

DRAFT

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

A regular board meeting of the Cochise County Planning and Zoning Commission was held on Wednesday, MARCH 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; Nathan Watkins, Member; Jim Martzke, Member; Gerry Gonzalez, Member; Albert Young, Member; Randall Limbach, Member; Robert Montgomery, Vice Chair; Larry Saunders, Member; Pati Fickett, 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 p.m.

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 Larry Saunders, Second by Member Randall Limbach Roll call vote. All present voted aye except Members Gonzalez and Watkins who abstained due to absence.

Vote: 7 - 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 RZ25-01: An applicant-initiated request to rezone APNs 117-06-063, 064, 066, 067, 074, 075, 076, 077, and 078 from 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 about 10 acres and are located between S. Cochise Stronghold and S. Palm Roads and W. Windsor and W. Yale Streets in Sunsites Unit #2.

Motion by Member Nathan Watkins, Second by Member Gerry Gonzalez

Case planner Taylor provided a presentation, which is preserved in the files. Paul Prince, applicant, provided a statement.

Chair DePew opened the public hearing. AJ Hudson spoke in opposition citing concerns about mobile homes and their impacts on property values. Linda Blake also spoke in opposition with concerns about mobile homes. Michelle Shields spoke in opposition because RU-4 zoning allows mobile homes and could decrease property values. Kevin Todd spoke in opposition citing concerns about RU-4 zoning allowing mobile homes. Mr. Todd also shared concerns about perceived inadequacy of the 300' notification requirement and adding flexibility to accessory building standards to prevent continuing requests to RU-4. John Seaberg spoke in opposition stating the area should remain zoned not to allow mobile homes and variances should be used to address accessory building needs. Chair DePew closed the public hearing. The applicant offered a rebuttal stating he is not interested in a mobile home and is seeking RU-4 to build a residence and allow a building large enough for his livestock, feed, and tools.

Commission discussion: Member Watkins stated SR-174 should be amended to allow larger accessory structures and suggested a work session. Chair DePew asked staff about alternatives for accessory buildings. Case planner Taylor stated variances are an option to allow larger buildings but generally require applicants to show a hardship. Member Montgomery asked staff if the owner of a residence shown in the presentation is in opposition to the rezone. Case planner Taylor confirmed the owner of the residence referenced by Member Montgomery is opposed. Member Montgomery asked about the presentation graphic showing a portion of the property was not owned by the applicant. Mr. Prince stated he has since acquired that property. Member Montgomery also asked the applicant if he had horses. Member Limbach asked staff if code actions had to be resolved prior to permitting. Case planner Taylor confirmed compliance with applicable local, State, and federal codes will be required prior to permitting. Chair DePew asked the applicant about current code violations and Mr. Prince stated he is living in the RV and intends to start building his residence next year. Member Fickett asked the applicant if he was a year round or part time resident. Member Montgomery asked if the applicant was prepared to build and the applicant described his planned residence and intent to apply for a limited opt-out permit with inspections. Member Limbach stated the applicant was aware of the zoning limitations and the applicant responded he moved forward with purchasing the properties and rezoning based on conversations with the County. Member Montgomery asked staff what time limits were associated with the owner-builder permit and case planner Taylor stated permits are good for six months and can be renewed every six months provided there is progress with construction. Member Montgomery asked staff to confirm that RU-4 allows mobile homes.

Staff recommended approval without special conditions.

Motion by Member Watkins, Second by Member Gonzalez to approve with the following condition:

- No manufactured or rehabilitated mobile homes on any portion of the 10 acres.

Chair DePew dissented because of rezoning to a rural district in an area zoned single-household residential and Member Limbach dissented with concerns about the County enforcing the special condition in perpetuity.

Vote: 7 - 2 Approved

NO: Chair Kim DePew
Member Randall Limbach

2. Dockets CPA25-01, RZ25-02, and SU25-02: Applicant-initiated requests to change land use and growth area designations of 33 acres from *Rural* to *Developing* and from *Category D – Rural Areas* to *Category C – Rural Community Areas*, and rezone approximately 101 acres from RU-4 (Rural District, one dwelling per 4 acres) to GB (General Business District). The applicant also requests a Special Use Authorization for a Truck Stop.

Motion by Member Randall Limbach, Second by Member Jim Martzke

Case planner Taylor provided a presentation, which is preserved in the files. Applicant Om Parkash on behalf of Sunaka LLC provided a statement.

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

Commission discussion: None.

Staff recommended forwarding Dockets CPA25-01 and RZ25-02 with a favorable recommendation to the Board of Supervisors and approval of Docket SU25-01 with special conditions.

Vote on Comprehensive Plan amendment: 9-0 Approved (Motion by Member Limbach, Second by Member Martzke)

Vote on Rezoning: 9-0 Approved (Motion by Member Watkins, Second by Member Gonzalez)

Vote on Special Use Authorization: 9-0 Approved (Motion by Member Martzke, Second by Member Gonzalez)

Vote: 9 - 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 5:24 p.m.

APPROVED:

Kim DePew, Chair

ATTEST:

Daniel Coxworth, Development Services Director