

ZONING ORDINANCE 11-12

AMENDING THE COCHISE COUNTY ZONING REGULATIONS TO FORMALIZE THE BOARD OF SUPERVISORS' AUTHORITY TO DETERMINE WHEN EXISTING USES OR STRUCTURES WOULD BE RENDERED NONCONFORMING AS A RESULT OF A REZONING ACTION DUE TO DIFFERENT SITE DEVELOPMENT STANDARDS, AND TO LEGITIMIZE NONCONFORMING SITE DEVELOPMENT STANDARDS THAT RESULT FROM REZONING ACTIONS

WHEREAS, Section 802 of Title 11 of the Arizona Revised Statutes gives the County Board of Supervisors the authority to adopt Zoning Regulations to address land use; and

WHEREAS, Cochise County has adopted Zoning Regulations as permitted by law; and

WHEREAS, Zoning Regulations were originally adopted in Cochise County by the County Board of Supervisors in 1975 with major revisions adopted in 1984, 1999 and 2008; and

WHEREAS, our zoning regulations do not currently directly address the affects of non-conformances that result from rezonings; and

WHEREAS, When a rezoning renders existing uses or structures non-conforming as result of different site development standards, at the time of the rezoning the Board of Supervisors may determine which site development standards apply; and

WHEREAS, a public hearing has been held before the Cochise County Planning Commission on September 14, 2011 where the Commission recommended unanimous approval of Docket R-11-05 to the Board of Supervisors,

NOW, THEREFORE, BE IT RESOLVED that the Cochise County Zoning Regulations are hereby amended as set forth in Exhibit A, to be effective from and after October 27, 2011. Upon the effective date of these amended Cochise County Zoning

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Re: R-11-05 (Rezoning of site development standards)

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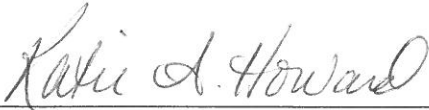
Regulations all regulations and ordinances, or any portions of them, in conflict or inconsistent with these amended regulations shall be deemed to be repealed.

PASSED AND ADOPTED by the Board of Supervisors of Cochise County, Arizona, this 27th day of September, 2011.



Patrick Call, Chairman
Board of Supervisors

ATTEST:



Katie Howard
Clerk of the Board

APPROVED AS TO FORM:



Britt W. Hanson, Chief Civil
Deputy County Attorney

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EXHIBIT A:

RECOMMENDED AMENDMENT TO THE ZONING REGULATIONS

Article 22 (Amendments)

Add the following language (shown in **boldface**) to Article 22 and Section 2208.03B.2:

2208.03B.2 – Compliance with Applicable Site Development Standards

All sites within the proposed district must be capable of reasonable development for typical uses within the proposed district, through compliance with all applicable site development standards. This criterion applies to formation of all zoning districts in all plan areas. **When a rezoning would render existing uses or structures non-conforming as result of different site development standards, at the time of the rezoning the Board of Supervisors may determine which site development standards apply.**