

COCHISE COUNTY

Minor Land Division Ordinance

Planning and Zoning Commission
August 14, 2019

Cochise County
Development Services



Public Programs...Personal Service

COCHISE COUNTY

What can be regulated?

A minor land division ordinance:

- Requires the disclosure of information regarding legal and physical access as well as necessary utility easements.
- Prohibits the issuance of building permits in unregulated development areas until the ordinance's minimum requirements are met.

Who benefits?

- The community, at-large and future property owners.
- Unregulated development transfers the cost of purchasing and developing property.
- In the short run, immediate buyers pay less but in the long run property values tend to decline and political pressure is exerted on the County to fix problems
- Problems resulting from unregulated development are difficult, time-consuming and costly to correct.



COCHISE COUNTY

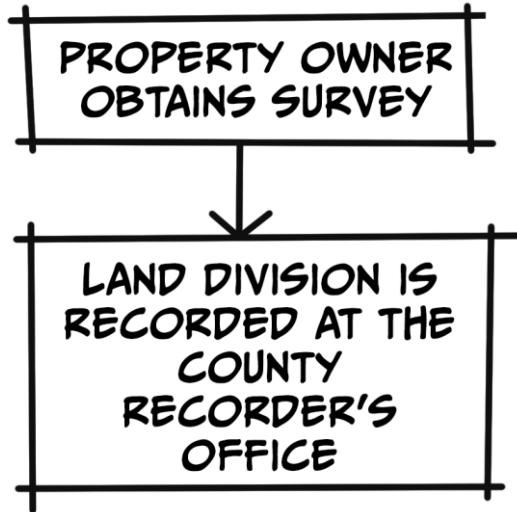
Review Criteria

1. Each newly-created parcel must meet the minimum zoning requirements of the applicable zoning designation.
2. The applicant demonstrates legal access to the lots, parcels or fractional interests.
3. The applicant provides a statement from a licensed surveyor or engineer, or other evidence acceptable to the county, stating whether each lot, parcel or fractional interest has legal and physical access that is traversable by a two-wheel drive passenger motor vehicle.
4. The applicant reserves the necessary and appropriate utility easements to serve each lot, parcel or fractional interest created by the land division.

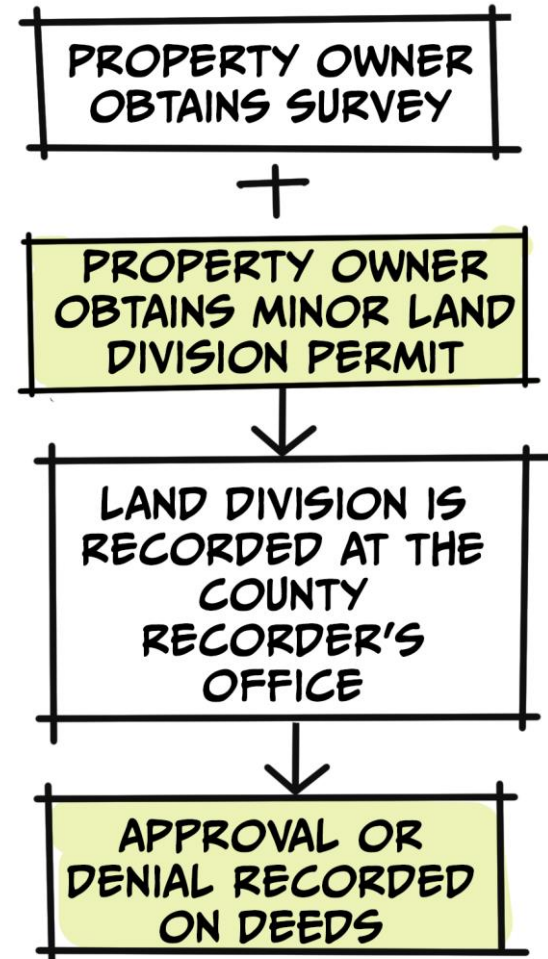


COCHISE COUNTY

Current Process



Proposed Process



COCHISE COUNTY

What is included on the permit?



MINOR LAND DIVISION

COCHISE COUNTY PERMIT

A MINOR LAND DIVISION PERMIT IS REQUIRED WHEN A PARCEL OF LAND, IN UNINCORPORATED COCHISE COUNTY, IS DIVIDED INTO A MAXIMUM OF FIVE (5) LOTS, ANY OF WHICH IS TEN (10) ACRES OR SMALLER IN SIZE.

PENDING THIS APPROVAL, ALL INFORMATION RECEIVED MUST THEN BE RECORDED WITH THE COCHISE COUNTY RECORDER'S OFFICE AT THE APPLICANT'S EXPENSE.

DEVELOPMENT SERVICES DEPARTMENT, BUILDING E • 1415 MELODY LANE • BISBEE, ARIZONA 85603

<p>APPLICANT INFORMATION</p> <p>Name: _____</p> <p>Address: _____</p> <p>Email: _____</p> <p>Phone: _____</p> <p>PARCEL INFORMATION</p> <p>Parcel Number (APN) _____</p> <p>What is the zoning of the ORIGINAL PARCEL? _____</p> <p>Size of ORIGINAL PARCEL (sq. ft. or acreage) _____</p> <p>Total number of new PARCELS created _____</p> <p>TAX INFORMATION</p> <p>PROPERTY TAXES MUST BE PAID IN FULL BEFORE A PARCEL CAN BE DIVIDED</p> <p>Are property taxes paid in full on this parcel?</p> <p><input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>Treasurer's Staff Initials _____</p> <p>PROCESSING FEES</p> <p>Two (2) Parcels: \$300 Three (3) Parcels: \$350 Four (4) Parcels: \$400 Five (5) Parcels: \$450</p>	<p>REQUIRED SUBMITTALS</p> <p><input type="checkbox"/> Verification by Development Services staff of appropriate zoning or an application for rezoning.</p> <p><input type="checkbox"/> The original deed showing the legal description of the existing parcel.</p> <p><input type="checkbox"/> A new deed(s) showing a legal description of each proposed parcel, along with any access or utility easements.</p> <p><input type="checkbox"/> A legal description and survey from a registered surveyor or engineer with dimensions showing existing and future parcel lines, structures, utilities (including septic system, if applicable), fence lines, easements, and location of bordering roads.</p> <p><input type="checkbox"/> A statement from an Arizona licensed surveyor or engineer, or other evidence acceptable to the County, stating whether each lot, parcel or fractional interest has physical access that is traversable by a two-wheel drive passenger motor vehicle.</p> <p><input type="checkbox"/> Treasurer's Office staff initials on the Minor Land Division Permit, verifying that the taxes are currently paid in full.</p> <p><input type="checkbox"/> A non-refundable processing fee.</p> <p><small>CERTIFICATION: Applicant hereby certifies that information contained in this application and accompanying plans and documents is true and correct. The owner hereby acknowledges that a minor land division permit application that does not comply with one or more of the items listed in Article 1721 of the Cochise County Zoning Regulations may still have a minor land division permit issued if the applicant signs and records an acknowledgement that no building permit, zoning clearance or use permit will be issued until the lot, parcel or fractional interest meets the minimum noted requirements.</small></p> <p>_____ Signature</p> <p>_____ Date</p>
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Approval Statement:

“Notice is hereby given that the parcels of real estate created by the division recorded pursuant to this document is in conformance with all the provisions of the Minor Land Division Ordinance of Cochise County and meets all statutory requirements for recording.”

Denial Statement:

“Notice is hereby given that the parcel of real estate created by the division recorded pursuant to this document either does not conform to the zoning regulations in force at the time of recordation, does not have adequate provision for access to public utilities, or that no legal access exists in accordance with the provisions of the Minor Land Division Ordinance of Cochise County. In consequence, any and all Cochise County Development permits may be denied until such time as deficiencies relative to this parcel are corrected.”



COCHISE COUNTY

More information....

FAQ

Where do I start?

If you a landowner that is interested in a minor land division, let us know! This brochure, as well as our permit and website contain a lot of the information you will need to get started, including a helpful checklist. If you have additional questions, we are here to help.

Where can I find more information?

Be sure to check out our website:

How much does this cost?

2-Lots \$300, 3-Lots \$350, 4-Lots \$400, 5-Lots \$450

Each application shall be accompanied with the processing amount indicated above. Checks are payable to the Cochise County Treasurer.

How long will this process take?

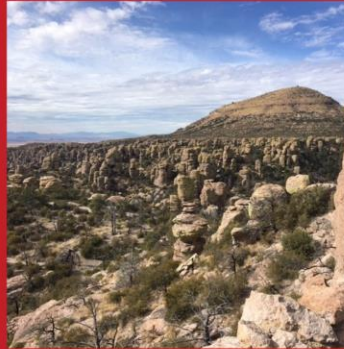
The Development Services Department shall approve, conditionally approve, or deny the application within thirty (30) business days from the date a completed application was filed.

What happens if my application is denied?

Regardless of whether your application is approved or denied, you may still obtain a minor lot division. Be advised that should an applicant choose to record a Minor Land Division survey without a permit approved by the Development Services Department, any deficiencies are required to be noticed in full, detailed description in all deeds. In consequence, any and all Cochise County Development permits may be denied until such time as deficiencies relative to this parcel are corrected

What do I do with this permit?

Simply take the completed, processed Minor Land Division Permit to the County Recorder's Office along with any attached supplementary information. Recordation must occur within six (6) months of the approval by the Development Services Department, or the approval shall become void.



CONTACT US

For more information about minor land division, please contact us!

Main Office
1415 Melody Lane, Building E
Bisbee, AZ 85603
P: 520-432-9300

Sierra Vista Office
4001 E. Foothills Drive
Sierra Vista, AZ 85635
P: 520-432-9300

Benson Office
126 W 5th Street
Benson, AZ 85602
P: 520-586-8180

AUGUST 2019

MINOR LAND DIVISION

INFORMATION GUIDE



Public Programs...Personal Service

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More information....

WHAT IS MINOR LAND DIVISION?

Subdividing property in Cochise County is regulated by the Minor Land Division Regulations and the Cochise County Subdivision Regulations, depending on how many parcels are created by the proposed subdivision as well as the size the parcels.

The minor land division process applies when a large parcel is divided into 5 or fewer smaller parcels, any of which is 10 acres or smaller. The County subdivision process applies when a large parcel is divided into 6 or more smaller parcels, any of which is 36-acres or smaller.

Purpose of the Minor Land Division Process

- Promote orderly growth and sensitive design;
- Provide for adequate roads, utilities, water and wastewater treatment for residential growth;
- Ensure structures are not built in areas that are subject to flooding;
- Divide a large parcel into smaller lots for sale



REQUIREMENTS

Names, addresses, and telephone numbers of all parties of interest to the division

A statement from a registered land surveyor, or other evidence acceptable to the county, stating whether each lot, parcel or fractional interests has physical access that is traversable by a two-wheel drive passenger motor vehicle.

Survey Map: The legal descriptions and map shall be prepared by a Registered Land Surveyor (R.L.S) and comply with all state and County standards in a format acceptable to the County Recorder and shall include:

- A standard engineering scale not to exceed 1" = 200' (one inch equals 200 feet). Scale used must be indicated.
- A north arrow.
- Area and dimensions of all proposed lots, parcels or fractional interests.
- The current zoning of the parcels proposed to be divided.
- A public or private road, or a private driveway easement, as defined by the Cochise County Road Design & Construction Standards & Specifications for Public Improvements shall provide legal access to each parceld by the County Board of Supervisors prior to sale of any of the divided lots.

Location and width of all easements within and bordering the minor land division.

Location, width and designation of roads bordering the property indicating whether they are public or private.

SUBMITTALS

- Verification by Development Services staff of appropriate zoning or an application for rezoning.
- The original deed showing the legal description of the existing parcel.
- A new deed(s) showing a legal description of each proposed parcel, along with any access or utility easements.
- A legal description and survey from a registered surveyor or engineer with dimensions showing existing and future parcel lines, structures, utilities (including septic system, if applicable), fence lines, easements, and location of bordering roads.
- A statement from an Arizona licensed surveyor or engineer, or other evidence acceptable to the County, stating whether each lot, parcel or fractional interest has physical access that is traversable by a two-wheel drive passenger motor vehicle.
- Treasurer's Office staff initials on the Minor Land Division Permit, verifying that the taxes are currently paid in full.
- A non-refundable processing fee.

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COCHISE COUNTY

Summary and Recommendations

Staff has presented a draft ordinance for Planning Commission consideration. Staff is requesting that the Commission forward the attached document to the Board of Supervisors with a recommendation for approval.

Sample Motion: *Mr. Chairman, I move to forward Docket R-19-04 with a recommendation of approval to the Board of Supervisors.*

