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MEMORANDUM

TO: Cochise County Planning and Zoning Commission
FROM: Christine McLachlan, AICP, Director/Planning Division Manager
SUBJECT: Docket R-25-01 (SR-174 Amendment, Antiquated Subdivisions)
DATE: June 11, 2025

I. BACKGROUND

Docket R-25-01 is a staff-initiated amendment to the Cochise County Zoning Regulations, specifically Sections 2.03.030 (Definitions) and 2.24.050 (SR Permitted Accessory Uses). Although this is staff-initiated, it is in response to direction received from the Planning and Zoning Commission and Board of Supervisors to initiate a change in the zoning regulations. This item appeared before the Planning and Zoning Commission during its regular meeting on May 14, 2025, where the Commission provided feedback on the proposed amendments. Staff has prepared draft language for Commission action.

In the past year, staff brought before the Commission two downzoning dockets from SR-43 (Single Family Residential, one dwelling per acre) to RU-4 (Rural, one dwelling per 4-acres) that received significant opposition from the surrounding neighbors. Public opposition is unusual for downzonings which are typically viewed as lessening impacts on the surrounding community. Public response is one of the fifteen factors the Commission and Board consider with rezoning requests. Major support can be a factor in favor, while major opposition requires a reasonable effort by the applicant to address concerns.

II. ISSUES

Both controversial down zonings were located in the Pearce Sunsites subdivision. This is one of many antiquated subdivisions in Cochise County. An antiquated subdivision is defined as “a subdivision that was created prior to the adoption of current subdivision, zoning, and land use regulations in Cochise County, which does not conform to or meet the requirements set forth in the County's current regulations and has substantially failed to be built out.”

Zoning District	Mobile homes allowed	Owner builder allowed	Structures before principal use	Accessory larger than principal use
RU-4 +	✓	✓	✓	✓
SM-174 +	✓	✓		
SR-174 +		✓	✓	✓

✓ allowed with approved text amendment

Sunsites is primarily zoned single family residential (SR) which is considered one of the most restrictive designations, as it doesn't allow manufactured homes or the placement of accessory structures prior to or larger than the size of the principal residential structure. SR-174 (minimum lot size 4-acres) along with other SR zoning districts with a minimum lot size requirement exceeding 4-acres (SR-10 Acres, SR-18 Acres, SR-36 Acres), allows property owners to use the owner-builder option, but all aforementioned restrictions remain. RU-4, on the other hand, allows property owners to utilize the owner-builder option while also allowing manufactured homes, construction of accessory structures

prior to the principal use, and accessory structures larger than the principal use. With the approved text amendment, SR zoning districts with a minimum site area requirement and a minimum parcel size of four acres [SR-174 (4 acres), SR-10 Acres, SR-18 Acres, and SR-36 Acres] would allow flexibility with accessory structures present in RU-4 but continue to prohibit manufactured and mobile homes the same as SR districts with smaller lot size requirements [SR-8, SR-12, SR-22, SR-43, and SR-87 (2 acres)].

III. RECOMMENDATION

Staff recommends the following amendments to the Cochise County Zoning Regulations, modifying Sections 2.03.030 (Definitions) and 2.24.050 (SR Permitted Accessory Uses), adding an Antiquated Subdivision definition and amending SR accessory uses:

2.03.030 DEFINITIONS

Antiquated Subdivision: A subdivision that was created prior to the adoption of current subdivision, zoning, and land use regulations in Cochise County, which does not conform to or meet the requirements set forth in the County's current regulations and has substantially failed to be built out.

2.24.050 SR PERMITTED ACCESSORY USES

Accessory uses are permitted in SR Zoning Districts, provided they are customarily incidental to an established permitted principal use, except accessory structures on parcels having a minimum site area requirement and consisting of at least 4 acres within antiquated subdivisions, which may be built prior to and exceed the size of the principal residential structure unless otherwise stated, provided that all other site development standards are met.

Sample Motion

I move to recommend approval of Docket R-25-01 to the Board of Supervisors as recommended by staff.
