

**ZONING ORDINANCE 17- \_\_\_\_**  
**(Docket R-17-04)**

**AMENDING ARTICLE 17 (ADMINISTRATION) AND ARTICLE 22**  
**(AMENDMENTS) OF THE COCHISE COUNTY ZONING**  
**REGULATIONS**

**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**, the Cochise County Board of Supervisors originally adopted Zoning Regulations in Cochise County pursuant to that authority in 1975, and has with periodic modification, maintained them in effect since that time; and

**WHEREAS**, the Cochise County Board of Supervisors recognizes that amendment to the Zoning Regulations affect countywide land use patterns and therefore warrant careful consideration of regional impacts;

**WHEREAS**, Article 17 of the Zoning Regulations currently provides noticing requirements for Special Uses and

**WHEREAS**, the Article 22 of the Zoning Regulations currently provides noticing requirements for rezonings

**WHEREAS**, on November 28, the Board of Supervisors held a duly noticed public hearing of these proposed amendments to the Zoning Regulations, hereby know as Docket R-17-04, and attached hereto as “Exhibit A” which will amend Article 17 and Article 22 in the Cochise County Zoning Regulations and found them to be in the public interest,

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Supervisors of Cochise County, Arizona that the Cochise County Zoning Regulations shall be amended as contained in Exhibit A:

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[See Exhibit "A" attached.]

**PASSED AND ADOPTED** by the Board of Supervisors of Cochise County, Arizona, this 28th day of November, 2017.

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Ann English, Chair  
Cochise County Board of Supervisors

**ATTEST:**

**APPROVED AS TO FORM:**

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Arlethe G. Rios,  
Clerk of the Board

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Britt Hanson,  
Chief Civil Deputy

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**EXHIBIT "A"**

Proposed Update to the Cochise County Zoning Regulations

**1716.03 Procedures for Issuance of a Special Use Authorization**

D. Upon receipt of the completed application, the County Zoning Inspector shall submit it to the Planning Commission for consideration and action. Prior to taking action on approving or denying the Special Use Authorization request, the Planning Commission shall:

1. Hold at least one public hearing thereon after at least 15-calendar days notice by one publication in a newspaper of general circulation in the County seat and by posting the area included in the proposed Special Use Authorization request(s).
2. Send notice by first class mail to each owner of real property, as shown on the most recent available records of the last property tax assessment, as follows:

Growth Area	Distance
Area A	300 feet
Area B	1,000 feet
Area C	1,000 feet
Area D/Intensive Use*	Minimum 1 mile, maximum 3 miles A minimum of 50 parcels shall be notified, up to a maximum 3 mile distance
*Airport, airstrip, firearms range, manufacturing, or storage of hazardous materials as a principal use, feedlot, or electric generation plant	

3. The notice sent by mail shall include, at a minimum, the date, time and place of the hearing on the proposed Special Use Authorization request(s) including a general explanation of the matter to be considered, a general description of the area of the proposed Special Use Authorization request(s), and how the real property owners within the area may file approvals or protests of the proposed Special Use Authorization request(s).

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**1716.04 Appeal of Special Use Authorization Decisions**

C. Upon receipt of an appeal, the County Zoning Inspector or designee shall compile the record of the proceeding and submit this to the Board of Supervisors with the appeal documents.

The Board shall send to the appellant and the Special Use Authorization Applicant, if they differ, a notice of the designated date of the public hearing. The date of decision shall be not more than 90-calendar days following the submittal of the notice of appeal. Notice of such public hearing shall be given in the same manner as the original application.

**2203 Citizen Review Process**

- C. In order to maximize the opportunity for citizen involvement in the application process that is described in the following sections, and to resolve any neighborhood issues at an early stage in the process, the following requirements shall be included in the application process:
  - a. Prior to submitting a formal application, an Applicant shall participate in a pre-application meeting with planning staff. This meeting has a two-fold purpose:
    - i. To go over the application requirements, including a Citizen Review Report; and
    - ii. To familiarize staff with the project and identify and discuss any issues related to the application.
  - b. At a minimum, the Applicant shall notify and, if requested, meet with homeowners' or community associations nearest the subject parcel and all adjacent and potentially impacted property owners. These property owners shall be defined to include:
    - i. All of those who own property located within the area subject to the application.
    - ii. Notice to real property owners, as shown on the most recent available records of the last property tax assessment, as follows:

Growth Area	Distance
Area A	300 feet
Area B	1,000 feet
Area C	1,000 feet
Area D/ Intensive Use*	Minimum 1 mile, maximum 3 miles A minimum of 50 parcels shall be notified, up to a maximum 3 mile distance

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*Airport, airstrip, firearms range, manufacturing, or storage of hazardous materials as a principal use, feedlot, or electric generation plant
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iii. Rezoning to less intensive Districts do not require a Citizen Review.

**2206 Planning Commission Action**

Upon receipt of the application, the Planning Director shall submit it to the Planning Commission for consideration. Prior to reporting to the Board, the Planning Commission shall:

**2206.01** Hold at least one public hearing thereon after at least 15-calendar days notice by one publication in a newspaper of general circulation in the County seat and by posting the area included in the proposed change. The posting shall be in no less than two places with at least one notice for each quarter mile of frontage along perimeter public rights-of-way so that the notices were visible from the nearest right-of-way.

**2206.02** The Planning Commission shall also send notice by first class mail to each real property owner, , as shown on the most recent available records of the last property tax assessment, as follows:

Growth Area	Distance
Area A	300 feet
Area B	1,000 feet
Area C	1,000 feet
Area D/ Intensive Use*	Minimum 1 mile, maximum 3 miles A minimum of 50 parcels shall be notified, up to a maximum 3 mile distance
*Airport, airstrip, firearms range, manufacturing, or storage of hazardous materials as a principal use, feedlot, or electric generation plant	

The notice sent by mail shall include, at a minimum, the date, time and place of the hearing on the proposed amendment or change including a general explanation of the matter to be considered, a general description of the area of the proposed amendment or change, and how the real property owners within the zoning area may file approvals or protests of the proposed Rezoning.