



Development Services

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MEMORANDUM

TO: Cochise County Board of Supervisors
FROM: Matthew Taylor, AICP, Planner II
FOR: Sharon Gilman, Interim County Administrator
THROUGH: Christine McLachlan, AICP, Planning Division Manager
SUBJECT: Docket RZ25-01 (Sunsites Unit #2)
DATE: March 25, 2025

Docket RZ25-01 (Sunsites Unit #2)

The applicant requests rezoning APNs 117-06-063, 064, 066, 067, 074, 075, 076, 077, and 078 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 along Windsor and Yale Streets between Cochise Stronghold and Palm Roads in Arizona Sunsites Unit #2. The applicant intends to build a residence using the owner-builder program.

I. DESCRIPTION OF SUBJECT PARCEL AND SURROUNDING USES

Applicant: Paul Prince
Location: Sunsites Unit #2
APN: 117-06-063, 064, 066, 067, 074, 075, 076, 077, 078
Parcel Size: 10 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: Accessory Structures
Proposed Use: Single Family Residence w/Accessory Structures

Surrounding Zoning and Land Uses:

North	SR-43	Undeveloped, Single Family Residences
South	SR-43, SR-174	Undeveloped, Single Family Residences
East	SR-43	Undeveloped
West	SR-43,SR-174, RU-4	Undeveloped, National Forest

II. PARCEL HISTORY

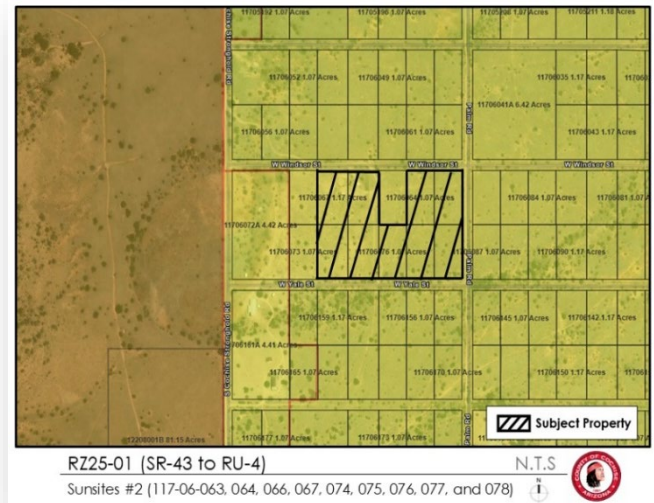
- 1961 – Arizona Sunsites Unit #2 platted in 1961
 - 2024 - Active code compliance action for outside storage, unpermitted structures, and occupied recreational vehicle
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III. NATURE OF REQUEST

The applicant requests rezoning from SR-43 to RU-4 to construct a residence and out buildings utilizing the county's owner-builder program. The applicant has submitted lot combination applications with the county assessor to combine parcels 066, 067, 074, and 075 in one 4.68 parcel, and parcels 063, 064, 076, 077, and 078 into one 5.35 acre parcel.

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 designation is 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 develop a portion of the property with a permanent residence and accessory structures. Additional land area to remain pasture.

2. Compliance with Applicable Site Development Standards: Complies

The property totals about 10 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 zoning classifications.

4. Limiting Creation of Nonconforming Uses: Complies

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

5. Compatibility with Existing Development: Complies

The area is generally undeveloped with sporadic single family residences, unimproved roads, and limited infrastructure. The prevailing development pattern within Arizona Sunsites #2 is low density residential and the applicant intends to build a residence. The county has approved multiple requests to downzone properties consisting of four or more acres to RU-4, allowing property owners to build a residence 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

property 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, and the site will be served by on-site water storage and septic systems. The applicant proposes participating in the county's owner-builder program, which requires a minimum site area of four acres and zoning classification requiring a minimum 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.

8. Traffic Circulation: Complies

The property is currently accessible Windsor Street, which is an unimproved public right-of-way (ROW) not maintained by the county. Future driveways along Yale Street and Palm Road are allowed without a county ROW permit as those roads are also unimproved and outside county maintenance.

9. Development Along Major Streets: Not Applicable

The parcels front unimproved local roads not maintained by the county.

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

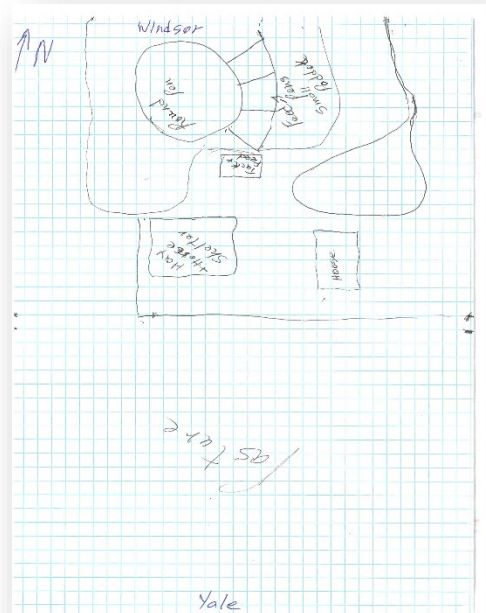
County-wide water conservation requirements identified in Section 2.51.170 of the zoning regulations apply to non-residential uses and properties. This proposed downzone reduces the number of allowed principal dwellings which suggests an overall reduction in water consumption, and applicant currently stores hauled water onsite.

13. Public Input: Complies

Applications to downzone property are not subject to Citizen Review requirements identified in the zoning regulations; however, the applicant did mail notices to property owners within 300' on February 5, 2025, as a courtesy. Staff posted the property, mailed notification letters, and published legal notice February 14-19, 2025, receiving written opposition from multiple nearby property owners with concerns about RU-4 zoning allowing manufactured housing.

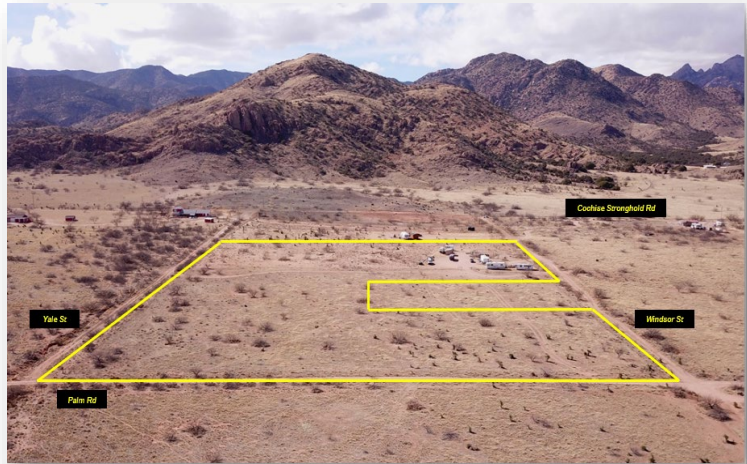
14. Hazardous Materials: Not Applicable

The applicant proposes rural residential land uses. The use of hazardous materials is 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 applicant is requesting a downzone to build a residence and accessory structures using the county’s owner builder 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.

Factors Against Approval

1. Opposition from nearby property owners.

V. RECOMMENDATIONS

Based on the factors in favor of approval, the Planning and Zoning Commission recommended approval of Docket RZ25-01 (7-2) during its meeting on March 12, 1025, with the following condition:

1. No manufactured and rehabilitated mobile homes on any portion of the 10 acres.

Commissioner Vote on Docket RZ25-01	
Aye	Fickett, Gonzalez, Martzke, Montgomery, Saunders, Watkins, Young
Nay*	DePew, Limbach

**Dissenting votes based on concerns about rezoning to rural in area predominately zoned single-household residential and long term effectiveness of the county enforcing the special condition.*

Based on the factors in favor of approval, Staff also recommends conditional approval of Docket RZ25-01, rezoning tax parcels 117-06-063, 064, 066, 067, 074, 075, 076, 077, and 078 from SR-43 (Single-Household Residential District, one dwelling per 43,000 square feet) to RU-4 (Rural District, one dwelling per 4 acres).

Sample Motion

I move to approve Docket RZ25-01, rezoning tax parcels 117-06-063, 064, 066, 067, and 074 through 078 from SR-43 to RU-4, with the following condition:

1. No manufactured and rehabilitated mobile homes on any portion of the 10 acres.
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