



Cochise County
Community Development
Planning, Zoning and Building Safety Division

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MEMORANDUM

TO: Cochise County Planning and Zoning Commission
FROM: Peter Gardner, Planner I
FOR: Mary Gomez, Interim Planning Director
SUBJECT: Docket Z-15-04 (Klump)
DATE: June 25, 2015 for the July 8, 2015 Meeting

APPLICATION FOR A REZONING

The Applicant has requested a rezoning from SR-8 (Single-Household Residential, one dwelling per 8,000-square feet) to LI (Light Industry). The subject parcel is approximately 330-acres in size. The rezoning is to facilitate the construction of a Marble Cutting Plant, and other future commercial or industrial development. The subject parcel, 203-12-015, is located between S. Haskell Ave and S. Railroad Ave in Willcox, AZ, directly west of incorporated City Limits. The Applicant is Klump Ranches, LLC.

I. PLANNING AND ZONING COMMISSION

On Wednesday, July 8, 2015, the Planning and Zoning Commission voted 7-0 to forward this Docket to the Board of Supervisors with a recommendation of approval. The motion included the conditions of approval recommended by staff. No objections were received from any member of the Public.

II. DESCRIPTION OF SUBJECT PARCEL AND SURROUNDING LAND USES

Parcel Size:	333.30 Acres
Zoning:	SR-8 (Single Family Residential, one dwelling per 8,000 square-feet)
Growth Area:	Community Growth Area
Comprehensive Plan Designation:	B-Developing
Area Plan:	None
Existing Uses:	Vacant
Proposed Uses:	Marble Cutting Plant (Manufacturing)

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IV. NATURE OF REQUEST

The Applicant is requesting a change of zoning from SR-8 (Single Family Residential, one dwelling per 8,000 square-feet) to LI (Light Industrial) to allow a Manufacturing Land Use to construct a Marble Cutting plant.

V. ANALYSIS OF IMPACTS

Mandatory Compliance

The subject property lies within a Category B–Developing Area. Section 402 of the Zoning Regulations allows owners of property lying within Developing areas to seek an LI zoning designation

Compliance with Rezoning Criteria

Section 2208.03 of the Zoning Regulations provides a list of fifteen factors with which to evaluate Rezoning applications. Staff uses these factors to help determine the suitability of a given request, whether to recommend approval for a rezoning, as well as to determine what Conditions and/or Modifications may be needed.

Thirteen of the fifteen factors apply to this request. The project, complies with twelve of those thirteen factors. The two remaining factors are not applicable to this application.

1. Provides an Adequate Land Use/Concept Plan: Complies

While very basic, the submitted concept plan shows the area to be used for the proposed Plant, as well as the areas left for future light industrial or commercial development.

2. Compliance with the Applicable Site Development Standards: Complies

The property meets all site development standards in the LI zoning district.

3. Adjacent Districts Remain Capable of Development: Complies

The proposed rezoning would not affect the development prospects of any neighboring property.

4. Limitation on Creation of Nonconforming Uses: Complies

The proposal would not create any non-conforming land uses.

5. Compatibility with Existing Development: Complies

The area is characterized by scattered development with large tracts of open land. The immediately adjacent developed areas are all commercial uses.

6. Rezoning to More Intense Districts: Complies

The site offers ample area to provide any necessary buffers to the large non-developed residentially zoned properties.

7. Adequate Services and Infrastructure: Complies

All necessary infrastructure is available at this time.

8. Traffic Circulation Criteria: Complies

The site takes access directly from an ADOT highway. As construction permits are issued, transportation analysis may be required, but the existing transportation infrastructure is sufficient. If the rezoning is denied, the site would remain eligible for residential development totaling 1,841 homes, which would far exceed any traffic generated by the proposed use.

9. Development Along Major Streets: Complies

The site takes access from an ADOT highway, and one access is being proposed for the plant. Future development may require additional access points, which the approximately 4,900 feet of frontage on S. Haskell Avenue and approximately 5,500 feet of frontage on S. Railroad Avenue will support.

10. Infill: Does Not Comply

This Factor encourages rezoning requests to GB, LI or HI to areas designated as Enterprise or Enterprise Redevelopment to discourage sprawl and incompatible land uses. This request does abut General Business zoning districts and commercial land uses, but is in an area marked Developing. While this designation does permit the LI zoning, it is not encouraged.

11. Unique Topographic Features: Complies

There are no exceptional topographic features warranting consideration on or near the site.

12. Water Conservation: Complies

The proposed use, while increasing water usage over the nonexistent current usage, is likely to use less water than the 1,841 homes that could be built on this parcel under the current zoning.

13. Public Input: Complies

The Applicant completed the Citizen Review process, and received no responses. Staff posted the property on June 23, 2015, and published a legal notice in the Bisbee Observer on June 18, 2015. The Department also mailed notices to property owners within 1,000-feet of the site. To date, staff has not received any statements for or against the request.

14. Hazardous Materials: Not Applicable

No hazardous materials are proposed as part of the development plan.

15. Compliance with Area Plan: Not Applicable

There is no area plan in place.



Above: Looking southeast across the property.

VI. MODIFICATIONS TO DEVELOPMENT STANDARDS

None required or requested.

VII. PUBLIC COMMENT

The Planning Department mailed notices to neighboring property owners within 1,000-feet of the subject property. Staff posted the property on June 23, 2015 and published a legal notice in the *Bisbee Observer*

on June 18, 2015. In response to applicant and County mailings, the Planning Department received one letter in support of the request.

VIII. SUMMARY AND CONCLUSION

This request is for a rezoning from a dense, single family residential zoning to Light Industry, with near-term plans to construct a marble cutting plant. The request complies with all but one of the applicable factors which Staff uses to analyze such requests. The noncompliant factor pertains to infill and the direction of commercial and industrial uses to areas where such uses already exist. This rezoning would abut existing commercially zoned and developed parcels, therefore meeting the intent of the factor.

Factors in Favor of Approving the Special Use

1. The request complies with twelve of the thirteen applicable Rezoning factors used by staff to analyze this request;
2. The Cochise County Comprehensive Plan encourages locating commercial and industrial development near existing development with supporting infrastructure; and
3. Three letters of support have been received.

Factor Against Allowing the Special Use

1. The request does not comply with one of the thirteen applicable Rezoning factors used by Staff to analyze this request.

IX. RECOMMENDATION

Based on the factors in favor of approval, Staff recommends forwarding the docket to the Board of Supervisors with a recommendation of Conditional Approval, subject to the following Conditions:

1. The Applicant shall provide the County with a signed Acceptance of Conditions and a Waiver of Claims form arising from ARS Section 12-1134 signed by the property owner of the subject property within thirty (30) days of Board of Supervisors approval of the rezoning; and
2. It is the Applicants' responsibility to obtain any additional permits, or meet any additional conditions, that may be applicable to the proposed use pursuant to other federal, state, or local laws or regulations.

X. ATTACHMENTS

- A. Application
- B. Site Plan
- C. Citizen Comment