

DRAFT

PROCEEDINGS OF THE COCHISE COUNTY PLANNING AND ZONING COMMISSION REGULAR MEETING HELD ON Wednesday, JANUARY 8, 2025

A regular board meeting of the Cochise County Planning and Zoning Commission was held on Wednesday, JANUARY 8, 2025 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; Gerry Gonzalez, Member; Randall Limbach, Member; Robert Montgomery, Vice Chair

Absent: Albert Young, Member; Larry Saunders, Member

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

ELECTION OF 2025 CHAIR AND VICE-CHAIR

Chair election: Vice-Chair Montgomery nominated Kim DePew to be 2025 Chair. This was seconded by Member Limbach. DePew accepted the nomination. All those present voted in favor of the nomination. Kim DePew will be the 2025 Chair of the Planning and Zoning Commission. Vice-Chair: Member Watkins nominated Robert Montgomery to be 2025 Vice-Chair. This was seconded by Member Gonzalez. Montgomery accepted the nomination. All those present voted in favor of the nomination. Robert Montgomery will be the 2025 Vice-Chair of the Planning and Zoning Commission.

APPROVAL OF THE PREVIOUS MONTH'S MINUTES

Roll call vote. All present voted aye, with the exception of Member Gonzalez who abstained due to his absence from the meeting.

Vote: 6 - 0 Approved

PUBLIC HEARING

1. **Old Business:** 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). **The Planning and Zoning Commission continued this docket to January 8, 2025, during its December 11, 2024, meeting.**

Case planner Taylor stated that the applicant had contacted him via email to request the request be withdrawn. Case planner Taylor stated he would like to read the withdrawal request to the commission with the chair's permission. He read the request and its contents are preserved in the files.

Chair DePew stated that she would like to remove the item from the table before any additional comments or consideration. Member Watkins provided the motion, seconded by Member Limbach. All those present voted in favor of removing it from the table. Because there was no longer a request to consider, the hearing was then closed, and no additional action was taken.

ITEM WITHDRAWN, NO COMMISSION ACTION

2. Docket RZ24-24: An applicant-initiated request to rezone APN 105-28-005C from RU-4 (Rural District, one dwelling per 4 acres) to RU-2 (Rural District, one dwelling per 2 acres). The parcel is located at 9155 W. Coronado Trail near Elgin.

Motion by Member Randall Limbach, Second by Member Gerry Gonzalez Case planner Taylor provided a staff presentation, which is preserved in the files. Applicant Zane Ritenour provided an applicant's statement. No one present or online requested to speak in support or opposition.

Chair DePew closed the public hearing.

Commission discussion: Chair DePew asked the applicant whether he had a survey to verify he could achieve two acres west of the roadway. The applicant confirmed he had a survey and 2 acres was possible.

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

Vote: 7 - 0 Approved

3. Docket RZ24-25: An applicant-initiated request to rezone APN 209-09-240A from R-36 (Residential District, one dwelling per 36,000 square feet) to RU-4 (Rural District, one dwelling per 4 acres). The property is located at 8243 W. Winchester Easement west of Willcox.

Motion by Vice Chair Robert Montgomery, Second by Member Randall Limbach Case planner Taylor provided a staff presentation, which is preserved in the files. Applicant Ron and Jessica Engelkes provided an applicant's statement. No one present or online requested to speak in support or opposition.

Chair DePew closed the public hearing.

Commission discussion: Member Watkins asked the applicant about the structures present in the photos. The applicant clarified which structures would stay. Chair DePew asked how many residences would be onsite. The applicant stated there would be just one.

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

Vote: 7 - 0 Approved

4. Docket RZ23-24: An applicant-initiated request to rezone APNs 117-05-042, 117-05-043, and 117-05-054A from NB (Neighborhood Business District) and SR-43 (Single-Household Residential District, one dwelling per 43,000 square feet) to RU-4 (Rural District, one dwelling per 4 acres). The parcels total 6.3 acres and are located at the approximate northeast corner of Palm Road and Towner Street in Arizona Sunsites Unit #2.

Motion by Member Randall Limbach, Second by Member Jim Martzke Case planner Taylor provided a staff presentation, which is preserved in the files. Applicant Jeff Thiede provided an applicant's statement. The public hearing was open. Kevin Todd spoke in opposition to the request. AJ Hudson spoke in opposition to the request. Lindsay Rothchild spoke in opposition to the request. Demetri Debacus spoke in support of the request. The applicant declined to rebut.

Chair DePew closed the public hearing.

Commission discussion: Vice-chair Montgomery asked the applicant to clarify whether he wished to build accessory storage and temporary structures prior to the home and that was why he applied for rural zoning over single-family. The applicant confirmed this was the case. Vice chair Montgomery asked additional questions about the out-buildings and solar units that were proposed. Vice-chair asked about the timing of the construction and whether this is an opt-out build. The applicant stated he thought it would take six months to construct and this would be owner-builder. Member Watkins stated that the sticking point seemed to be rural zoning. Member Watkins asked whether he needed to opt-out with the owner-builder. And he stated the applicant could compromise by placing a deed restriction on the property limiting only site-built homes. Director Coxworth stated the county does not enforce deed restrictions and staff prefers non-conditional rezoning. Vice-chair Montgomery stated that he did not think the 6-month time frame was realistic. The applicant stated it might take a year. Chair DePew asked whether the opt-out program was available in both SR-174 and RU-4, and she felt SR-174 was more appropriate.

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

Vote: 4 - 3 Approved

NO: Chair Kim DePew
Member Nathan Watkins
Member Randall Limbach

5. Docket SU24-19: An applicant-initiated Special Use Authorization request to allow two guest lodging units. The property is located at 163 N. Cherokee Trail (APN 124-06-004B) and zoned RU-4 (Rural District, one dwelling per 4 acres).

Motion by Member Randall Limbach, Second by Member Nathan Watkins Case planner Taylor provided a staff presentation, which is preserved in the files. Applicant Michael Clement provided an applicant's statement. The public hearing was open. No one present or online spoke in favor or opposition to the request.

Chair DePew closed the public hearing.

Commission discussion: Vice-chair Montgomery asked the applicant to clarify the location and use of structures on the site plan and their dimensions. The applicant clarified the structures shown on the site plan. Member Limbach asked the applicant to clarify whether there would be additional construction. The applicant confirmed they would not construct anything additional. Chair DePew asked staff whether the ALQ could be rented. Case planner Taylor responded that it could not, unless there was special use authorization from the commission. She asked how many ALQs are allowed on RU-4 zoning. Case planner Taylor stated one per parcel is allowed. Member Watkins asked the applicant to clarify the number of units. The applicant stated the garage would be converted to a living unit. A shed would also be converted to a living unit. Member Limbach asked whether this entitlement would transfer to subsequent owners. Case planner Taylor confirmed this was the case.

Staff recommended approval with quiet hour and parking conditions attached.

Commission dissent felt there were too many living units on a lot designed for one unit.

Vote: 3 - 4 Disapproved

AYE: Member Nathan Watkins
Member Jim Martzke
Member Gerry Gonzalez

6. Docket SU24-22: An applicant-initiated Special Use Authorization request for an outdoor shooting range. The undeveloped property is located near Marguerite and Atwood Roads west of Willcox (APNs 202-01-014, 202-01-018, 202-01-013) and zoned RU-4 (Rural District, one dwelling per 4 acres).

Motion by Member Nathan Watkins, Second by Member Jim Martzke
Case planner Taylor provided a staff presentation, which is preserved in the files. Applicant Christina Thompson provided an applicant's statement, which included a powerpoint presentation, which is preserved in the files. No one present or online spoke in favor or opposition to the request.

Chair DePew closed the public hearing.

Commission discussion: Member Gonzalez asked whether this was public or private. The applicant stated it would be open to the public by appointment. Member Gonzalez asked about adjacent landowners, cleanup of shells, and wildlife in the areas. The applicant stated the site would be cleaned. The applicant stated she had not met with Game and Fish about migratory birds but she would be open to their suggestions. Member Limbach asked whether the applicant would maintain the private road to the proposed range. The applicant responded there was a condition to add gravel to the road and maintain it. Vice-chair Montgomery asked staff clarify the discrepancy about whether there was single-family in the area. Staff clarified the issue would be dust on the access road. Member Gonzalez asked if there were any noise studies or complaints about the existing private range. The applicant stated she was not aware of any issues. Chair DePew asked whether Game and Fish was notified. Case Planner stated they were notified but staff had not received comments. Member Fickett stated she felt it would be nice to have a gun range open to the public. She thought it would be beneficial. Member Gonzalez stated he also felt it was needed. Vice-chair Montgomery stated that this range could help reduce illegal shooting. Staff recommended approval with conditions attached related to hours, supervision, emergency contacts, BMPs from state lands, dust control of road, fire suppression from Willcox, EPA BMPs, lot combination.

Vote: 7 - 0 Approved

7. Docket SU24-21: An applicant-initiated Special Use Authorization request to allow a 60-space recreational vehicle park. The property is located at the southwest corner of W. Highway 82 and N. Rascal Ranch Road near Whetstone (APN 106-12-002A) and zoned RU-4 (Rural District, one dwelling per 4 acres).

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 Harley Martin provided an applicant's statement. Scott Dawkins spoke in opposition to the request. Richard Evans spoke in opposition to the request. Amanda Forbes spoke in opposition to the request. George Peters spoke in opposition to the request. Janet Cooper spoke in opposition to the request. William Lewandowski spoke in opposition to the request. Karen Youngblood spoke in opposition to the request. Adam Lane spoke in opposition to the request. Cara Harris spoke in opposition to the request, she also displayed photos of the road shoulder. Susan Archibald spoke in opposition to the request. Davis Armstrong spoke in opposition to the request. Mary Agary spoke in opposition to the request. Martin McLeary spoke in opposition to the request. John (no last name) spoke in opposition to the request. Gary Miller spoke in opposition to the request. The applicant provided an rebuttal.

Chair DePew closed the public hearing.

Commission discussion: Vice-chair Montgomery asked about the drainage culvert, distance from the park to the intersection with 92. Case planner Taylor said it was about 2 miles. Vice Chair Montgomery asked the applicant to clarify the ADOT timeframe for improvements. Vice-chair Montgomery asked whether an architect or surveyor visited the site or prepared the site plan. He asked if those professionals had concerns about the traffic and crashes. He had concerns about the road safety. Member Limbach stated he experience driving an RV along the road and it is a narrow road with blind spots. He asked how the applicant would mitigate safety concerns. The applicant stated he would work with ADOT. Chair DePew asked case planner Taylor to read ADOT's response, which was generally favorable of the request. Chair DePew feels the road is unsafe and

additional improvements required by the agency would make the project unfeasible. Staff recommended approval with conditions attached related to hours, cleaning, ADOT permitting, Ft. Huachuca conditions.

Dissent related to potential dangerous road concerns and nearby resident concerns.

Vote: 0 - 7 Disapproved

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 7:30 PM

APPROVED:

Kim DePew, Chair

ATTEST:

Daniel Coxworth, Development Services Director