



MEMORANDUM

TO: Cochise County Planning and Zoning Commission
FROM: Dan Coxworth, AICP, Director
SUBJECT: Docket RZ23-08 (Dickamore)
DATE: June 14, 2023

APPLICATION FOR A REZONING

The applicant requests a rezoning from SR-43 (Single Residential, one dwelling per 43,000 square feet) to RU-4 (Rural, one dwelling per 4 acres). The property was rezoned in 2005 with the condition that the applicant files a subdivision plat within 18 months. To remove this condition, the applicant must revert to the zoning back to RU-4.

I. DESCRIPTION OF SUBJECT PARCEL AND SURROUNDING LAND USES

Applicant: Dale Dickamore
 Location: Babocomari, north of KC Williams, west of Zosimo
 APN: 106-15-042 and 043
 Parcel Size: ~80 Acres
 Current Zoning: SR-43 (Single Residential, one dwelling per 43,000 square feet)
 Proposed Zoning: RU-4 (Rural; one dwelling per 4 acres)
 Growth Area: D – Rural Areas
 Plan Designation: Rural
 Area Plan: Babocomari
 Existing Uses: Vacant property
 Proposed Uses: Single-Family Homes

Zoning/Use of Surrounding Properties

| Relation to Subject Parcel | Zoning District | Use of Property |
|----------------------------|-----------------|-----------------|
| North | RU-4, R-18 | Vacant, SFRs |
| South | RU-4 | Vacant |
| East | RU-4 | SFRs |
| West | RU-4 | SFR |

Planning, Zoning and Building Safety

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II. PARCEL HISTORY

Z-05-04. Rezoned to SR-43 with conditions

III. NATURE OF REQUEST

The applicant is requesting to amend the zoning of their parcel from SR-43 to RU-4. A downzoning will not have any negative impacts on 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 a Category "B" Low-Density Residential. The Comprehensive Plan allows for downzoning to RU-4.

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 remove a condition requiring a subdivision plat, 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.

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 downzone to larger lots will be compatible with the current development patterns of the general area. A rezoning to RU-4 was recently approved for the surrounding 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

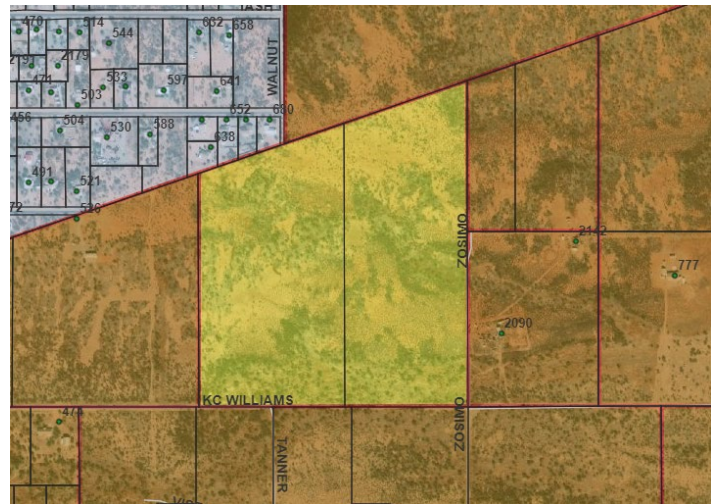
This request will reduce the potential traffic on the area roads.

8. Traffic Circulation Criteria: Complies

As mentioned above, the downzoning will reduce the permitted density to a more appropriate zoning for the area.

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 so that potential water usage could decrease.

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 on May 12, 2023. Staff posted the property on May 17, 2023, and published a legal notice in the Herald/Review on May 14, 2023. The Department received no responses.

14. Hazardous Materials: Not Applicable

No hazardous materials are proposed.

15. Compliance with Area Plan: Complies

The subject property is within the Babocomari Area Plan. Although the plan is still active, it is essentially debunked, as the area has not developed as planned. Due to the lack of development and infrastructure, downzoning in this area should be encouraged.

IV. SUMMARY AND CONCLUSION

The request is for a downzoning from SR-43 (Single Residential, one dwelling per 43,000) to RU-4 (Rural; one dwelling per four acres). The area is characterized by scattered residential development.

Factors in Favor of Approval

1. The request complies with eleven 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.

Factors Against Approval

1. None identified.

V. RECOMMENDATION

Based on the factors in favor of approval, Staff recommends forwarding the rezoning request from SR-43 (Single Residential, one dwelling per 43,000) to RU-4 (Rural; one dwelling per four acres) on an 80-acre site to the Board of Supervisors with a recommendation of **approval**. No special conditions are recommended.