



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 RZ24-22 (Sunsites Unit #4)
DATE: November 26, 2024

Docket RZ24-22 (Sunsites Unit #4)

The applicant requests rezoning 4 acres from SR-22 (Single-Household Residential, one dwelling per 22,000 square feet) to SR-174 (Single-Household Residential District, one dwelling per 4 acres). The property is located at the approximate northwest corner of Fargo Street and Sidney Road in Arizona Sunsites Unit #4.

I. DESCRIPTION OF SUBJECT PARCEL AND SURROUNDING USES

Applicant: Kathi Zeigler
Location: Sunsites Unit #4
APN: 116-18-085C
Parcel Size: 4 acres
Current Zoning: SR-22
Proposed Zoning: SR-174
Growth Area: D – Rural Areas
Plan Designation: High Density Residential
Area Plan: Mid-Sulphur Springs Valley
Existing Use: Undeveloped
Proposed Use: Single Family Residence

Surrounding Zoning and Land Uses:

North	SR-22	Undeveloped
South	SR-22	Undeveloped
East	SR-22	Undeveloped, Single Family Residential
West	SR-22	Undeveloped, Single Family Residential

II. PARCEL HISTORY

- Arizona Sunsites Unit #4 (1962)
 - Lots 3, 4, 5, 17, and 18 combined to create 4-acre parcel (2010)
 - Septic system permit #SEP24-000343 (2024)
 - No active code compliance actions
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III. NATURE OF REQUEST

The applicant requests rezoning of 4 acres from SR-22 to SR-174 to develop the property for residential use, participating in the county's owner-builder program. The county adopted the program to encourage ingenuity by individual home owners in the interest of personal preference, allowing the use of alternate building materials and methods with limited plan review and inspection requirements.

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 SR-174 is consistent with comprehensive plan designations. The area plan designates the area as High Density Residential.

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 further develop the site for residential use.

2. Compliance with Applicable Site Development Standards: Complies

The property totals about 4 acres and will remain subject to site development standards found in Section 2.24 of the zoning regulations if successfully rezoned to SR-174, including setbacks, height, distances between structures, and lot coverage.

3. Adjacent Districts Remain Capable of Development: Complies

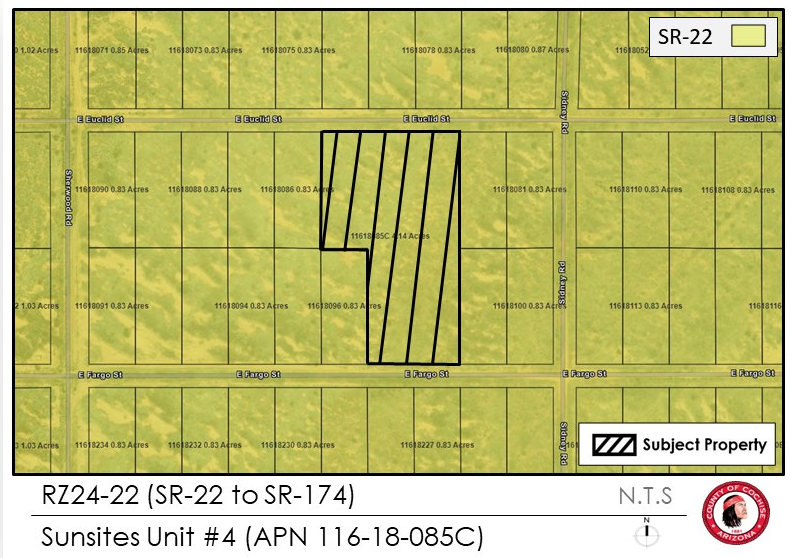
The requested downzone does not prevent surrounding properties from being developed in a manner consistent with their residential (SR-22) zoning classification.

4. Limiting Creation of Nonconforming Uses: Complies

Rezoning the parcel to SR-174 will not result in the creation of nonconforming uses since the parcel is undeveloped.

5. Compatibility with Existing Development: Complies

Sunsites Unit #4 is sparsely developed with sporadic single family residences, unimproved roads, and limited infrastructure. The county has approved multiple requests to downzone properties within Sunsites



units 1 through 4 for property owners to build residences and accessory structures in accordance with the owner-builder program. The nearest established residences are site-built homes about 1700' to the east and west.

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 properties to SR-174, reducing allowed residential density.

7. Adequate Services and Infrastructure: Complies

The property is located within the Sunsites-Pearce Fire District and Sulphur Springs Valley Electric Cooperative (SSVEC) service areas. The applicant intends to develop the property for residential use with delivered tiny home and accessory structure, utilizing solar panels and on-site water storage with private septic system.

8. Traffic Circulation: Complies

The property is accessible from either Fargo or Euclid Streets and is located approximately 1/8 mile south of Ironwood Road, a local rural road. Fargo and Euclid are unimproved roads, and county right-of-way permit is not required to establish a driveway since these roads are not county-maintained.

9. Development Along Major Streets: Not Applicable

Property access is from Fargo Street or Euclid Street, unimproved and unmaintained roads.

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

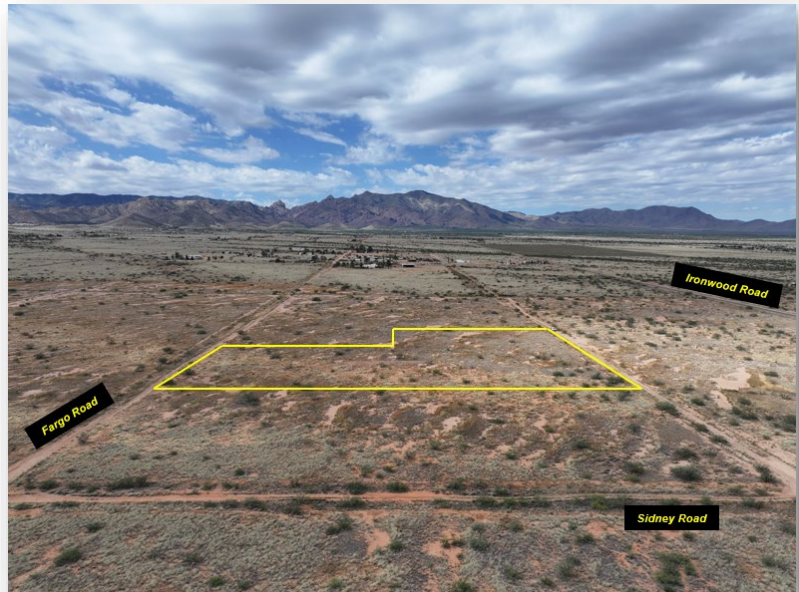
This factor applies to rezoning requests to more intense business or industrial zoning districts.

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. This proposed downzone reduces the number of allowed principal dwellings which suggests an overall reduction in water consumption.

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 parcels for residential use. Hazardous materials are not proposed.

15. Planning Policies: Complies

Comprehensive Plan designations allow downzoning to SR-174. The county generally supports downzones to less intense zoning districts that reduce impacts on limited infrastructure or services or reduce residential densities.

IV. SUMMARY AND CONCLUSION

The applicant requests downzoning a 4-acre parcel from SR-22 to SR-174 to participate in the county's owner-builder program. The county continues to receive requests throughout the county to downzone properties to SR-174 or RU-4, and staff is supportive of such requests in areas absent adequate infrastructure. 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) 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 principal dwellings.
4. 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 RZ24-22 without conditions (8-0) during its November 13, 2024, meeting.

Based on the factors in favor of approval, Staff also recommends approval of Docket RZ24-22 without special conditions, rezoning tax parcel 116-18-085C from SR-22 (Single-Household Residential District, one dwelling per 22,000 square feet) to SR-174 (Single-Household Residential District, one dwelling per 4 acres).

Sample Motion

Madam Chair, I move to approve Docket RZ24-22 without conditions, rezoning tax parcel 116-18-085C from SR-22 to SR-174, the factors in favor of approval constituting the findings of fact.