

COCHISE COUNTY

Minor Land Division Ordinance

Board of Supervisors Work Session
June 11, 2019

Cochise County
Development Services



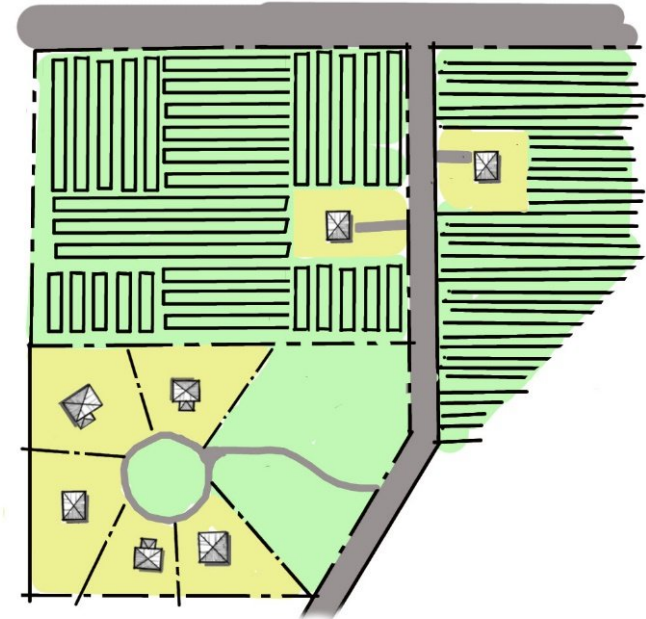
Public Programs...Personal Service

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What is a minor land division?

Minor land division is when a parcel of land is divided into five or fewer parcels, and which results in the creation of parcels, any of which are ten acres or smaller in size.

Subdivision Regulations apply to a parcel of land that is divided into six or more parcels.

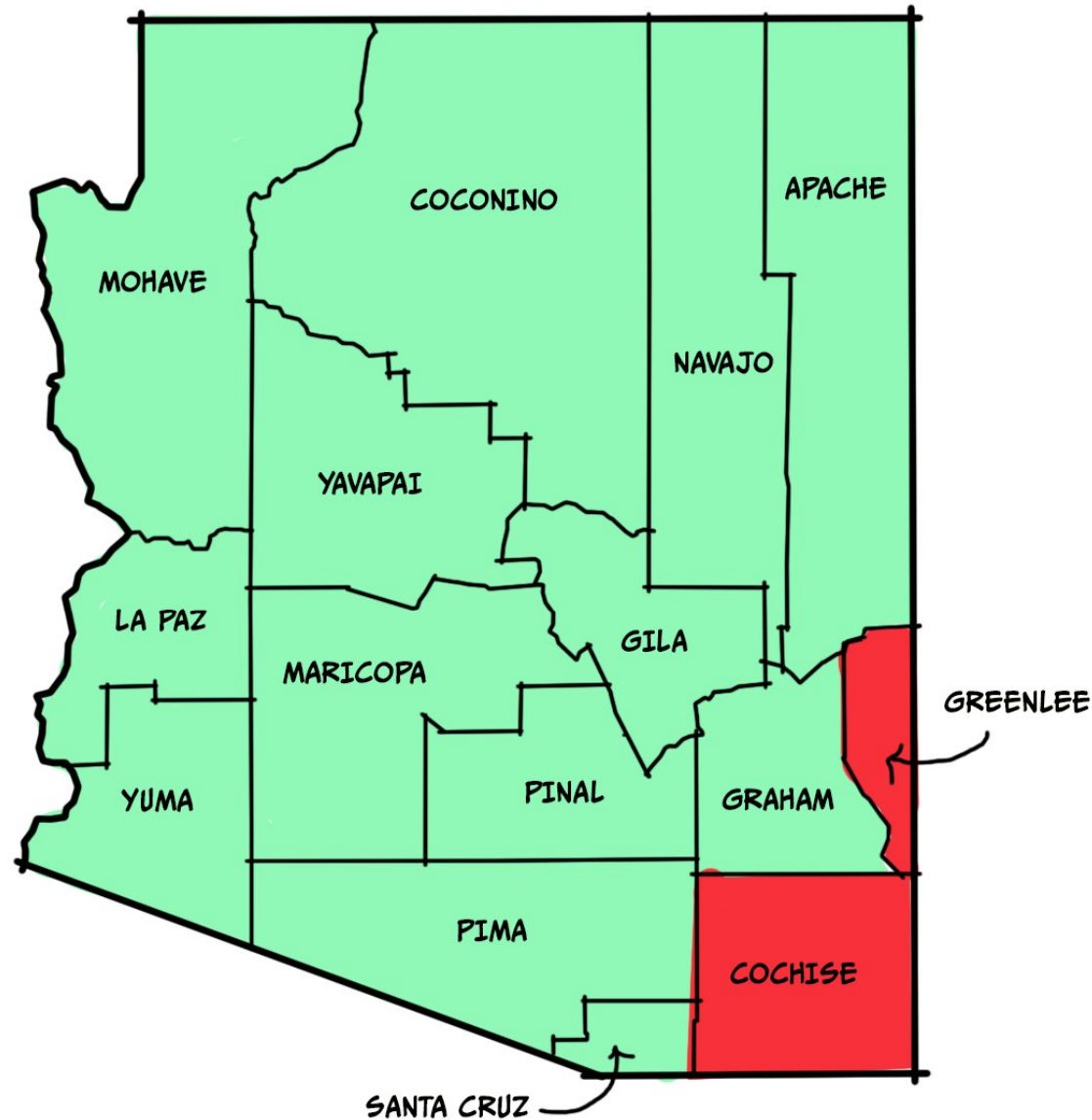


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Regulation Authority

As a result of the Growing Smarter Plus Act of 2000, Counties are now allowed, but not required, to approve minor land division in unincorporated areas.

All Counties in Arizona, with the exception of Greenlee and Cochise Counties, currently regulate minor land divisions.



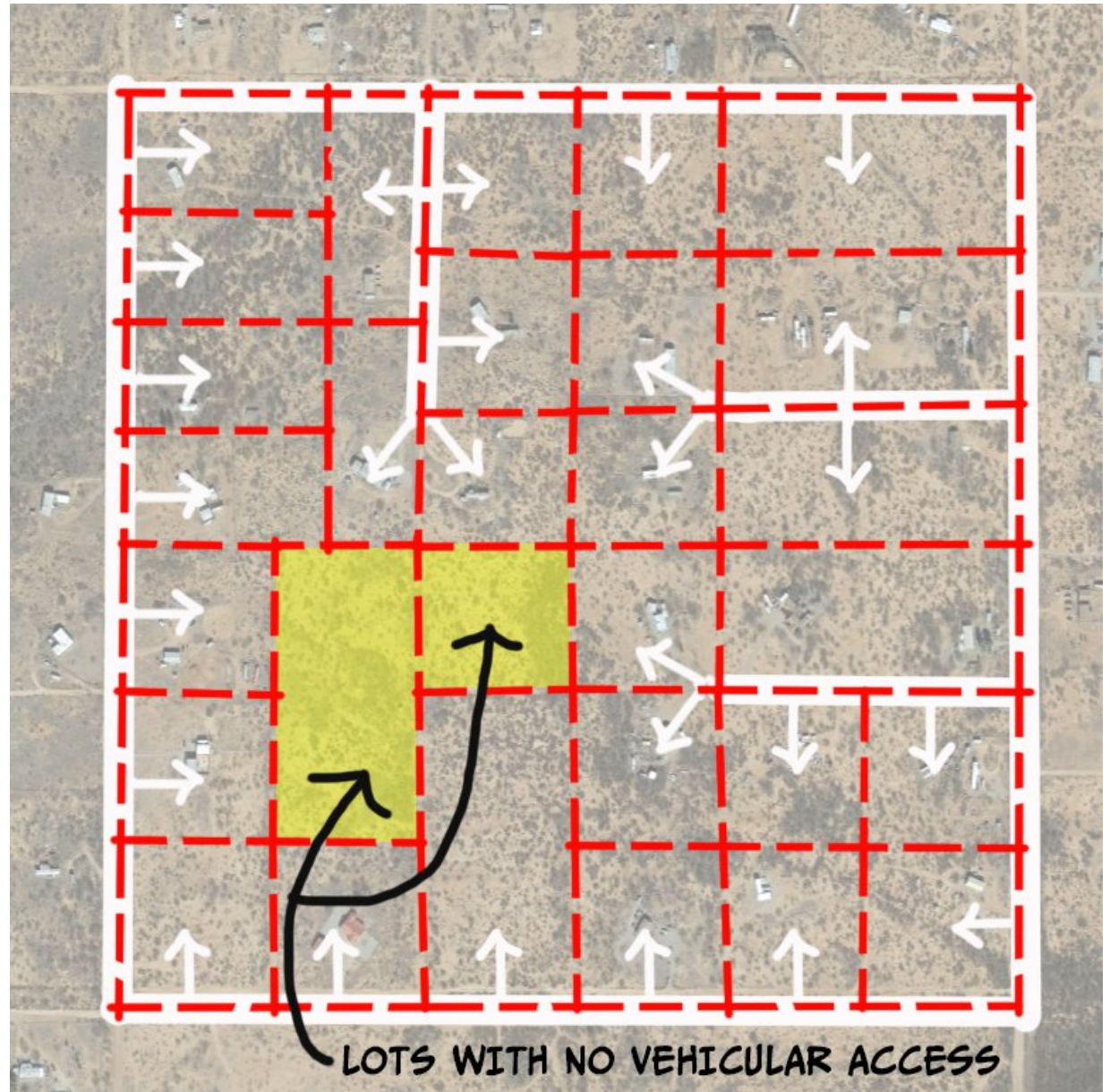
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PROBLEM: Access

Many unincorporated parcels have poor, or in some cases, no vehicular parcel access.

PROBLEM: Zoning

Property owners may be unaware of their zoning and/or unable to meet the minimum zoning requirements following a lot split.



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PROBLEM: Roads

Narrow, washed out, un-maintainable roads

Gates installed and blocking right-of-way

Difficult emergency vehicle/bus access

Frustrated constituents/political pressure



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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 county's minimum zoning requirements are met.

County review time is strictly limited by state law to 30-days, after which the split is automatically approved.

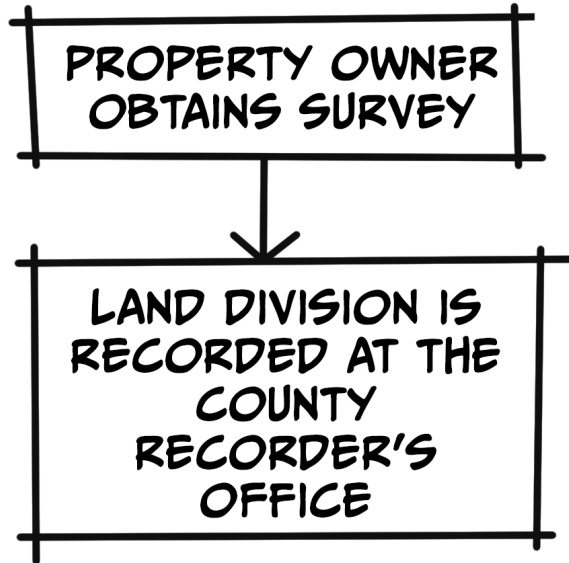
Who benefits from regulations?

- 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.

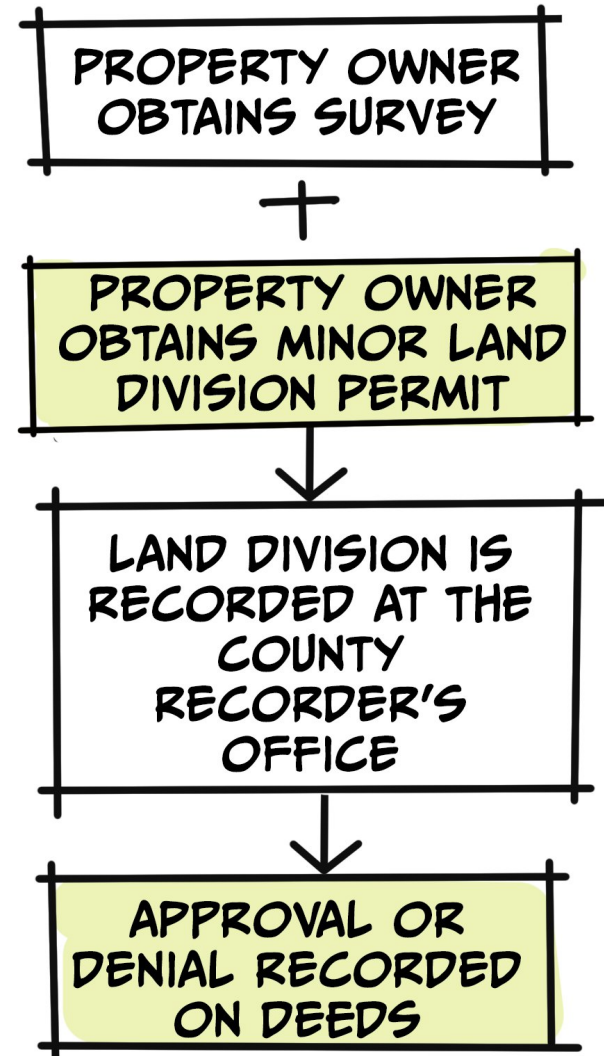


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Current Minor Land Division Process



Proposed Minor Land Division Process



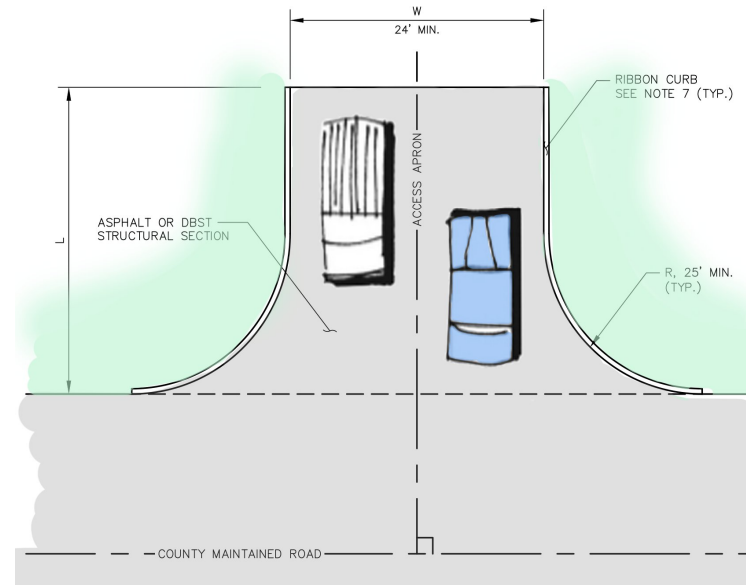
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Review criteria

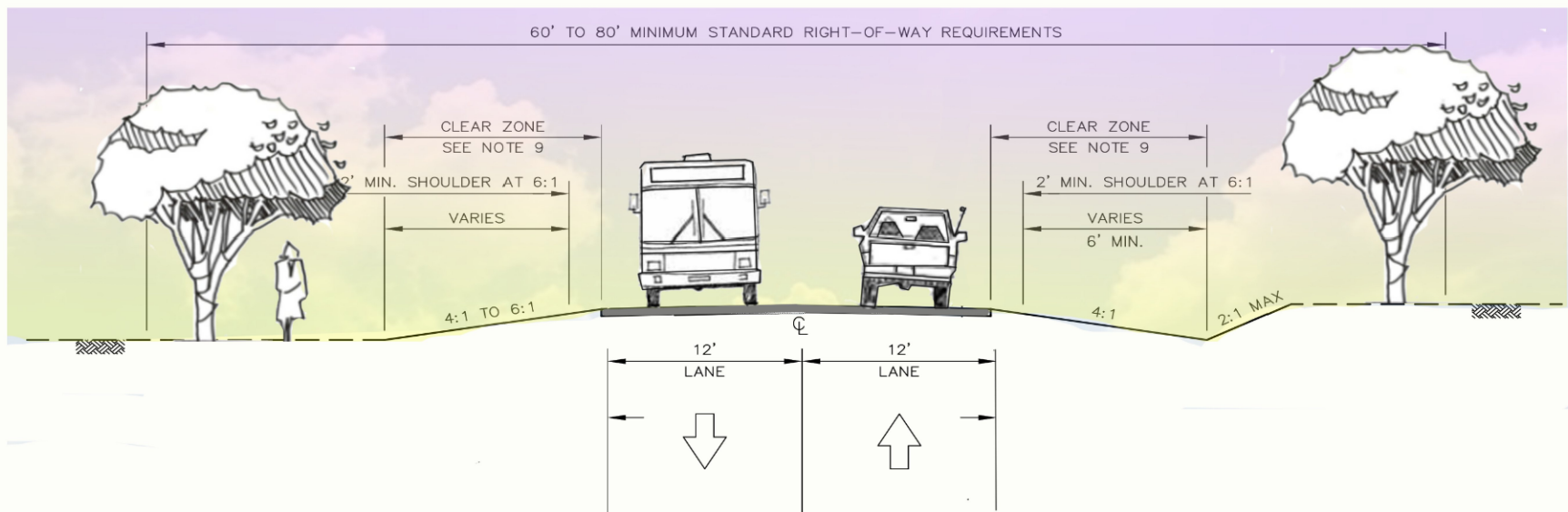
Access:

A public or private road, or private driveway easement, as defined by the County Engineering Road Standards shall provide legal access to each parcel

Private driveway easement



Public (low-volume) road



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Review criteria

Zoning:

Proposed lots must meet the minimum zoning requirements.

604.01 Minimum Site Area and Maximum Density

District	Minimum Site Area	Maximum Density
RU-36	36-acres	One dwelling per 36-acres
RU-18	18-acres	One dwelling per 18-acres
RU-10	10-acres	One dwelling per 10-acres
RU-4	4-acres	One dwelling per 4-acres
RU-2	2-acres	One dwelling per 2-acres



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What is included on the permit?

Information that is to be recorded with the deed.

In order for a minor lot split to be recorded, applicant must bring a completed Minor Land Division Permit to the Recorder's office.

If the permit is approved, the land division will be recorded without supplementary deed information.

If the permit is denied, the land division will be recorded with a denial statement, specifically stating deficiencies.

"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."



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Proposal:

Develop a Minor Land Division Ordinance, as well as associated permit application, applicant checklist, internal review process and fee

