



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 RZ24-16 (Desert Rd)
DATE: October 9, 2024

Docket RZ24-16 (Desert Road)

The applicants request rezoning APNs 117-06-217, 218, 219, 228, 235, and 238 from SR-43 (Single-Household Residential, one dwelling per 43,000 square feet) to RU-4 (Rural District, one dwelling per 4 acres). The parcels are located at the approximate northwest corner of Pearce and Desert Roads in Arizona Sunsites Unit #2.

I. DESCRIPTION OF SUBJECT PARCEL AND SURROUNDING USES

Applicant: Jonathan and Ashley Longnecker
Location: Sunsites Unit #2
APN: 117-06-217, 218, 219, 228, 235, and 238
Parcel Size: 9 acres
Current Zoning: SR-43
Proposed Zoning: RU-4
Growth Area: D – Rural Areas
Plan Designation: Medium Density Residential
Area Plan: Mid-Sulphur Springs Valley
Existing Use: Undeveloped
Proposed Use: Single Family Residence

Surrounding Zoning and Land Uses:

North	SR-43	Undeveloped
South	RU-4	Undeveloped, Single Family Residential
East	SR-43	Undeveloped
West	SR-43	Undeveloped, Single Family Residential

II. PARCEL HISTORY

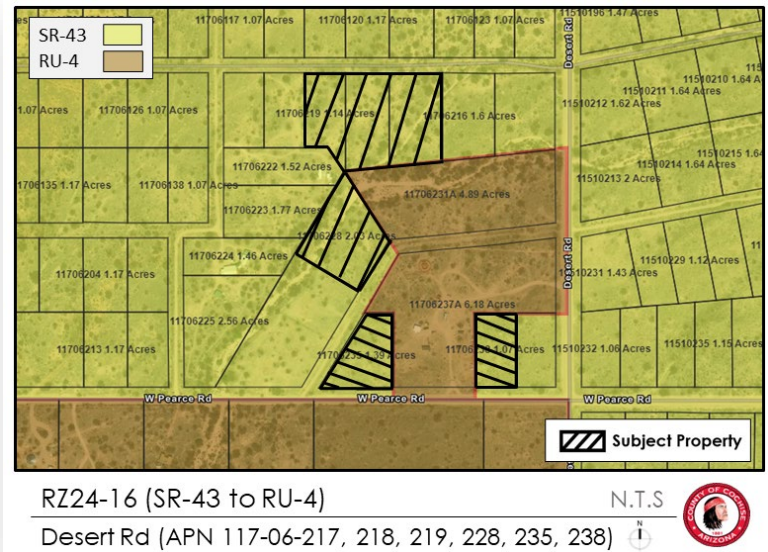
The parcels are located within Arizona Sunsites Unit #2 (1961) and the applicants own two adjacent parcels zoned RU-4 (117-06-231A, 237A). Multiple permits issued for parcel 237A between 2020 and 2023, including opt out permit for single family dwelling and accessory structure, septic permit, and permit for driveway. There are no active code compliance actions involving these properties.

III. NATURE OF REQUEST

The applicants request rezoning of six parcels from SR-43 to RU-4 to include with adjacent parcels they already own. The applicants rezoned the adjacent parcels to RU-4 in 2020 (RZ20-01).

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 comprehensive plan designations. The area plan designates the area as Medium 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 properties total about 9 acres and will be subject to site development standards found in Section 2.15 of the zoning regulations if successfully rezoned to RU-4, 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 and rural zoning classifications.

4. Limiting Creation of Nonconforming Uses: Complies

Rezoning the subject parcels to RU-4 will not result in the creation of nonconforming uses since the parcels are undeveloped.

5. Compatibility with Existing Development: Complies

Sunsites Unit #2 area is generally undeveloped with sporadic single family residences, unimproved roads, and limited infrastructure. The prevailing development pattern is low density residential. The six parcels total about 9 acres and will be incorporated with the applicant's existing homestead that totals about 11 acres over two parcels (APNs 117-06-231A and 117-06-237A). The county has approved multiple requests to downzone properties consisting of four or more acres to RU-4, allowing property owners to build residences and accessory structures in accordance with the owner-builder program.

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 RU-4, reducing allowed residential density.

7. Adequate Services and Infrastructure: Complies

The properties are located within the Sunsites-Pearce Fire District and Sulphur Springs Valley Electric Cooperative (SSVEC) service areas. The applicants have actively participated in the county's owner-builder program, constructing a residence and numerous outbuildings on adjacent parcels.



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.

8. Traffic Circulation: Complies

The properties are accessible via Desert Road, a county-maintained Minor Access Local Road. The secondary driveway along Pearce Road may require county review if used regularly.

9. Development Along Major Streets: Not Applicable

Existing property access is from Desert Road, which functions as a county-maintained local road.

10. Infill Compatibility: Not Applicable

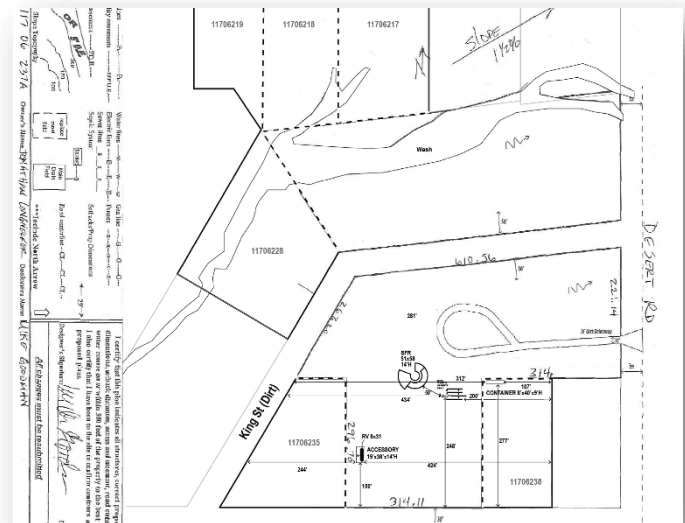
This factor applies to rezoning requests to General Business (GB), Light Industry (LI), or Heavy Industry (HI) zoning districts.

11. Unique Topographic Features: Not Applicable

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

12. Water Conservation: 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 published legal notice and mailed notification letters to property owners within 300' on September 18, 2024, posting the property on September 23, 2024. Staff has not received any responses.

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 RU-4. 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 applicants request downzoning six parcels to RU-4 to be consistent with two adjacent parcels previously zoned RU-4 to eliminate unnecessary internal setbacks and simplify future property improvements and permitting. Existing improvements have utilized the county's owner builder program and future improvements may also use this program. The county continues to receive requests throughout the county to downzone properties to 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 all nine 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. RECOMMENDATION

Based on the factors in favor of approval, Staff recommends forwarding the request to rezone tax parcels 117-06-217, 218, 219, 228, 235, and 238 from SR-43 (Single-Household Residential District, one dwelling per 43,000 square feet) to RU-4 (Rural District, one dwelling per 4 acres) to the Board of Supervisors with a recommendation of approval without special conditions.

Sample Motion

Madam Chair, I move to recommend approval of Docket RZ24-16 to the Board of Supervisors without special conditions, rezoning tax parcels 117-06-217, 218, 219, 228, 235, and 238 from SR-43 (Single-Household Residential District, one dwelling per 43,000 square feet) to RU-4 (Rural District, one dwelling per 4 acres), the factors of approval constituting the findings of fact.
