



Cochise County
Community Development
Planning, Zoning and Building Safety Division

Public Programs...Personal Service
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MEMORANDUM

TO: Board of Supervisors
THROUGH: James E. Vlahovich, County Administrator
FROM: Paul Esparza, AICP, Planning Director
SUBJECT: Docket R-16-02 (Subdivision Regulations Amendment)
DATE: November 22, 2016

I. PLANNING AND ZONING COMMISSION

On Wednesday, November 9, 2016, the Planning and Zoning Commission voted 6-0 to forward Docket R-16-02 to the Board of Supervisors with a recommendation of approval.

II. BACKGROUND AND PROPOSED CHANGES

Docket R-16-02 is a proposed revision to Article 5 Lot Sales, Improvement Security and Inspections in the Cochise County Subdivision Regulations. A new subsection is being proposed to Section 501.01(F) Assurance Agreement. These proposed text amendments are the result of a Board of Supervisors Work Session held on August 16, 2016. At that meeting the Board provided direction that criteria should be established to evaluate requests for an extension of the Assurance Agreement. An Assurance Agreement is the mechanism to ensure that the subdivision improvements are completed prior to the release of lots for sale.

Staff recommends the following language:

Add a new Subsection 4 to 501.01(F) Assurance Agreement:

4. The developer must request an extension before the assurance agreement expires. The determination whether to extend an assurance agreement will be at the sole discretion of the Board of Supervisors, who may consider the following factors in making that determination:

i) Whether the property taxes on the subject parcel are current.

ii) If the subdivision is phased, whether the subdivision infrastructure improvements for at least 20% of the proposed phases have been completed. If it is not phased, whether at least 25% of the subdivision infrastructure improvements have been completed.

iii) The number of extensions previously granted. A maximum of three extensions, not exceeding a total of ten (10) years since either the original approval of the assurance agreement or the most recent release of a lot, whichever has occurred later.

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iv) The economic conditions or other circumstances that are affecting the developer's ability to complete subdivision improvements.

v) Has the character of the area or physical factors such as drainage, floodplain, water issues or circulation patterns changed significantly since plat approval that compliance with current County Subdivision and/or Zoning Regulations is necessary.

III. SUMMARY AND RECOMMENDATION

Staff has presented the draft language to the Planning & Zoning Commission for their consideration and recommendation for approval to the Board of Supervisors. Staff is recommending approval of Docket R-16-02.

Sample Motion: *Chairman Supervisor, I move to approve Docket R-16-02 as proposed.*

IV. ATTACHMENTS

- A. Exhibit A (proposed revisions to the Subdivision Regulations)