



## Development Services

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### MEMORANDUM

**TO:** Cochise County Board of Supervisors  
**FROM:** Matthew Taylor, AICP, Planning Manager  
**FOR:** Sharon Gilman, County Administrator  
**THROUGH:** Christine McLachlan, AICP, Development Services Director  
**SUBJECT:** Docket RZ25-16 (Moonbeam Drive)  
**DATE:** January 6, 2026

### Docket RZ25-16 (Moonbeam Drive)

The applicants request rezoning APN 404-02-303 from RU-2 (Rural District, one dwelling per 2 acres) to RU-4 (Rural District, one dwelling per 4 acres). The property is located at the southwest corner of Moonbeam Drive (also known as Cochise Road) and Ee Ranch Road near McNeal.

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

Applicant: Brittney Meyst  
Location: Desert Sky Subdivision  
APN: 404-02-303  
Parcel Size: 5 acres  
Current Zoning: RU-2  
Proposed Zoning: RU-4  
Growth Area: D – Rural Areas  
Plan Designation: Rural  
Area Plan: None  
Existing Use: Undeveloped  
Proposed Use: Residential

### Surrounding Zoning and Land Uses:

North	RU-4	Undeveloped
South	RU-4	Residential
East	RU-2	Undeveloped
West	RU-2	Undeveloped

### II. PARCEL HISTORY

The property is located in Desert Sky subdivision (1971) and there is no permit history for this property; however, there is an active code compliance action related to property maintenance (outside storage and a dilapidated 1950's recreational vehicle).

**III. NATURE OF REQUEST**

The applicant request rezoning from RU-2 to RU-4 to build a residence utilizing the county’s owner-builder program.

**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 rural Comprehensive Plan designations.

**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: Does Not Comply**

The applicant has not provided a concept plan demonstrating future residential development of the site.

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

The property totals about 5 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 RU-2 and RU-4 zoning classifications.

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

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

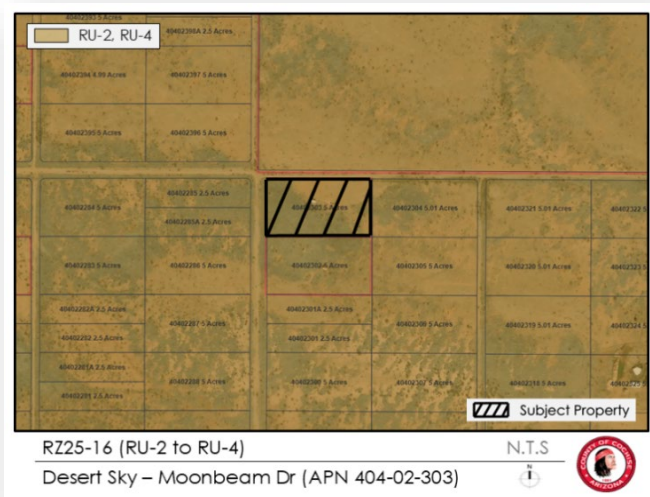
**5. Compatibility with Existing Development: Complies**

The area is generally undeveloped with scattered single family residences, unimproved roads, and little infrastructure. The county has approved multiple requests to downzone properties consisting of four or more acres to RU-4 throughout the county, allowing property owners to build residences in accordance with the owner-builder program.

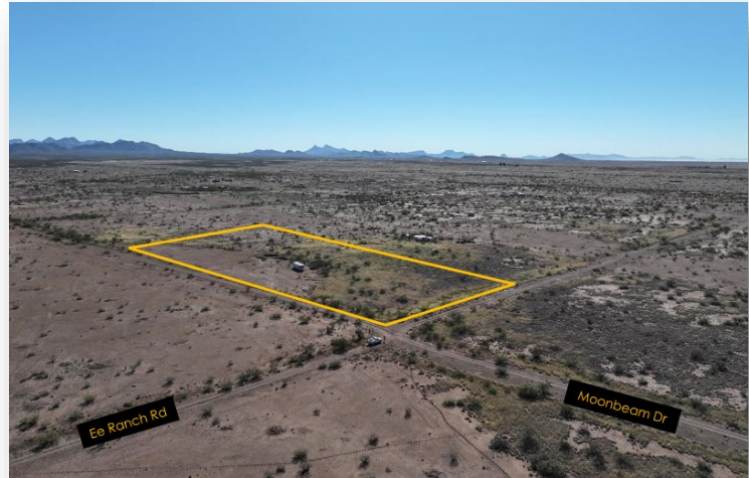
**6. Rezoning to More Intense Districts: Not Applicable**

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 from two to one principal dwellings.

**7. Adequate Services and Infrastructure: Complies**



The property is located within Sulphur Springs Valley Electric Cooperative (SSVEC) service area and the applicant is likely to utilize the county's owner-builder program to build an alternative, off-grid residence with hauled/water catchment and small solar energy system. The owner-builder program requires a minimum site area of four acres and zoning classification requiring a minimum of four acres, and the program was adopted by the county 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 Moonbeam Drive, identified as Cochise Road on the Desert Sky subdivision plat, which is an unimproved public right-of-way (ROW) not maintained by the county. A county ROW permit is not required to establish a driveway.

**9. Development Along Major Streets: Not Applicable**

Property access is from Moonbeam Drive, which is unimproved and 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 published legal notice, posted the property, and mailed notification letters to property owners within 300' between 14 and 19 November 2025, and has not received any responses to date.

**14. Hazardous Materials: Not Applicable**

The applicants propose residential land uses and hazardous materials are not proposed.

**15. Planning Policies: Complies**

A rezone to RU-4 is consistent with Comprehensive Plan designations. The county typically 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 a downzone from RU-2 to RU-4 to develop the 5-acre site for residential land uses, potentially utilizing the owner-builder program. Several existing residences in Desert Sky subdivision have been built using this program, including the residence on the adjacent property to the south along Ee Ranch Road that was rezoned to RU-4 in 2014 (RZ14-04). The county continues to receive requests to downzone properties to RU-4 and SR-174, 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. Two properties west of the subject parcel were previously downzoned from RU-2 to RU-4 (RZ21-13, RZ24-15).



Recreational vehicles (RVs) are not permitted as a primary residential use in any zoning district. In rural districts, up to two RVs can be stored and temporary occupancy can be approved through the Temporary Use Permit process. There are no permitting options to rehabilitate the 1956 RV currently on the property which constitutes a code violation. Staff recommends a special condition requiring removal of the RV.

#### **Factors in Favor of Approval**

1. Complies with eight (8) of nine (9) applicable factors used to evaluate rezoning requests.
2. Proposed use is compatible with developing rural residential growth pattern.
3. Downzone reduces the number of allowed principal dwellings.

#### **Factors Against Approval**

1. Concept plan not provided with application.
2. Active code compliance action resulting from complaint.

#### **V. RECOMMENDATION**

Based on the factors in favor of approval, the Planning and Zoning Commission recommended approval of Docket RZ25-16 without special conditions (9-0) during its regular meeting on December 10, 2025.

Staff also recommends approval of Docket RZ25-16 but with the following special condition:

1. The recreational vehicle on the property constitutes a code violation and therefore must be removed.

### **Sample Motions**

I move to approve Docket RZ25-16 without special conditions, rezoning tax parcel 404-02-303 from RU-2 to RU-4, the factors in favor constituting the findings of fact.

I move to approve Docket RZ25-16 with the following special condition, rezoning tax parcel 404-02-303 from RU-2 to RU-4, the factors in favor constituting the findings of fact:

1. The recreational vehicle on the property constitutes a code violation and therefore must be removed.
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