



Development Services

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MEMORANDUM

TO: Cochise County Planning and Zoning Commission
FROM: Matthew Taylor, AICP, Planning Manager
FOR: Christine McLachlan, AICP, Director
SUBJECT: SU25-20 (Madera Drive Charitable Service)
DATE: September 10, 2025

Docket SU25-20 (Madera Drive Charitable Service)

A Special Use Authorization request to allow a privately operated charitable service with a residential component.

I. DESCRIPTION OF SUBJECT PARCEL AND SURROUNDING USES

Applicant: Darryl Willhite
Location: 8688 Madera Drive
APN: 107-15-037B
Property Size: 4.2 acres
Zoning: RU-4
Plan Designation: Rural Residential
Growth Area: D – Rural Areas
Existing Use: Single Family Residence
Proposed Use: Single Family Residence with Charitable Service (Residential)

Surrounding Zoning and Uses

North	RU-4	Single Family Residence
South	RU-4	Single Family Residence
East	RU-4	Single Family Residence
West	RU-4	Single Family Residence

II. SITE HISTORY

- 1990-present: Manufactured home, septic system, accessory structures
- Active code compliance action for a group quarters (offender rehabilitation facility)

III. SPECIAL USE AUTHORIZATION REQUEST

The applicant requests a special use to allow a welfare/charitable service with a residential component in an existing single family dwelling. Up to 10 persons are utilizing this service on a temporary basis.

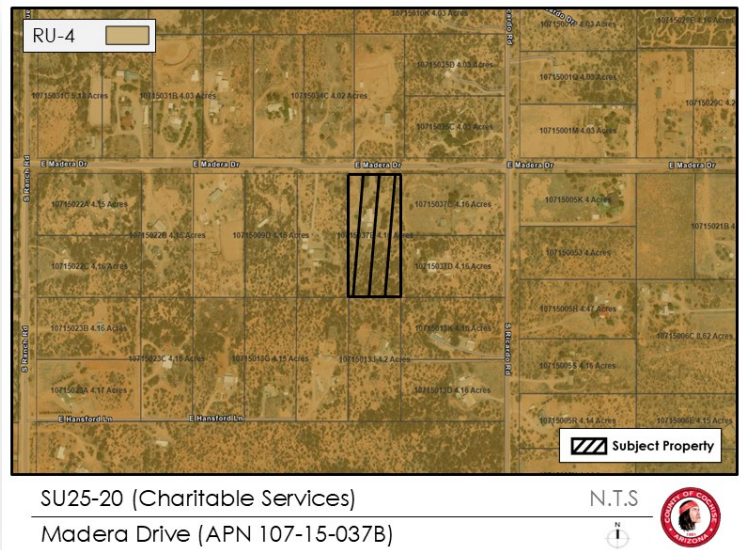
IV. ANALYSIS OF IMPACTS – COMPLIANCE WITH SPECIAL USE FACTORS

Section 2.48.160 of the Zoning Regulations identifies ten (10) factors to evaluate Special Use applications. These factors determine the suitability of a special use request, whether to recommend approval, and to determine if conditions and/or modifications are needed to mitigate potentially negative impacts on surrounding properties.

With the information provided, eight (8) factors apply to this special use request with all applicable factors complying with conditions:

1. Compliance with Duly Adopted Plans: Complies

The property is designated *Rural Residential* and *Category D (Rural Areas)* by the Comprehensive Plan, and the property’s RU-4 zoning is consistent with both Plan designations. Intense land uses requiring rezoning to a more intense zoning district or an approved special use are typically not appropriate. Business uses that serve an area or local residents may be appropriate, however. Non-residential development in rural areas may be geared towards local services, tourism, or otherwise less intense uses not appropriate in more dense areas. The proposed special use retains the existing zoning and single family residential land use. Occupants stay onsite voluntarily (not under court order) and are not provided health care services or medical supervision. They are provided shelter and meals and transportation to appointments.



2. Compliance with the Zoning District Purpose: Complies

Rural districts allow non-residential activities that provide services serving local needs, recreational support services, and are generally compatible with rural living. These zoning districts, which range in site area from 2 acres to 36 acres, allow residential and non-residential uses compatible with an area’s rural character. The subject property itself consists of about 4 acres and is located in an area with an established rural residential character.

Rural zoning districts encourage land uses compatible with rural living and more intense non-residential uses provided they are developed with a sensitivity to the character of rural areas and natural environment and harmonious with existing development. Rural districts allow a variety of residential and non-residential uses with special use approval. Welfare and charitable services are allowed with an approved special use and are defined as, “Services operated by public agencies or private associations for the benefit of the disadvantaged or for mental, behavioral, medical, or protective assistance for the public benefit. This may include a non-supervisory, non-custodial, or residential component.” These services are accepted voluntarily for a fee and are separate from other group facilities halfway houses or rehabilitation facilities where stays are court ordered.

3. Development Along Major Streets: Not Applicable

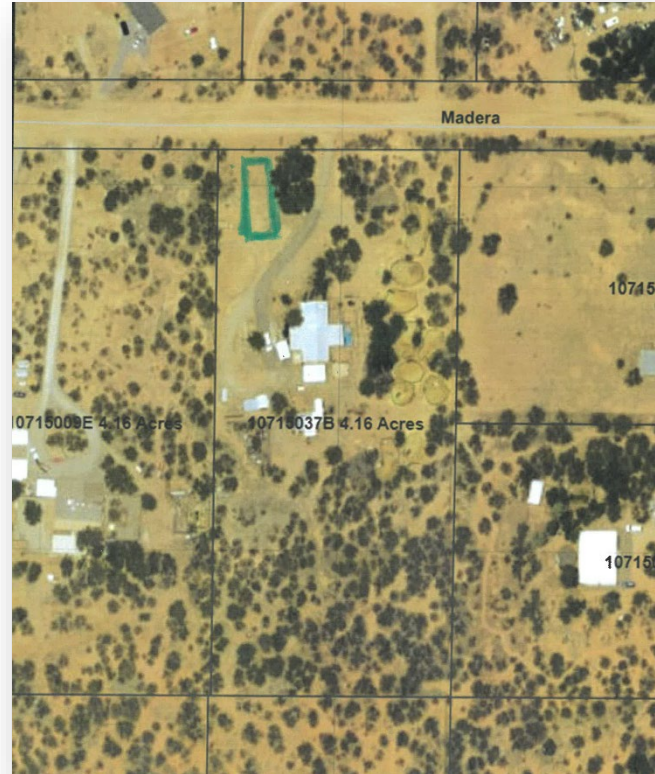
The property takes access from Madera Drive, an unimproved road outside of county-maintenance. The nearest improved county-maintained is about 1/3 mile the west (Ranch Road, a Rural Local).

4. Traffic Circulation: Complies

This Special Use Authorization factor stipulates:

1. The request is consistent with the preservation of the functions of surrounding streets as defined in the County Comprehensive Plan.
2. The request does not result in the use of any residential street for non-residential traffic.
3. Consideration of future circulation needs in the surrounding area has been considered through right-of-way dedication and off-site improvements if warranted.

The property has legal access from Madera Drive, an unimproved road not in county maintenance. If approved, the special use does utilize residential streets but vehicle trips are generated by private vehicles and passenger vans that transport residents back and forth to off-site locations for services. Madera Drive itself would not be subject to a change in functional classification (the county has not assigned a classification to this road) and vehicle trips are not of a volume that would require right-of-way dedications and off-site improvements.



5. Adequate Services and Infrastructure: Complies

The property totals about 4 acres with an existing 2,112 square foot residence and miscellaneous yard improvements. Water is available through a shared well and there is a septic system on the property. Power is provided by Sulphur Springs Valley Electric Cooperative (SSVEC) and the property is within Fry Fire District's service area. The applicant proposes a small worship center in the future which will require commercial building permit approvals. The current septic system is not large enough to accommodate 10 or more residents; consequently, the county requires a new or upgraded septic system.

6. Significant Site Development Standards: Complies

Applicable development standards contained in Sections 2.15 (*RU Districts*) apply to this property with and without the proposed special use. The applicant does not propose new buildings or significant site improvements, maintaining the property's residential character; however, the applicant has indicated an interest in building a small worship building at some point in the future (places of worship are allowed in all zoning districts). Assembly uses are subject to commercial building and development standards.

7. Public Input: Complies

Section 2.48.160 of the Zoning Regulations states, "If public concerns have been raised, it is fair to ask if

the applicant has made a reasonable effort to address these concerns through the Citizen Review Process.” The applicant mailed notices to property owners within 600’ on June 13, 2025, receiving no responses.

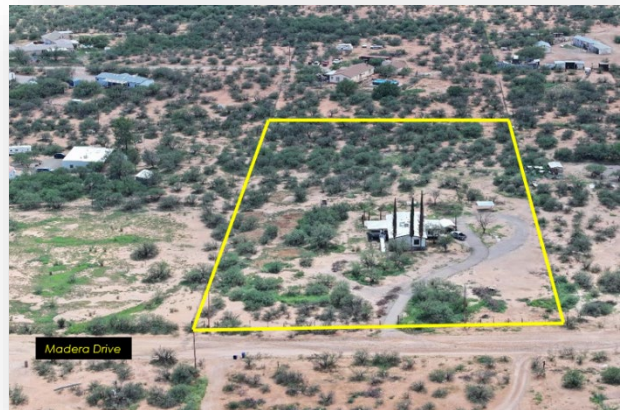
8. Hazardous Materials: Not Applicable

The proposed special use does not involve the use of hazardous materials.

9. Off-Site Impacts: Complies

This factor is intended to ensure adequate measures have been taken to mitigate off-site impacts such as noise, outdoor lighting, odors, smoke, traffic, and dust. See also Section 6 (Significant Site Development Standards):

- Noise: Given the property’s adherence to its residential character, significant noise is unlikely.
- Lighting: The applicant has not proposed new outdoor lighting the property. Outdoor lighting relative to brightness and shielding applies to all properties within the county and is subject to Section 2.45 of the zoning regulations.
- Odors and Smoke: Site improvements are limited to residential use – significant generation of odors or smoke are unlikely to required mitigation.
- Parking: The site has an existing driveway and parking area. Residents staying on a temporary, voluntary basis do not have personal vehicles. The property owner has a personal vehicle and passenger vans are used for transporting residents.
- Landscaping: The property has significant natural vegetation, particularly on the rear half of the site. Growth Area D (*Rural Areas*) does not require landscaping.
- Traffic: A county right-of-way permit is not required since Madera Drive is unimproved and outside county maintenance. The site has an existing driveway - no new driveways are proposed for this special use.



10. Water Conservation: Complies

County water conservation requirements apply to non-residential uses and properties. Section 2.51.170 of the zoning regulations requires water saving strategies such as low-flow fixtures, and applicable water conservation regulations and policies identified in the zoning regulations and comprehensive plan are typically identified at permitting. The property is located within the Sierra Vista Sub-Watershed and has access to water via a shared well. Since there are no proposals for additional living space or new structures, water saving strategies are optional and not required.

V. PUBLIC COMMENT

Staff mailed notices to property owners within 600’, published legal notice, and posted the property August 15-20, 2025.

VI. WAIVERS

None.

VII. SUMMARY AND CONCLUSION

The applicant requests special use authorization for a charitable service within an existing residence. Up to 10 residents use this service voluntarily and on a temporary basis.

Factors in Favor of Approval

1. Complies with all eight (8) applicable factors with conditions.
2. Residential use consistent with area's rural residential character.

Factors Against Approval

1. Opposition from a neighborhood resident.

VIII. RECOMMENDATION

Based on the factors in favor of approval, staff recommends approval of Docket SU25-20 to allow a charitable service with residential component housing up to 10 persons subject to the following conditions:

1. The property shall not be used as a group quarter, offender rehab facility, custodial facility, or guest lodging. No rent, lease payment, or tenancy arrangement shall be charged or created for any individual utilizing the welfare/charitable service. The operator may accept voluntary donations or nominal cost-recovery contributions (e.g., for food or utilities), provided that such contributions are not a condition of lodging or services.
2. A responsible staff member or manager shall be present whenever guests are on-site.
3. The County may revoke this permit upon verified violations of these conditions or documented adverse neighborhood impacts.
4. A 1500-gallon capacity septic system is required.
5. Within 30-days of approval of the Special Use, the applicant shall provide the County a signed Acceptance of Conditions form and a Waiver of Claims form arising from ARS Section 12-1134. Prior to operation of the Special Use, the applicant shall apply for a building/use permit for the project within 12-months of approval. The building/use permit shall include a site plan in substantial conformance with the approved special use concept plan, the completed Special Use permit questionnaire and application, and appropriate fees. A permit must be issued within 12-months of the Special Use approval otherwise, the Special Use may be deemed void upon 30-day notification to the applicant.
6. It is the applicant's responsibility to obtain any additional permits, or meet any additional Conditions, that may apply to the proposed use pursuant to other federal, state, or local laws or regulations.
7. Any changes to the approved Special Use will be considered a Modification to this Special Use and will require review and approval of the Planning and Zoning Commission.

Sample Motion

I move to approve Docket SU25-20 with conditions recommended by staff, the factors in favor of approval constituting the findings of fact.