



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 RZ25-19 (Fort Grant Rd/Ingram Rd)
DATE: January 14, 2026

Docket RZ25-19 (Fort Grant Rd/Ingram Rd)

The applicant requests rezoning a portion of APN 202-05-001 from R-36 (Residential District, one dwelling per 36,000 square feet) to RU-4 (Rural District, one dwelling per 4 acres). The property is located at the southeast corner of Fort Grant and Ingram Roads near Willcox.

I. DESCRIPTION OF SUBJECT PARCEL AND SURROUNDING USES

Applicant: Mario Hernandez
Location: 6305 N. Fort Grant Road (SE Corner of Fort Grant and Ingram Roads)
APN: 202-05-001
Parcel Size: 160 acres
Current Zoning: R-36
Proposed Zoning: RU-4
Growth Area: D – Rural Areas
Plan Designation: Rural
Area Plan: None
Existing Use: Residential, Agriculture
Proposed Use: Residential, Agriculture, Sales

Surrounding Zoning and Land Uses:

North	R-36	Residential
South	R-36	Residential, Agriculture
East	R-36	Undeveloped
West	R-36	Agriculture

II. PARCEL HISTORY

The site has multiple dwellings and accessory structures dating back to the 1930's with recent trade permits issued in the 2000's. Most of the property has historically been used for agriculture.

III. NATURE OF REQUEST

The applicant requests rezoning 5 acres out of a 160 acre parcel to RU-4 to allow agriculture-related sales.

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 existing *Rural* and *Growth Area D* Comprehensive Plan designations.

Compliance with Rezoning Criteria

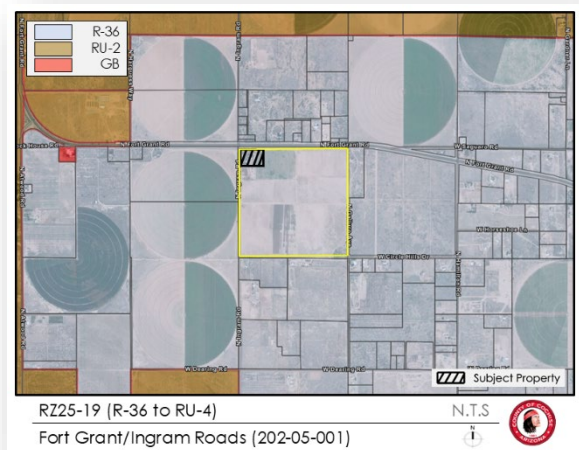
Section 2.63.080 of the zoning regulations provides fifteen (15) criteria for evaluating rezoning requests:

1. Adequate Land Use/Concept Plan: Complies

The applicant has not provided a land use/concept plan though the site is developed with multiple principal and accessory structures. Future uses and site development are subject to County, State, and other applicable permitting requirements.

2. Compliance with Applicable Site Development Standards: Complies

The property totals about 160 acres and the zoning area totals about 5 acres. The applicant wishes to legitimize an existing sales use by downzoning the property from residential to rural. The current zoning (R-36) does not allow retail sales uses whereas rural zoning allows agriculture-related sales by right provided the use is restricted to an area of 2,500 square feet. The business use will be subject to site development standards found in County zoning regulations if successfully rezoned to RU-4GB, including minimum setbacks, maximum height, maximum lot coverage, improved access, building permits, and other applicable requirements.



3. Adjacent Districts Remain Capable of Development: Complies

The property is located at the intersection of two county-maintained roads and the applicant proposes downzoning 5 acres at the hard corner of Fort Grant and Ingram Roads. The area is characterized by agriculture and low density residential development, and the rezoning area is bordered by the applicant's own property which will remain R-36. The proposed rezone of a portion of the property to RU-4 will not prevent surrounding properties from being developed in a manner consistent with their R-36 zoning classification. Development limitations on adjacent land uses are typically considered when a rezoning request is to a more intense zoning district.

4. Limiting Creation of Nonconforming Uses: Complies

Rezoning 5 acres of the property will not result in the creation of any nonconforming uses since the current use of the property and existing structures are permitted in both R-36 and RU-4. Additionally, rezoning a portion of the property does not result in the creation of a new parcel or new interior property boundaries.

5. Compatibility with Existing Development: Complies

Most of the 160 acre property will remain as is without additional land entitlements created by this downzoning. The applicant intends to establish a small-scale retail sales use for agriculture-related

products (hay, equipment, tools, clothing) on a portion of the property that is already developed with multiple residential and accessory structures. The property's existing rural residential character will remain intact since RU-4 limits the proposed use to a site area of 2,500 square feet or less, including business-related structures and sales-related outdoor storage.

6. Rezoning to More Intense Districts: Not Applicable

This factor states that rezones to more intense zoning districts are required to demonstrate that adjacent, less intense zoning districts and uses are protected, requiring consideration of zoning district and use compatibility, reasonable extension of an existing district, and the use of development-related standards such as screening, landscaping, setbacks, and other design measures to mitigate potential impacts on adjacent properties with less intense zoning. In this case, the applicant is proposing a downzone to RU-4 which does allow more intense land uses than R-36 but the rezoning area will be sequestered from adjacent property by the remainder of the applicant's property which will retain its own R-36 zoning classification.

7. Adequate Services and Infrastructure: Complies

The zoning regulations include 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 and access along Fort Grant Road, a County right-of-way permit is required to hard surface and potentially widen the existing driveway to accommodate commercial traffic. Otherwise, the property has existing water, power, and septic with emergency services likely provided by the City of Willcox approximately 5 miles to the southeast.



8. Traffic Circulation: Complies

Downzoning a portion of the property to RU-4 will not result in the re-classification of either Fort Grant Road (Rural Major Collector) or Ingram Road (Minor Access Local Road). Additionally, the proposed use will not require the use of residential streets or right-of-way dedications or off-site improvements to support the proposed small-scale business use. The County will require improvements to the existing driveway along Fort Grant Road to accommodate commercial traffic through the right-of-way (ROW) permitting process.

9. Development Along Major Streets: Complies

This factor considers limiting the number of access points on major roads by using frontage roads, shared access, no access easements, and other methods to reduce the creation of unsafe traffic conflicts, congestion, or obstructions. The portion of the property intended for business use is along Fort Grant Road, a major rural collector; however, additional access points are not proposed and the existing driveway will be improved to County standards for commercial traffic.

10. Infill Compatibility: Not Applicable

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 areas with established similar uses to reduce sprawl and potentially negative impacts on less intense, residential land uses. In this case, the rezone request is to a less intense zoning district.

11. Unique Topographic Features: Not Applicable

This factor also applies to rezoning requests to General Business (GB), Light Industry (LI), or Heavy Industry (HI) zoning districts, promoting protection of areas with unstable soils, steep slopes, washes, and floodplains. In this case, the rezone request is to a less intense zoning district.

12. Water Conservation: Complies

The property is located within the Willcox Active Management Area (AMA) which involves an additional layer of water-related regulations by the Arizona Department of Water Resources (ADWR). County-wide water conservation requirements identified in Section 2.51.170 of the zoning regulations apply to non-residential uses and properties. The property will continue to be rural residential in nature but future water conservation requirements will be identified at permitting, focusing primarily on any new structures supporting the proposed sales use.



13. Public Input: Complies

Rezoning requests to less intense zoning districts are not subject to Citizen Review Process requirements identified in the zoning regulations. Staff published legal notice, posted the property, and mailed notification letters to property owners within 300' on 17 December 2025 and has not receive any written responses from nearby property owners.

14. Hazardous Materials: Not Applicable

The use of hazardous materials are not proposed.

15. Planning Policies: Complies

Downzoning the property in its entirety or partially to RU-4 is consistent with current Comprehensive Plan land use and growth area designations. The property's existing R-36 zoning is not consistent with current Plan designations, but this zoning district is common in areas near cities and towns within the County. Upon adoption of County zoning regulations, R-36 (formerly TR-36) was used as a transitional zoning district providing for mostly low density residential development near more developed areas.

IV. SUMMARY AND CONCLUSION

The applicant resides on the subject property and requests downzoning 5 acres out of a 160 acre parcel to allow agriculture-related sales. Grocery stores and agriculture-related sales are permitted uses in rural zoning districts but are limited to 2,500 square feet to limit potential impacts of sales uses in otherwise rural areas.

Factors in Favor of Approval

1. Proposed RU-4 zoning is consistent with Comprehensive Plan future land use designations.
2. Complies with applicable factors used to evaluate rezoning requests.
3. Located at the intersection of two County-maintained roads.
4. Received no opposition from nearby property owners.

Factors Against Approval

1. Land use/concept plan not provided.

V. RECOMMENDATIONS

Based on the factors in favor, the Planning and Zoning Commission recommended approval of Docket RZ25-19 (7-0) during its meeting on January 14, 2026, without special conditions.

Staff also recommends approval of Docket RZ25-19 without special conditions.

Sample Motion

I move to approve Docket RZ25-19 without special conditions, rezoning 5-acres out of tax parcel 202-05-001 from R-36 to RU-4, the factors in favor constituting the findings of fact.
