

DRAFT

PROCEEDINGS OF THE COCHISE COUNTY PLANNING AND ZONING COMMISSION REGULAR MEETING HELD ON Wednesday, FEBRUARY 12, 2025

A regular board meeting of the Cochise County Planning and Zoning Commission was held on Wednesday, FEBRUARY 12, 2025 at 4:00 p.m. in the Board of Supervisors' Hearing Room, 1415 Melody Lane, Building G, Bisbee, Arizona.

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

Absent: Nathan Watkins, Member; Gerry Gonzalez, Member

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

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

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

CALL TO ORDER

APPROVAL OF THE PREVIOUS MONTH'S MINUTES

Motion by Member Jim Martzke, Second by Member Pati Fickett
Roll call vote. All present voted aye except Members Saunders and Young who abstained due to absence.

Vote: 5 - 0 Approved

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.

PUBLIC HEARING

1. Docket SU24-23: An applicant-initiated Special Use Authorization request to allow a cemetery. The property is located at 4684 S. Moson Road near Sierra Vista (APN 107-63-007B) and zoned RU-4 (Rural District, one dwelling per 4 acres).

Motion by Chair Kim DePew, Second by Member Jim Martzke

Case planner Taylor provided a staff presentation, which is preserved in the files. Daniel Troyer spoke on behalf of Desert Rose Fellowship Church.

Chair DePew opened the public hearing. Debra Chatham attending online asked if remains and other materials would affect the groundwater as they degraded. Mr. Troyer stated groundwater would not be affected. Chair DePew closed the public hearing.

Commission discussion: Member Limbach asked the applicant if the church would be agreeable to a landscape buffer and Mr. Troyer stated yes. Member Montgomery asked staff to identify the location of the cemetery on the presentation map.

Staff recommended approval with four special conditions, including landscape buffer.

Vote: 7 - 0 Approved

2. Docket SU24-24: An applicant-initiated Special Use Authorization request to allow a 1,568 square foot Accessory Living Quarter (ALQ). The property is located at 77 W. Apache Way near Cochise (APN 206-22-059) and is zoned RU-4 (Rural District, one dwelling per 4 acres).

Motion by Member Randall Limbach, Second by Member Larry Saunders

Case planner Taylor provided a staff presentation, which is preserved in the files. Applicant Ronald Fletcher provided a statement.

Chair Depew opened the public hearing. No one present or online requested to speak in favor or opposition. Chair DePew closed the public hearing.

Commission discussion: Member Montgomery asked if the proposed accessory living quarter had been purchased. Mr. Fletcher stated the manufactured home had not been purchased. Member Limbach asked if additional structures are proposed and the applicant stated he would like to convert the existing barn into a shop. Chair DePew asked if the RV on the property was occupied and the applicant responded only temporarily during family visits. Chair DePew also asked why the accessory living quarter was located so far from the main residence. The applicant responded to allow separation and the views from that location on the property were good.

Staff recommended approval without special conditions.

Vote: 7 - 0 Approved

3. Dockets RZ24-26 and SU24-25: An applicant-initiated request to rezone APN 407-83-006 from R-36 (Residential District, one dwelling per 36,000 square feet) to RU-4 (Rural District, one dwelling per 4 acres) and a concurrent Special Use Authorization request for an Impound Storage Yard. The undeveloped 40-acre parcel is located on Denham Road, approximately 1/4 mile east of Highway 191 near Douglas.

Motion by Vice Chair Robert Montgomery, Second by Member Jim Martzke

Case planner Taylor provided a staff presentation, which is preserved in the files. Applicants Pedro De Castro and Maria Moreno provided a statement.

Chair DePew opened the public hearing. No one present or online requested to speak in favor or opposition. Chair DePew closed the public hearing.

Commission discussion: Member Montgomery noted the applicant's request that the recommended special condition limiting business hours be removed since the business is a 24-hour operation and agreed with the applicant. Member Saunders asked if the use would be a storage lot and the applicant stated the use would be for an impound yard and most vehicles would be gone from the site within 6-months. Chair DePew how much area the impound yard required and the applicant said about 1/4 of a city block and less than 10 acres. Chair DePew also asked if the impound yard would have screening and applicant confirmed it would. Member Limbach asked how flood zone impacts would be mitigated and the applicant confirmed they would obtain a floodplain use permit. Member Saunders asked if the Commission was considering the 4-way split of property and case planner Taylor confirmed that would be done through a separate, administrative application process. Member Young asked how many vehicles would be on the site at a time and the applicant stated between 15 and 40.

Staff recommended forwarding Docket RZ24-26 with a favorable recommendation to the Board of Supervisors and approval of Docket SU24-25 with special conditions, striking the special condition limiting business hours.

Two separate votes were taken, with the understanding that the special use authorization is contingent on the board approval of the rezoning request. Both were approved unanimously.

Vote on Rezoning: 7-0 Approved (Vice Chair Montgomery made the motion, Member Martzke seconded)

Vote on Special Use: 7-0 Approved (Member Martzke made the motion, Member Saunders seconded)

Vote: 7 - 0 Approved

4. Docket SU24-26: An applicant-initiated Special Use Authorization request for recreational event camping. The property is located at 6303 S. Covered Wagon Road southeast of Willcox (APNs 305-58-050 and 305-58-051) and zoned RU-10 (Rural District, one dwelling per 10 acres).

Motion by Member Randall Limbach, Second by Member Jim Martzke

Case planner Taylor provided a staff presentation, which is preserved in the files. Applicant representatives Ruvi Wijesuriya and Lisa Scheinkopf provided a statement with presentation on behalf of Arizona Artistic.

Chair DePew opened the public hearing. Ignacio Chavez resides on Covered Wagon Road and spoke in opposition to the special use citing concerns about traffic and dust, noise, and fire risk. Bruno Talerico resides in Sierra Vista and spoke in favor of the special use and participates in Saguaro Man events. Noreen Moffett resides in Willcox and spoke in favor of the special use and participates in Saguaro Man events. Joan Edelman resides on Covered Wagon Road and spoke in opposition to the special use due to concerns about traffic, dust, fire risk, and loud music. Chair DePew closed the public hearing.

Ms. Scheinkopf and Mr. Wijesuriya offered a rebuttal stating they would widen Covered Wagon as required by the County, re-vegetate the property, Saguaro Man events are the only events involving burning, and the requested special use was to allow smaller events not more large events like Saguaro Man. The applicants also discussed fire safety teams, adherence to Red Flag conditions, sound restrictions, and provided additional information on burning activities during their rebuttal. Commission discussion: Member Saunders asked for clarification on dust control. Applicants stated they will comply with dust control, adding they have also secured a fire subscription with the City of Willcox and that burns only occur between sundown and 10pm. Member Limbach commented on concerns regarding road conditions, noise, destruction of habitat, and other concerns expressed by property owners and applicants further addressed these concerns. Member Montgomery referenced written opposition and comments by local residents with concerns about fires and stated event activities do not appear conducive to the area. Mr. Wijesuriya responded that the road will be widened and can install temporary speed limit signs. Ms. Scheinkopf stated the special use was not to allow more Saguaro Man events. Chair DePew asked the applicants if Saguaro Man is a precursor to other events and Ms. Scheinkopf stated if Saguaro Man was removed from special use consideration the applicant would continue to apply for special event permits. Chair DePew asked staff at what point to citizen complaints stop the County from issuing special event permits. Case planner Taylor stated conditions associated with the events have increased based on neighbor concerns but the process remains administrative and regardless of special use outcome the applicants can still apply for special event permits. Chair DePew asked if widening Covered Wagon Road was a condition of the special event permit and case planner Taylor confirmed road widening is a condition for both the special event and special use. Member Fickett asked about distance from Kansas Settlement and case planner stated that the applicants are required to improve Covered Wagon Road a distance of two miles to Cattle Drive and remaining roadways to Kansas Settlement are within County maintenance. Member Fickett expressed concerns about the use relative to traffic, dust, and safety as well as other activities described on the event website. Member Young asked if rangers are available for all events and the applicants confirmed they are. Member Montgomery read injury disclaimers from the event website and Mr. Wijesuriya responded that they are required for insurance purposes.

Staff recommended approval with special conditions.

Dissent related to traffic, dust, noise, fire risk, public opposition, and events being incompatible with the area.

Vote: 0 - 7 Disapproved

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

CALL TO COMMISSIONERS ON RECENT MATTERS.

ADJOURNMENT

Chair DePew adjourned the meeting at 5:55 PM.

APPROVED:

Kim DePew, Chair

ATTEST:

Daniel Coxworth, Development Services Director