



MEMORANDUM

**TO:** Planning & Zoning Commission  
**FROM:** Robert Kirschmann, Planner II  
**SUBJECT:** Docket R22-02 (Definition Adjustment), Zoning Regulation Amendments  
**DATE:** August 26, 2022, for the Meeting of September 14, 2022

**I. PROPOSED CHANGES AND BACKGROUND**

Docket R-22-02 is a staff-initiated amendment to the Cochise County Zoning Regulations Article 2, Definitions. This amendment to the Zoning Regulations will remove regulations from the definition section of the code and place them into more appropriate locations. The regulations themselves are not changing.

The first relocation is to Home Occupations. The actual definition will remain:

***Home Occupation** - An activity carried on by the occupant of a dwelling as a secondary use, including personal and professional services, subject to the ~~following limitations:~~ standards provided in Section 1719.* However, the regulations will then be moved to a new Section titled 1719 Home Occupations. A purpose and applicability were added to be consistent with similar code sections like the recently update Accessory Living Quarters. The Section will read:

*Section 1719 Home Occupations*

***1719.01 Purpose***

*The purpose of this Section of the Zoning Regulations is to provide standards and approval procedures for Home Occupations in a manner that provides opportunities for small scale business to be operated from a residence while preserving the character of the residential and rural districts.*

***1719.02 Applicability***

*Home Occupations are allowed where listed as a permitted accessory use.*

***1719.03 Development Standards***

- A. The Home Occupation may occupy an area no greater than one-quarter ( $\frac{1}{4}$ ) of the floor area of the residence, whether occurring within the residence or in a detached structure.*
- B. Employees Allowed:*
  - 1. Residents of the primary dwelling.*

2. *Immediate family members, including spouse, child, sibling, parent, grandparent, grandchild, stepchild, or stepsibling, whether related by adoption or blood.*
3. *Maximum of two individuals who do not meet the criteria B.1 or B.2*
- C. *Any outdoor display or storage of materials, goods, supplies, or equipment shall be prohibited other than the signs noted below.*
- D. *The generation of noise, vibrations, noxious odors, dust, heat, or glare detectable beyond any property line or the storage or use of hazardous materials of a type and amount that could create safety concerns or are not appropriate to dispose of in residential garbage or sewer systems is prohibited.*
- E. *No parking or delivery activity that causes on-street parking congestion or a substantial increase in traffic through the residential area.*
- F. *There shall be no change to the residential appearance of the premises.*
- G. *There shall be allowed one on-site non-illuminated permanent sign not to exceed four square feet with a maximum height of five feet and vehicular signs.*

#### **1719.04 Application Submittals**

- A. *A properly completed and filled out Home Occupation application to the Cochise County Development Services Department.*
- B. *B. Processing fee*
- C. *C. Plot plan and narrative illustrating conformance with the development standards for Home Occupations.*

The second change is to the Definition Site Area, Minimum. Again, a definition will be left in the Section and read as: **Site Area, Minimum** - *The minimum area of a site upon which a specific use(s) may be permitted. See Section 1802.01 for standards*

Then Section 1802.01 will be amended to include:

- A. **Minimum Site Area** - *The minimum area of a site upon which a specific use(s) may be permitted.*
  1. *Easements may be included in the calculation of the minimum site area.*
    - a. *Property that is transferred in fee simple to the public or to the County, as necessary to perfect adequate right-of-way for those roadways depicted on the Cochise County Maintained Road System Map, or right-of-way acquired by the County, or another public entity for some other public purpose, may also be included in the calculation of the minimum site area.*
    - b. *A permit may be issued if the minimum site area deficiency can be attributed to surveyor error, as denoted in the table below.*
  2. *See applicable Zoning District for additional information*
- B. *Maximum Density, see applicable Zoning District*

**Minimum Site Area Deficiency Table**

<b>Zoning Density</b>	<b>Square Feet:</b>	<b>Margin of Error</b>	<b>Min. Parcel Size</b>	<b>Min. Size</b>	<b>Parcel</b>
		<b>0.00125</b>	<b>Square Feet</b>	<b>Acres</b>	
		<b>(Square Feet)</b>			
<b>RU</b>					
RU-2	87,120	108.9	87,011.10	1.9975	
RU-4	174,240	217.8	174,022.20	3.995	
RU-10	435,600	544.5	435,055.50	9.9875	
RU-18	784,080	980.1	783,099.90	17.9775	
RU-36	1,568,160	1,960.20	1,566,199.80	35.955	
<b>R</b>					
R-9	9,000	11.25	8,988.75	0.2064	
R-18	18,000	22.5	17,977.50	0.4127	
R-36	36,000	45	35,955.00	0.8254	
<b>SM</b>					
SM-9	9,000	11.25	8,988.75	0.2064	
SM-18	18,000	22.5	17,977.50	0.4127	
SM-36	36,000	45	35,955.00	0.8254	
<b>SM</b>					
SM-87	87,120	108.9	87,011.10	1.9975	
(2-acres)					
SM-174	174,240	217.8	174,022.20	3.995	
(4-acres)					
SM-10	435,600	544.5	435,055.50	9.9875	
Acres					
SM-18	784,080	980.1	783,099.90	17.9775	
Acres					
SM-36	1,568,160	1,960.20	1,566,199.80	35.955	
Acres					
<b>SR</b>					
SR-8	8,000	10	7,990.00	0.1834	
SR-12	12,000	15	11,985.00	0.2751	
SR-22	22,000	27.5	21,972.50	0.5044	
SR-43	43,560	54.45	43,505.55	0.9988	
SR-87	87,120	108.9	87,011.10	1.9975	
(2-acres)					
SR-174	174,240	217.8	174,022.20	3.995	
(4-acres)					
SR-10	435,600	544.5	435,055.50	9.9875	
Acres					
SR-18	784,080	980.1	783,099.90	17.9775	
Acres					
SR-36	1,568,160	1,960.20	1,566,199.80	35.955	
Acres					
<b>MR</b>					
MR-1 or 2	3,600	4.5	3,595.50	0.0825	

**II. SUMMARY AND RECOMMENDATION**

The proposed changes would amend Article 2 of the Cochise County Zoning Regulations, as indicated above, and found in Exhibit A of the attached document.

*Sample Motion:*

I move to recommend to the Board of Supervisors **approval** of docket R-22-02, amendments to Article 2 of the Cochise County Zoning Regulations as outlined in Exhibit A.

**III. ATTACHMENTS**

**Exhibit A** amending Article 2 of the Cochise County Zoning Regulations with strike-through and new wording in **red**.