

I Application

Applicant Name	Gary Goetteman
Applicant Address	PO Box 991, Globe, AZ 85502
Site Address	5256 Golden Street
APN Number	207-06-023A
Current Zoning Designation	C2 and R1
Comp Plan Designation	Residential 3.5 to 5 units per acre
Application Number	Rezoning Z-15-01,
Parcel Size	9500 square feet

II Purpose & Description

Property owner is requesting to rezone his property at 5256 Golden Street from a R1 and C2 to TR with a T Overlay district for the purpose of having up to five RV units use the property for recreational purposes.

III Primary issue or issues to consider

This block of Golden Street is primarily single family residential with a duplex on the corner of Golden Street and Russel Road.

IV Background

This parcel consist of lots 17, 18, 19 and 20 within the Midland City Subdivision Plat. This subdivision was originally recorded in September of 1916. The lots across the street are significantly higher in elevation so that you cannot see any of the residential units from Golden St., only a steep cliff side. The total area for all four lots is 9,500 square feet. Each lot is approximately 2,375 square feet.

The parcel on the east side has a single family home and the parcel on the west side has a duplex. Parcels to the south have single family residential units. To the north there are four parcels. Three of those parcels are single family residential. The larger parcel on the northwest side of that block contains a mobile home and adjacent to it is a large garage.

Lots 17 and 18 to the east are zoned R1-D6 and lots 19 and 20 to the west are zoned C2. A zoning map is attached as Exhibit "A".

A site plan attached to the application shows four RV units to be placed on the property.

V Analysis

The parcel is a flat level parcel almost devoid of vegetation.

There is no floodplain effecting this parcel. See the Floodplain report attached at Attachment D to this report

Due to all other lots within this area have been developed this is considered an infill project. This is a tightly developed area so any noises, odors or other nuisances would be felt by several neighbors. Any nuisance needs to be carefully guarded against. The property owner should take care to not allow any lighting, noise, or odors to spill over onto adjoining parcels.

There are significant limitations within the TR district regulations that should help to ensure compatibility with surrounding properties. These limitations are not included with the current commercial zoning. A copy of these regulations are attached as Attachment E

The T District overlay regulations contain the regulations governing how the RV park is to be developed. A copy of these regulations are included in Attachment "F".

Water for this parcel is provided by Arizona Water Company and wastewater will be a private septic system that will need to be approved by Community Development Division. The Wastewater system will need to be approved prior to the issuance of any permits. A "Will Serve" letter will be required from Arizona Water Company.

There are several parts of the Comprehensive Plan for Claypool area the deal with this request:

1. The development of new employment and service uses in appropriate locations is encouraged.
2. The reuse and/or redevelopment of vacant parcels or under-utilized land is strongly encouraged.
3. The use of individual septic systems on lots or parcels of land less than 2.0 acres in size is strongly discouraged.
4. Non-residential vehicular traffic should avoid using local streets, and
5. New development shall explore all available options for connecting to existing municipal infrastructure and utilities.

VI Summary

An RV Park can be a nuisance at times but with the TR District being the base district adequate safeguards should be available to ensure it does not become a nuisance. The RV park will provide more opportunity for seasonal visitors to have a place to stay and thereby providing some help to our economy. There will be no negative impact to archeological sites as there are none on this property.

VII Recommendation

The Planning & Zoning Commission held a hearing on June 18, 2015 to consider Application Z-15-02 submitted by Mr. Goettman and are making a recommendation to approve this application with the following conditions:

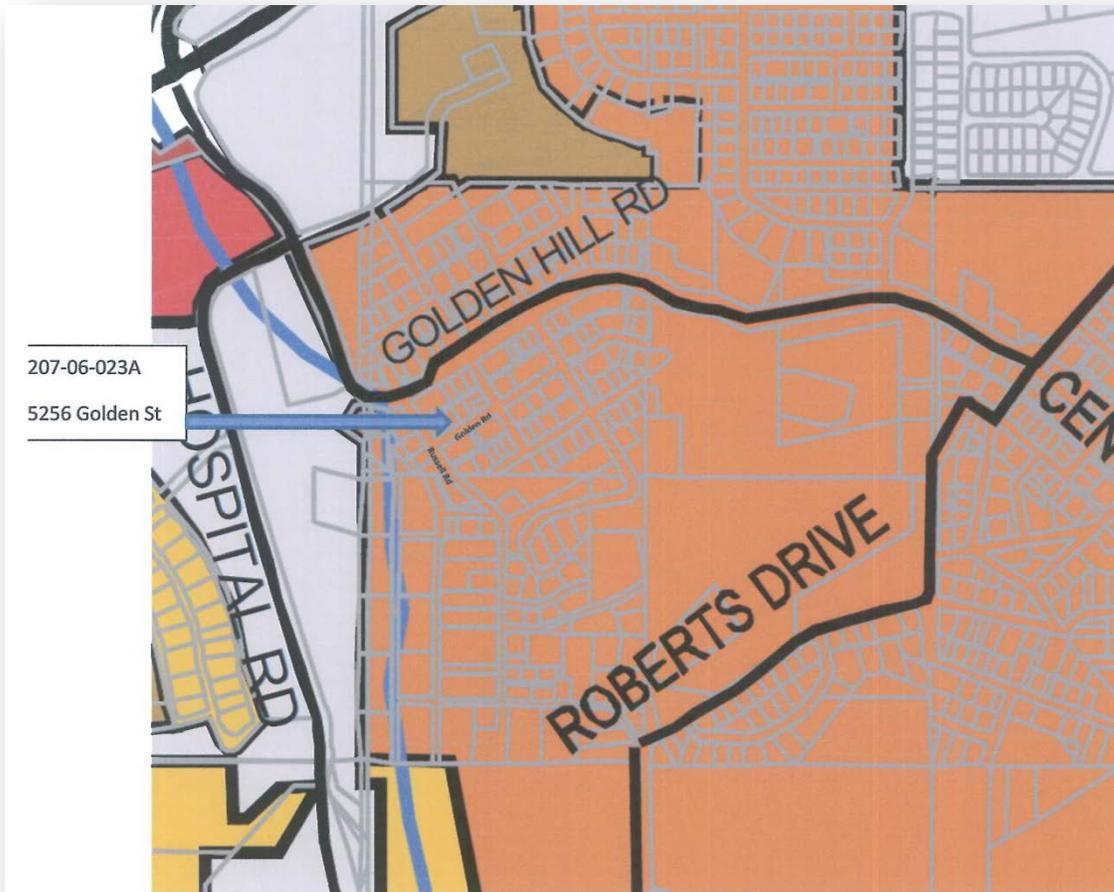
1. That should this project not be permitted within 24 months the zoning may revert back to the current multi-zoning situation at the Boards discretion.
2. That the property shall be screened from residential areas by a six foot high fence, wall and/or landscape screen, approved by the Community Development Director.
3. Parking shall be paved, or an alternative method of dust control must be approved by the Community Development Director.
4. A Development Plan shall be submitted and approved before building permits can be obtained for the proposed use.
5. That the applicant will explore all available options for connecting to existing infrastructure and utilities.
6. The applicant must meet all requirements for the placement of a septic system to protect groundwater supplies.

VIII Attachments

- A. Rezoning Map
- B. Original Subdivision Plat for Midland City
- C. Comprehensive Plan Relating to Area
- D. Floodplain Report
- E. TR District Regulations
- F. T District Regulations

Attachment "C"

Comprehensive Plan for the Area



2.I.6 Claypool / Copper Hills Community Plan (Copied from Comp Plan)

General Community Overview:

The Claypool / Copper Hills area is generally located between and around the incorporated communities of Miami and Globe. The Claypool region includes the developed areas known as Central Heights, Midland City and Little Acres. The Copper Hills area includes the areas north and east of the City of Globe. The Claypool area has been the subject of numerous annexation actions by the neighboring cities of Globe and Miami due in part to its strategic location at the intersection of two major regional highways, SR 188 and US 60. US Census Bureau data estimated the 2000 population of the Claypool / Copper Hills area at 1,794

persons. The estimated density of the Claypool area is approximately 717 persons per square mile. Based on this information the general Claypool area is the most dense unincorporated community area in Gila County.

Existing Development and Zoning Conditions:

The development pattern of Claypool is typical of most of Gila County's unincorporated communities. Commercial and non-residential land uses are generally oriented in a linear configuration adjacent to US 60 and SR 188. Residential uses are located off of the primary roadways behind the commercial land uses. The dominant commercial land use in the Claypool area is the retail center located south of the intersection of US 60 and SR 188. This center contains a Wal-Mart store, a grocery store and various convenience and fast food uses.

The dominant land uses in the unincorporated area surrounding Claypool / Copper Hills area are the numerous copper mines and smelting operations. Historically, the development of the Claypool / Copper Hills area resulted from the need to provide housing and support services to local mine workers. Miami junior and senior high school is located in Claypool. The Cobre Valley Country Club, one of the only golf courses in the area, is located in Claypool.

The Copper Hills / US 60 corridor area includes the areas north and east of the City of Globe that have historically been mined or used for mining related purposes, as well as the undeveloped area along US 60. The area contains a number of isolated low-density residential developments but remains largely undeveloped. Non-residential uses are limited in the area. The Gila County fairgrounds, the regional Arizona Department of Transportation (ADOT) office, various service commercial uses and a state prison are located adjacent to US 60 in the area.

Both the Claypool and Copper Hills areas have significant geologic and topographic conditions that have influenced the development pattern in the area. The historic use of the area for mineral extraction activities has created areas that may have geologic or environmental hazards and may be unsuitable for the placement of occupied structures.

The zoning pattern in Claypool is a mixture of commercial along the major highways and low- to medium-density, R-1, D6 to R-1, D20 residential zoning in the Miami Gardens, Midland City, Little Acres and Central Heights areas. A larger strip of land located south of

US 60 and north of the existing railroad track is zoned Transitional Residential (TR). The periphery of the developed area is generally zoned Industrial, General Unclassified (GU) or Rural Residential (RR). Claypool contains a limited amount of acreage zoned for highdensity and multi-family residential uses. These areas are generally located east of the Roberts Road and Russell Road intersection.

Primary Issues

- Topographic and geologic constraints
- Lack of adequate road rights-of-way

- Aging or unavailable utility infrastructure
- Limited / declining employment opportunities
- Aging housing stock
- Adequacy of emergency access

Description of Community Land Use Plan:

The Gila County Comprehensive Plan seeks to enhance economic development opportunities for non-residential and employment land uses while buffering and protecting existing uses through land use density and intensity transitions. The Claypool / Copper Hills areas contain numerous existing mineral extraction and ore processing operations. These operations are an important part of the local community and their presence and continued operation are an important economic element of the local community. Where possible and practical, existing mining operations have been buffered by non-residential land uses to minimize potential land use conflicts and to promote the continued use of these facilities.

Additionally, the comprehensive plan recognizes the opportunities for the re-use and redevelopment of existing and former mine properties and seeks to promote their continued use and contribution to the community by encouraging the development of alternative uses on these sites. Non-residential uses are preferred in those areas that have historically been used for mining purposes. Where residential reuse of historic mining areas is permitted, residential densities should be limited to very-low density development only due to potential geologic and environmental hazards.

Existing residential areas have been buffered from uses with significant traffic and/or other characteristics that may have potential negative impacts. The Land Use Plan does not seek to redesignate those areas of the community with existing zoning and approved subdivision plats. In non-platted areas, residential densities have been designed to respond to existing topographic, environmental and development conditions, such as areas with limited improved access and developed community water and wastewater infrastructure. In areas with existing and adequate community water and wastewater disposal systems or systems that are planned to be constructed, residential densities may be increased.

US 60, US 70 and SR 188 are the primary transportation routes in the area. These routes serve local, community and regional traffic. As a result, the comprehensive plan seeks to

high visible and accessible transportation routes.

Community Development Guidelines – Claypool and Copper Hills

1. New development shall provide adequate improved roadways and shall dedicate or provide a minimum 28-foot easement for emergency vehicles;
2. All new development shall respond to the existing topographic conditions to the maximum extent possible;

3. New development in areas of historic mining activity shall provide sufficient information from a qualified professional that documents that no public health or safety issues exist due to soils, geologic or environmental hazards;
4. New development in the Kellner, Icehouse and Six Shooter canyon areas shall provide adequate roadway and infrastructure improvements to support the proposed development;
5. The development of new employment and service uses in appropriate locations is encouraged;
6. The reuse and/or redevelopment of vacant or under-utilized land is strongly encouraged;
7. The incorporation of low intensity mixed-uses and home occupations within existing developed areas is encouraged;
8. The use of individual septic systems on lots or parcels of land less than 2.0 acres in size is strongly discouraged;
9. Subdivisions with any lots less than 2.0 acres in size are strongly encouraged to provide community water and wastewater systems.
10. Development in a floodplain area is strongly discouraged. The county shall encourage the transfer of density out of the flood hazard area to a non-hazard area;
11. All new development should provide two points of access with at least one access point being all-weather accessible;
12. Non-residential vehicular traffic should avoid using local residential streets, and
13. New development shall explore all available options for connecting to existing municipal infrastructure and utilities.
14. Unless addressed otherwise by any of the above Claypool and Copper Hills Community Development Guidelines, the General Area Development Guidelines in Section 2.H of this Chapter shall also apply.

Attachment "D" Floodplain Report

	GILA COUNTY, AZ STANDARD FLOOD HAZARD DETERMINATION	APN: 207-06-023A	
		Vicinity: MIDLAND CITY	
SECTION I – PURPOSE			
<p>This form provides general flood information for a PARCEL of land, not any particular structure on the parcel. This information is provided for purposes of planning construction projects. If any part of a parcel is within a floodplain, the parcel will be shown to be within the floodplain, and floodplain staff will review permit applications. Gila County has no jurisdiction over insurance, lending, or real estate. (This information may not be appropriate for insurance, lending, or real estate purposes.)</p>			
SECTION II – PERMIT-RELATED INFORMATION			
A. NATIONAL FLOOD INSURANCE PROGRAM (NFIP) JURISDICTION			
1. NFIP Community Name Gila County	2. County Gila	3. State AZ	4. NFIP Community No. 040028
B. NATIONAL FLOOD INSURANCE PROGRAM (NFIP) DATA AFFECTING BUILDING / MOBILE HOME			
1. FIRM Panel 04007C 2112D	2. FIRM Effective Date 12/4/2007	3. LOMA/LOMR 	4. Flood Zone D
C. FEDERAL FLOOD INSURANCE AVAILABILITY (Check all that apply)			
1. <input checked="" type="checkbox"/> Federal Flood Insurance is available (Community is in NFIP) <input checked="" type="checkbox"/> Regular Program			
D. DETERMINATION			
1a. In SFHA?	N		
1b. In Floodway?	<Not Applicable>		
1c. BFE (for insurance)			
1d. RFE (lowest floor elevation)			
2a. Regulated Grading/Drainage?	N		
2b. RFE for Grading/Drainage			
3. Erosion Setback	3a. If Straight Channel:	<Not Available> feet from nearest top of bank	
	3b. If On Outside of Bend:	<Not Available> feet from nearest top of bank	
E. COMMENTS:			
PLAT 48			
<Not Available> means that the particular information has not been entered into the database from which this report was printed. Such information may be available elsewhere. This information is provided as preliminary information for purposes of planning building projects, and is not intended for other purposes. This is the best available information at the time of the determination. Data is subject to change over time. No guarantee is expressed or implied regarding the accuracy of this data or its suitability for a particular purpose. Official floodplain information is obtained only from the Federal Emergency Management Agency publications.			
F. PREPARER'S INFORMATION			
Gila County Flood Control District 107 W. Frontier St, Suite A, Payson, AZ 85541 928-425-3231, Ext. 7119		Determination Date	11/12/2014 (not valid if before 4/15/2008)
Prepared by: SFHD Database			

Attachment “E” Regulations for TR District

D. TRANSITIONAL RESIDENTIAL (TR)

1. Intent and Purpose:

- a. To provide a degree of flexibility in land use in transitional areas where a mixture of residential and light commercial uses will be beneficial.
- b. To allow for certain mixed-use developments subject to an approved site plan, provided such developments shall be in harmony with, and will result in a minimum disruption to, surrounding uses.
- c. To create transitional zones to serve as buffers between residential districts and commercial or industrial districts.

2. District Stipulations: Shall conform to the stipulations of the Residence One District, with the following exceptions or additional provisions:

- a. Retail, service and professional uses established within this district shall be limited to those primarily concerned with serving the incidental daily needs of adjacent residential uses.
- b. Non-residential uses shall be conducted within a completely enclosed building.
- c. No use shall be conducted in such a manner as to constitute an explosion or fire hazard, nor shall there be emitted into the atmosphere smoke, radiation, odor, dust, noise, vibration, heat, glare, or toxic fumes to such an extent as to constitute a nuisance.
- d. No commercial activity shall be permitted between the hours of 11:00 P.M. and 6:00 A.M.
- e. Outdoor lighting for non-residential uses shall be hooded or shielded so as to deflect light away from adjacent residential area.
- f. No outdoor area lighting shall be permitted between the hours of 11:00 P.M. and 6:00 A.M. except for a minimum necessary to provide for security and public safety.
- g. **Signage:**
 - i. The provisions of the Residence Four district shall apply to signs identifying non-single family residential uses.
 - ii. No illuminated signs identifying non-residential uses shall be permitted between the hours of 11:00 P.M. and 6 A.M.
 - iii. Additional or modified signage subject to an approved Property Development Plan.

3. Development Plan: Application for a change to the TR zoning classification or for a permit for construction or site work related to multi-family, commercial, professional or mixed use shall be subject to the approval by the Director or Board of Supervisors, as appropriate, of a Development Plan.

- a. Application for approval of a ~~Property~~ Development Plan shall be made on a form provided for such purpose by the Department and shall be accompanied by maps, drawings and such other materials necessary to show the following:
 - i. A site plan, drawn to scale, showing the location and proposed use of all site improvements.
 - ii. On-site parking arrangements, including loading areas.

- iii. Signage provisions for all proposed uses.
- iv. The location and treatment of landscaped areas.
- v. The purposed off-site circulation pattern including, as appropriate, right-of-way dedications, street improvements, traffic control measures, location and design of driveway openings, acceleration/deceleration lanes.
- vi. Such additional information as the Director may deem necessary to evaluate the impact of the proposed development on surrounding uses.

4. Permitted Uses:

- a. All uses permitted in the Residence Three district subject to the provisions of Section 104.2 C.4. Density and Intensity of Use.
 - b. Mobile/Manufactured Home Developments when the TR district is combined with the T district.
 - c. Administrative, professional and executive offices.
 - d. Financial institutions.
 - e. Medical, dental and related health services for humans, along with the sale of articles clearly incidental to the services.
 - f. Public utility service offices.
 - g. General retail business establishments engaged in selling goods and services to the public provided that the gross floor area of such establishments shall not exceed 2,500 square feet.
 - h. Specialty bakeries, confectionery and specialty food establishments with limited on-site food consumption.
 - i. Arts and crafts galleries and sales.
 - j. Bed and Breakfast Establishments under the provisions of Section 104.2 A.5., but not subject to a Conditional Use Permit.
 - k. Home occupations and cottage industries.
 - l. Churches, convents and parish houses.
 - m. Private and semi-public golf courses when developed in conjunction with an approved residential development.
5. **Uses Subject to a Use Permit:** Shall be the same as the provisions of the Residence One district.
6. **Uses Subject to a Conditional Use Permit:** Shall be the same as the provisions of the Residence One district except as specifically permitted in Section 104.2 P.4. above.
7. **Temporary Uses:** (Subject to the provisions of Section 103.12 Temporary Uses).

Attachment "F" "T" Overlay District Regulations

C. T -- TRAILER DISTRICT

1. **Intent and Purpose:** To be combined with certain other use and density districts for the purpose of permitting Mobile/Manufactured Home Developments. Procedure for inclusion of the "T" District shall be the same as the provided for a change of zoning.
2. **District Stipulations and Provisions:** (supplemental to and/or supplanting the "General Stipulations and Provisions", Section 103): All provisions of the use and density district with which this District is combined shall maintain, except as enumerated to the contrary under this Section.
3. **Permitted Uses:**
 - a. All uses permitted by the use district with which this district is combined.
 - b. Mobile/Manufactured Home Developments, subject to the approval of a site plan.
 - i. Site plans and an application on a form supplied by the Department shall be submitted for review and approval. The Planning Department shall refer the site plan to the County Engineering and Health Departments and any other affected department or agencies to check its compliance with pertinent County and State standards and regulations. Subsequent to review, the Community Development Director or his/her designee shall (1) approve the site plan as submitted, (2) approve the site plan with modifications, or (3) disapprove the site plan. The Director shall notify the applicant of the Commission's decision. If the application is disapproved, the Director shall notify the applicant of the reasons for disapproval and may state the modifications necessary for approval of the site plan.
 - ii. An approved site plan shall be binding upon the applicants and their successors or assignees. Placement and/or erection of all structures within a Mobile/ Manufactured Home Development shall require the issuance of a building permit to be issued in accordance with the regulations of the Department. No building permit shall be issued for any building or structure not in accord with the site plan, except that temporary construction facilities shall be permitted for the purpose of developing the project. Individual installation permits shall be required for placement of mobile/manufactured homes within approved spaces. The construction, location, use or operation of all land and structures within the site shall conform to all conditions and limitations set forth in the site plan. No structure, use or other element of an approved site plan shall be eliminated, altered, or provided in another manner unless an amendment is approved in accord with Paragraph "(6)" of this Section.
 - iii. In addition to the special requirements of this Section, the Director may impose on a site plan such additional requirements as are necessary to safeguard the public welfare, safety and health. The Director may require the applicant to submit a revised plan incorporating the imposed requirements and modifications. When a site plan is submitted conforming to the stipulations of the Commission, one copy of the approved site plan shall be filed in the office of the Planning Department and one copy sent to the applicant.

- iv. An approved site plan may be revoked if construction of the Mobile/Manufactured Home Development is not begun within twelve (12) months of site plan approval. The Director may approve a twelve (12) month extension if warranted.
- v. Failure to comply with the Standards and Guidelines for development and maintenance of Mobile/Manufactured Home Developments shall be considered grounds for revocation of site plan approval. Such approval may be revoked by the Director subject to appeal as provided in Paragraph (7) below.
- vi. **Amendments:** The holder of an approved site plan may request modification of the site plan or the conditions of approval by submitting an amended site plan which shall be filed and processed in the same manner as an original application.
- vii. **Appeals:**
 A decision of the Director may be appealed to the Planning & Zoning Commission within fifteen (15) calendar days of the Planning Director's decision.
 - a) Appeals shall be in writing on a form provided by the Planning Department and shall include only those items not agreed upon.
 - b) An appeal will be heard at the next regular meeting of the Planning & Zoning Commission.
 - c) Any decision of the Planning Commission shall be final unless a person aggrieved thereby, within seven calendar days after the decision of the Planning Commission, appeals to the Board of Supervisors by filing a written notice of appeal with the Planning Department.
 - 1) Within thirty calendar days after service of a notice of appeal, the Planning Department shall transmit to the Board of Supervisors a transcript, with exhibits, of the Planning Commission hearing. The Supervisors may require or permit corrections or additions to the transcript or exhibits.
 - 2) The Board of Supervisor shall review the transcript and exhibits, if any, and may, at their discretion, affirm the decision of the Planning Commission remand the matter for further proceedings before the Planning Commission, or reverse or modify the Planning Commission's decision.
 - 3) Any person aggrieved by a conclusive decision of the Planning Commission or the Board of Supervisors shall have a right of appeal to a court of competent jurisdiction.
 - 4) Neither the Planning Director nor the Board of Adjustment shall have authority to modify the terms of this Section.

4. **Minimum Standards for Development and maintenance of Mobile/Manufactured Home Developments Other than Subdivisions:**

- a. Minimum dimensions and areas for mobile/manufactured home spaces shall be as follows:
 - i. **Single-wide Mobile/Manufactured Homes:** Minimum space area shall be three thousand four hundred (3,400) square feet; minimum width shall be forty (40) feet and minimum depth shall be eighty-five (85) feet.
 - ii. **Double-wide Mobile/Manufactured Spaces:** Minimum space area shall be four thousand six hundred seventy-five (4,675) square feet; minimum width shall be fifty-five (55) feet and minimum depth shall be eighty-five (85) feet.
 - iii. **Recreational Vehicle Spaces:** Minimum space area shall be one thousand five hundred (1,500) square feet; minimum width shall be twenty-five (25) feet and minimum depth shall be sixty (60) feet.

- iv. A recreational vehicle may be located on a mobile/manufactured home space, provided all requirements of this Section are met and only one unit is placed on one space.

- b. Minimum setback dimensions for mobile/manufactured homes and recreational vehicles (hereinafter referred to as “mobile units”) shall be deemed the shortest of horizontal dimensions measured from the nearest portion of the endwall or sidewall of the mobile unit or from the patio cover, carport, cabana, ramada, or similar appurtenance, and shall be as follows:
 - i. Minimum setback from any interior street or rear, front, or non-main entry space line shall be five (5) feet.
 - ii. An uncovered main entry side of a mobile unit shall be a minimum of fifteen (15) feet from the adjacent space line.
 - iii. Where parking space is provided within the mobile unit space, a minimum of sixteen (16) feet width shall be provided between the space line and the nearest side or endwall of the mobile unit.
 - iv. No mobile unit or accessory building may be placed closer than ten (10) feet from any exterior development boundary.
 - v. Minimum distance between mobile units within the same Development shall be ten (10) feet.

5. General:

- a. All streets within a Mobile/Manufactured Home Development shall be private and shall be maintained by the owner.
- b. Parking spaces within the boundaries of the development shall be provided at a rate of two per unit.
- c. The Mobile/Manufactured Home Development shall be screened from adjoining parcels by an opaque wall or fence not less than four (4) feet no more than six (6) feet in height.
- d. No accessory building may be placed within the required front side or street setback.
- e. No mobile unit space, parking space, drive, street, or common areamay be used for the dismantling and/or storage of inoperable motorvehicles.
- f. Adequate common trash collection stations shall be provided at a rate of not less than one station per ten (10) spaces. Such stations shall be screened from view of adjacent spaces and constructed in such a manner as to prevent the spreading of trash due to wind or animals.
- g. Development shall be maintained in a clean, safe and sanitary manner. No refuse, debris, trash, or uncontrolled vegetation shall be allowed to accumulate to such an extent as to constitute a nuisance or potential threat to the lives, health, or property of the development residents or surrounding property owners.