



**MEMORANDUM**

**TO:** Board of Supervisors  
**FROM:** Dan Coxworth, Director  
**FOR:** Richard Karwaczka, County Administrator  
**SUBJECT:** Docket RZ23-07 (Peters)  
**DATE:** May 23, 2023

**APPLICATION FOR A REZONING**

The applicant requests a rezoning from R-36 (Residential, one dwelling per 36,000 square feet) to RU-2 (Rural, one dwelling per 2 acres).

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

Applicant: Anthony and Larissa Peters  
Location: 731 N. Taylor Road, Willcox, AZ 85643  
APN: 202-37-023A  
Parcel Size: 29 Acres  
Current Zoning: R-36 (Residential, one dwelling per 36,000 square feet)  
Proposed Zoning: RU-2 (Rural; one dwelling per 4 acres)  
Growth Area: B  
Plan Designation: Developing  
Existing Uses: Single Family Residential and outbuildings  
Proposed Uses: Single Family Residential Farm and Future Special Uses for Guest Lodging

**Zoning/Use of Surrounding Properties**

Relation to Subject Parcel	Zoning District	Use of Property
North	R-36	Vacant
South	R-36	Single-Family Residential
East	R-36	Single-Family Residential
West	R-36	Vacant

**II. PARCEL HISTORY**

1996 – Permit to enclose a porch

**Planning, Zoning and Building Safety**

1415 Melody Lane, Building F  
Bisbee, Arizona 85603  
520-432-9300  
planningandzoning@cochise.az.gov

### III. NATURE OF REQUEST

The applicant is requesting to amend the zoning of their parcel from R-36 to RU-2. The applicant requests the amendment for the future Special Use Permit application for guest lodging. The near-term use of the property will be a lavender farm. Therefore, a downzoning will not negatively impact the surrounding properties.

#### Mandatory Compliance

Section 2208.03 of the Zoning Regulations requires that the Zoning District boundaries be amended in compliance with the Comprehensive or Area Plan Designation assigned to the area in question. In this case, the subject property lies within Category "B" Developing. The Comprehensive Plan allows for downzoning to RU-2.

#### Compliance with Rezoning Criteria

Section 2208.03 of the Zoning Regulations provides fifteen criteria for evaluating rezoning requests.

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

The proposal is intended to facilitate standard, rural home site development, but the parcel 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 proposed parcel exceeds 4 acres. Therefore, the proposed home and accessory structures will be able to meet 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 nonconforming land uses.

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

The parcel is located in a Developing area outside the City of Willcox with nearby residential development. The downzone to larger lots will be compatible with the current development patterns of the general area.

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

As indicated, this request is for a downzoning, which will reduce the permitted density.

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

The property is located off Taylor Road, a paved road.

##### **8. Traffic Circulation Criteria: Complies**

As mentioned above, the downzoning will reduce the permitted density to a more appropriate designation for that area. Rezoning from R-36 to RU-2 would decrease the permitted density.

##### **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 the permitted maximum density to decrease potential water usage.

**13. Public Input: Complies**

As a downzoning, the applicant was not required to complete a Citizen Review. Staff mailed notices to neighboring property owners within 300 feet of the subject property. Staff posted the property on April 18, 2023, and published a legal notice in the Herald/Review. The Department received two letters in support.

**14. Hazardous Materials: Not Applicable**

No hazardous materials are proposed.

**15. Compliance with Area Plan: Not Applicable****IV. SUMMARY AND CONCLUSION**

The request is for a downzoning from R-36 (Residential, one dwelling per 36,000) to RU-2 (Rural; one dwelling per two acres) on a 29-acre site in Willcox. The area is characterized as rural with surrounding residentially developed lots.

**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. Two letters in support

**Factors Against Approval**

1. None identified.

**V. RECOMMENDATION**

At their meeting on May10, 2023, the Planning and Zoning Commission unanimously recommended forwarding the rezoning request to the Board for **approval**.

Based on the factors in favor of approval, Staff recommends **approval** of the rezoning request from R-36 (Residential, one dwelling per 36,000) to RU-2 (Rural; one dwelling per two acres) on a 29-acre parcel.