



Development Services

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MEMORANDUM

TO: Cochise County Planning and Zoning Commission
FROM: Matthew Taylor, AICP, Planner II
FOR: Christine McLachlan, AICP, Interim Director/Planning Division Manager
SUBJECT: Dockets CPA25-02/RZ25-04 (Kings Highway Industrial)
DATE: May 14, 2025

Dockets CPA25-02 / RZ25-04 (Kings Highway Industrial)

Comprehensive Plan and zoning amendment requests to change land use and growth area designations of approximately 369 acres from *Rural* to *Developing* and growth area category from *D – Rural Areas* to *B – Community Growth Areas*, and zoning district classification from *RU-4 (Rural District, one dwelling per 4 acres)* to *LI (Light Industry)*.

I. DESCRIPTION OF SUBJECT PARCEL AND SURROUNDING USES

Applicant: Ardent Arizona LLC c/o Paul Fiel
Location: Kings Highway south of Puzzi Ranch Road
APN: 408-34-004A (122.1 acres) and 408-34-004D (246.3 acres)
Parcel Size: 369 acres
Current Zoning: RU-4
Proposed Zoning: LI
Growth Area: D – Rural Areas (proposed *B – Community Growth Areas*)
Plan Designation: Rural (proposed *Developing*)
Area Plan: None
Existing Use: Undeveloped
Proposed Use: Warehousing and Storage

Surrounding Zoning and Land Uses:

North	RU-4	Single Family Residential
South	RU-4	Undeveloped
East	RU-4	Undeveloped
West	RU-4	Undeveloped

II. PARCEL HISTORY

- 2008 – Copper Sky Master Development Plan (revoked 2022)
 - Mixed use project featuring residential, commercial, professional office uses
- No active code compliance actions

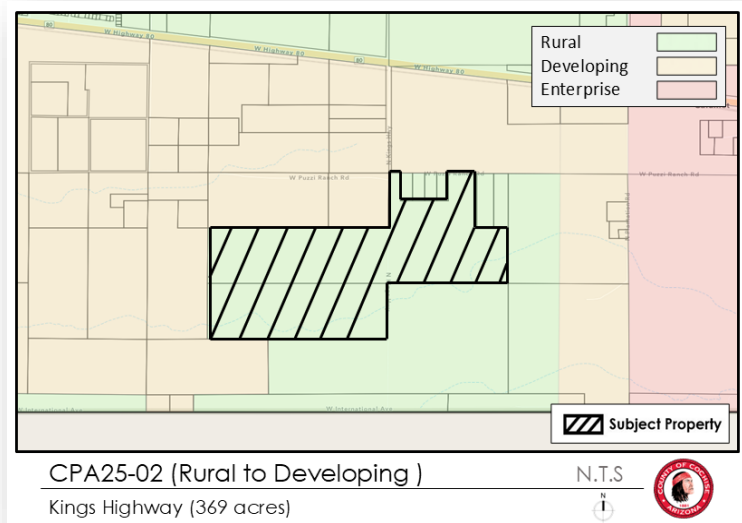
III. COMPLIANCE WITH LAND USE CRITERIA

Cochise County Comprehensive Plan land use designations and growth area categories are designed to guide land

development from a regional scale to individual parcels, promoting orderly development that preserves character, facilitates cohesive development, and encourages efficient uses of land. The Plan may be amended by major or minor amendment from time to time, and State law requires comprehensive plan updates at specific intervals, typically every 10 years. Plan updates ensure goals, objectives, and land use designations do not become obsolete due to rapid development, significant changes in use patterns, or anticipated development trends that have not occurred. The current Plan is currently being amended with Board of Supervisors adoption scheduled for 2025.

Plan amendments may be either major or minor. Major amendments involve a substantial alteration of the county’s land use mixture or balance that increases potential densities or intensities of uses for areas of 2,000 acres or more. Minor amendments are requests that fall below the threshold of a major amendment. In this case, the applicant requests a minor Plan amendment for two tax parcels, 408-34-004A and 408-34-004D, changing land use and growth area designations of 369 acres to facilitate a rezone from RU-4 to LI to develop warehouse and storage uses intended to support commercial traffic associated with the new Port of Entry west of Douglas.

Section 302.A.2 of the plan identifies six (6) criteria used to evaluate Plan amendments. This request complies with two criteria (2), does not comply with one (1), and three (3) criteria do not apply.



1. Pattern of growth no longer reflects the type of growth expected in the current designation: Complies

The parcels received master development plan and zone change approval in 2008 for a mixed use project that never materialized (*Copper Sky*). Comprehensive Plan designations and zoning reverted to rural in 2022. These properties are located about ¼ mile west of James Ranch Road, the planned alignment that connects the new Douglas Port of Entry to Highway 80.

Per the Comprehensive Plan, *Rural* plan designations are summarized as follows:

- *Rural: Sparsely populated areas; large expanses of private and public lands; agriculture and grazing*
- *Growth Area D (Rural Areas): Outlying rural areas with low growth rates; limited services and infrastructure with unimproved roads; low density residential uses on large lots; large tracts of public and private land.*

The parcels are bound by multiple undeveloped properties with the requested Plan designations (*Developing, Growth Area B*). While these designations terminate at Plantation Road along the north side of Highway 80, they continue further west along the south side of Highway 80, generally ending one mile west of James Ranch Road. Roughly a dozen parcels between James Ranch Road and Plantation Road have rural Plan designations with a mix of private and public ownership, including holdings by the City of Douglas. Parcel 004A also abuts multiple properties zoned RU-4 with existing single family residences. Final planning and budgeting for the

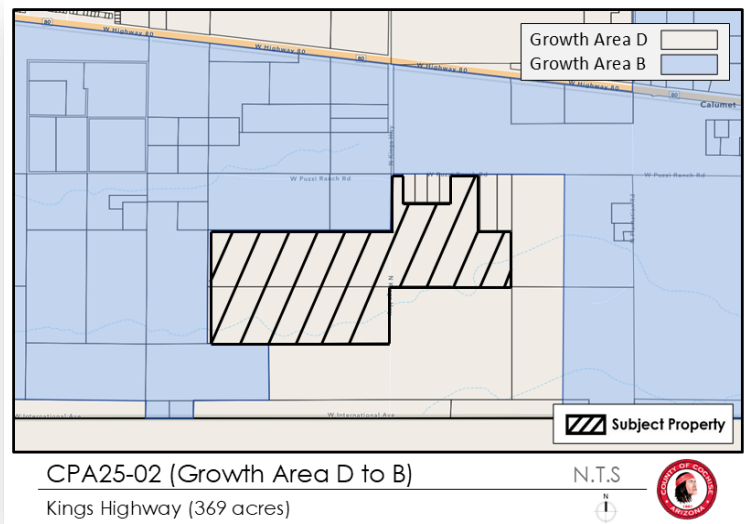
new Port is underway, confirming the remaining rural parcels are viable candidates for both changes to both planning designations and zoning classifications.

2. Substantial changes have occurred in the area: Not Applicable

Substantial changes have not occurred on the subject property or adjacent properties, barring the Border Patrol facility at the northwest corner of Kings Highway and Puzzi Ranch Road. Nonetheless, significant development pattern changes are expected with the new Port. Further, the subject parcels border the very Plan designations being requested.

3. Extension of urban standard facilities and services have changed the optimum type of appropriate development: Not Applicable

Infrastructure, services, and development patterns have not significantly changed along the I-10 corridor west of Bowie. The parcels do not have water, sanitation, or electrical service; however, the parcels will benefit from infrastructure and utility improvements associated with the new Port. The parcels fall less than one mile from Pirtleville Fire District boundary which would change to the City of Douglas should the Port and surrounding properties be annexed.



4. Substantial support from property owners: Does Not Comply

The Comprehensive Plan requires notification to property owners within 1500’ of a proposed Plan amendment. The applicant mailed letters on did not receive a response to letters mailed on March 21, 2025, where 30 notices were mailed to property owners. Staff has received opposition to the amendment and zone change requests, mostly from adjacent property owners along Puzzi Ranch Road.

5. “Developing” designations should be changed to another designation as a distinguishable pattern of development has occurred: Not Applicable

This factor does not apply. The applicant is requesting a Plan amendment to change the existing land use designation of a portion of his property from *Rural* to *Developing*.

6. New designation provides a harmonious transition between existing designations: Complies

Both parcels are within an enclave of largely undeveloped lands designated *Rural* surrounded by several parcels designated *Developing*. There is a transition from *Enterprise* to *Developing* to *Rural* along the south side of Highway 80 from west of Douglas to Bisbee Junction.

IV. COMPLIANCE WITH REZONING CRITERIA

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 LI is contingent on an approved

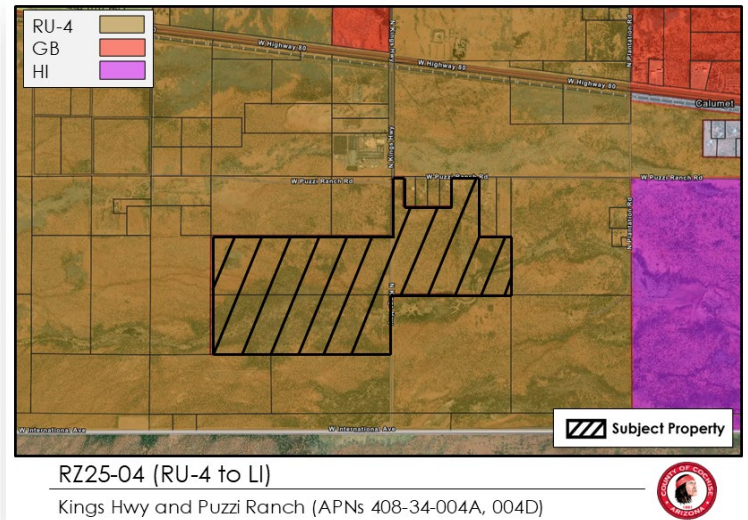
amendment to the Comprehensive Plan. If the concurrent Plan amendment is approved, the rezone to LI will comply or partially comply with all applicable factors, especially with the development of the new Port of Entry and the significant infrastructure improvements associated with that federal project.

1. Adequate Land Use/Concept Plan: Partially Complies

The applicant provided a concept plan demonstrating development of the site for warehousing and storage uses which are allowed by right in industrial zoning districts.

2. Compliance with Applicable Site Development Standards: Complies

If the 369 acre project area is successfully rezoned to LI, future development must comply with applicable standards identified in the zoning regulations, notably Section 2.36 (*Light Industry Zoning District*) and Section 2.51 (*Site Development Standards*). Applicable standards include allowed uses and bulk standards such as setbacks, height, distances between structures, maximum lot coverages, parking, screening, and landscaping. Other requirements such as building codes, floodplain regulations, and potentially land division/subdivision regulations will also apply, transitioning to City of Douglas requirements should the properties be annexed in the future. It is reasonable to assume most the project area can comply with zoning regulation requirements based on its significant available land area.



3. Adjacent Districts Remain Capable of Development: Complies

The project parcels are adjacent multiple parcels with both *Rural* and *Developing* designations but zoned RU-4. Those properties with rural zoning designated *Developing* could be future candidates for rezoning to non-residential zoning districts since all business and industry zoning districts are consistent with the *Developing* land use designation. More restrictive use and development standard provisions of the zoning regulations apply to more intense business or industry zoning districts and not on neighboring parcels with less intense rural-zoned properties.

4. Limiting Creation of Nonconforming Uses: Complies

Rezoning the parcels to LI will not result in the creation of nonconforming uses since they are undeveloped.

5. Compatibility with Existing Development: Complies

The parcels are located south of Highway 80 between Plantation and James Ranch Roads which is largely undeveloped. A US Border Patrol facility is located at the northwest corner of Kings Highway and Puzzi Ranch Road and approximately 14 addressed residences are located within this 4.85 square mile area. Six residential lots with existing single family residences are along Puzzi Ranch Road and share at least one property boundary with parcel 004A (one adjacent residential lot in this area is undeveloped). Future development north of the new Port is likely to be non-residential with warehousing and storage uses,

potentially including other similar uses such as manufacturing, wholesaling, and distribution. Existing residential properties will be impacted by activities associated with the Port in both land use and commercial truck traffic. Otherwise, the area does not have a defined neighborhood character beyond those residences along Puzzi Ranch Road and staff recommends additional landscaping to supplement existing screening requirements contained in the zoning regulations.

6. Rezoning to More Intense Districts: Complies

Rezoning to more intense zoning districts are required to demonstrate that adjacent, less intense zoning districts and uses are protected. The zoning regulations require the following considerations:

- The proposed District is buffered by an intermediate District of sufficient size to provide a reasonable transition of intensity from the existing area (as a guide, a reasonable transition is considered to be a difference of intensity or density of two levels as defined in Paragraph 2).
 - *The parcels are adjacent to undeveloped rural land, much of which is designated Developing by the Comprehensive Plan. Non-residential business and industrial districts are consistent with this designation. The Developing land use classification does function as a buffer along the south side of Highway 80 between the Enterprise designation to the east of Plantation Road and the Rural designation beginning about 1 mile west of James Ranch Road. It is expected the 4.85 square miles of area near the new Port will be developed with non-residential commerce uses with few new residential uses. Most of the area east of Plantation Road was rezoned to HI in the 1970's.*
- The proposed District is a reasonable extension of a similar density District within the area.
 - *Industrial zoning west of Douglas ends at Plantation Road with Phelps Dodge property. The subject parcels are zoned RU-4 though they were zoned GB in 2008 with approval of a master development plan. The zoning reverted to RU-4 in 2022 which is consistent with all adjacent parcels. The county anticipates multiple future applications to rezone the area bound by Plantation and James Ranch Roads to the east and west and Highway 80 and the international boundary to the north and south as a result of the new Port. The nearest industrial zoning district boundary is approximately ½ mile to the east (HI).*
- The proposed District provides a transition between an existing less intense District and a more intensive District or an arterial street; or, the proposed District is designed to provide adequate protection to the adjacent less intense development in the form of enhanced screening, landscaping, setbacks, large lot size, building orientation, or other design measures. (Note: When an HI District is proposed in a Comprehensive Plan Rural Area, this factor may be the only applicable factor because it is unlikely that a reasonable transition can be provided between the existing Rural Zoning District and the HI District.)
 - *The request LI district will serve as a transitional zoning district between HI zoning to the east and RU-4 zoning to the west. Kings Highway, James Ranch Road, Puzzi Ranch Road, and other intermediary alignments will receive substantial improvements to handle both commercial Port traffic and traffic associated with non-residential uses developed in response to development of the Port. Staff recommends additional buffering to reduce potential impacts on established residential properties along Puzzi Ranch Road.*

7. Adequate Services and Infrastructure: Complies

The zoning regulations includes this factor to measure the viability of a rezone to a more intensive zoning

district and the uses that district would allow. Specifically, this factor considers impacts on roadways, infrastructure, and public facilities such as traffic volumes, roadway conditions, and required street, water, and sewer improvements. Given the property's location near the new Port of Entry and probably jurisdictional shift to the City of Douglas, the properties will have access to water, sewer, and improved roads. Additionally, power to the site is available from Arizona Public Service (APS).

8. Traffic Circulation: Complies

The parcels have direct access to Kings Highway and Puzzi Ranch Road, both Rural Local roads. These roads and others in the vicinity will be improved to support the transition from rural residential land uses to commerce-driven uses associated with the new Port of Entry. Existing north-south and east-west roads will be supplemented with smaller interior roads for connectivity. Roadway improvements will be funded by a variety of public sources, including Cochise County.



9. Development Along Major Streets: Complies

Kings Highway is a county-maintained Rural Local Road south from Highway 80 to Puzzi Ranch Road and Puzzi Ranch Road itself is also a Rural Local from Kings Highway east to Plantation Road. Both parcels have direct access to Kings Highway and road improvement projects are planned to accommodate increases in commercial traffic that include road widening and paving, dedications of right-of-way, and traffic control.

10. Infill Compatibility: Complies

This factor applies to rezoning requests to General Business (GB), Light Industry (LI), or Heavy Industry (HI) zoning districts and encourages non-residential uses in area with established similar uses to reduce sprawl and potentially negative impacts on less intense, especially residential, land uses. Proposed industrial uses are intended to support commercial truck traffic associated with the new Port of Entry. There are numerous single family residences along Puzzi Ranch Road which could result in potential land use conflicts; however, site development standards in the zoning regulations, including setbacks, screening, and landscaping can help mitigate potential off-site impacts.

11. Unique Topographic Features: Complies

Similar to infill compatibility above, this factor applies to rezoning requests to more intense business or industrial zoning districts and promotes protection of areas with unstable soils, steep slopes, washes, and floodplains. There are numerous topographical features in the vicinity, including washes on the applicant's property, and both parcels are located within Flood Zone A which could potentially constrain development, particularly on parcel 004A. Future development will comply with county zoning, building, engineering, and floodplain regulations.

12. Water Conservation: Complies

The property is located within the Douglas Active Management Area (AMA), and county-wide water conservation requirements identified in Section 2.51.170 of the zoning regulations apply to non-residential uses and properties, including this project, and will be identified at permitting.

13. Public Input: Complies

The applicant mailed notices to property owners within 1500' on March 21, 2025. Staff mailed notices to owners within 1500', published legal notice, and posted the properties April 11-16, 2025.

14. Hazardous Materials: Not Applicable

Proposed future land uses include warehousing and storage. The use of hazardous materials is not proposed with those uses.



15. Planning Policies: Partially Complies

The requested industrial zoning is not consistent with existing Comprehensive Plan designations, requiring a concurrent amendment. The new commercial Port will create opportunities for supporting uses, generating new employment opportunities within Cochise County in an area otherwise lightly developed with few established residences. The Comprehensive Plan applies the *Developing* designation to areas presumed in transition with scattered residential, business, industrial, or agricultural uses intended and capable of accommodating future growth – the new Port of Entry will facilitate transition of the area from rural agriculture to international commerce.

V. SUMMARY AND CONCLUSION

The applicant proposes developing approximately 369 acres to develop warehousing and storage uses to support the new commercial Port of Entry west of Douglas. The majority of land area in the vicinity of the new Port is undeveloped, presenting an opportunity to develop without the need for substantial re-development and the potential land use conflicts that can be created when mixing new with existing uses. There are six parcels along Puzzi Ranch Road east of Kings Highway that will be impacted by private sector business development associated with the new Port; potential off-site impacts can be mitigated by zoning regulation requirements since those residences pre-date proposed non-residential improvements. The County anticipates additional applications in this area for Comprehensive Plan amendments, rezones to business or industrial districts, requests for commercial building permits as this area evolves in response to Port activities.

Plan Amendment – Factors in Favor

- The parcels are adjacent to multiple parcels with existing Developing and Growth Area B Comprehensive Plan designations.
- Complies with two criteria used to evaluate Comprehensive Plan amendments (expected pattern of growth, transition between existing land use designations).
- Three factors do not apply.
- Facilitates rezoning to allow commerce-related uses associated with the new Port of Entry.

Plan Amendment – Factors Not in Favor

- Does not comply with one criteria used to evaluate Comprehensive Plan amendments (substantial property owner support).
- Opposition from nearby property owners.

Rezoning – Factors in Favor

- Complies or partially complies with all applicable factors.
- Limited off-site impacts due to little residential development.
- Allows non-residential land uses that support the new commercial Port of Entry.
- Creates a potential new employment center.

Rezoning – Factors Not in Favor

- Opposition from nearby property owners.

VI. RECOMMENDATION

Based on the factors in favor of approval, Staff recommends forwarding Dockets CPA25-01 and RZ25-02 to the Board of Supervisors with a recommendation of approval with the following special conditions:

1. Right-of-way dedications per attached Exhibits A, B, and C.
2. A 20' landscape buffer is required at the time of development along all property lines shared with established residential uses.
3. Conduct a wildlife survey and consider Arizona Game and Fish Department recommendations during final site design and development:
 - a. Wildlife movement, connectivity, and habitat needs.
 - b. Impacts of outdoor lighting on wildlife.
 - c. Wash and/or decontaminate project equipment to minimize potential introduction or spread of invasive species.
 - d. Conduct property activities outside of breeding seasons.
 - e. Cover or back-fill trenches as soon as possible or incorporate escape ramps and install perimeter

fencing to deter small mammals and herpetofauna from entering ditches.

SAMPLE MOTIONS

Comprehensive Plan Amendment

I move to recommend approval of Docket CPA25-02 to the Board of Supervisors, amending Comprehensive Plan designations of 369 acres from *Rural* to *Developing* and from *Growth Area D – Rural Areas* to *Growth Area B – Community Growth Areas*, the factors in favor of approval constituting findings of fact.

Rezoning

I move to recommend approval of Docket RZ25-04 to the Board of Supervisors, rezoning tax parcels 408-34-004A and 408-34-004D from *RU-4* to *LI*, with the conditions recommended by staff, the factors in favor of approval constituting findings of fact.

EXHIBIT "A"
LAND DESCRIPTION

THAT PORTION OF SECTION 17 TOWNSHIP 24 SOUTH, RANGE 27 EAST, GILA AND SALT RIVER MERIDIAN, COCHISE COUNTY, ARIZONA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

THE WESTERLY 75.00 FEET, OF THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER, AND THE NORTHERLY 75.00 FEET OF THE WESTERLY 75.00 FEET OF THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER, ALL IN SECTION 17, TOWNSHIP 24 SOUTH, RANGE 27 EAST, GILA AND SALT RIVER MERIDIAN, COCHISE COUNTY, ARIZONA.

SEE ATTACHED EXHIBIT "C"



EXHIBIT "B"
LAND DESCRIPTION

THAT PORTION OF SECTION 18 TOWNSHIP 24 SOUTH, RANGE 27 EAST, GILA AND SALT RIVER MERIDIAN, COCHISE COUNTY, ARIZONA, DESCRIBED AS FOLLOWS:

THE NORTHERLY 75.00 FEET, OF THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER, AND THE NORTHERLY 75.00 FEET OF THE SOUTH HALF OF THE NORTHEAST QUARTER, ALL IN SECTION 18, TOWNSHIP 24 SOUTH, RANGE 27 EAST, GILA AND SALT RIVER MERIDIAN, COCHISE COUNTY, ARIZONA.

SEE ATTACHED EXHIBIT "C"



EXHIBIT "C"

MAP SHOWING PROPOSED RIGHT OF WAY DEDICATION IN PORTIONS OF SECTION 17 & SECTION 18 TOWNSHIP 24 SOUTH, RANGE 27 EAST OF THE GILA AND SALT RIVER MERIDIAN, COCHISE COUNTY, ARIZONA.



SCALE: 1" = 1000'

