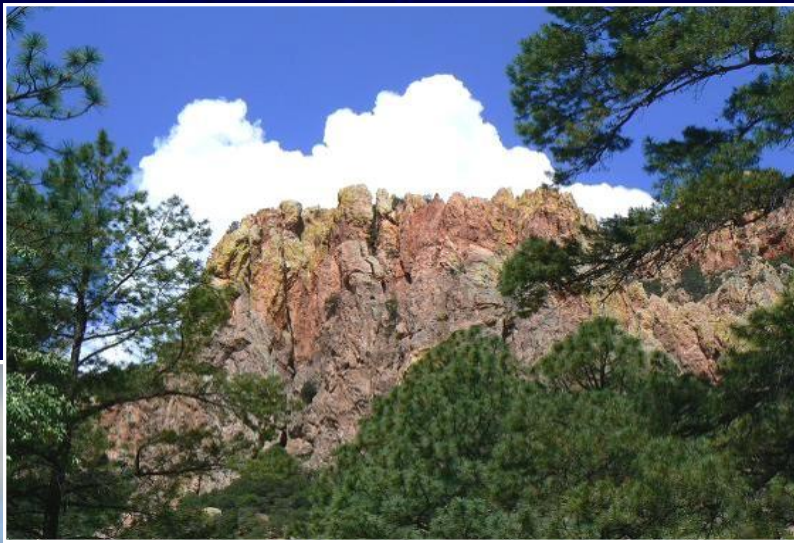




# Cochise County Comprehensive Plan



Adopted 1984

Amended 1992

Amended & Readopted 1996

Amended 2001

Amended 2002

Amended & Readopted 2003

Amended 2006

Amended 2011

Update 2014

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## Article 1

### 101—Title, Purpose, and Background

There is hereby established and adopted a plan for the guidance of growth in Cochise County, to be known as the Cochise County Comprehensive Plan.

The purpose of the Cochise County Comprehensive Plan is to provide an official long-range vision and framework for Cochise County land use and development policies. The Plan will serve to protect and enhance the customs, culture, economy and the qualities of the places where people choose to live. Arizona Revised Statutes specifically requires counties to adopt and maintain comprehensive plans for the purpose of "guiding and accomplishing a coordinated, adjusted, and harmonious development of the area of jurisdiction."

The land use pattern in Cochise County reveals extensive rural landscapes and a mixture of urban and small crossroads communities, with a long history of farming, ranching, and mining. Fort Huachuca, the County's largest single employer, has been and remains a significant part of the County's history. The varied climate and topography supports a biologically rich County, attracting a wide range of outdoor enthusiasts. Destinations such as Tombstone and Bisbee offer historical and cultural tourism opportunities, while the County's location along the international border provides a wide range of economic opportunities. Free market dynamics should be allowed to determine land use activity patterns to the maximum extent feasible within the public's legitimate interests of health, safety, welfare, conservation and convenience.

The Comprehensive Plan and its accompanying Land Use Map provide policies for the use of land, and guide the type and scope of



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development that should occur in the County. The Zoning Regulations, Subdivision Regulations, Light Pollution Code and the Building Codes are the tools for implementation of those policies. The actions of other governmental agencies that impact the people, land, and resources within Cochise County must be carried out in a manner consistent with, or implemented in coordination with, the goals and policies expressed in this Comprehensive Plan.



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Cochise County saw an explosion of growth and development in the mid-2000s, quickly followed by the Great Recession of 2008. This Recession halted many development plans while also slowing population growth. The 2010 Census showed Cochise County grew by less than 1.2% annually in the last decade with a 2010 population of 131,346.

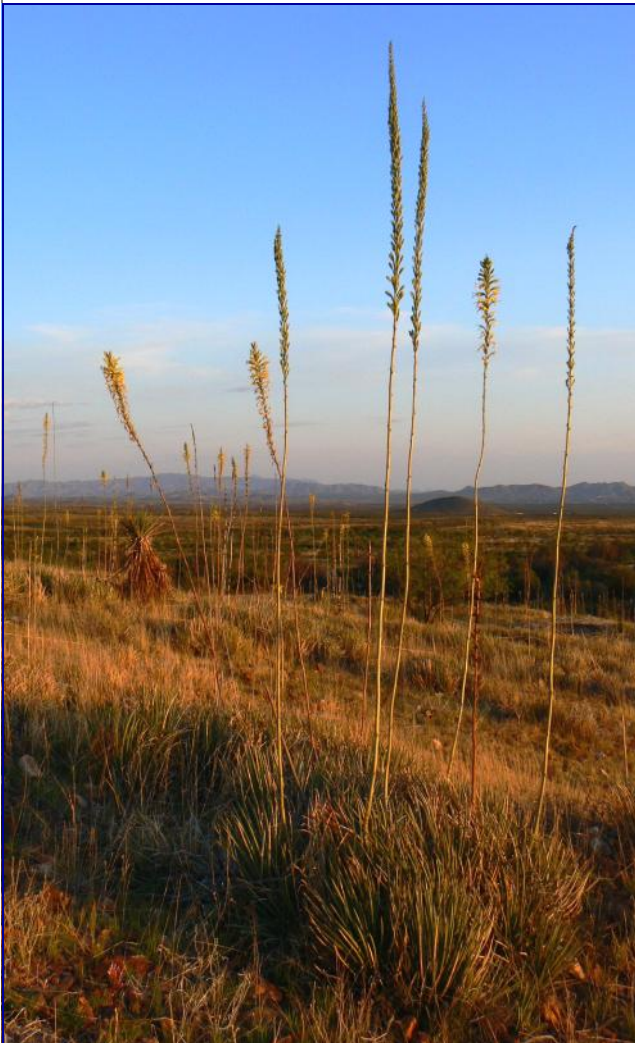
Envisioning 2020 was a significant public outreach by the County to ascertain and document citizen sentiment. Utilizing telephone surveys and a series of 13 public meetings throughout the County this effort asked participants what they valued about their communities, their thoughts about the future, what aspects of their communities they wanted to see changed,

and what they wished to keep. It was also explained to participants that one result of the Envisioning 2020 process would be to incorporate the findings into a Comprehensive Plan update. This is the promised update of the Plan and includes the information gathered during the Envisioning process directly from the citizens of Cochise County.

Four new Elements were incorporated into Article 1, with goals and policies formulated from the Envisioning 2020 study, including Rural Character, Economic Development,, Renewable Energy, and Agriculture and Ranching.

The overall goal of this Plan is to promote the growth of Cochise County as prescribed by the Arizona Revised Statutes. Each County is directed to form a Comprehensive Plan, and to update it every ten years. This Comprehensive Plan includes three Articles:

Article 1 contains eleven Elements, each consisting of a narrative, followed by goals and supporting policies.



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Article 2 establishes the Comprehensive Plan Land Use Map, and describes the Growth Categories and Plan Designations.

Article 3 provides for administration and procedures for amending the Plan.



## 102 - Comprehensive Plan Elements—Goals and Policies

### A. Land Use Element

The Land Use Element's Goals and Policies form the foundation of the Comprehensive Plan. Arizona State Law requires that Counties adopt a Comprehensive Plan for "the general purpose of guiding and accomplishing a coordinated, adjusted, and harmonious development of the area of jurisdiction pursuant to the present and future needs of the County." State law further requires that the Plan "be developed so as to conserve the natural resources of the County, to ensure efficient expenditure of public monies and to promote the health, safety, convenience, and general welfare of the public." This Land Use Element fulfills the primary statutory requirement by setting forth the general land use policies for the County. It identifies where and how growth in the County should occur.



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### Goal

1. Development in the County's unincorporated areas should occur in a manner consistent with the established Growth Categories and Plan Designations provided in this Plan.

### Policies

- a. New intensive development should be located in areas designated for growth and higher densities in close proximity to adequate facilities and infrastructure, particularly in category A and B Growth Areas.



- b. The County should work with and encourage incorporated municipalities to upgrade and expand water and sewer utilities to accommodate new compact development on adjacent lands, especially in Category A and B Growth Areas.
- c. In order to preserve the character and intent of each plan designation, maintain orderly growth patterns, and provide a direct relationship between the Comprehensive Plan and the regulatory mechanisms, the formation of zoning districts within the County should be guided by Plan Designations. A compatible mixture of zoning districts should be promoted within each plan designation.
- d. Growth Areas and Plan Designations should be regularly reviewed in order to reflect changes over time as appropriate and as desired by County residents.

## Goal

- 2. Development should occur in a manner that preserves open space, agricultural and ranching resources, which may include: wildlife corridors; hydrologic recharge areas; floodplains; geologic features; historic, archaeological, or cultural resources; or arable soils.

*The Land Use Element identifies where and how growth in the County should occur.*

## Policy

The protection of resource areas, especially in Category D areas, should be considered by landowners and the County when developing or updating new regulations, master development plans, area plans, or the Comprehensive Plan. Protections may take the form of increased setbacks, open space dedication, private deed restrictions, and voluntary conservation easements.

## Goal

- 3. The Zoning Regulations, Subdivision Regulations, the Light Pollution Code, the Building Code, and other related documents or regulatory ordinances shall implement the land use policies in this Plan.

## Policies

- a. The County should monitor, review and update the Zoning and Subdivision Regulations, as necessary, to:
  - i. Ensure compliance with this Comprehensive Plan.
  - ii. Facilitate cost-efficient development and innovative land use design.
  - iii. Reduce complexity, contradictions, and unnecessary regulations.
  - iv. Tailor the number of zoning districts to accommodate the diversity of land use proposals found throughout the County.



- v. Create a compatible mix of uses conducive to convenient and economical circulation and the efficient provision of services and facilities within each zoning district.
- vi. Encourage subdivision development in lieu of minor land divisions of property through density bonuses and other incentives.
- b. To the maximum extent feasible, the Zoning Regulations should specify requirements for each permitted use within the Regulations themselves, in most cases allowing property owners to obtain building/use permits immediately upon compliance with the specified criteria. Administrative delays should be kept to a minimum.
- c. A number of uses having a more intense impact than permitted uses on surrounding properties may require a "Special Use" hearing procedure. This would apply to uses and areas which can only be evaluated on a case-by-case basis using review criteria adopted in the Zoning Regulations.
- d. Statutory exemptions and non-conforming uses should be permitted to the full extent required by state law, but should be otherwise discouraged through a strict interpretation as to their existence and extent.
- e. Overlay zoning districts may be proposed by landowners or the County in areas or neighborhoods that warrant a relaxation or intensification of specific site development standards.
- f. Rezoning should not create sites, either within the area of the rezoning or adjacent to it, which cannot be developed with the typical use, permitted in the applicable zoning district (s).
- g. Small, isolated rezonings, also known as "spot zonings" should be discouraged.
- h. Rezonings that result in non-conforming land uses or sites should be discouraged.
- i. The County should require the following information for all proposed land uses involving hazardous materials (toxic, explosive, flammable, radioactive, corrosive, chemically reactive and biologically hazardous), and transmit these applications to all applicable Federal, State, and local agencies with an interest in regulating such land uses. To ensure the health, welfare and safety of the County citizens, industrial rezonings or special uses will be evaluated according to the following factors:
  - i. Impact on sensitive land uses such as schools, residentially developed or zoned areas, hospitals and parks.
  - ii. Impact on air, floodplains, wells, water systems and aquifers.
  - iii. Suitability of soils.
  - iv. Appropriateness of transport routes.
  - v. Impact upon and adequacy of the infrastructure serving the site.



# Cochise County | Comprehensive Plan

- vi. Exclusion of residences and schools from a potential hazardous materials containment areas.
- i. Adequate information for the review of rezonings and special uses should be provided before they are scheduled for Planning and Zoning Commission action. Information provided should include at a minimum, submission of a concept plan and a complete application, and public participation, as adopted in the Zoning Regulations.
- j. "Downzonings" should be encouraged through reduced regulatory requirements, and deemed appropriate in rural areas to increase the minimum lot size required for development. They should be viewed as a tool to decrease an area's overall potential residential density.
- k. Federal and state lands will be zoned by the County so that these lands are regulated should they transfer into private ownership.
- l. Viable, cost-effective, voluntary development alternatives for the subdivision of land should be provided through the subdivision regulations. These alternatives might include:
  - i. Incentives, such as density bonuses, to encourage clustered development or conservation subdivisions, while maintaining a minimum percentage of a property as open space or conservation area, or other performance standards.
  - ii. Allowing for smaller lots with provision of shared ownership in common open space while maintaining overall densities of the zoning district.
  - iii. Conservation and agricultural easements for preservation of open space, agricultural and ranching resources.
  - iv. Streamlining and expediting certain subdivision processes as an alternative to lot-splitting.
  - v. Transfer of development rights to accommodate higher densities in growth areas

*Incentives are used to encourage clustered development and conservation subdivisions*

while preserving open space, agricultural and ranching resources in undeveloped rural areas.



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## Goal

4. The County should maintain official maps that visually demonstrate the boundaries of Growth Categories and Plan Designations in unincorporated areas of the County.

## Policy

Significant resource areas, such as wildlife corridors, hydrologic recharge areas, floodplains, geologic features, and known historic or cultural resources should be identified and maintained as map layers in the County's mapping software and available to landowners and County staff for consideration when developing new regulations, community plans, or updates to this Plan. Overlay zoning districts should also be maintained as part of the County's official map set and be made available to stakeholders.

## Goal

5. Identify sources of aggregates in the Comprehensive Plan when maps identifying such resources become available from State agencies.

## Policy

The County will develop policies to preserve currently identified aggregates, once State maps become available.



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## **B. Affordable Housing, Neighborhood Rehabilitation, and Enterprise Redevelopment Element**

The needs of some groups within the County are not provided for by the free-market system. These groups often need either direct provision of housing or government subsidies to meet the affordable housing demand. Cochise County has numerous designated Colonias which are characterized by being within 150-miles of the US/Mexico border; lacking critical infrastructure; and with housing in poor condition. The rehabilitation of Colonias remains a national priority and as such these communities are eligible for additional funds from HUD and USDA. Community based planning provides a framework in which different agencies can understand the residents' priorities and allow those agencies to work more effectively. To be eligible for some grants and assistance, adopted community development plans must be in effect.

Development standards within the Zoning and Subdivision Regulations can be a barrier to the development of affordable housing. Density bonuses, flexible development standards or other tools can lower these barriers, offering incentives to build or rehabilitate affordable housing while ensuring the health, safety, and welfare of the community. Flexibility is especially important in areas when rehabilitation and upgrading of infrastructure is ongoing. In 2013, the Board of Supervisors adopted an Anti-Displacement and Relocation Assistance Plan in accordance with federal law, to accomplish all of the above.

As the state housing trust fund is facing funding reductions, communities around Arizona need to create their own solutions to fill this gap. A regionally based housing trust fund could be a way for the entire County to pool resources and coordinate activities.

*Promote safe and affordable housing while ensuring the health and welfare of the community*

### **Goal**

1. Revitalize and redevelop economically distressed areas within Cochise County.

### **Policies**

- a. Residential neighborhoods having a high percentage of substandard lots or uses, but with sufficient potential for improvement to become acceptable places to live should be designated for neighborhood rehabilitation; only residential or neighborhood business zoning districts should be formed in such areas.
- b. Distressed areas that have become unsuitable for residential development due to condemnations for public right-of-way, the existence of a substantial percentage of incompatible uses, or extreme pressures for commercial development, should be designated for enterprise redevelopment; rezoning to residential districts in such areas should be prohibited.



# Cochise County | Comprehensive Plan

- c. The development of Area or Neighborhood Plans should be encouraged and supported for distressed communities, including Colonias, to enable residents to focus their efforts to successfully compete for grant and other funding.

## Goal

- 2. Promote Safe and Affordable Housing.

## Policies

- a. Work with the Housing Authority of Cochise County to develop housing strategies affordable to very low, low, and moderate income persons as defined by the United States Department of Housing and Urban Development (HUD) income limits.
- b. Support Accessory Living Quarters or other affordable housing options as a means of increasing housing for seniors, the disabled, and vulnerable populations.
- c. Create mechanisms to allow for flexible standards and codes to facilitate affordable housing within the limits of public health and safety in areas deemed appropriate.
- d. The County should partner with non-profits, state and federal agencies, and the Housing Authority of Cochise County to meet the housing needs of very low, low and moderate income special needs groups, including, but not limited to, the elderly, disabled, junior enlisted military personnel, and seasonal workers.
- e. The Housing Authority of Cochise County should create a task force comprised of representatives from Cochise County, all municipalities, and other stakeholders in order to address County wide concerns and to examine the feasibility of creating and funding a housing trust fund.

## Goal

- 3. The County should work with developers and agencies to encourage the development of safe and affordable housing for all segments of the County.

## Policy

Creative funding mechanisms could be examined including, but not limited to, a real estate transfer fee, impact fees, and inclusionary zoning with a buyout or in lieu of fee option.



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## **C. Agriculture and Ranching Element**

It is important to ensure protection of Cochise County's agricultural lands as agricultural landowners come under financial pressure to subdivide their land. Some of that pressure may be relieved for those landowners if the County permits a range of land use activities which provide supplemental income in agricultural areas.

Accessory agricultural uses that would generate minimal off-site impacts should continue to be permitted by-right. Those uses that would potentially create significant impacts will be required to obtain Special Use approval. The County has rich agricultural resources and agriculture-based economic opportunities including wineries, orchards, community gardens, u-pick farms, nurseries, and farmers markets. By allowing a mixture of agricultural and other uses to occur on the same site, the County would continue to support local agricultural economies and encourage innovative forms of production. The rich heritage of farming and ranching should remain a vital part of the County's future.

### **Goal**

Protect and promote the agricultural economy of Cochise County, its agricultural and ranching lands, and related land uses.

*Accessory agricultural uses that would generate minimal off-site impacts should continue to be permitted by-right.*

### **Policies**

- a. Residential development proposed in agricultural lands should minimize disruption to existing agriculture by using conservation subdivisions, conservation easements, and renewable energy development.
- b. Continue encouraging development of agricultural processing, both on-site and at industrial scale, to support production of value-added agriculture products in Cochise County.
- c. Support local initiatives for community-based agriculture, such as farmers' markets and community gardens.
- d. Support an increased awareness of the importance of agricultural resources to the County's culture and economy, through marketing and education programs.



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## **D. Economic Development Element**

Education, creativity, and entrepreneurship are essential and should be encouraged as part of an economy-based land use policy. Supporting small businesses will not only spur diversified income opportunities and ensure economic competitiveness, but will also foster resilience in the face of economic challenges such as natural disasters.

Fort Huachuca provides a major anchor in the County's economy, providing high-quality jobs and supporting Sierra Vista as a regional hub for retail goods and services. Cochise County supports the missions of Fort Huachuca, the men and women who serve on the Post, and the associated civilian workforce.

Tourism is one of the key components of the regional economy. Bed and breakfasts, wineries, art galleries, cultural and historic sites, wildlife, and a variety of outdoor recreation opportunities draw thousands of tourists to our County each year. It is important to preserve the historic and rural landscape, due to its significance for our tourist economy.

With the expansion of the Douglas Port of Entry, a large increase in truck freight along US Highway 191 is expected. This will result in a major opportunity for Cochise County to provide goods and services for a burgeoning international trading hub. The existing Enterprise area along this corridor is pre-positioned for future development in support of international trade and traffic.

*Expand tourism, technology, agriculture and renewable energy efforts for a more vibrant economy.*

Airports and surrounding aviation-related land uses are also potential economic resources. In 2014, the County began the process of updating the airport master plans for both the Bisbee- Douglas International Airport, and the Cochise County Airport in Willcox, to develop these assets to their full economic potential.

Cochise College provides economic development and employment studies for both the County and its cities. In addition to being a major employer in the County, Cochise College provides the local economy with workforce development. The University of Arizona-Sierra Vista provides residents with the opportunity to complete their undergraduate degrees in their own communities. Together, these institutions provide education and job training in areas that directly support sectors of the local economy, including Fort Huachuca.

### **Goal**

1. Support the preservation and expansion of the County's tourism, technology, agriculture, security, renewable energy, and transportation sectors.

### **Policies**

- a. Continue to support Fort Huachuca, the Ports of Entry, and related businesses as regional economic clusters.



- b. Encourage commercial development that enhances and complements regional tourism.
- c. Continue to communicate with the business community, and be responsive to the changing needs of established and new businesses.
- d. Encourage development in areas with access to existing infrastructure and services.
- e. Protect existing businesses from non-compatible land uses.
- f. Maintain infrastructure to meet existing and future economic development needs.
- g. Support the development of renewable energy projects.

## Goal

- 2. Promote and support Cochise College, the University of Arizona-Sierra Vista, and other sources as providers of an educated and capable workforce, and as a source of quality employment.

## Policy

Support education and job training for residents in order to develop and enhance skills, particularly those with focus on tourism, technology, security, and renewable energy.



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## **E. Renewable Energy Element**

Abundant solar and wind resources, close proximity to existing and proposed regional power distribution infrastructure, and a capable workforce all indicate Cochise County is positioned to build a strong economy with local energy production facilities. A high resolution land use suitability analysis for locating utility-scale solar facilities was conducted by the University of Arizona in 2013 that shows over 770,000-acres of high potential for small scale solar projects of 5-Mega Watts (MW) or less, and over 640,000-acres of high potential for large scale solar projects greater than 5-MW, throughout the County. As a governmental entity, Cochise County directly and indirectly influences energy efficiency in the County through its planning activities.

### **Goal**

1. Support the development of local renewable energy projects and technologies.

### **Policies**

- a. Encourage utility-scale renewable energy projects, using the University of Arizona's Renewable Energy Opportunity Analysis and other resources as a guide for determining the suitability of proposals in any one location.
- b. Encourage renewable energy business development.
- c. Support renewable energy employment training opportunities at local colleges.
- d. Permit flexible site development standards.

### **Goal**

2. Foster a development climate where increased energy efficiency is encouraged.

### **Policies**

- a. Encourage builders to meet high-efficiency energy standards such as LEED (*Leadership in Energy and Environmental Design*) or WaterSense® for new development.
- b. Encourage the growth of Countywide recycling programs.



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## **F. Federal Government Coordination Element**

Approximately 26% of land in Cochise County is administered by federal agencies. Policies for managing these lands significantly impact Cochise County's culture, history, economy, environment, and lifestyles. Therefore, it is extremely important for Cochise County to



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participate in making these policies, with opportunities for the public to be heard. The National Environmental Policy Act (NEPA), the National Forest Management Act (NFMA) and the Federal Land Policy and Management Act (FLPMA) require federal agencies to allow local governments, including Cochise County, to participate in the developing of land use plans, to cooperate and coordinate with local governments in developing such plans, and to ensure that federal policies are consistent with policies of local governments.

Furthermore, Arizona Revised Statutes § 11-269.09 mandates that "[i]f a county has laws, regulations, plans or policies that are less restrictive than a federal or state regulation, rule, plan or policy, the county shall demand by any lawful means that the federal or state government coordinate with the county before the federal or state government implements, enforces, expands or extends the federal regulation, rule, plan or policy within the county's jurisdictional boundaries."

### **Goal**

1. To ensure that the Federal Government provides Cochise County the opportunity to participate in the development of land use plans, to cooperate and coordinate with the County in developing such plans, and to ensure that federal policies are consistent with local or regional policies.

### **Policies**

- a. Public lands shall be managed so as to minimize negative impacts on the regional ground water aquifer.
- b. Public access to public lands for recreation should be consistent with preservation of a viable conservation area.
- c. Agricultural uses, including grazing, may be permitted on public lands within limits consistent with preservation goals.
- d. Sub-watershed-wide conservation, reuse, recharge and augmentation policies, and projects must be used to resolve both riparian condition issues and the overall balance of water levels in the aquifer.



- e. All water use, including riparian water use, must be carefully managed to help maintain a viable riparian area and protect the economic and social sustainability of Cochise County.

## **San Pedro Riparian National Conservation Area (SPRNCA)**

### Goal

2. Coordinate efforts with other organizations and jurisdictions, including the Bureau of Land Management, to protect the SPRNCA, as well as the economic and social well-being of Cochise County residents, by assisting Fort Huachuca in meeting its environmental goals, especially regarding water conservation.

### Policies

- a. Cochise County recognizes both the historic and current value of the SPRNCA as a national riparian wildlife habitat, migratory bird corridor, recreational and agricultural resource, and critical habitat for an endangered species.
- b. Fort Huachuca and its dependent and associated organizations both on and off the military reservation form the economic underpinning of communities in the surrounding area and contribute nearly \$3 billion annually to the economy of the State of Arizona. The economic, social, and cultural character of Cochise County would change unacceptably were we to fail to preserve the SPRNCA and thereby protect the Fort from environmental sanctions.

## **Other Federal Lands**

By becoming a participating and cooperating agency, Cochise County is guaranteed a "seat at the table" in the preparation of Environmental Assessments (EAs), Environmental Impact Statements (EISs) and other federal land use considerations that have the potential to affect the cultural, historical, economic and environmental character of the County, and to preserve traditional rural ways of life, including farming, ranching and other agricultural-related activities in the County. In addition, however, the County seeks to require federal agencies to establish plans consistent with County policies by requiring them to coordinate with County government.

### Goal

3. To protect the culture, history, economy, environment, and lifestyles of Cochise County residents by requiring federal agencies to coordinate land use plans with Cochise County and to establish plans that provide for continued multiple use of public lands consistent with the following policies:



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## Policies

### a. Wilderness Designations

- i. Any consideration of any new wilderness designations of federal lands in Cochise County will be a result of a collaborative process, including federal, state, and county officials.
- ii. The only legal designations of Wilderness Study Areas (WSA) are those designated under section 603 of the Federal Land Policy and Management Act (FLPMA) and the opportunity to create additional wilderness ended in 1991, except as authorized by Congress; any new wilderness designation must be provided for by Congress and created in cooperation with the County and the State.
- iii. Wilderness designation is not always an appropriate, effective, efficient, economic, or wise use of land. These lands can be adequately protected through mitigation, minimizing negative impacts and proper reclamation.
- iv. Wilderness management must provide for continued and reasonable access for holders of property rights within the area and provide for full use and enjoyment of these rights.
- v. WSAs released by Congress must be managed based on the principles of multiple use and sustained yield.



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### b. Other Designations

- i. Special designations, such as Areas of Critical Environmental Concern (ACEC), critical habitat, semi-primitive and non-motorized travel, etc., result in single-purpose or non-use and may be detrimental to the area's economy, lifestyles, cultures, and heritage.
- ii. No special designations or management plan should be proposed until it is determined and substantiated by reproducible scientific data, that there is a need for the designation, that protections cannot be provided by well-planned and managed development, and the area in question is unique when compared to other area lands.
- iii. Designations must be made in accordance with the spirit and direction of the acts and regulations that created them.

### c. Introduced, Threatened, Endangered and Sensitive Species, Recovery Plans, Experimental Populations and Related Guidelines and Protocols

- i. These designations or reintroductions could grow beyond boundaries and scope and may result in detrimental effects on the area's economy, lifestyles, cultures, and heritage.



- ii. No such designations or reintroductions should be made until it is determined and substantiated by reproducible scientific data that there is a need for such action, that protections cannot be provided by other methods and the area in question is unique when compared to other area lands.
- iii. Designation or reintroduction plans, guidelines, and protocols must not be developed or implemented without the full involvement of the County and full public disclosure.
- iv. Any analysis of such proposed designations or reintroductions must be inclusive and analyze all needed actions associated with the proposal to prevent growth beyond the scope and boundaries that were analyzed in the proposal.
- v. Recovery plans must provide for indicators to track the effectiveness of the plan and identify at what point recovery is accomplished.

*d. Public Access, RS 2477 Roads*

- i. Access across and to public lands is critical to the use, management, and development of those lands and adjoining private lands.
- ii. No roads, trails, rights-of-way, easements, or other traditional access for the transportation of people, products, recreation, energy or livestock may be closed, abandoned, withdrawn, or have a change of use without full public disclosure and analysis.
- iii. Roads covered by RS 2477 should remain open and the County will take any action needed to protect these rights. This includes identification, inventory, and participation in any legal process to protect them.
- iv. Access to all water-related facilities such as delivery systems, monitoring facilities, livestock water and handling facilities, etc., must be maintained. Access routes must be adequately maintained by the owner of that route. Unreasonable restrictions may result in the loss of use of such facilities and property rights.

*e. Land Exchanges, Acquisitions, and Sales*

- i. The State and Federal Governments hold a sufficient amount of land to protect public interest, so there shall be no net loss of private land base.
- ii. Any affected district within the County must be compensated for any net loss of private lands with public lands of equal value or compensated for any loss of assessed valuation resulting from these exchanges by the appropriate acquiring agency.
- iii. A private property owner has a right to dispose of or exchange their property as they see fit within applicable law.



## *f. Recreation and Tourism*

- i. The County has outstanding potential for recreation and tourism.
- ii. Resource development, recreation, and tourism are compatible through proper planning and management.
- iii. Potential developments should include family-oriented activities and developments that are accessible to the general public and not limited to special interest groups.
- iv. The County supports cultivating recreational facility development and maintenance partnerships with other entities, agencies, and general special interest groups.



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## *g. Wildlife*

- i. Properly managed wildlife populations are important to the recreation and tourism economy and to the preservation of the culture and lifestyles of its residents.
- ii. With proper management and planning, healthy wildlife populations are compatible with other resource development.
- iii. No increases in wildlife numbers or the introduction of additional species may be made until the availability of forage or habitat has been determined and the impacts on other wildlife species have been assessed.



## h. Forage Allocation/Livestock Grazing

- i. The proper management and allocation of forage on public lands is critical to the viability of the county's agriculture, recreation, and tourism industry.
- ii. The viability of a large number of agriculture and livestock operations is dependent on access to grazing on public lands.
- iii. Forage allocated to livestock should not be reduced for allocation to other uses. Current livestock allocation should be maintained.

## i. Off Highway Vehicles (OHVs)

- i. OHVs have become an important segment of the recreation industry and are an important tool and mode of transportation for farmers, ranchers, and resource development.
- ii. Public Land Management agencies must implement and maintain an aggressive OHV program to educate users on how to reduce resource impacts. This is to be followed by an aggressive enforcement program.
- iii. The non-recreational use of OHVs, such as development and livestock operations, should be provided for in all areas unless restricted by law.

## **G. Intergovernmental Coordination Element**

This Comprehensive Plan, along with the Comprehensive Plan Land Use maps, are the basic land use planning documents of Cochise County. The goals and policies included herein collectively represent that which is determined by this local government to be necessary for the protection and preservation of the community stability, the heritage, the culture, the resources, the economy and the health and welfare of this area and its people. As required by applicable law, the actions of other governmental agencies which may impact upon the people, land, and resources within Cochise County must be carried out in a manner consistent with or implemented in coordination with the goals and policies expressed in this Comprehensive Plan.

*Consistency throughout the agencies in Cochise County is vital for development of policy and vision.*



## **H. Adequate Facilities and Services Element**

The purpose of this Element is to ensure that new development is served by adequate services and infrastructure.

### **Goal**

Facilities for sewage disposal, water service, fire protection, streets, and utilities should be commensurate with the growth area classification and the intensity of proposed development. New development should not be permitted to degrade the quality of those facilities for existing users or place an unreasonable financial burden upon those users or the public.

### **Policies**

- a. Subdivision developers should be required to construct street improvements or post security for deferred construction of street improvements before lots can be conveyed to the public.
- b. Developers should be encouraged to place construction of utilities beneath the surface of the public right-of-way or dedicated easement and make provisions other than alleys for garbage pick-up.
- c. Permissibility of individual septic systems will depend upon applicable health codes. However, availability of a sanitary sewer system or a State-approved waste disposal system alternative should be a guiding factor in the consideration of high-density development, especially within Category A (Urban Growth) areas.
- d. No Category A (Urban Growth) area should be formed unless said area is within an organized fire district.
- e. Development within flood hazard zones shall be subject to the Cochise County Floodplain Regulations, and shall be further controlled through site plan requirements.
- f. Where the need for such improvements is reasonably related to the use a developer proposes to establish, conditions of site plan approval should include on-site or off-site street improvements, acceptable State-approved waste disposal systems, and water systems.



## **I. Rural Character Element**

The *Envisioning 2020* process consistently revealed that rural character is an important community asset worthy of protection. Participants in Envisioning 2020 mentioned farming and ranching economies, scenic vistas, ecotourism activities, dark night skies, unimproved roads, and large lots as measures of rural character.

The Rural Character Element seeks to protect the character, landscape, and development patterns that many County residents embrace. Although a number of unique crossroad communities with diverse attitudes and interests exist in the County, the scenic rural landscape represents a commonly shared value. This Element works in harmony with other Plan Elements to provide additional guidance about the types and patterns of development appropriate in our rural areas.

Maintaining the County's rural character is fundamental to residents whose lifestyles and economic activities depend on it. It is also important to larger incorporated communities which benefit by close proximity to the scenic vistas and recreation opportunities of the County's rural lands.

*Maintaining the County's rural character is fundamental to residents whose lifestyles and economic activities depend on it.*

### **Goal**

1. Provide for a continuation of traditional rural ways of life, such as farming, ranching, and other agricultural-related activities, and provide for diverse and viable economic and development opportunities that are consistent with the character of the County's rural areas.

### **Policies**

- a. With property rights considered, protect rural character from the intrusion of urban uses and recognize that resources, such as agricultural lands and scenic viewsheds, provide economic, social, and environmental benefits.
- b. Maintain and enhance a reasonable and diverse overall level of rural development that balances the need for rural growth against impacts on rural character.
- c. Encourage conservation design practices and other land use strategies, such as conservation subdivisions and cluster development for new residential and commercial projects.
- d. Encourage protection of the County's scenic resources and recognize these resources are a vital part of the County's rural character by discouraging development which has the potential to seriously compromise viewshed integrity.



- e. Recognize the importance of rural, native-surfaced roads for the purpose of protecting rural character and ensure that these roads help to maintain this character when considering new road improvement standards.
- f. Support the establishment of voluntary County transfer of development rights (TDR) programs with landowners who adopt conservation easements to preserve habitat.
- g. Develop a recognition program for habitat protection and enhancement, to recognize efforts by individuals, communities, and developers.

## Goal

- 2. Preserve the dark night skies of the County, to the greatest extent possible.

## Policies

- a. Discourage new billboards in order to preserve dark skies and scenic vistas.
- b. Encourage lighting practices and systems that will minimize the adverse man-made light pollution effects of sky-glow, glare, and light trespass.
- c. Encourage the use of low pressure sodium lights or other low intensity lights in commercial developments.
- d. Encourage pedestrian-scaled and shielded lighting.
- e. Encourage new technologies such as timers, dimmers and motion sensors, and other methods to limit unnecessary lighting during the nighttime hours.
- f. Discourage lighting that is misdirected, excessive, or unnecessary.



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## **J. Transportation Element**

Transportation infrastructure is the means by which people and goods move throughout the County, and is tied to the way land uses create a sense of place. Providing rural residents safe and efficient routes, and the level of infrastructure and services that will afford opportunities for economic growth, while at the same time protecting rural lifestyles may be the County's biggest transportation-related challenge. Rural businesses struggle to estimate the level of traffic that will ultimately be generated and it may be difficult for them to immediately fund necessary roadway improvements. Concerns that roadway improvements could promote undesired growth must be balanced with concerns that development could occur without needed infrastructure improvements. Other issues include long distances, low residential densities, dependence on the state highway system, and the seasonal impacts of flooding, dust, and tourist travel. Developing and maintaining adequate rural native surfaced roads, with minimal drainage features, helps to keep local ranches, agricultural areas, and rural residents connected to the larger transportation network while also facilitating storm water recharge.



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Providing multi-modal opportunities for travel are also important to provide adequate travel options for those either physically or financially unable to rely upon a personal vehicle as their primary means of transportation.

### **Goal**

Provide a safe, well-maintained, cost-effective and energy efficient transportation network for the use and enjoyment of county residents and businesses, including residents who are transit-dependent or mobility-impaired.

### **Policies**

- a. Roadways should be classified using the federal functional classification system. Function and design should be guided by the Cochise County Road Construction Standards and Specifications for Public Improvements. However, some flexibility in construction and design standards may be considered on a case-by-case basis in the interest of providing alternatives, conserving resources, and safety.
- b. Circulation systems and patterns should be designed to integrate land use development with adequate, multi-modal transportation infrastructure using existing roads where possible.
- c. The interconnecting public street network should be based upon existing streets, topographic conditions, drainage, and surrounding land uses.



- d. Signs should be regulated to permit legibility and effectiveness but to prevent over-concentration and improper placement. Must more restrictive standards should be applied to signs in residential zonings districts; non-accessory billboards shall be severely restricted.
- e. New major development should, where applicable, develop and maintain a safe, integrated, efficient, multi-modal transportation system that meets the needs of the development.
- f. The County should work to ensure quality access management in new developments by encouraging street connections with adjacent developments when considering subdivisions, master development plans, street improvement proposals, and other developments. The use of cul-de-sacs, dead-end streets, and other design features that reduce circulation options should be minimized.
- g. Commercial development consisting of a shallow tier of unrelated commercial developments lining a major thoroughfare should be discouraged.
- h. The County should allow start-up businesses, especially those serving rural areas, to defer or phase significant on-site or off-site improvements.
- i. The County should collaborate with other jurisdictions and organizations to develop a multi-use trails network throughout the County in order to promote tourism, protect the environment, maintain rural character, and enhance quality of life.
- j. The County should support alternative surfacing methods that mitigate the impacts of surface water runoff and conserve water by facilitating aquifer recharge.
- k. Development along a street should be at a location and in a manner consistent with preservation of the function of the street:
  - i. Commercial development should be discouraged from accessing directly onto streets that primarily serve residential areas.
  - ii. Adequate street capacity shall be assured for full build-out of areas served by arterials and collectors.
  - iii. If a street is identified as a major thoroughfare on a transportation plan, master development plan or community plan or by approval of the Board of Supervisors, direct access should be limited.
  - iv. Single-household dwellings, where possible, should not have direct access onto arterial and collector streets.
  - v. Local subdivision streets should be designed and constructed so that connectivity is preserved.
  - vi. Public alleys should be discouraged.



## **K. Water Conservation and Resources Element**

This Element establishes Goals and Policies that encourage the County and residents to conserve existing resources, develop alternative sources of collecting and distributing water, and reuse water whenever possible. Arizona Revised Statutes require counties to specifically plan for development as it relates to available water resources.



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### **Goal**

1. Sustain an adequate, safe water supply through water conservation measures, incentive programs, education, conservation and enhancement of natural recharge areas, and cooperative, multi-jurisdictional planning.

### **Policies**

- a. The County will use current water resource inventories of available surface water, groundwater, and effluent supplies to evaluate the potential impacts to local water supplies from master development plans, subdivisions, rezonings, special uses, major amendments to this plan, and other major developments.
- b. The County will encourage effective water conservation Best Management Practices (BMPs) such as water harvesting features, storm water recharge, treated wastewater and gray water for non-potable use in new development throughout Cochise County, and in County facilities.



- c. All subdivisions and non-residential, multi-family residential and manufactured home park developments of one-acre or larger should indicate the design features that will be incorporated into the development to:
  - i. Minimize overall water use through water conservation measures such as native, drought-tolerant landscaping, low-flow fixtures, re-use, water harvesting, deed restrictions, and other water conservation methods.
  - ii. Use Best Management Practices (BMPs) to minimize accelerated run-off generated by impervious surfaces or construction activities.
  - iii. Conserve and enhance aquifer recharge through methods such as the use of detention basins, protection of open space, and minimizing disturbance of soils.
- d. Working with water conservation resource groups, the County will support methods for individual homeowners and businesses to decrease water use through incentives, education, various zoning mechanisms, and encouraging native, drought-tolerant landscaping in development throughout the County.
- e. Promote a stewardship ethic by continuing outreach and education programs that inform residents about sustainable water use.
- f. In order to minimize or mitigate water usage, high water uses, such as golf courses and water parks, will be considered only on a discretionary basis.
- g. The County should develop additional water conservation and management policies to be applied to all new development on a sub-watershed by sub-watershed basis.

*Obtaining greater local or regional control over water issues is one of the County's biggest challenges.*

## Goal

- 2. Protect hydrologically sensitive and unique areas such as the San Pedro River and Sierra Vista Sub-watershed, by adopting a regional, watershed-based approach to water resource management.

## Policies

- a. Work with agencies, organizations, and local watershed groups throughout the County, as necessary, to address regional water resource issues as they relate to growth and protection of the County's natural resources.



## Cochise County | Comprehensive Plan

- b. The County may implement joint development plans for individual basins or watersheds through intergovernmental agreements and a joint planning effort with incorporated cities that choose to participate, per Arizona Revised Statutes. The joint development plans may address water issues that include existing and proposed mechanisms for conserving water, infrastructure, vested property rights, incentive programs, implementation schedules, and other issues as they relate to development.
- c. Overlay zoning districts may be used by the County as a tool to implement such additional water conservation and management policies, through the enforcement of applicable provisions of adopted building codes and specific site development standards for all residential and non-residential development, where appropriate.



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## Article 2

### 201 — Growth Areas, Plan Designations

#### A. AREA CATEGORIES

The entire area of Cochise County, with the exception of incorporated cities, shall be divided into four (4) categories, based on each area's existing or foreseeable infrastructure, character and capacity for growth:

1. **Category A—Urban Growth Areas:** This category includes those areas adjacent to or surrounded by incorporated cities, and having the necessary facilities and services to support it. These areas are largely built out or established but may have pockets of vacant land. Category A Urban Growth Areas include the areas presently identified as "Category A" and any additional areas that have been determined to meet the following criteria:

- a. The area has established or planned residential and/or non-residential development, and has the potential to be annexed by an abutting incorporated city.
- b. The area can be adequately served by a community sewer system, water system, and fire district.
- c. Average residential lot sizes are less than one-acre in size.
- d. The area provides major regional commercial and other non-residential services.
- e. Street improvements and urban site development standards (e.g. limitations on residential outdoor storage and requirements for asphaltic parking areas) are appropriate.
- f. The area has the potential for or is currently served by adequate drainage, transportation and K-12 school systems, as well as organized recreational facilities that can serve high-density development.

2. **Category B—Community Growth Areas:** This category includes those areas adjacent to Category A Urban Growth Areas as well as the larger unincorporated communities of the County, which are experiencing growth. These are areas in transition from a traditional rural environment to something more urbanized. Category B Community Growth Areas include the areas presently identified as "Category B" and any additional areas that have been determined to meet the following criteria:

- a. The area to be designated has a moderate level of residential and/or non-residential growth.
- b. The area serves as a logical transition between urban growth and rural areas and/or has a distinctive community identity.



- c. The area has adequate water, access, drainage and sewage disposal capability to accommodate medium to high density development.
- d. In general, residential lot sizes are one acre or less in size but may transition to larger lot sizes at the fringes of the area. Smaller lot sizes have access to sewer and/or water and are commonly found in established subdivisions and manufactured/mobile home parks or historic town sites.
- e. Improved streets designated as arterial or collectors can support limited non-residential development.
- f. There is substantial potential for further development along with opportunities to preserve undeveloped recreational resources, i.e. open space and washes.

**3. Category C—Rural Community Areas:** This category includes less populated rural communities that are characterized by a slow rate of growth and the desire to maintain the existing neighborhood or rural atmosphere. These areas are generally found as small clusters of residential and non-residential development adjacent to agricultural production areas. Non-residential enterprises generally serve or coincide with local agricultural, ranching or tourist activities. Category C areas are often populated enough to warrant or provide a K-8 grade school. Their rural, low density, and often scenic qualities have the potential to attract future residents at a growth rate that may warrant consideration of a plan change to Category B. Category C Rural Community Areas include those areas presently identified as "Category C" and additional areas that have been determined to meet the following criteria:

- a. Residential and non-residential development is clustered in settlements on a variety of lot sizes as typified in established town sites and immediate environs.
- b. Other than arterials and collectors, roads are generally unimproved. However, increases in residential and non-residential development will likely warrant improvements, such as paving, in the future.
- c. Farming and ranching are prevalent activities adjacent to these areas.
- d. Non-residential enterprises generally serve the rural/agricultural community as well as visitors passing through if located on a major arterial road.

**4. Category D—Rural Areas:** This category includes the outlying rural areas between cities and unincorporated communities and characterized by a low rate of growth; unimproved roads; low density, large lot rural residential development; agricultural production; and large tracts of undeveloped private and public lands. Non-residential development is geared toward providing local services, tourism or intensive uses that are not appropriate in more the densely populated parts of the County, such as power plants and feedlots.



These sparsely populated rural lands also have the potential for future master-planned communities that will provide the infrastructure to support any proposed increases in residential density or non-residential activities. Category D Rural Areas include those areas presently identified as "Category D" and all areas that do not meet the criteria for inclusion in either Category A, B or C.

## B. PLAN DESIGNATIONS

Within the four Growth Categories, there are seven potential plan designations. These designations more specifically identify the existing character of smaller areas within each Growth Area. Plan Designations may be established, in addition to those that presently exist, based upon the following criteria:

**1. Neighborhood Conservation (NC):** A "Neighborhood Conservation" (NC) plan designation identifies an area as having an established character which is primarily residential, and which needs special rezoning protections to maintain the character of land use that occurs, in general, on lot sizes of one acre or less. The NC plan designation may occur within a Growth Category A, B or C Area, and shall be established according to the following criteria:

- a. The area to be designated is a developed residential neighborhood that warrants protection from non-residential uses; or
- b. The area is an approved subdivision for which all the improvements are in place and constructed to minimum County standards.

**2. Enterprise (ENT):** An "Enterprise" (ENT) plan designation identifies an area as having an established pattern of commercial and/or industrial land use; any future development should follow that trend. The ENT plan designation may occur in Category A, B, or C Growth Area Categories, and shall be established according to the following criteria:

- a. The area consists of existing or proposed commercial or industrial enterprises.
- b. Enterprise development has reached the level whereby additional residential growth within the area to be designated is undesirable to the parties in interest.
- c. The area to be designated contains or can provide sufficient dedicated public access, improved to County standards, to carry traffic, which will be generated by and to such area.
- d. The infrastructure can accommodate enterprise uses.



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3. **Developing (DEV):** The "Developing" (DEV) plan designation is used to describe areas experiencing non-rural growth rates that are developed with scattered, mixed residential, business or industrial and agriculture-related uses and that ultimately will accommodate future growth as the more populated areas reach build-out. Since these areas are assumed to be in transition, the Planning Department will periodically re-evaluate these areas to determine if the rate of new development warrants a new designation or growth area that is either more or less intense. The Developing designation may occur in Growth Category A, B, and C Areas that do not meet the criteria of the other designations.

4. **Neighborhood Rehabilitation (NR):** The "Neighborhood Rehabilitation" (NR) plan designation is assigned to deteriorating residential neighborhoods which show potential need for revitalization as residential neighborhoods. Such areas may be designated for improvement projects when the necessary funding is available. An NR plan designation may occur within a Growth Category A, B, or C Area, and shall be established according to the following criteria:

- a. The area to be designated is within a Growth Category A, B or C Area.
- b. The area is a residential neighborhood with a high number of dilapidated, or unsafe dwellings.
- c. The infrastructure of the area is unable to provide for adequate public health, safety, welfare, and general convenience.
- d. There is some existing private and/or municipal interest in improving the area.
- e. Some flexibility in site development and building code standards may be appropriate to facilitate investment.

5. **Enterprise Redevelopment (ER):** An "Enterprise Redevelopment" (ER) plan designation is assigned to an existing developed area undergoing change which may be designated for improvement as a commercial/industrial area. An ER plan designation may occur within a Growth Category A, B, or C Area, and shall be established according to the following criteria:

- a. The area to be designated is within a Growth Category A, B, or C Area.
- b. The area is:
  - i. Composed of dilapidated or unsafe enterprise uses; and/or
  - ii. Has a large number of incompatible neighborhood and enterprise uses that are dilapidated or unsafe.



- iii. The infrastructure of the area is unable to provide for adequate public health, safety, welfare and general convenience.
- iv. There is some existing private and/or municipal interest in improving the area.
- v. Some flexibility in site development and building code standards may be appropriate to facilitate investment.

6. **Rural Residential (RR):** The "Rural Residential" (RR) plan designation is used to describe areas in Category D (Rural) areas with a definite pattern of residential development on larger lots, two -acres or larger in size. Due to the well-established residential character of these areas, rezonings or special uses to allow for more intensive developments that do not directly serve the residents of these areas are not generally appropriate. Less intensive businesses that serve area residents may be appropriate.

7. **Rural:** Areas designated as "Rural" are identified as those remaining lands in Category D Rural Areas that are not designated Rural Residential. They are identified by one or more of the following characteristics: sparsely populated; larger lot sizes, agricultural production or grazing, availability of sites large enough for intensive industrial uses that cannot be accommodated in other growth areas, large expanses of private and public lands, and/or have developed and undeveloped recreational resources.

## C. AREA PLANS

The Comprehensive Plan allows for the establishment of Area Plans that articulate the vision and desires of a given community with regard to land use. These are considered community-specific sub-sets of the overall Comprehensive Plan. Approval by the Board of Supervisors of an Area Plan constitutes an amendment to the Comprehensive Plan, and proceeds according to the procedures described herein (See Article 3 herein). To date, the following Area Plans have been adopted by the County Board of Supervisors:

1. *Babocomari Area Plan*
2. *Elfrida Community Plan*
3. *Mid-Sulphur Springs Valley Area Plan*
4. *Naco Community Plan*
5. *Saint David Area Plan*
6. *Sierra Vista Sub-Watershed Policy Plan*
7. *Southern San Pedro Valley Area Plan*
8. *Tres Alamos Community Plan*

*Plans guide the vision of the area and allow for smart and coordinated development.*

Area Plans are primarily vision or policy statements accompanying a map, and may include unique Plan Designations, and architectural and landscape design standards found within the Plan area. When applicable, Plan Designations that are specific to a given Area Plan may be found on the adopted map accompanying that Plan.



## D. Master Development Plans

A master development plan is an adopted component of the Cochise County Comprehensive Plan, initiated by a developer, that provides a detailed plan for the coordinated development of a specific private property. Master development plans may result in changes to the boundaries of a Growth Area, Plan Designations, or, similar to Area Plans, the establishment of plan-specific designations and development standards. Approval by the Board of Supervisors of a master development plan amends this Comprehensive Plan.



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## E. Other Plan Areas

There may be established other plan areas, including community plans, area plans, neighborhood plans, specific plans and master development plans, which may either replace existing plan designations identified in this Section, or which may have policies, elements, or standards which modify, replace or supersede those in otherwise applicable growth areas or plan designations. Such plan areas may be adopted in whole or in part, and may contain elements such as: a land use element, circulation element, transportation element, housing element, conservation, rehabilitation or redevelopment element, recreation element, safety element, public services and facilities element, bicycling element, economic development element among others as well as policies and procedures applicable thereto.

## F. Plan Amendments, Definition of Major Amendment

1. Plan Designation or Growth Category Area amendments or plan adoptions, amendments, or extensions may be initiated by the Commission, either upon the application of interested persons or upon its own motion.
2. An amendment shall be considered a "major amendment" if it would result in a substantial alteration of the County's land use mixture or balance as established in the existing Comprehensive Plan land use element for that area of the County.

## G. Time Frame for Acceptance of Major Amendments

1. Applications for major amendments shall be accepted from January 1 to the last business day in August.
2. The Board of Supervisors hearing shall be the first available meeting in December.



## 202 - Comprehensive Plan Land Use Element Plan Map

### A. Adoption of Map

The Cochise County Comprehensive Plan Use Element Map is hereby adopted by reference and declared to be a part of this Resolution.

### B. Boundary Determination

Where uncertainty exists as to the boundaries of plan designations on the official land use plan map, the following rules shall apply:

1. Boundaries indicated as approximately following the centerlines of streets, highways, or alleys shall be construed as following the centerlines.
2. Boundaries indicated as approximately following city limits shall be construed as following city limits.
3. Boundaries indicated as approximately following platted lot lines shall be construed as following such lot lines.
4. Boundaries indicated as following railroad lines shall be construed to be midway between the main tracks.
5. Boundaries indicated as approximately following the centerlines of streams, rivers, lakes or other bodies of water shall be construed to follow such centerlines.
6. Boundaries indicated as parallel to or extensions of features indicated in subsections (1) through (5) above shall be so construed.
7. Distances not specifically indicated on the land use plan maps shall be determined by the scale of the map.
8. Where physical or cultural features existing on the ground are at variance with those shown on the plan map; or in other circumstances not covered by subsections (1) through (7) above, the Board of Adjustment shall interpret the designation boundaries.





## C. Amendments and Corrections

Whenever amendments or changes are made in plan area boundaries, such amendments or changes shall be made promptly on the official plan. The Planning Director may order correction to drafting or other errors or omissions in the official plan map, but no such corrections shall have the effect of amending the Growth Area Category or Plan Designation of any property. No other changes shall be made in the official plan map except in conformance with the procedure set forth herein.

1. Whenever amendments or changes are made in plan area boundaries, such amendments or changes shall be made promptly on the official plan.
2. The Planning Director may order correction to drafting or other errors or omissions in the official plan map, but no such corrections shall have the effect of amending the Growth Area Category or Plan Designation of any property. No other changes shall be made in the official plan map except in conformance with the procedure set forth herein.
3. In the event that the official plan map becomes damaged, destroyed, lost, or difficult to interpret because of the nature or number of changes and amendments thereto, the Board of Supervisors may, by resolution, adopt a new official plan map, which shall supersede the prior plan map.
4. Per Arizona Revised Statutes, the Planning and Zoning Commission will review the entire Comprehensive Plan every ten years or more frequently as needed.



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## Article 3

### 301—Administration

The Cochise County Planning and Zoning Commission, the Board of Supervisors, and any other County department, commission, official, or employee acting in an advisory capacity to the Board of Supervisors shall consult, consider, and generally be guided by the Comprehensive Plan stated herein. The Cochise County Zoning Regulations, Subdivision Regulations, building code, and other ordinances affecting growth and land use in Cochise County shall be constructed to implement the policies and elements of the Comprehensive Plan.

### 302—Comprehensive Plan Amendments

The Cochise County Comprehensive Plan may be amended from time to time. The Comprehensive Plan Growth Area Categories and Designations are designed to provide a measure of protection to the existing character of an area. An amendment must be justified by citing specific examples of existing or future growth patterns that do not support continuing the pattern that is implied by the existing Area Category or Designation. Otherwise, the presumption is in favor of retaining the existing Area Category or Designation.

Plan Amendments raise regional issues about the future character of an area. Once established, a precedent is set to request additional plan changes in proximity to the original request thus significantly changing the pattern of growth and drawing development away from established communities. Due to these larger issues, a small acreage plan amendment may not be supported unless a master development plan is submitted.

#### A. Amending Growth Area Categories and Plan Designations

1. Consideration of a change in Growth Area or Plan Designation should depend upon an evaluation of the following criteria:
  - a. The extension of urban standard facilities and services (including major road improvements and extensions of waste disposal systems and water service) into the area has changed the optimum intensity of development appropriate for the area.
  - b. Nearby growth areas have reached capacity and there is continued demand for new growth areas.
  - c. A master development plan is proposed.
  - d. The new Growth Area Category is an extension of an existing Growth Area Category or otherwise is not limited to a single parcel but is large enough to be expected to develop with the range of services and land uses expected in the Growth Area Category proposed.
2. Consideration of a change in a Plan Designation shall depend upon an evaluation of the following criteria:



Substantial changes in an area, for example a designated neighborhood conservation area, may make continuation of the conforming development within the plan designation undesirable. Such changes may include the deterioration of surrounding development, a change in character in the area due to capital improvements, non-conforming development by exempt entities, or approval of special uses or rezonings.

- b. The extensions of urban standard facilities and services (including major road improvements and extension of waste disposal systems and water service) into the area have changed the optimum type of development appropriate for the area.
- c. There is substantial support from property owners for the proposed change.
- d. 'Developing' designations should be changed to another appropriate designation as a distinguishable pattern of development has occurred.
- e. New designations should be of a size, type or design to provide a harmonious transition between existing designations.

## **B. Plan Amendments, Definition of Major Amendment**

1. The Commission, either upon the application of interested persons or upon its own motion, may initiate Plan Designation or Growth Category Area amendments, or the adoption of new elements of the Plan, Area Plans, or master development plans.
2. An amendment shall be considered a "major amendment," per Arizona Revised Statutes, if it would result in a substantial alteration of the County's land use mixture or balance as established in the existing Comprehensive Plan land use element for that area of the County.
3. A "substantial alteration" is defined as an amendment of the Comprehensive Plan that would result in an increase in the potential densities or intensities of uses for an area of two thousand (2000) acres or more.

## **C. Time Frame for Acceptance of Major Amendments**

1. Applications for major amendments shall be accepted from January 1 to the last business day in May.
2. The Board of Supervisors hearing shall be the first available meeting in December.



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## 303—Public Participation Requirements

The applicant shall complete the public participation process as described herein, before any amendment is presented to the Board of Supervisors for final adoption.

### A. Purpose

The Cochise County public participation process is intended to:

1. Allow for effective, early and continuous public participation by citizens from all geographic, ethnic and economic areas of the county in the consideration of amendments;
2. Provide sufficient information to the public to give each citizen the opportunity to develop an informed response;
3. Provide opportunities for other interested governments, agencies and community groups to consult with, advise and provide official comment on Comprehensive Plan updates and amendments; and
4. Comply with ARS §11-806.

### B. Public Participation Requirements for Comprehensive Plan Amendments

The requirements described below are the minimum County requirements for public notification.

1. Pre-application meeting with County Planners:

Prior to submitting a formal plan amendment application, an applicant shall participate in a pre-application meeting with planning staff. This meeting has a four-fold purpose:

- a. Review the public participation requirements;
- b. Review the application requirements;
- c. Familiarize staff with the project and identify and discuss any issues related to the amendment; and
- d. Determine if the plan amendment boundaries represent a logical plan amendment area.

2. A formal plan amendment application consists of:

The plan amendment application and all supporting documentation, and a report documenting the public participation process, including:

- a. Copies of notices;
- b. Copies of all information provided to the public
- c. Letters, advertisements, posters, flyers;



- d. Sign up sheets from all public meetings if any;
- e. Any responses received from the public during this process; and
- f. A description of how the applicant responded to this feedback.

## **C. Notification Requirements for Major Comprehensive Plan Amendments**

1. The applicant shall send notices of the proposed amendment to, and if requested, meet with the following individuals and organizations. The notices shall contain a copy of the plan amendment application and all supporting documentation as submitted to the Planning Department so that the notified parties can effectively evaluate the impacts of the project:
  - a. Each municipality in the County.
  - b. Each other county that is contiguous to the County.
  - c. The regional planning agency in the County ( Southeastern Arizona Government Organization (SEAGO)).
  - d. The Arizona commerce authority or any other state agency that is subsequently designated as the general planning agency for this state.
  - e. The department of water resources for review and comment on the water resources element, if a water resources element is required.
  - f. If the comprehensive plan or an element or amendment of the comprehensive plan is applicable to territory in the vicinity of a military airport or ancillary military facility as defined in §28-8461, the military airport.
  - g. If the comprehensive plan or an element or major amendment of the comprehensive plan is applicable to property in the high noise or accident potential zone of a military airport or ancillary military facility as defined in §28-8461, the attorney general. For the purposes of this paragraph, "major amendment" means a substantial alteration of the county's land use mixture or balance as established in the county's existing comprehensive plan land use element for that area of the county.
  - h. Any person or entity that requests in writing to receive a review copy of the proposal.
2. The applicant shall place an 1/8th of a page display advertisement in the official County paper and at least one other subscription paper published in each geographical quarter of the County, such that citizens of all geographic, ethnic, and economic areas of the County are notified of the amendment. This advertisement shall include a description and location of the project and how verbal and written comments can be submitted. If public meeting (s) are scheduled, the time, date, and location of the meeting (s) shall be included.



## **D. Notification Requirements for Comprehensive Plan Amendments Not Defined as Major Amendments**

1. The applicant shall notify and, if requested, meet with all adjacent and potentially impacted property owners. These property owners shall be defined to include:
  - a. All of those who own property located within the area subject to the amendment.
  - b. In Category D Rural Areas, all of those property owners who own property outside of the area subject to the application, but within 1500 feet from the boundaries of the subject property.
  - c. In Category A, B, or C Growth areas, all of those property owners who own property outside of the area subject to the application, but within 1000 feet from the boundaries of the subject property.
2. This notification shall include a description and location of the project and how verbal and written comments can be submitted. If public meeting(s) are scheduled, the time, date, and location of the meeting(s) shall be included.

## **E. Formal Notification for Major Amendments**

1. Pursuant to ARS §11-805.F and 805.G., at least sixty days before a new element or major amendment of the Comprehensive Plan is noticed for a public hearing, the Commission shall transmit the proposal to the board of supervisors and submit a copy for review and further comment to:
  - a. All municipalities in the County.
  - b. Each other county that is contiguous to the County.
  - c. The regional planning agency in the County (Southeastern Arizona Government Organization (SEAGO)).
  - d. The department of commerce or any other state agency that is subsequently designated as the general planning agency for this state.
  - e. The department of water resources for review and comment on the water resources element, if a water resources element is required.
  - f. The military airport if the comprehensive plan or a portion, element or amendment of the comprehensive plan is applicable to territory in the vicinity of a military airport as defined in section ARS §28-8461.
  - g. Any person or entity that requests in writing to receive a review copy of the proposal.



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2. After considering any recommendations from the review, the Commission shall hold at least one public hearing. Notice of the time and place of a hearing and availability of studies and summaries related to the hearing shall be given at least fifteen and not more than thirty calendar days before the hearing by:
  - a. Publication at least once in a newspaper of general circulation in the county seat.
  - b. Publication at least once in a newspaper of general circulation in the area to be affected, or adjacent to the area to be affected, if the area affected is other than the county seat.
  - c. Such other manner in addition to publication as the county may deem necessary or desirable.

3. After the Commission recommends the Comprehensive Plan or any section of the Plan, the Plan shall be submitted to the Board of Supervisors for its consideration and official action. Before the adoption, amendment, or extension of the Plan, the Board shall hold at least one public hearing on the Plan. After the Board considers the Commission's recommendation and any recommendations from the review required under this Article, the board shall hold at least one public hearing



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at which residents of the county shall be heard concerning the matters contained in the Plan. At least fifteen days' notice of the hearing shall be given by one publication in a newspaper of general circulation in the county seat. The board shall consider protests and objections to the plan and may change or alter any portion of the Comprehensive Plan. However, before any change is made, that portion of the plan proposed to be changed shall be re-referred to the commission for its recommendation, which may be accepted or rejected by the Board. The Board of Supervisors may adopt the County Comprehensive Plan as a whole or by successive actions adopt separate parts of the plan. The adoption or readoption of the comprehensive plan or any amendment to the plan shall be by resolution of the board. The adoption or readoption of, or a major amendment to, the county comprehensive plan shall be approved by the affirmative vote of at least two-thirds of the members of the board. All major amendments proposed for adoption to the comprehensive plan by the board shall be presented at a single public hearing during the calendar year the proposal is made.



## Article 4—VALIDITY

### 401—Severability

If any provisions of the Cochise County Comprehensive Plan be held invalid, such invalidity shall not affect other provisions which can be given effect with the invalid provision, and to this end the provisions of the Cochise County Comprehensive Plan are declared to be severable.

### 402—Conflicting Provisions Repealed

All other ordinances, regulations, resolutions and parts thereof which conflict with the provisions of the Cochise County Comprehensive Plan, to the extent of such conflict and not further, are hereby repealed.

### 403—Effective Date

The Cochise County Comprehensive Plan shall become effective beginning on the 27<sup>th</sup> day of August, 1984 and remaining in full force thereafter.

APPROVED AND ADOPTED BY THE COCHISE COUNTY BOARD OF SUPERVISORS THIS 27<sup>th</sup> DAY OF AUGUST, 1984.

AMENDED AND ADOPTED BY THE COCHISE COUNTY BOARD OF SUPERVISORS THIS 14<sup>th</sup> DAY OF DECEMBER, 1992, ORDINANCE NO. 006-92

AMENDED AND ADOPTED BY THE COCHISE COUNTY BOARD OF SUPERVISORS THIS 1<sup>st</sup> DAY OF APRIL, 1996, RESOLUTION NO. 96-34

AMENDED AND ADOPTED BY THE COCHISE COUNTY BOARD OF SUPERVISORS THIS 27<sup>th</sup> DAY OF NOVEMBER, 2001, RESOLUTION NO. 01-72

AMENDED AND ADOPTED BY THE COCHISE COUNTY BOARD OF SUPERVISORS THIS 9<sup>th</sup> DATE OF SEPTEMBER, 2002, RESOLUTION NO. 02-79.

AMENDED AND ADOPTED BY THE COCHISE COUNTY BOARD OF SUPERVISORS THIS DATE OF DECEMBER 16, 2003, RESOLUTION NO 03-.

AMENDED AND ADOPTED BY THE COCHISE COUNTY BOARD OF SUPERVISORS THIS 26<sup>TH</sup> DATE OF JULY, 2011, RESOLUTION NO. 11-34

AMENDED AND ADOPTED BY THE COCHISE COUNTY BOARD OF SUPERVISORS THIS \_\_\_ DATE OF \_\_\_, 2014, RESOLUTION NO. \_\_\_\_