



Development Services

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MEMORANDUM

TO: Cochise County Planning and Zoning Commission
FROM: Matthew Taylor, AICP, Planner II
FOR: Richard Karwaczka, County Administrator
THROUGH: Christine McLachlan, AICP, Planning Division Manager
SUBJECT: Docket RZ24-11 (Redwing Place)
DATE: July 23, 2024

Docket RZ24-11 (Redwing Place)

A request to rezone property from R-18 (Residential District, one dwelling per 18,000 square feet) to RU-4 (Rural District, one dwelling per 4 acres).

I. DESCRIPTION OF SUBJECT PARCEL AND SURROUNDING USES

Applicant: Thomas Farnsworth III
Location: 1471 N. Redwing Place
APN: 208-47-045H
Parcel Size: 4.2 acres
Current Zoning: R-18
Proposed Zoning: RU-4
Growth Area: C – Rural Community Areas
Plan Designation: Rural
Area Plan: None
Existing Use: Single Family Residential
Proposed Use: Single Family Residential

Surrounding Zoning and Land Uses:

North	R-18	Single Family Residential
South	R-18	Single Family Residential
East	R-18	Single Family Residential
West	R-18	Single Family Residential

II. PARCEL HISTORY

The site is developed with a single family residence and accessory structures.

III. NATURE OF REQUEST

The applicant requests rezoning from R-18 to RU-4 to participate in the county's owner-builder program.

Mandatory Compliance

Section 2.63.080 of the zoning regulations requires zoning district boundaries be in accordance with comprehensive or area plan designations. In this case, the proposed rezone to RU-4 is consistent with the “Rural” comprehensive plan designation.

Compliance with Rezoning Criteria

Section 2.63.080 of the zoning regulations provides fifteen (15) criteria for evaluating rezoning requests:

1. Adequate Land Use/Concept Plan: Complies

The applicant provided a site plan demonstrating intent to continue developing the property for single-family residential use.

2. Compliance with Applicable Site Development Standards: Complies

The property totals about 4.2 acres and is subject to site development standards found in Section 2.15 of the zoning regulations, including setbacks, height, distances between structures, and lot coverage.

3. Adjacent Districts Remain Capable of Development: Complies

The requested downzone does not prevent surrounding properties from being developed in a manner consistent with their residential (R-18) and rural (RU-4) zoning classifications.

4. Limiting Creation of Nonconforming Uses: Complies

Rezoning the property to RU-4 will not result in the creation of nonconforming uses since the property has been developed for single family use and existing improvements appear to meet applicable site development standards.

5. Compatibility with Existing Development: Complies

Per the rezoning application, the applicant intends to continue developing the property for single family residential use utilizing the county’s owner-builder program. The area is characterized by lot sizes of ½ acre to more than 10 acres with single family homes, including several within 300’ of the subject property. The county continues to receive requests to downzone properties consisting of four or more acres from residential to rural zoning districts. Rural zoning allows some nonresidential uses but uses that could create obvious incompatibility and significant off-site impacts would require special use approval.

6. Rezoning to More Intense Districts: Not Applicable

A rezone to a more intense zoning district is not proposed. The applicant requests downzoning the subject property from R-18 to RU-4, reducing allowed residential density. Current zoning would allow one principal residence per 18,000 square feet or up to ten principal residences. Downzoning the property



RZ24-11 (R-18 to RU-4)

1471 Redwing Place (APN 208-47-045H)

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reduces the number of allowable residences to two, one principal and one accessory dwelling. The subject property is located about 500' feet of other parcels with RU-4 zoning.

7. Adequate Services and Infrastructure: Complies

The property is serviced by an unimproved private road and has an existing driveway from Redwing Place. Power is provided by Sulphur Springs Valley Electric Cooperative (SSVEC) and water is provided by Pomerene Water Company. Fire services are provided by Pomerene Fire District with the nearest fire station less than one mile south.

8. Traffic Circulation: Complies

Property access is from Redwing Place, an unimproved local road. The county has not assigned a functional classification and does not maintain this road. Downzoning is property will not require off-site improvements or roadway dedications. A county right-of-way permit is not required.

9. Development Along Major Streets: Not Applicable

Property access is from Redwing Place which is unimproved and not maintained by the county. The nearest major road is Pomerene Road, a hard-surfaced, county-maintained Rural Minor Collector approximately ½ mile south.

10. Infill Compatibility: Not Applicable

This factor applies to rezoning requests to General Business (GB), Light Industry (LI), or Heavy Industry (HI) zoning districts.

11. Unique Topographic Features: Not Applicable

This factor applies to rezoning requests to more intense business or industrial zoning districts.

12. Water Conservation: Not Applicable

County-wide water conservation requirements identified in Section 2.51.170 of the zoning regulations apply to non-residential uses and properties.

13. Public Input: Complies

Applications to downzone property are not subject to Citizen Review requirements identified in the zoning regulations. Staff mailed notices to nearby property owners, posted the property, and published legal notice on June 19, 2024.

14. Hazardous Materials: Not Applicable

The applicant proposes to continue developing the parcel for single family residential use. Non-residential uses involving hazardous materials are not proposed.

15. Planning Policies: Complies

The property is designated "Rural" by the Comprehensive Plan and RU-4 zoning is consistent with this land



use designation. The county typically supports downzones to less intense land uses that reduce residential densities and stress limited infrastructure.

IV. SUMMARY AND CONCLUSION

The applicant proposes retaining existing residential land uses on the 4.2 acre property. Downzoning the parcel to RU-4 allows the property owner to participate in the county's owner-builder program, legitimizing an existing nonconforming accessory structure. This program requires parcels have a minimum site area of four acres and a zoning classification with a minimum site area requirement of four acres. The county adopted the owner-builder amendment to encourage ingenuity by individual home owners in the interest of personal preference, allowing the use of alternate building materials and methods.



Factors in Favor of Approval

1. Complies with nine (9) of nine (9) applicable factors used to evaluate rezoning requests.
2. Proposed use is compatible with established low density residential growth pattern.
3. Downzone reduces the number of allowed dwellings.
4. No opposition from nearby property owners.

Factors Against Approval

None identified.

V. RECOMMENDATION

Based on the factors in favor of approval, the Planning and Zoning Commission recommended approval of Docket RZ24-11 (8-0) without conditions at their July 10, 2024, meeting.

Based on the factors in favor of approval, Staff also recommends approval of Docket RZ24-11 without conditions, rezoning tax parcel 208-47-045H from R-18 (Residential District, one dwelling per 18,000 square feet) to RU-4 (Rural District, one dwelling per 4 acres).

Sample Motion

Madam Chair, I move to approve Docket RZ24-11 without conditions, rezoning tax parcel 208-47-045H from R-18 (Residential District, one dwelling per 18,000 square feet) to RU-4 (Rural District, one dwelling per 4 acres), the factors of approval constituting the findings of fact.
