



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 RZ23-24 (Sunsites Unit #2)
DATE: January 8, 2025

Docket RZ23-24 (Sunsites Unit #2)

The applicant requests rezoning APNs 117-05-042, 117-05-043, and 117-05-54A from NB (Neighborhood Business District) and 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 northeast corner of Palm Road and Towner Street in Arizona Sunsites Unit #2.

The Commission recommended approval of this docket on October 9, 2024, where the applicant requested downzoning APNs 117-05-042 and 117-05-054A to RU-4. The applicant later amended his application, adding APN 117-05-043 and increasing the rezoning area from 5.1 to 6.3 acres. This application change requires a new public hearing by the Commission.

I. DESCRIPTION OF SUBJECT PARCEL AND SURROUNDING USES

Applicant: Jeff Thiede
Location: Sunsites Unit #2
APN: 117-05-042, 043, and 054A
Parcel Size: 6.3 acres
Current Zoning: NB and 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 | NB | Undeveloped, Single Family Residence |
| South | SR-43 | Undeveloped, Single Family Residence |
| East | NB, SR-43 | Undeveloped |
| West | SR-43 | Undeveloped |

II. PARCEL HISTORY

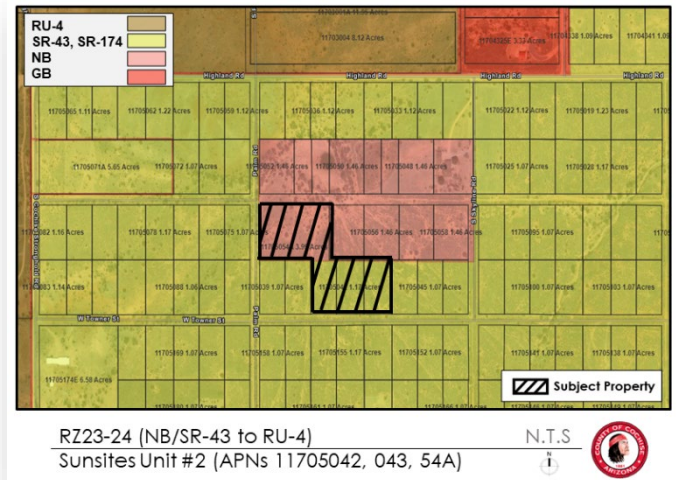
The parcels are located within Arizona Sunsites Unit #2 (1961). A well permit was issued in February 2024 (#WEL24-00003). There are no active code compliance actions involving these properties.

III. NATURE OF REQUEST

The applicant requests rezoning from NB and SR-43 to RU-4 to construct a residence utilizing the county’s owner-builder program. A parcel combination application has been submitted to the County Assessor’s office.

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 has 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 6.3 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 neighborhood business and 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 since the site is undeveloped.

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 future residence will be served by private well 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 accessible via Towner Street, which is an unimproved public right-of-way (ROW) not maintained by the county. The proposed driveway location does not require a county ROW permit.

9. Development Along Major Streets: Not Applicable

Property access is from Towner Street, which functions as 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

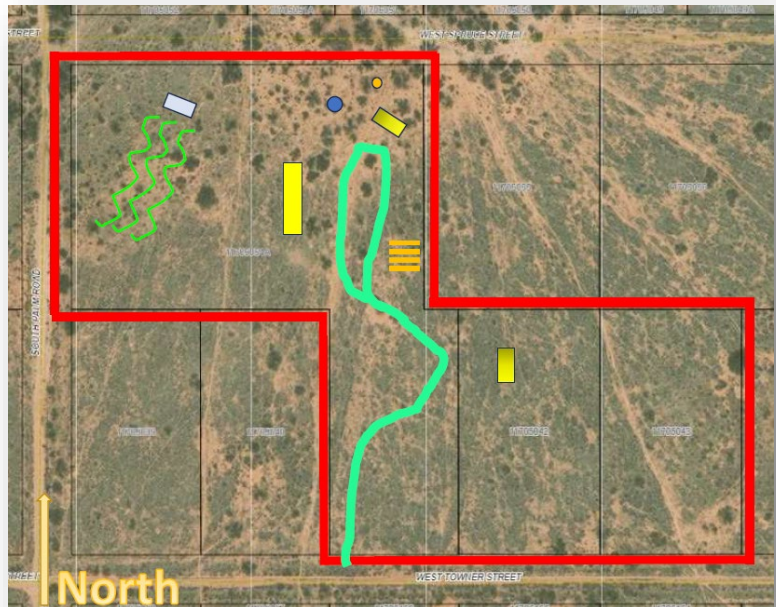
This factor applies to rezoning requests to more intense business or industrial zoning districts.

12. Water Conservation: 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 December 6, 2024, mailing notification and publishing legal



notice December 11-18, 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

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 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. RECOMMENDATION

Based on the factors in favor of approval, Staff recommends forwarding the request to rezone tax parcels 117-05-042, 117-05-043, and 117-05-054A from NB (Neighborhood Business District) and 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

I move to recommend approval of Docket RZ23-24 to the Board of Supervisors without special conditions, rezoning tax parcels 117-05-042, 043, and 054A from NB and SR-43 to RU-4, the factors of approval constituting the findings of fact.