



Cochise County
Community Development
Planning, Zoning and Building Safety Division

Public Programs...Personal Service
www.cochise.az.gov

MEMORANDUM

TO: Cochise County Planning and Zoning Commission
FROM: Christine McLachlan, AICP, Planner II
FOR: Daniel Coxworth, AICP, Development Services Director
SUBJECT: Docket R-19-03 (Minor Expedited Subdivisions, Zoning Regulations Update)
DATE: July 31, 2019 for the August 14, 2019 meeting

I. BACKGROUND AND PROPOSED CHANGES

Docket R-19-03 is a proposed amendment to the Contents, and Articles 6, 7, 8, 9, 10 and 15 of the Cochise County Zoning Regulations.

On June 25, 2019, the Cochise County Board of Supervisors voted to repeal and replace the Cochise County Subdivision Regulations, adopted December 18, 1974, with the 2019 Edition of the Cochise County Subdivision Regulations. This edition of the subdivision regulations repealed all mention and future use of the Minor Expedited Residential Subdivision Option, which is cited within several sections of the Cochise County Zoning Regulations. Specifically, this includes Sections 604.07 (Site Development Standards), 704.07 (Site Development Standards), 804.07 (Site Development Standards, 904.07 (Site Development Standards, 1004.07 (Site Development Standards, and 1507 Residential Minor Expedited Subdivision Option.

To come into compliance with the recent changes to the Subdivision Regulations, Staff recommends the following additions and deletions to the Cochise County Zoning Regulations (underlined, italicized areas are new additions, strikethrough are deletions).

CONTENTS

ARTICLE 1. 1

TITLE, PURPOSE, AND GUIDING PRINCIPLES. 1

101 ADOPTION OF LAND USE PLAN AND ZONING ORDINANCE. 1

102 PURPOSE. 1

103 DECLARATION. 1

ARTICLE 2. 2

DEFINITIONS. 2

201 INTENT. 2

202 INTERPRETATIONS. 2

Planning, Zoning and Building Safety

1415 Melody Lane, Building E
Bisbee, Arizona 85603
520-432-9300
520-432-9278 fax
1-877-777-7958
planningandzoning@cochise.az.gov

Highway and Floodplain

1415 Melody Lane, Building F
Bisbee, Arizona 85603
520-432-9300
520-432-9337 fax
1-800-752-3745
highway@cochise.az.gov
floodplain@cochise.az.gov

203 DEFINITIONS. 2

ARTICLE 3. 17

GENERAL PROVISIONS. 17

301 GENERAL RULES. 17

302 CONFORMANCE MANDATORY. 17

303 RESOLUTION OF DISPUTES. 17

304 SPECIAL PRIVILEGES FORBIDDEN. 17

305 MINIMUM REQUIREMENTS. 18

306 PRIVATE AGREEMENTS. 18

307 NON-PERMITTED USES. 18

ARTICLE 4. 19

PLAN AREA DESIGNATIONS AND MASTER DEVELOPMENT PLANS. 19

401 PLAN AREA CATEGORIES & DESIGNATIONS. 19

402 DECLARATION. 20

403 IDENTIFYING PLAN AREAS BY GROWTH AREA CATEGORY. 20

404 GUIDING PRINCIPLES FOR AMENDING PLAN DESIGNATIONS. 21

405 MAJOR AMENDMENTS – DEFINITION. 23

406 MASTER DEVELOPMENT PLANS. 23

407 PROCEDURES FOR AMENDMENTS TO COMPREHENSIVE PLAN. 27

ARTICLE 5. 29

ZONING DISTRICTS, MAPS, AND BOUNDARIES. 29

501 ESTABLISHMENT OF ZONING DISTRICTS. 29

502 ZONING DISTRICT MAPS. 30

503 BOUNDARY DETERMINATION. 30

504 OFFICIAL ZONING DISTRICT MAP. 30

505 PUBLIC WAY ABANDONMENT. 31

506 LANDS PREVIOUSLY ZONED. 31

507 LANDS NOT PREVIOUSLY ZONED. 31

508 RURAL ZONED DISTRICTS. 31

ARTICLE 6. 32

RU, RURAL ZONING DISTRICTS. 32

601 PURPOSE. 32

602 DIVISION OF RU ZONING DISTRICTS. 32

603 PERMITTED PRINCIPAL USES. 33

604 SITE DEVELOPMENT STANDARDS. 34

605 PERMITTED ACCESSORY USES. 35

606 OTHER PERMITTED USES. 36

607 SPECIAL USE AUTHORIZATION. 36

ARTICLE 7. 39

R, RESIDENTIAL ZONING DISTRICTS. 39

701 PURPOSE. 39

702 DIVISION OF R ZONING DISTRICTS. 39

703 PERMITTED PRINCIPAL USES. 39

704 SITE DEVELOPMENT STANDARDS. 40

705 PERMITTED ACCESSORY USES. 41

706 OTHER PERMITTED USES. 42

707 SPECIAL USE AUTHORIZATION. 42

ARTICLE 8. 44

SM, SINGLE-HOUSEHOLD/MANUFACTURED HOME RESIDENTIAL ZONING DISTRICTS. 44

801 PURPOSE. 44

802 DIVISION OF SM ZONING DISTRICTS. 44

803 PERMITTED PRINCIPAL USES. 44

804 SITE DEVELOPMENT STANDARDS. 45

805 PERMITTED ACCESSORY USES. 46

806 SPECIAL USE AUTHORIZATION. 47

ARTICLE 9. 49

SR, SINGLE-HOUSEHOLD RESIDENTIAL ZONING DISTRICTS. 49

901 PURPOSE. 49

902 DIVISION OF SR ZONING DISTRICTS. 49

903 PERMITTED PRINCIPAL USES. 49

904 SITE DEVELOPMENT STANDARDS. 50

905 PERMITTED ACCESSORY USES. 51

906 SPECIAL USE AUTHORIZATION. 52

ARTICLE 10. 54

MR, MULTIPLE-HOUSEHOLD RESIDENTIAL ZONING DISTRICTS. 54

1001 PURPOSE. 54

1002 DIVISION OF MR ZONING DISTRICTS. 54

1003 PERMITTED PRINCIPAL USES. 54

1004 SITE DEVELOPMENT STANDARDS. 55

1005 PERMITTED ACCESSORY USES. 56

1006 SPECIAL USE AUTHORIZATION. 57

ARTICLE 11. 58

NB, NEIGHBORHOOD BUSINESS ZONING DISTRICT. 58

1101 PURPOSE. 58

1102 PERMITTED PRINCIPAL USES. 58

1103 SITE DEVELOPMENT STANDARDS. 59

1104 PERMITTED ACCESSORY USES. 60

1106 SPECIAL USE AUTHORIZATION. 60

ARTICLE 12. 62

GB, GENERAL BUSINESS ZONING DISTRICT. 62

1201 PURPOSE. 62

1202 PERMITTED PRINCIPAL USES. 62

1203 SITE DEVELOPMENT STANDARDS. 64

1204 PERMITTED ACCESSORY USES. 65

1205 SPECIAL USE AUTHORIZATION. 66

ARTICLE 13. 68

LI, LIGHT INDUSTRY ZONING DISTRICT. 68

1301 PURPOSE. 68

1302 PERMITTED PRINCIPAL USES. 68

1303 SITE DEVELOPMENT STANDARDS. 70

1304 PERMITTED ACCESSORY USES. 71

1305 SPECIAL USE AUTHORIZATION. 72

ARTICLE 14. 73

HI, HEAVY INDUSTRY ZONING DISTRICT. 73

1401 PURPOSE. 73

1402 PERMITTED PRINCIPAL USES. 73

1403 SITE DEVELOPMENT STANDARDS. 74

1404 PERMITTED ACCESSORY USES. 76

1405 SPECIAL USE AUTHORIZATION. 76

ARTICLE 15. 78

PD, PLANNED DEVELOPMENT DISTRICT. 78

1501 PURPOSE. 78

1502 PERMITTED USES. 78

1503 SITE DEVELOPMENT STANDARDS. 80

1504 PROCEDURES FOR PLANNED DEVELOPMENT ZONING AMENDMENTS AND PLAN APPROVAL. 84

1505 AMENDMENTS TO APPROVED MASTER DEVELOPMENT PLANS FOR THE PD ZONING DISTRICT. 86

1506 PREVIOUSLY ZONED PD-1 AND PD-2 DISTRICTS. 86

1507 RESIDENTIAL MINOR EXPEDITED SUBDIVISION OPTION. 86

ARTICLE 16. 87

LIGHT POLLUTION.. 87

1601 PURPOSE. 87

1602 ADMINISTRATION. 88

1603 DEFINITIONS. 89

1604 PROCEDURES FOR LIGHTING COMPLIANCE. 91

1605 GENERAL REQUIREMENTS. 92

1606 PROHIBITIONS. 95

1607 SIGNAGE. 95

1608 PERMANENT EXEMPTIONS. 96

1609 TEMPORARY EXEMPTIONS. 96

1610 SPECIAL ACTIVITIES. 97

1611 ENFORCEMENT. 99

ARTICLE 17. 100

ADMINISTRATION.. 100

1701 COUNTY ZONING INSPECTOR. 100

1702 PERMITS. 100

1703 ADMINISTRATIVE RULES. 100

1704 BUILDING/USE PERMIT REQUIRED. 100

1705 APPLICATION FOR BUILDING/USE PERMIT. 102

1706 BASIS FOR APPROVAL. 103

1707 WITHHOLDING BUILDING/USE PERMITS. 103

1708 DISPLAY OF BUILDING/USE PERMIT AND PLANS. 103

1709 FINAL INSPECTION REQUIREMENTS AND TIME LIMITS. 104

1710 REVISIONS TO BUILDING PERMITS. 104

1711 VALIDITY OF BUILDING/USE PERMITS. 104

1712 PERMITS – MANUFACTURED HOMES & REHABILITATED MOBILE HOMES. 105

1713 MISREPRESENTATIONS. 105

1714 BUILDING/USE PERMIT FEE. 105

1715 LOT DEVELOPMENT ADMINISTRATIVE MODIFICATIONS. 106

1716 SPECIAL USE AUTHORIZATIONS. 107

1717 PROCEDURES FOR ISSUING PERMITS FOR AN ACCESSORY LIVING QUARTER. 113

1718 CRITERIA FOR ISSUING PERMITS FOR RESIDENTIAL CARE HOMES OR RESIDENTIAL CARE INSTITUTIONS THAT PROVIDE CARE FOR JUVENILES. 114

1719 RESERVED FOR FUTURE USE. 114

1720 TEMPORARY USES. 114

ARTICLE 18. 118

SITE DEVELOPMENT STANDARDS. 118

1801 PURPOSE. 118

1802 IDENTIFICATION OF SITE DEVELOPMENT STANDARDS. 118

1803 STANDARDS APPLICABLE TO SETBACKS, SEE ARTICLE 2 FOR DEFINITIONS. 119

1804 OFF-STREET PARKING AND LOADING. 120

1805 SCREENING. 128

1806 LANDSCAPING. 128

1807 STREET IMPROVEMENTS, ACCESS STANDARDS AND TRAFFIC CIRCULATION. 129

1808 SEWAGE DISPOSAL AND WATER REQUIREMENTS. 134

1809 FLOODPLAIN AND DRAINAGE REQUIREMENTS. 134

1810 RESERVED FOR FUTURE USE. 134

1811 OUTDOOR STORAGE. 134

1812 SITE DEVELOPMENT STANDARDS FOR MOBILE HOME, MANUFACTURED HOME AND RECREATIONAL VEHICLE PARKS. 136

1813 SITE DEVELOPMENT STANDARDS FOR COMMUNICATIONS FACILITIES. 137

1814 RESERVED FOR FUTURE USE. 138

1815 KEEPING OF LIVESTOCK. 138

1816 SWIMMING POOLS. 139

1817 GOLF COURSES. 139

1818 LAND CLEARING. 140

1819 WATER CONSERVATION MEASURES. 140

1820 HUMAN REMAINS PROTECTION. 143

1821 WIND ENERGY SYSTEMS. 146

1822 WIND ENERGY POWER PLANTS. 148

1823 SOLAR ENERGY SYSTEMS. 148

1824 SOLAR ENERGY POWER PLANTS. 149

1825 MEDICAL MARIJUANA USES. 150

ARTICLE 19. 151

SIGNS. 151

1901 PURPOSE. 151

1902 ADMINISTRATIVE PROCEDURES AND REQUIREMENTS. 151

1903 GENERAL REGULATIONS. 153

1904 SIGN STRUCTURE. 154

1905 MEASUREMENT OF SIGNS. 154

1906 SIGNS PERMITTED IN ALL ZONING DISTRICTS. 155

1907 ADDITIONAL PERMITTED SIGNS BY ZONING DISTRICT. 155

1908 DEFINITIONS AND GENERAL SPECIFICATIONS. 158

ARTICLE 20. 167

EXEMPTIONS, EXCEPTIONS AND NONCONFORMANCES. 167

2001 PURPOSE. 167

2002 EXEMPTIONS. 167

2003 NONCONFORMANCES. 168

ARTICLE 21. 171

BOARDS OF ADJUSTMENT. 171

2101 CREATION AND MEMBERSHIP. 171

2102 MEETINGS AND RULES. 171

2103 JURISDICTION AND POWERS. 172

2104 APPLICATION FOR VARIANCE. 173

2105 FEES. 173

2106 HEARINGS. 173

2107 DECISIONS. 173

2108 CONDITIONS. 173

2109 APPEAL OF A DECISION MADE BY THE BOARD OF ADJUSTMENT. 173

ARTICLE 22. 174

AMENDMENTS. 174

2201 AUTHORITY. 174

2202 AMENDMENTS INITIATED BY THE BOARD OF SUPERVISORS, PLANNING COMMISSION OR PLANNING DIRECTOR. 174

2203 CITIZEN REVIEW PROCESS. 174

2204 AMENDMENTS INITIATED BY APPLICATION. 175

2205 PLANNING COMMISSION ACTION ON APPLICATION. 177

2206 PLANNING COMMISSION ACTION. 177

2207 BOARD OF SUPERVISORS ACTION. 179

2208 CRITERIA FOR ESTABLISHMENT OF A ZONING DISTRICT IN ACCORDANCE WITH THE COMPREHENSIVE PLAN. 179

2209 MODIFICATIONS OF CONDITIONS OF APPROVED REZONINGS. 184

ARTICLE 23. 185

ENFORCEMENT. 185

2301 VIOLATIONS DEEMED A NUISANCE. 185

2302 ACTION TO ENFORCE REGULATIONS. 185

2303 REMEDIES. 185

2304 PENALTIES. 185

ARTICLE 24. 186

SEVERABILITY. 186

2401 SEVERABILITY. 186

2402 REPEAL OF CONFLICTING REGULATIONS. 186

2403 EFFECTIVE DATE. 186

604.07 ~~Minor Expedited Residential Alternative Conservation~~ Subdivision Option

Pursuant to the Cochise County Subdivision Regulations, ~~Minor Expedited Residential Subdivision and the Residential Conservation Subdivision options~~ option, providing a wider latitude of design, more economic use of land and density bonuses are is available for development of residential subdivisions.

704.07 ~~Minor Expedited Residential Alternative Conservation~~ Subdivision Option

Pursuant to the Cochise County Subdivision Regulations, ~~Minor Expedited Residential Subdivision and the Residential Conservation Subdivision options~~ option, providing a wider latitude of design, more economic use of land and density bonuses are is available for development of residential subdivisions.

804.07 ~~Minor Expedited Residential Alternative Conservation~~ Subdivision Option

Pursuant to the Cochise County Subdivision Regulations, ~~Minor Expedited Residential Subdivision and the Residential Conservation Subdivision options~~ option, providing a wider latitude of design, more economic use of land and density bonuses are is available for development of residential subdivisions.

904.07 ~~Minor Expedited Residential Alternative Conservation~~ Subdivision Option

Pursuant to the Cochise County Subdivision Regulations, ~~Minor Expedited Residential Subdivision and the Residential Conservation Subdivision options~~ option, providing a wider latitude of design, more economic use of land and density bonuses are is available for development of residential subdivisions.

1004.07 ~~Minor Expedited Residential Alternative Conservation~~ Subdivision Option

Pursuant to the Cochise County Subdivision Regulations, ~~Minor Expedited Residential Subdivision and the Residential Conservation Subdivision options~~ option, providing a wider latitude of design, more economic use of land and density bonuses are is available for development of residential subdivisions.

~~1507 Residential Minor Expedited Subdivision Option~~

~~Pursuant to the Cochise County Subdivision Regulations, the Minor Expedited Subdivision is available when subdividing 20 lots or fewer.~~

II. SUMMARY AND RECOMMENDATION

Staff has presented proposed text changes to the Contents, and Articles 6, 7, 8, 9, 10 and 15 of the Cochise County Zoning Regulations for the Planning and Zoning Commission's consideration. Staff is requesting that the Commission forward Docket R-19-03 to the Board of Supervisors with a recommendation for approval.

Sample Motion: *Mr. Chairman, I move to forward Docket R-19-03 with a recommendation of approval to the Board of Supervisors.*

III. ATTACHMENTS

None