



Development Services

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MEMORANDUM

TO: Cochise County Planning and Zoning Commission
FROM: Matthew Taylor, AICP, Planner II
FOR: Christine McLachlan, AICP, Planning Division Manager
SUBJECT: Docket RZ24-04 (Valley Vista)
DATE: April 10, 2024

Docket RZ24-04 (Valley Vista)

The applicant requests rezoning of APN 104-12-016 from RU-2 (Rural District, one dwelling per 2 acres) to RU-4 (Rural District, one dwelling per 4 acres).

I. DESCRIPTION OF SUBJECT PARCEL AND SURROUNDING USES

Applicant: Wesley and Maranatha Jackson
Location: Northeast Corner of Highway 92 and Valley Vista Drive
APN: 104-12-016
Parcel Size: 4.3 acres
Current Zoning: RU-2
Proposed Zoning: RU-4
Growth Area: D – Rural Areas
Plan Designation: Rural
Area Plan: None
Existing Use: Undeveloped
Proposed Use: Single Family Residence

Surrounding Zoning and Land Uses:

North	R-36	Single Family Residential
South	RU-2, RU-4	Single Family Residential
East	RU-2, RU-4	Single Family Residential
West	R-36, SM-36	Single Family Residential

II. PARCEL HISTORY

The subject property is located within Valley Vista Estates (1965) and is undeveloped.

III. NATURE OF REQUEST

The applicant requests rezoning from RU-2 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 applicants provided a concept plan demonstrating an intent to develop the site with a single-family residence.

2. Compliance with Applicable Site Development Standards: Complies

The property totals about 4.3 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 zoning classification.

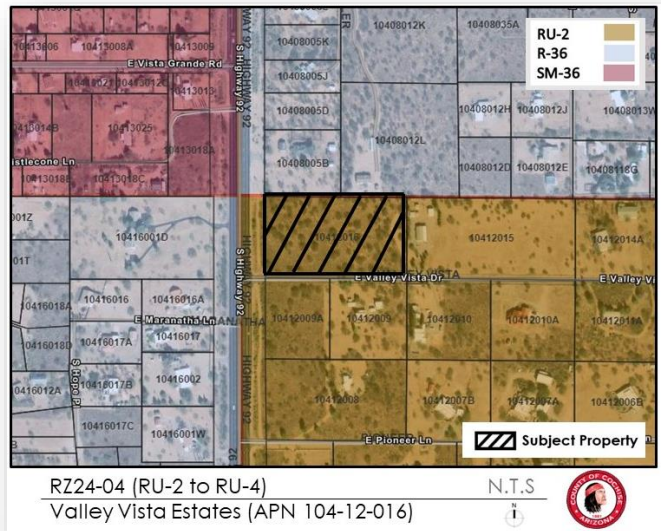
4. Limiting Creation of Nonconforming Uses: Complies

Rezoning the property to RU-4 will not result in the creation of nonconforming uses as the property is undeveloped.

5. Compatibility with Existing Development: Complies

Per the rezoning application, the applicant intends to develop the property with a single-family residence utilizing the county’s owner-builder program. The area is predominately residential in nature, with single family residences on parcels ranging from just under one acre to two acres and more. This property is located within Valley Vista Estates which was originally platted in the 1960’s with 16 lots averaging five acres. Only four lots within this subdivision have not been subdivided into smaller parcels. The county has approved multiple requests to downzone properties consisting of four or more acres to RU-4 to allow property owners to build a residence in accordance with the owner-builder program. Rezoning the property from RU-2 to RU-4 does not affect existing permitted uses of the property.

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 RU-2 to RU-4, reducing allowed residential density.

7. Adequate Services and Infrastructure: Complies

Private well and septic system are proposed for the property. The property is located within SSVEC and Fry Fire District service areas. Access is from Valley Vista Drive which has a hard surface and is county maintained.

8. Traffic Circulation: Complies

Property access is from Valley Vista Drive, a county-maintained minor access road. A county right-of-way permit is required to establish a residential driveway.

9. Development Along Major Streets: Not Applicable

Property access is from Valley Vista Drive, a local road.

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

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

13. Public Input: Complies

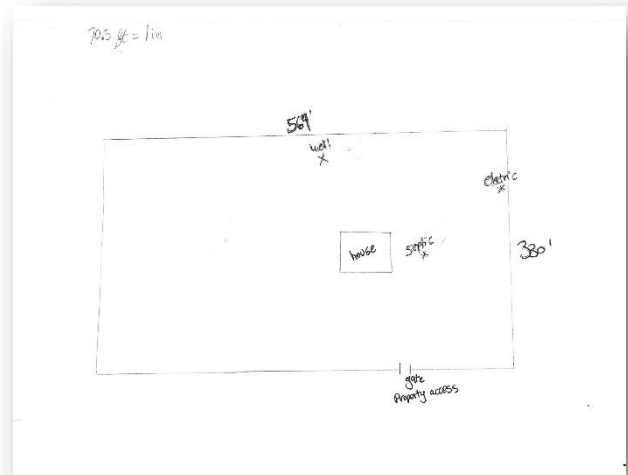
Applications to downzone property are not subject to Citizen Review requirements identified in the zoning regulations. Staff mailed notices to nearby property owners within 300' and posted the property on March 20, 2024, publishing legal notice on March 22, 2024.

14. Hazardous Materials: Not Applicable

The applicant proposes building a single-family residence. The use of hazardous materials is not proposed.

15. Planning Policies: Complies

The subject property is designated by the comprehensive plan as "Rural." RU-4 zoning is consistent with the "Rural" land use designation. The county typically supports downzones that reduce residential density or are intended for less intense land uses that reduce impacts on limited infrastructure or services.



IV. SUMMARY AND CONCLUSION

The subject property, APN 104-12-016, consists of about 4.3 acres and is currently zoned RU-2. The current zoning allows two principal dwellings. Rezoning the parcel to RU-4 reduces allowable density to one principal dwelling with the potential for one accessory dwelling. The applicant proposes participating in the county's owner-builder program, developing the property with a single-family residence and accessory buildings. 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 ten applicable rezoning factors used to evaluate zoning amendments.
2. Proposed use is compatible with established residential growth pattern.
3. Downzone reduces number of allowed principal dwellings.
4. No opposition from nearby property owners.

Factors Against Approval

None identified.

V. RECOMMENDATION

Based on the factors in favor of approval, Staff recommends forwarding the request to rezone parcel 104-12-016 from RU-2 (Rural District, one dwelling per 2 acres) to RU-4 (Rural District, one dwelling unit per 4 acres) to the Board of Supervisors with a recommendation of approval.

Sample Motion

Madam Chair, I move to recommend to the Board of Supervisors approval of Docket RZ24-04, rezoning parcel 104-12-016 from RU-2 (Rural District, one dwelling per 2 acres) to RU-4 (Rural District, one dwelling unit per 4 acres), the factors of approval constituting the findings of fact.