



Development Services

520-432-9300
developmentservices@cochise.az.gov
www.cochise.az.gov
1415 Melody Ln, Bdg F
Bisbee, Arizona 85603

Rezoning Application

The purpose of zoning is to guide the development of land in accordance with the County's Comprehensive Plan, and to promote the public health, safety and general welfare of the County's residents. Zoning districts specify permitted land uses, minimum lot sizes, and certain site development standards such as setbacks and screening. Because Cochise County encompasses a large and diverse area, there are 34 individual zoning districts, ranging from rural and residential districts to business and industrial districts. When property is rezoned, all uses permitted within the new district can be permitted on the rezoned parcel.

Applicant Info

Name: Shane R. Madsen of Sierra Mining and Crushing Company, LLC

Address: 8665 S ALVERNON WAY TUCSON, AZ 85756

Phone: 520-429-1199

Email: SierraMining@live.com

Describe your relationship to this application (select one):



Property owner (skip next question)



Authorized agent

By typing their name below, the undersigned, registered property owner of the property subject to this application, hereby grants the authorized agent noted above to act on their behalf and take all actions necessary for the processing, issuance and acceptance of this permit or application. (See final page if there are multiple property owners)

Signature:

Date:

Processing Fees

\$400 rezoning to SM-174 or SM-87, \$450 + (\$2/acre (\$1,500 max.)) rezoning to RU-2, \$500 + (\$10/acre (\$3,000 max.)) rezoning to SR, R, SM-36, SM-18, SM-9, \$500 + (\$15/acre (\$4,000 max.)) rezoning to all other districts. Applicants may pay online with a credit card or mail a check to the Development Services Department at 1415 W Melody Ln, Building F, Bisbee, AZ 85603, payable to the Cochise County Treasurer.

Required Submittals

This application



A concept plan



A copy of the neighborhood notification letter and any information provided to the public



A non-refundable processing fee

Property InfoProperty Owner Name(s): [Sierra Mining & Crushing Company, LLC](#)

Parcel Number(s) (APN): 20826014A, 20826023B, and 20826023D

Total Acreage: 113.47 ac

Current Zoning Designation: RU-4

Proposed Zoning Designation: HI

Is the property a result of a new split or will the rezoning request result in more than one zoning district on a single tax parcel? If yes, a copy of a survey and associated legal description stamped by a surveyor or engineer licensed by the State of Arizona must be submitted with this application.

Yes

No

Is there a concurrent comprehensive plan amendment associated with this request?

Yes, state proposed category/designation

No

Project Info

Is this request consistent with all deed restrictions or private covenants in effect for this property? If applicable, please include a copy of these restrictions/covenants with this application.

Yes

N/A, no deed restrictions

Project Info Continued

Identify the utility company/service provider for each of the following services and state if additional provisions or future connections are required in the space below.

Service	Utility Company/Service Provider
Water/Well	Private
Sewer/Septic*	Existing System
Electricity	SSVEC
Fire Protection	City of Benson FD
Waste Disposal	Private

* If the property is, or will be, served by a septic system, indicate the location of the septic system and the 100% expansion area on the site plan. State whether the system is existing or proposed.

Supplemental Questions

1. State the reason for this request and why it should be supported.

This zoning request is to continue a similar use this property has enjoyed since it was initially developed in the 1970s. Our intent is to stabilize the existing site to prevent excess erosion for downstream property owners while using the site as a recycling center focused on aggregates, biomass, and electronic wastes which creates needed construction materials in the form of other aggregate products, raw commodity products as well as biomass products. No further significant aggregate mining will be anticipated other than earthmoving required to cleanup and stabilize the site or remove any of the stored fill and aggregate materials already processed and stored at the site.

2. Describe all **existing** structures/uses present on the subject parcel. Note: Show the location and size of existing structures on the accompanying site plan.

1. One existing 40 ft x 60 ft metal building with overhead doors at each end and one man-door on one side.
2. An existing open gravel pit and material stockpiles of aggregate materials as indicated on the site plan. These materials to be removed or repositioned as needed to be hauled to other sites.
3. An existing power access point provided by SSVEC as shown on the site plan.

Supplemental Questions Continued

3. Describe all **proposed** structures/uses that will be placed on the parcel. Note: Show the location and size of proposed structures on the accompanying site plan.

1. Proposed quality control, research and development and processing buildings for aggregate and other organic materials processing structures to be limited to an area less than five (15) acres in size and limited to adjacent areas within parcels 20826018 and 220826023D.
2. Our plan is to provide a 300 foot wide development exclusion zone adjacent to all RU-4 properties to the rezoned parcels to provide adequate offsetting separation from the IH and RU-4 zones (See attached proposed site plan)

4. Is the property adjacent to, or near, other parcels with the same zoning designation as what is being proposed? Explain.

The existing property is currently zoned RU-4 as is all the adjacent properties both adjacent and contiguous to the common ownership. This collection of parcels previously held a special use permit for the development and operation of an open pit gravel mining operation. The proposed recycling operation is a lower intensity heavy industry use that recycles aggregates, earth, electronic waste, and biomass materials into other usable raw commodity, construction and erosion control products to be used in the local economy.

5. Is the proposed zoning district more intense than the one in place currently? Please select one of the following statements:

Not applicable, this is a request to a LESS intense zoning district.

The proposed zoning is an extension of a similar density zoning within the area.

The proposed zoning provides a transition between an existing less intense district and a more intensive district or an arterial street.

The property can provide adequate protection to the adjacent less intense development in the form of enhanced screening, landscaping, setbacks, large lot size, building orientation, or other design measures.

6. What is the existing or proposed water source? If the property is, or will be, served by a private or shared well, show the existing or proposed location on the site plan.

There is an existing well producing adequate volume for the proposed uses. The well can produce 6,000 gallons per day.

7. Estimate the total gallons of water needed for the existing use of the site (daily or annual usage)

Water would only be used for dust control, approximately 3,000 gallons per day.

8. Estimate the total gallons of water needed for the proposed use of the site (daily or annual usage) Less than 5,500 gallons per day.

Supplemental Questions Continued

9. List any strategies you will use, on site, to minimize water use, recycle water, and/or enhance onsite natural recharge.

Material processing will reuse water resources through recycling water, and rainwater harvesting from buildings and impervious surfaces adjacent to buildings stored in underground storage. All natural drainage is managed to prevent excess erosion and flooding to adjacent downstream parcels.
An active ADEQ SWPPP program will be in force for this materials recycling facility.

10. Describe the permanent legal access to the property. State which streets or easements will be used by traffic to enter or exit the property. Specify whether the vehicular access is from a public road, private road, or easement, and label all legal access on the concept plan.

An existing permanent gravel access road provides access to all parcels intended for development. A new permanent joint-use access easement along the Western edge of parcels {20826023B}, [20826023D] and {20826018} terminating in parcel 20826014 adequate to include all of the existing roadway will be filed upon rezoning.

11. What impact will this request have on the traffic volume of roads that serve the subject property?

Traffic impacts will be intermittent due to the low volume of material being moved in and out of the facility. Materials moved in and out of the site will include aggregates, fill dirt, vegetation, compost, erosion control materials and other miscellaneous finished products.
It is anticipated that delivery volumes will be less than three vehicles per hour during normal daytime business hours.

12. How many driveway cuts are proposed along streets or easements to allow site access? State whether this is an increase/decrease and whether any existing cuts will need relocation.

The only street access is the existing two-way gravel road from Ocotillo Road providing access to all the parcels under common ownership.

Supplemental Questions Continued

13. Describe your citizen review process (if applicable). Specifically, state whether you received any responses to your mailed notice or public meeting. Explain how your rezoning application has incorporated the feedback you received. Submit a copy of any material provided to the public.

We mailed the property owner notice on March 8th, 2024. No responses have been received as of the date of this application.
See attached letter and map sent to addressees.

14. Date of mailing by applicant: March 8th, 2024

15. Mailing radius: The mailing radius was as prescribed and supplied by the zoning administrator.

16. Indicate whether the subject property occurs within the following (select at least one):

Within the Sierra Vista Sub-Watershed Overlay Zone

Within two miles of the San Pedro Riparian National Conservation Area

Within one mile of the Babocomari River

None of the above

I'm not sure

17. If the subject property is within one of the previously mentioned zones, are you interested in a voluntary retirement of development rights in exchange for a concomitant density increases elsewhere in the County?

Yes

No

Not Applicable

Acknowledgments

By typing their name below, the applicant certifies that all information in this application and on the site plan is true, accurate, and to the best of their knowledge. They understand that if any information is false, it may be grounds for denial or revocation of this permit.

Signature (applicant):

Date:

The following form must be completed where there are multiple property owners, multiple parcels subject to the request, or if there is an authorized agent acting on behalf of the property owners.

I, the undersigned owner of record of property which lies within the area of the proposed rezoning set forth in the attached application, do hereby consent to the proposed change of zoning district boundary or reclassification of the property(ies) sought for rezoning. I do hereby certify and declare that I was afforded an opportunity to read the full and complete application prior to affixing by signature hereon. (Attach additional pages if necessary)

Parcel Number (APN)	Property Owner Name	Typed Signature	Date
20826014A	SIERRA MINING & CRUSHING COMPANY	Shane R. Madsen	03/13/2024
20826023B	SIERRA MINING & CRUSHING COMPANY	Shane R. Madsen	03/13/2024
20826023D	SIERRA MINING & CRUSHING COMPANY	Shane R. Madsen	13/13/2024
			Total Rezoned 113.47

Acknowledgments Continued, Prop 207 Waiver

By typing their name below, the property owner acknowledges that the approval being sought by this application may cause a reduction in the existing rights to use, divide, sell or possess the private property that is the subject of this application. The property owner further acknowledges that it is the property owner who has requested the action sought by the filing of this application. Therefore, with full knowledge of all rights granted to the property owner pursuant to A.R.S. §12-1132 through 1138, the property owner does hereby waive any and all claims for diminution in value of the property with regard to any action taken by Cochise County as result of the filing of this application.

Signature (Property Owner): *Shane R Madsen*Date: *3-13-24*

Shane R. Madsen