



## 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 RZ24-23 (Purdy Lane)  
**DATE:** January 7, 2025

### Docket RZ24-23 (Purdy Lane)

The applicant requests rezoning 5 acres from R-36 (Residential District, one dwelling per 36,000 square feet) to RU-4 (Rural District, one dwelling per 4 acres). The property is located along the south side of Purdy Lane approximately ½ mile east of Naco Highway near Bisbee.

### I. DESCRIPTION OF SUBJECT PARCEL AND SURROUNDING USES

Applicant: Patrick Willson  
Location: Purdy Lane  
APN: 102-53-017  
Parcel Size: 5 acres  
Current Zoning: R-36  
Proposed Zoning: RU-4  
Growth Area: D – Rural Areas  
Plan Designation: Low Density Residential  
Area Plan: Naco Area Plan  
Existing Use: Undeveloped  
Proposed Use: Single Family Residence

### Surrounding Zoning and Land Uses:

North	RU-4	Undeveloped
South	R-36	Single Family Residential, Undeveloped
East	R-36, GB	Single Family Residential, Undeveloped
West	R-36, GB	Single Family Residential, Undeveloped

### II. PARCEL HISTORY

- Septic system permit #SEP24-000313 (2024)
  - Right of Way permit #ROW24-000339 (2024)
  - No active code compliance actions
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### III. NATURE OF REQUEST

The applicant requests rezoning of 5 acres from R-36 to RU-4 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. Purdy Lane is characterized by low density residential development and large undeveloped land tracts.

#### 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 Low Density Residential.



RZ24-23 (R-36 to RU-4)

Purdy Ln (APN 102-53-017)

N.T.S.



#### 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 residential use.

**2. Compliance with Applicable Site Development Standards: Complies**

The property totals about 5 acres and will remain 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 nearby properties from being developed in a manner consistent with their rural, residential, and business (RU-4, R-36, GB) zoning classifications.

**4. Limiting Creation of Nonconforming Uses: Complies**

Rezoning the parcel to RU-4 will not result in the creation of nonconforming uses since the parcel has no established uses or permanent structures.

**5. Compatibility with Existing Development: Complies**

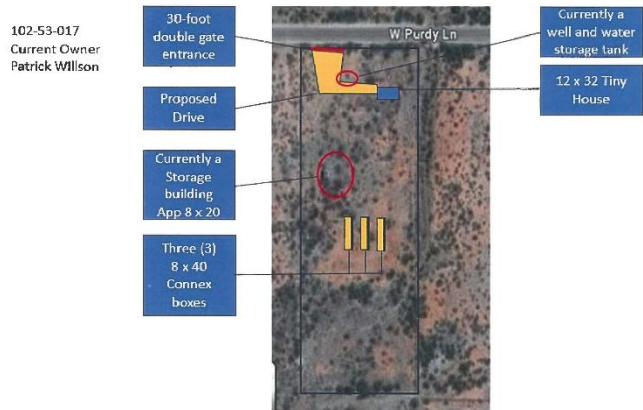
The proposed use of the property, single family residential utilizing the county's owner-builder program, is compatible with the area's low density residential development pattern.

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

## 7. Adequate Services and Infrastructure: Not Applicable

This factor is used to determine if adequate services and infrastructure to support an intensification of zoning. The applicant intends to develop the property for residential use with a tiny home and accessory structures, utilizing private well and septic if these services are otherwise not available. The AZ Water Company service area is directly north of Purdy Lane.



## 8. Traffic Circulation: Complies

The property is accessible from Purdy Lane (Rural Minor Collector) which is a hard-surfaced and county-maintained road. Naco Highway (Rural Minor Arterial) intersects Purdy Lane about ½ west of the property.

## 9. Development Along Major Streets: Complies

Property access is from Purdy Lane, and the applicant received a county right-of-way permit to establish legal access (30' wide driveway with culvert).

## 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. The property is located within the Sierra Vista Sub-Watershed.

## 13. Public Input: Complies

Applications to downzone property are not subject to Citizen Review requirements identified in the zoning regulations. Staff posted the property, mailed notification letters to property owners within 300', and published legal notice November 15-20, 2024.

## 14. Hazardous Materials: Not Applicable

The applicant proposes using the parcel for residential use. Hazardous materials are not proposed.

### 15. Planning Policies: Complies

Comprehensive Plan designations and the Naco Area Plan's future land use map are consistent with RU-4 downzoning in this area. 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 5-acre parcel from R-36 to RU-4 to participate in the county's owner-builder program. The county continues to receive requests to downzone properties to RU-4 or SR-174 for this reason, and staff is supportive of such requests in rural areas with limited 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 (9) applicable factors used to evaluate rezoning requests.
2. Proposed use is compatible with 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 RZ24-23 without conditions (8-0) during its December 11, 2024, meeting.

Based on the factors in favor of approval, Staff also recommends approval of Docket RZ24-23 without conditions, rezoning tax parcel 102-53-017 from R-36 (Residential District, one dwelling per 36,000 square feet) to RU-4 (Rural District, one dwelling per 4 acres).

#### Sample Motion

I move to approve Docket RZ24-23 without conditions, rezoning tax parcel 102-53-017 from R-36 to RU-4, the factors in favor of approval constituting the findings of fact.