The parcel is located on the south side of Purdy Lane about 1/2 mile east of Naco Highway near Bisbee.

Motion by Member Randall Limbach, Second by Vice Chair Robert Montgomery Case planner Taylor provided a staff presentation, which is preserved in the files. Applicant Patrick Willson thanked the commission for their consideration but had no other comments. CJ Wallace spoke in favor of the request and citizen private property protection rights.

Chair DePew closed the public hearing.

Commission discussion: None

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

Vote: 8 - 0 Approved

2. Docket SU24-20: An applicant-initiated Special Use Authorization request to allow five guest lodging units. The property is located at 1155 N. Cochise Stronghold Road (APN 119-09-004) and zoned RU-4 (Rural District, one dwelling per 4 acres).

Motion by Member Nathan Watkins, Second by Member Larry Saunders The motion to table the item until the regular January meeting by Member Watkins was unanimously approved (8-0).

Case planner Taylor provided a staff presentation, which is preserved in the files. Applicant Kathleen Hunter-Gregory provided a presentation summarizing the project, which is also preserved in the files.

Lissa Thornburgh spoke in opposition to the special use request, citing concerns about uncertainties of the application, property value, horse care, and traffic concerns. Richard Ivanowski spoke in opposition to the request, citing concerns about area-wide access management, noise, uncertainties of the application, rural nature of the area, and general compatibility. Ron Pepe spoke in opposition to the special use request, citing concerns about compatibility, noise, traffic, and crime. Ron Crosby spoke in opposition to the special use request, citing concerns about septic, noise, use of Dreamcatcher Way as access, and transients. Tara Crosby spoke in opposition to the request, citing concerns about impacts on neighborhood cohesiveness, and trash and road impacts. Lynn Rawls spoke in opposition to the request, reading a letter from George and Tabitha Marshall, who had concerns about transient use, trash, noise, and safety. George Thornburgh spoke in opposition to the special use request, citing concerns about density, state and federal land access, and flooding. CJ Wallace spoke about private property right concerns and procedures. Denise Bidock spoke in opposition to the request, citing concerns about wildlife, water usage. Amy Quinn asked if her written opposition had been received. Case Planner Taylor affirmed it was received and forwarded to the commission. Kay Harris spoke in opposition to the request, citing concerns about uncertainty of the application, commercial nature of the request, and traffic on Dreamcatcher Way.

Ms. Hunter-Gregory provided a rebuttal, addressing concerns. She stated there were no horses planned on the property. There was an existing septic and a well on site. She stated her son and daughter-in-law lived on site full-time. She stated this is a very

limited operation and did not think there would be a lot of people drawn to the area.

Chair DePew closed the public hearing.

Commission discussion:

Member Saunders asked the applicant to clarify if new RV spots would be built. The applicant stated the RV spots were existing and these would be validated by the special use. Vice Chair Montgomery asked about the RV hookups. The applicant stated there was water and electricity. Vice chair Montgomery asked whether the elevations were accurate depictions of what would be used. The applicant stated, depending on the final costs, she would select either that style or a safari style tent. She confirmed there would be up to three units. Vice chair Montgomery asked the applicant to describe the safari-style tent options and its durability. Vice Chair Montgomery asked if the applicant had considered a stay limit. The applicant stated she preferred at least seven day stay minimum. Vice Chair Montgomery asked whether she was concerned about whether guests would refuse to move. The applicant stated this was primarily meant as a family compound and when not in use, this would allow positive cash flow. Vice Chair Montgomery stated he felt additional neighborhood outreach would be helpful, he noted that there was significant opposition. Member Pickett stated she felt there were already some bed and breakfasts and guest lodging in the area. Member Watkins asked about the future potential to sell and further subdivide the applicant's property. He asked about the access for the three new parcels along Dreamcatcher Way and whether Dreamcatcher Way is a public or private road. Case planner Taylor stated it was a private road. Member Watkins stated that he also felt more dialogue between the applicant and neighbors was needed. The applicant asked whether it would be an issue if she decided not to rent the units. Director Coxworth confirmed that would be allowed given the parcel size and zoning. Member Young asked the applicant whether she currently lived on the property. The applicant stated her son lived there. Member Young asked whether her son had reached out to the neighbors. Her son stated he would be happy to talk to them and had lived there for 1.5 years. Member Limbach asked about the discrepancies between the neighborhood letter and the application. The applicant stated the latter contained just some initial ideas. She did change her mind on some offerings, like ATVs, when she heard the opposition. Member Limbach noted the business plan was open-ended and asked her to define other activities considered. The applicant stated she did not have a formal business plan yet and was open to additional conditions. Member Limbach asked about the intended use of the clubhouse. The applicant stated it was a general gathering space for family and/or guests. Member Limbach asked about the resolution of complaints if there wasn't any staff or family onsite. Applicant stated she would only allow rentals if she or her son were present on site. Member Limbach stated he previously considered adding conditions to approve but he was no longer in favor of the request. Vice chair Montgomery suggested she should build the cavitas but only make them available to her family and not rent them out. Chair DePew asked whether anyone on the commission would like to make a motion to add the additional conditions proposed by Member Limbach. No one indicated that they would.

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

1. Guest lodging visitors shall access the site via Cochise Stronghold Road.
2. Quiet hours shall be observed from 10pm to 6am seven days per week.
3. Guest areas shall be kept in sanitary condition. Temporary refuse and animal waste receptacles shall be appropriately sized and designed so as not to create an attractive nuisance for wildlife or pests.

Chair DePew stated she was considering asking the motion be tabled to a date certain to allow more time for the applicant to communicate with the neighbors and finalize her plans. She asked if there was anyone that would like to make that motion. Member Watkins made the motion to table until the January meeting.

Vote: 8 - 0 Approved

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

COMPREHENSIVE PLAN UPDATE

CALL TO COMMISSIONERS ON RECENT MATTERS.

ADJOURNMENT

Chair DePew adjourned the meeting at 5:33 p.m.

APPROVED:

Kim DePew, Chair

ATTEST:

Daniel Coxworth, Development Services Director