

ZONING ORDINANCE 22-20

AN ORDINANCE OF THE BOARD OF SUPERVISORS OF COCHISE COUNTY, ARIZONA, AMENDING ARTICLE 2 DEFINITIONS, SECTION 1719, AND 1802.01 OF THE COCHISE COUNTY ZONING REGULATIONS

WHEREAS, Arizona Revised Statutes ("A.R.S.") §§ 11-811, et seq. gives the Cochise County Board of Supervisors (the "Board") the authority to adopt zoning regulations to address land use; and

WHEREAS, the Board 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 Board recognizes that amendments to the Zoning Regulations can affect countywide land use patterns and therefore, warrants careful consideration of regional impacts; and

WHEREAS, Article 2 of the Zoning Regulations clarify the meaning of any term used within the Zoning Regulations for which the common definition may not serve the purpose of the Zoning Regulations, or which is not a commonly used term outside of the context of these Zoning Regulations; and

WHEREAS, Article 1719 of the Zoning Regulations is proposed to provide the procedures for issuing permits for a Home Occupation (HO); and

WHEREAS, Article 1802.01 of the Zoning Regulations provide for development standards; and

WHEREAS, the Board recognizes the general purpose of this amendment is to move the definitions associated with Home Occupations and Site Area, Minimum to more appropriate areas of the code, as well as simplifying the process for obtaining a Home Occupation; and

WHEREAS, on September 14, 2022, the Planning and Zoning Commission held a duly noticed public hearing on the proposed amendments to the Zoning Regulations, hereby known as Docket R-22-02; and

WHEREAS, on September 27, 2022, the Board of Supervisors held a duly noticed public hearing of the proposed amendments to the Zoning Regulation, Docket R-22-02 attached hereto as “Exhibit A” that will amend Article 2 of the Cochise County Zoning Regulations and found them to be in the public interest.

NOW, THEREFORE, BE IT RESOLVED THAT by the Board of Supervisors of Cochise County, Arizona that the Cochise County Zoning Regulations shall be amended as contained in “Exhibit A”, attached hereto.

PASSED AND ADOPTED by the Board of Supervisors of Cochise County, Arizona, this 27th day of September 2022.



Ann English, Chair
Cochise County Board of Supervisors

ATTEST:

APPROVED AS TO FORM:



Tim Mattix
Clerk of the Board



Paul Correa
Civil Deputy County Attorney

EXHIBIT A

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.

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.

Site Area, Minimum - The minimum area of a site upon which a specific use(s) may be permitted. See [Section 1802.01 for standards](#). Easements may be included in the calculation of the minimum site area. 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. A permit may be issued if the minimum site area deficiency can be attributed to surveyor error, as denoted in the table below.

Zoning	Density	Square Feet:	Margin of Error 0.00125 (Square Feet)	Min. Parcel Size Square Feet	Min. Parcel Size Acres
RU					
	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
R					
	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
SM					
	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
Zoning	Density	Square Feet:	Margin of Error 0.00125 (Square Feet)	Min. Parcel Size Square Feet	Min. Parcel Size Acres
SM					
	SM-87 (2-acres)	87,120	108.9	87,011.10	1.9975
	SM-174 (4-acres)	174,240	217.8	174,022.20	3.995
	SM-10 Acres	435,600	544.5	435,055.50	9.9875
	SM-18 Acres	784,080	980.1	783,099.90	17.9775
	SM-36 Acres	1,568,160	1,960.20	1,566,199.80	35.955
SR					
	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 Acres	435,600	544.5	435,055.50	9.9875
	SR-18 Acres	784,080	980.1	783,099.90	17.9775
	SR-36 Acres	1,568,160	1,960.20	1,566,199.80	35.955
MR					
	MR-1 or 2	3,600	4.5	3,595.50	0.0825

1802.01 Minimum Site Area and Maximum Density

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

Zoning	Density	Square Feet:	Margin of Error	Min. Parcel Size	Min. Parcel Size
			0.00125	Square Feet	Acres
			(Square Feet)		
RU					
	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

R	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
	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
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	SM-18	18,000	22.5	17,977.50	0.4127
	SM-36	36,000	45	35,955.00	0.8254

Zoning	Density	Square Feet:	Margin of Error	Min. Parcel Size	Min. Parcel
			0.00125 (Square Feet)	Square Feet	Acres

SM	SM-87 (2-acres)	87,120	108.9	87,011.10	1.9975
	SM-174 (4-acres)	174,240	217.8	174,022.20	3.995
	SM-10 Acres	435,600	544.5	435,055.50	9.9875
	SM-18 Acres	784,080	980.1	783,099.90	17.9775
	SM-36 Acres	1,568,160	1,960.20	1,566,199.80	35.955
SR	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 (2-acres)	87,120	108.9	87,011.10	1.9975
	SR-174 (4-acres)	174,240	217.8	174,022.20	3.995
	SR-10 Acres	435,600	544.5	435,055.50	9.9875
	SR-18 Acres	784,080	980.1	783,099.90	17.9775
	SR-36 Acres	1,568,160	1,960.20	1,566,199.80	35.955
	MR	MR-1 or 2	3,600	4.5	3,595.50