



**MEMORANDUM**

**TO:** Cochise County Planning and Zoning Commission  
**FROM:** Daniel Coxworth, AICP, Development Services Director  
**SUBJECT:** Docket RZ22-18 (Babocomari)  
**DATE:** October 12, 2022

**APPLICATION FOR A REZONING**

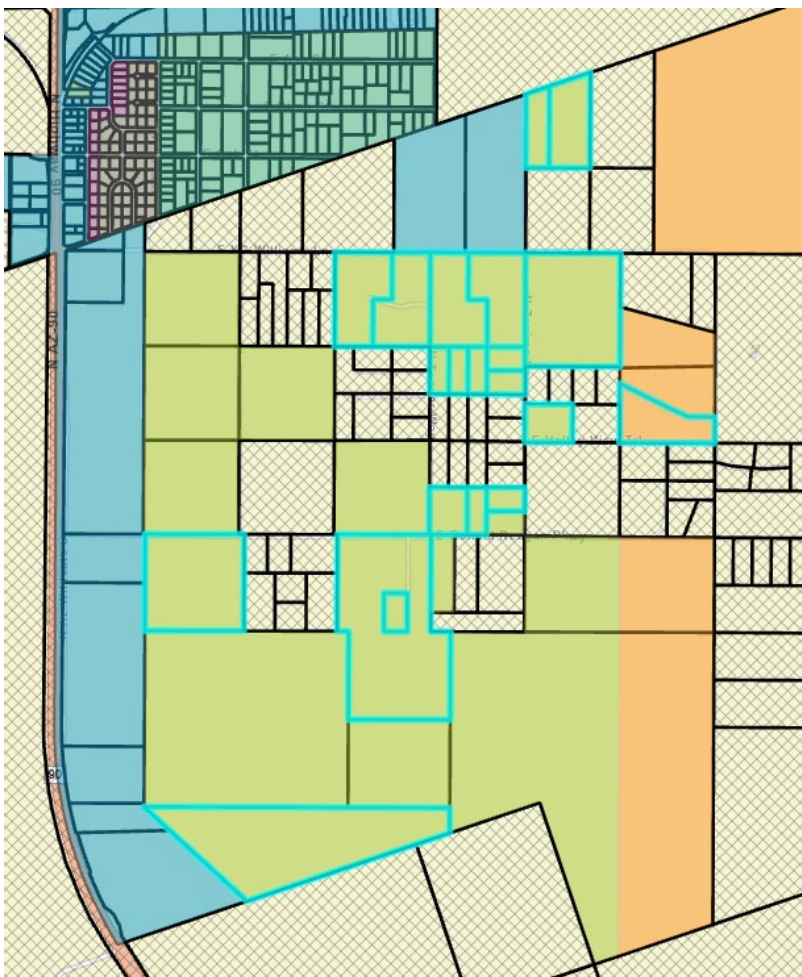
County initiated a request with property owner permission to downzone the following properties to remove a condition of rezoning requiring a subdivision plat. All properties are located in the Babocomari and agree to RU-4 zoning (Rural, minimum lot size of 4 acres):

<b>APN</b>	<b>Property Owner Last Name</b>	<b>Current Zoning</b>	<b>Proposed Zoning</b>
10615015G	Hughes	R-36	RU-4
10615020D	Hew	RU-2	RU-4
10615020L	Hanson	R-36	RU-4
10615021W	Nye	R-36	RU-4
10615021Y	Nye	R-36	RU-4
10615021Z	Nye	R-36	RU-4
10615023C	Johnson	R-36	RU-4
10615040A	Walston	R-36	RU-4
10615040B	Walston	R-36	RU-4
10615041A	Walston	R-36	RU-4
10615041B	Walston	R-36	RU-4
10615046	Brown	R-36	RU-4
10615046B	Brown	R-36	RU-4
10615046C	Brown	R-36	RU-4
10615046D	Brown	R-36	RU-4
10615046E	Brown	R-36	RU-4
10615091A	Schaffer	R-36	RU-4
10615091C	Bertalino	R-36	RU-4
10615091E	Bertalino	R-36	RU-4
10615020K	Winslow	R-36	RU-4
10615015H	Taggart	R-36	RU-4

**I. DESCRIPTION OF SUBJECT PARCEL AND SURROUNDING LAND USES**

Applicant:	Cochise County
Area of Rezoning:	409 Acres
Location:	Babocomari
Proposed Zoning:	RU-4 (Rural; one dwelling per 4 acres)
Growth Area:	D
Plan Designation:	Rural
Area Plan:	None
Proposed Uses:	None

**Subject Parcels Highlighted in Blue**



**II. PARCELS HISTORY**

The parcels were rezoned in 2006 or 2007 with a condition requiring a subdivision plat before permits for single-family homes will be issued. Since then, no subdivision plats have been submitted. The P&Z Commission and Board of Supervisors have heard and rezoned several parcels in the area over the past three to four years, each requiring property owners to pay the rezoning fee and staff to write a staff report and present in two public hearings. The County initiated this request to reduce the number of requests in the future. Staff mailed a letter to the property owners, providing an opportunity to participate in the rezoning to remove the encumbrance of the condition. Twenty-one of the 37 properties is participating in this rezoning.

**III. NATURE OF REQUEST**

County initiated rezoning to RU-4. The area is primarily rural, with the primary development of single-family homes on four acres. A downzoning

will not have any negative impacts on the surrounding properties.

**Mandatory Compliance**

Section 2208.03 of the Zoning Regulations requires that the amendment of Zoning District boundaries comply with the Comprehensive or Area Plan Designation assigned to the area in question. In this case, the subject property lies within a Category "B" Low-Density designation.

**Compliance with Rezoning Criteria**

Section 2208.03 of the Zoning Regulations provides fifteen criteria to evaluate rezoning requests.

**1. Provides an Adequate Land Use/Concept Plan: Complies**

The proposal will facilitate standard rural home site development. The parcels would be eligible for the full range of allowed principal, accessory, and Special Uses per Article 6 of the Zoning Regulations.

**2. Compliance with Applicable Site Development Standards: Complies**

The parcels meet or exceed the minimum of 4 acres for RU-4 zoning. Therefore, the proposed home will meet all required development standards.

**3. Adjacent Districts Remain Capable of Development: Complies**

Surrounding properties remain able to develop.

**4. Limitation on Creation of Nonconforming Uses: Complies**

If approved, the rezoning would not create any non-conforming land uses.

**5. Compatibility with Existing Development: Complies**

The parcel is in a rural area. The downzone to larger lots will be compatible with the surrounding development.

**6. Rezoning to More Intense Districts: Not Applicable**

This request is for a downzoning, which will reduce the permitted density.

**7. Adequate Services and Infrastructure: Complies**

Large lot zoning is appropriate in this area, with no existing road network supporting the necessary infrastructure to develop the parcel.

**8. Traffic Circulation Criteria: Complies**

This rezoning request will not alter the existing roadway network's layout or function without requiring right-of-way dedication or off-site improvements. Rezoning to RU-4 would decrease the permitted density, corresponding decrease in potential traffic.

**9. Development Along Major Streets: Not Applicable**

This parcel does not take access off a major roadway.

**10. Infill: Not Applicable**

This factor applies only to rezoning requests for General Business, Light Industry, or Heavy Industry.

**11. Unique Topographic Features: Complies**

No unique topographic features exist that will prevent the development of the property.

**12. Water Conservation: Complies**

This proposed downzoning would reduce permitted maximum density and decrease potential water usage.

**13. Public Input: Complies**

The applicant is not required to complete a Citizen Review as a downzoning. Staff mailed notices to neighboring property owners within 300 feet of the subject properties in September 2022. In September, staff posted the property and published a legal notice in the Herald Review. The Department received letters of support for this request.

**14. Hazardous Materials: Not Applicable**

No hazardous materials are proposed.

**15. Compliance with Area Plan: Not Applicable**

The subject property is not located with an Area Plan.

**IV. SUMMARY AND CONCLUSION**

The request is for a downzoning to RU-4 for a parcel located in the Babocomari.

**Factors in Favor of Approval**

1. *The request complies with ten of the applicable rezoning factors used by staff to analyze this request;*
2. *The request would be in keeping with the character of the existing development in the area.*
3. *Letters in support*

**Factors Against Approval**

1. *None*

**V. RECOMMENDATION**

Based on the factors in favor of approval, staff recommends forwarding the rezoning request for the subject parcels as listed on page one to RU-4 to the Board of Supervisors with a recommendation of **approval**.

*Sample Motion:*

*Mr. Chairman, I move to recommend approval to the Board of Supervisors, Rezoning RZ22-18; the factors in Favor of Approval constitute the Finds of Fact.*