



Development Services

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MEMORANDUM

TO: Cochise County Planning and Zoning Commission
FROM: Christine McLachlan, AICP, Director
SUBJECT: Docket R-25-03 (Accessory Dwelling Units)
DATE: August 13, 2025

I. BACKGROUND

A.R.S. § 11-810.01 became law on May 23, 2025, following the passage of House Bill 2928 (HB 2928). The intent of HB 2928 was to establish a consistent, statewide framework for County permitting of Accessory Dwelling Units (ADUs), making them allowable by right everywhere single-family homes are permitted. These measures are intended to increase housing options and affordability, streamline ADU permitting, and remove any local barriers that hinder their construction. The proposed zoning text amendments include a revised definition of an ADU, updated development standards and approval procedures, and minor revisions to the permitted accessory use provisions in the RU, R, SM, SR, MR, NB, and GB zoning districts to permit accessory dwelling units on parcels where single-family dwellings are allowed.

A.R.S. § 11-810.01 will take effect January 1, 2026, and will override any local zoning codes that conflict with them. These changes will bring the county regulations into compliance with state law prior to that date. Specific changes are detailed in the following section. Exhibit A, attached, shows changes in strike-through (delete) and underline/highlight (add). HB 2928 is also attached, reminder - only section 11 applies to counties, which starts on page 13.

II. SPECIFIC CHANGES

1. Terminology: "Accessory Living Quarters (ALQs)" changed to "Accessory Dwelling Unit (ADU)" throughout the regulations.
 2. Definitions: gross floor area added. Revised definition of ADU, taken from HB 2928, added.
 3. 2.48.170 Applicability:
 - Explicitly states ADUs are allowed on any lot or parcel where a single-family dwelling is permitted.
 - Requires allowance of at least one attached and one detached ADU, plus an additional detached ADU on lots ≥ 1 acre.
 - Adds limitation for airport noise/accident zones per A.R.S. § 28-8461.
 4. 2.48.170 Development Standards
 - Increases size limit from 50% to 75% of the gross floor area or 1,000 sq ft.
 - Sets 5-foot minimum setback for ADUs.
 5. 2.48.170 Restrictions
 - Removes "one ALQ per lot" cap (now allowed: 2+ ADUs).
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- Drops restriction on separate addresses/mailboxes
 - Updates RV and park model trailer provision to comply with A.R.S. § 11-820.03
 - Adds new utility easement and septic sizing requirements
6. 2.48.170 Non-Administrative Approvals
- Removes rental restrictions (which are preempted by A.R.S. § 11-269.17)
 - Specifies variances, rather than special use authorizations, are required for development standard deviations.
7. 2.48.170 Legal Non-Conforming Lots
- Reiterates/clarifies that ADUs are allowed on all single-family residential lots, including nonconforming lots

Sample Motion

I move to recommend approval of Docket R25-03 to the Board of Supervisors, amending text of the Cochise County Zoning Regulations as outlined in Exhibit A.
