



**MEMORANDUM**

**TO:** Cochise County Planning and Zoning Commission  
**FROM:** Dan Coxworth, AICP, Director  
**SUBJECT:** Docket RZ23-17 (Farkas Babo)  
**DATE:** September 13, 2023

**APPLICATION FOR A REZONING**

The applicant requests a rezoning from R-36 (Residential, one dwelling per 36,000 square feet) to RU-4 (Rural, one dwelling per 4 acres). The property was rezoned in 2006 with the condition that the applicant file 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: Renee Farkas  
Location: Babocomari, northwest corner of Ronald Reagan and Zosimo  
APN: 106-15-091D  
Parcel Size: 4 Acres  
Current Zoning: R-36 (Residential, one dwelling per 36,000 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 Home

**Zoning/Use of Surrounding Properties**

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

**Planning, Zoning and Building Safety**

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## **II. PARCEL HISTORY**

Z-06-06, August 2006: Rezoned to R-36 with conditions

## **III. NATURE OF REQUEST**

The applicant is requesting to amend the zoning of their parcel from R-36 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. The parcel would be eligible for the full range of allowed Principal, Accessory, and Special Uses per the RU Zoning.

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

The proposed parcel is 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 properties in the 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**

The property may take access from Ronald Reagan, which is not a county-maintained road.



**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 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 August 15, 2023. Staff posted the property on August 18, 2023, and published a legal notice in the Herald/Review on August 18, 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 R-36 (Residential, one dwelling per 36,000) 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 R-36 (Residential, one dwelling per 36,000) to RU-4 (Rural; one dwelling per four acres) on a 4-acre site to the Board of Supervisors with a recommendation of **approval**. No special conditions are recommended.

Sample Motion:

I move to recommend **approval** to the Board of Supervisors rezoning Docket RZ23-17, located on parcel 106-15-091D, from R-36 to RU-4, the Factors in Favor of Approval constituting the Findings of Fact.