



Cochise County
Community Development
Planning, Zoning and Building Safety Division
Public Programs...Personal Service
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INTEROFFICE MEMO

Date: April 24, 2017
To: Board of Supervisors
From: Paul Esparza, Planning Manager
Subject: The Oaks Assurance Agreement water adequacy concerns

Staff has continued to review this third request for an extension of the Assurance Agreement for The Oaks subdivision with no concerns. Two previous extension requests have been granted with the developer making progress toward completion of the subdivision improvements to ensure a quality development.

I was contacted today by Ms. Tricia Gerrodette who stated that The Oaks subdivision did not have adequate water supply and that the fifth criteria that the Board may consider regarding physical factors such as water issues was not properly answered.

I contacted Liberty Utilities today to discuss the water supply for the subdivision. The Operations Manager stated that the infrastructure is in place to provide water service to each lot within the subdivision. A well was installed nearby and the water storage facility feeds the individual lots within the subdivision. There is no question that Liberty water will be providing water to this subdivision. Staff is confident that this subdivision will have an adequate water supply as verified by Liberty Utilities.

The water adequacy requirement was not in place when the subdivision plat was approved on May 1, 2007. The Board passed and adopted the water adequacy requirement by Resolution 8-20 on March 18, 2008. ARS 11-823 states:

C. Subsection A of the section does apply to:

2. A proposed subdivision that received final plat approval from the county before the requirement for an adequate water supply became effective in the county if the plat has not been materially changed since it received the final plat approval.

Staff recommends approval of this assurance agreement extension request based on progress being made toward completion of the subdivision improvements and the water supply issue being addressed by Liberty Utilities.

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