



Development Services

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MEMORANDUM

TO: Cochise County Board of Supervisors
FROM: Matthew Taylor, AICP, Planner II
FOR: Richard Karwaczka, County Administrator
THROUGH: Christine McLachlan, AICP, Planning Division Manager
SUBJECT: Docket RZ24-21 (Fort Grant Rd)
DATE: November 26, 2024

Docket RZ24-21 (Fort Grant Rd)

The applicant requests rezoning 11 acres from R-36 (Residential District, one dwelling per 36,000 square feet) to RU-2 (Rural District, one dwelling per 2 acres). The property is located at the approximate southwest corner of Fort Grant and Taylor Roads west of Willcox.

I. DESCRIPTION OF SUBJECT PARCEL AND SURROUNDING USES

Applicant: Anthony Peters
Location: Fort Grant and Taylor Roads
APN: 202-28-028
Parcel Size: 11 acres
Current Zoning: R-36
Proposed Zoning: RU-2
Growth Area: B – Community Growth Areas
Plan Designation: Developing
Area Plan: N/A
Existing Use: Undeveloped
Proposed Use: Agriculture and Barn

Surrounding Zoning and Land Uses:

North	R-36	Single Family Residential
South	R-36	Single Family Residential
East	R-36	Single Family Residential
West	R-36	Single Family Residential

II. PARCEL HISTORY

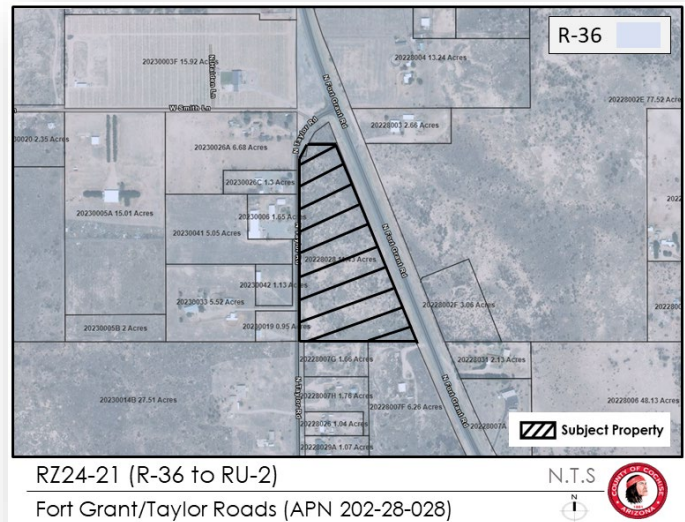
- Well permit #WEL20-000004 (2020)
 - No active code compliance actions
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III. NATURE OF REQUEST

The applicant requests rezoning of about 11 acres from R-36 to RU-2 to grow lavender and build a 1,680 square foot barn to store associated equipment and materials. An agricultural use could be established on the property with the current zoning district, but county zoning regulations prohibit accessory structures in residential districts without first establishing a residence.

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-2 is consistent with the Comprehensive Plan's "Developing" and Growth Area B designations. RU-2 is the only rural district zoning classification consistent with these designations.



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 concept plan demonstrating an intent to develop the site for agricultural use.

2. Compliance with Applicable Site Development Standards: Complies

The property totals about 11 acres and will be subject to site development standards found in Section 2.15 of the zoning regulations if successfully rezoned to RU-2, including setbacks, height, distances between structures, and lot coverage.

3. Adjacent Districts Remain Capable of Development: Complies

Properties in the vicinity are zoned R-36 and most have existing single family residences. The requested downzone does not prevent surrounding properties from establishing new or expanding existing uses in a manner consistent with their residential (R-36) zoning classification.

4. Limiting Creation of Nonconforming Uses: Complies

Rezoning the parcel to RU-2 will not result in the creation of nonconforming uses since the parcel is undeveloped.

5. Compatibility with Existing Development: Complies

The applicant wishes to establish a small-scale agricultural use of the property, growing lavender and building a prefabricated metal barn structure to store and protect materials and equipment. Most surrounding properties are zoned R-36 with single family residences with large tracts of undeveloped or grazing land nearby. The nearest property not zoned R-36 is located about 1000' south along Fort Grant

Road (RU-4) and an existing lavender operation is located about $\frac{3}{4}$ mile south along Taylor Road (also zoned RU-4). The property is also located about 1.5 miles northeast of Cochise County Airport.

6. Rezoning to More Intense Districts: Not Applicable

The applicant is not requesting a rezone to a more intense zoning district.

7. Adequate Services and Infrastructure: Complies

The property is located within the Sulphur Springs Valley Electric Cooperative (SSVEC) service area and has an existing private well. Both Fort Grant Road (Rural Major Collector) and Taylor Road (Rural Minor Collector) are hard-surfaced and county-maintained. A county right-of-way (ROW) permit will be required to improve the existing driveway along Taylor Road or to add any new driveways.



8. Traffic Circulation: Complies

Establishing an agricultural use on the property will not generate a substantial increase in vehicle trips requiring a change in existing road classifications or off-site improvements.

9. Development Along Major Streets: Complies

If any driveways are proposed along Fort Grant Road, a major rural collector, a ROW permit will be required and the county will identify required distances from intersections along with minimum required widths and surface materials for new driveways.

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: Complies

County-wide water conservation requirements identified in Section 2.51.170 of the zoning regulations apply to non-residential uses and properties. This proposed downzone reduces the number of allowed principal dwellings which suggests an overall reduction in water consumption. The property has an existing well to support future agriculture use.

13. Public Input: Complies

Applications to downzone property are not subject to Citizen Review requirements identified in the zoning regulations. Staff posted the property on September 16, 2024, mailed notification letters to property

owners within 300' on September 23, 2024, and published legal notice on September 25, 2024. Staff has received inquiries from nearby property owners but no written comments in support or opposition.

14. Hazardous Materials: Not Applicable

The applicant proposes using the parcel for agricultural use and hazardous materials are not proposed.

15. Planning Policies: Complies

Comprehensive Plan designations allow downzoning to RU-2. The county generally supports downzones to less intense zoning districts that reduce residential densities and impacts on limited infrastructure or available services.

IV. SUMMARY AND CONCLUSION

The applicant requests downzoning an 11-acre parcel from R-36 to RU-2 to grow lavender and built a 1,680 square foot barn to store materials and farming equipment.

Factors in Favor of Approval

1. Complies with eleven (11) applicable factors used to evaluate rezoning requests.
2. Downzone reduces the number of allowed principal dwellings.
3. No opposition from nearby property owners.

Factors Against Approval

None identified.

V. RECOMMENDATIONS

Based on the factors in favor of approval, the Planning and Zoning Commission recommended approval of Docket RZ24-21 without conditions (8-0) during its November 13, 2024, meeting.

Based on the factors in favor of approval, Staff also recommends approval of Docket RZ24-21 without conditions, rezoning tax parcel 202-28-028 from R-36 (Residential District, one dwelling per 36,000 square feet) to RU-2 (Rural District, one dwelling per 2 acres).

Sample Motion

Madam Chair, I move to approve Docket RZ24-21 without conditions, rezoning tax parcel 202-28-028 from R-36 to RU-2, the factors in favor of approval constituting the findings of fact.

