

Board of Supervisors

Leslie E. Thompson
Chairman,
District 3

Tony Saracino
District 1

Mike Palmer
District 2



Jody N. Klein
County Administrator

Nadine Parkhurst
Clerk

ORDINANCE No. 026-96
(Docket R-96-01)

AN ORDINANCE OF THE COCHISE COUNTY BOARD OF SUPERVISORS AMENDING THE COCHISE COUNTY ZONING REGULATIONS BY AMENDING ARTICLES 1, 2, 4, 5, 6, 17, 18 and 22 IN ACCORDANCE WITH THE REVISIONS APPROVED IN THE COCHISE COUNTY COMPREHENSIVE PLAN ON APRIL 1, 1996.

SECTION 1. BACKGROUND AND PURPOSE

1. Section 806.01 of Title 11 of the Arizona Revised Statutes gives the County Board the authority to adopt a Comprehensive Plan and Zoning Regulations to address land use.
2. Per these Statutes, if a Comprehensive Plan is adopted, the Zoning Regulations must be in conformance with the Plan.
3. The County Board of Supervisors adopted a County Comprehensive Plan in 1984 and adopted revisions to the Plan on April 1, 1996.
4. Cochise County has adopted Zoning Regulations as permitted by law.
5. This ordinance is designed to adopt revisions to the County Zoning Regulations in accordance with the guidance provided by the 1996 revision to the County Comprehensive Plan.

SECTION 2. AMENDMENT TO THE COCHISE COUNTY ZONING REGULATIONS ARTICLES 1, 2, 4, 5, 6, 17, 18 and 22

The Cochise County Zoning Regulations are amended as follows (Note: Striked sentences or words indicate deletions and bolded and underlined sentences or words indication additions.):



FEE # 961233011
OFFICIAL RECORDS
COCHISE COUNTY
DATE HOUR
12/04/96 2

REQUEST OF
COCHISE COUNTY BOARD OF SUPV
CHRISTINE RHODES-RECORDER
FEE : PAGES : 66

961233011

Comprehensive Plan Changes, 11/13/96

B. Transportation Policies

Transportation Goal: Circulation systems and patterns shall be designed to integrate land use development with adequate transportation facilities utilizing existing roads where possible, in order that a safe, cost-effective and energy efficient transportation network will exist for the use and enjoyment of county residents.

Policies:

1. An interconnecting network of through streets shall be planned and developed to provide for the safety, convenience and general welfare. Design of the public street network shall be based upon existing streets, topographic conditions, drainage, and surrounding land uses. Subject to the foregoing considerations and in the absence of an approved transportation plan, master development plan, or existing improved streets sufficient to fulfill traffic circulation needs, streets important to the overall circulation of the area should be located and constructed on or near section and/or mid-section lines. If this standard road alignment can be demonstrated to be neither feasible nor necessary, the developer may propose circulation system alternatives.

2. Roadways shall be classified ~~on the basis of function, as defined in the Cochise County Roadway Construction Standards~~ according to the functional classifications found in Procedure 2.1 of the Cochise County Roadway Construction Standards.

3. Development along a street shall be at a location and in a manner consistent with preservation of the function of the street. In this connection:

(a) Each parcel shall be encouraged to have only one two-way driveway or a pair of one-way driveways.

(b) When a site has access to more than one road, development shall be encouraged to access the road on which the least traffic conflicts are created and make any necessary improvements to serve development traffic.

(ac) Non-residential development shall be discouraged from accessing directly onto streets that primarily serve residential areas.

(bd) Non-residential development should have access to collector and arterial streets in the County public roadway system, provided that such development shall be discouraged if the primary connecting streets between the site and the County public roadway system are local residential streets.

(ee) Single-household dwellings shall be discouraged from having direct access onto arterial and collector streets.

(ef) Local subdivision streets shall be designed and constructed so as to provide access, loading and parking for abutting properties, but shall be located and designed so that through traffic is discouraged.

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(eg) Access to arterials and collectors and intersections thereto shall be located so as to promote free flow of traffic when the area is fully developed, by minimizing congestion and maximizing streets capacities.

(fh) If a street is identified as a major thoroughfare on a transportation plan or by approval of the Board of Supervisors, limited direct access shall be allowed to it.

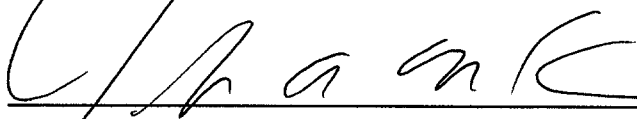
(gi) Primary access to public alleys shall be discouraged.

PASSED AND ADOPTED THIS 2nd DAY OF DECEMBER, 1996



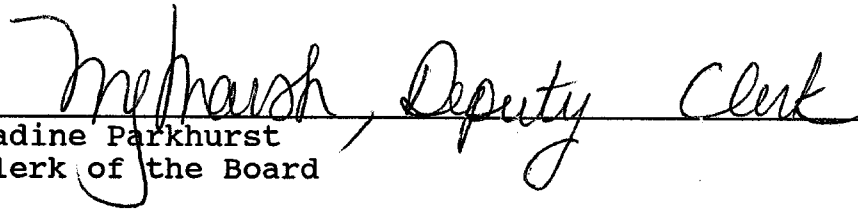
Les Thompson, Chairman
Cochise County Board of Supervisors

APPROVED AS TO FORM:



Deputy County Attorney

ATTEST:

for  Deputy Clerk

Nadine Parkhurst
Clerk of the Board

961233011

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RESOLUTION NO. 84-64

REVISED: ORDINANCE NO. 96-00

A RESOLUTION OF THE BOARD OF SUPERVISORS OF COCHISE COUNTY ADOPTING THE ZONING ORDINANCE OF COCHISE COUNTY: ~~ADOPTING A NEW LAND USE PLAN~~, SETTING FORTH NEW PROVISIONS FOR THE ESTABLISHMENT OF LAND USE CLASSIFICATIONS; ADOPTING OFFICIAL MAPS SETTING FORTH ZONING DISTRICTS; AND ADOPTING NEW ZONING REGULATIONS TO CONSERVE AND PROMOTE THE PUBLIC HEALTH, SAFETY, CONVENIENCE AND GENERAL WELFARE OF THE COUNTY.

WHEREAS, the Board of Supervisors, in order to conserve and promote the public health, safety, convenience and general welfare, of the citizens of Cochise County, finds it necessary to plan and provide for the future growth and improvement of the area of its jurisdiction. ~~by adopting a new land use~~ The Board has adopted a Comprehensive plan to guide the Zoning and Subdivision Regulations and other related Ordinances, amendments to the Zoning Regulations, and Special Use permits and Master Development Plans as defined in these Zoning Regulations, and adopted official Comprehensive Plan maps, and zoning regulations;

WHEREAS, the Cochise County Board of Supervisors is empowered to enact this zoning ordinance pursuant to Arizona Revised Statutes;

WHEREAS, due and effective notice has been given and public hearings thereon have been held prior to adoption of this ordinance;

THEREFORE, BE IT RESOLVED by the Board of Supervisors of Cochise County, Arizona, as follows:

ARTICLE 1

TITLE, PURPOSE, AND GUIDING PRINCIPLES

101 Adoption of Land Use Plan and Zoning Ordinance

~~There is hereby Cochise County has~~ adopted and established an official land use plan, which has been approved by separate proceeding, and shall hereafter be referred to as the Cochise County Comprehensive Plan, and a zoning ordinance, which shall hereafter be referred to as the Cochise County Zoning Regulations.

Commentary: Ratifies the County Comprehensive Plan, adopted in 1984 and revised in 1996, which has been approved by separate proceeding but is integrated with these regulations.

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102 Purpose

The purpose of these Zoning Regulations is to conserve and promote the public health, safety, convenience and general welfare, and to provide for the future growth and improvement of the unincorporated area of Cochise County in accordance with the Cochise County Comprehensive Plan.

103 Declaration

In order to accomplish the above purpose through coordinated, adjusted and harmonious development of land in the entire unincorporated area of Cochise County, these Zoning Regulations establish zoning districts for the unincorporated area of Cochise County, for the various classes of residential, commercial and industrial uses, consistent with the plan designations and Goals and Policies of the Cochise County Comprehensive Plan, ~~and Goals and Policies in Section 104.~~ In order to protect the character and stability of each district, setback lines distances are customized for each use and site. Provisions are also made for providing adequate light, air and parking facilities; promoting adequate traffic circulation; preventing overcrowding of land uses by provisions for lot area, coverage, ~~floor area,~~ open space and bufferyards; and securing safety from flood, fire and other dangers.

104 Official Commentary

An official commentary is provided as a statement of legislative purpose, whenever a section or sections of these Zoning Regulations require clarification. Commentaries shall be used as guides in the interpretation of these Regulations in the same manner as other aspects of legislative history.

~~105 Goals and Policies~~

~~The following goals and policies, which are part of the Cochise County Comprehensive Plan, are hereby incorporated as a part of these Zoning Regulations, and shall be used as a guide in administering these Regulations and in interpreting any ambiguities herein.~~

~~105.01 Land Use Activity Policies~~

~~A. Goal: Free enterprise market dynamics shall be allowed to determine land use activity patterns to the maximum extent feasible within the public's legitimate interests of health, safety, welfare, and convenience.~~

~~B. Policies~~

~~1. Growth areas shall generally be designated around already existing communities.~~

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~~Commentary: Reality dictates that growth will most likely occur as an extension of already existing communities. In addition to the already established communities, there are some areas which have a need or potential for non-rural growth due to pressures exerted by existing communities or development. Our task, then is to designate reasonable areas to accommodate the growth dictated by market conditions as projected through analysis of our planning information base. A primary consideration in delineating growth areas should be the prevention of leapfrog development, in which the necessary amenities would be unavailable or unreasonably costly. Conversely, we must ensure that designated growth areas are not so small as to place unreasonable constraints on development.~~

~~2. Growth Areas shall be classified according to the character of the area and the attitudes of residents, so that they are an accurate reflection of the types and amounts of growth and change appropriate and desirable in the area.~~

~~Commentary: There are vastly different types of areas within the boundaries of Cochise County. All will experience some type and degree of growth and/or change in the future. It is the task of the County Comprehensive Plan to guide that growth and change in appropriate ways. In order to do this, the plan must identify the meaning of "appropriate" in the context of each different kind of area.~~

~~3. New non-rural developments shall be located in areas designated for growth.~~

~~Commentary: Restricting non-rural growth to designated areas will accomplish a three-fold purpose: (1) Providing the facilities and services required to support non-rural development will be cheaper, more efficient, more energy efficient, thus enhancing the quality of development; (2) Traffic circulation will be more convenient and energy efficient; (3) The areas needed for resource conservation, resource production, open space, and the preservation of rural lifestyles will be protected from inappropriate development.~~

~~4. Lands outside the designated growth areas shall be protected and preserved for production of life sustaining resources such as food, fibers, and minerals, and for conservation of natural resources and rural lifestyles in part by restricting the formation of non-rural zoning districts.~~

~~5. Resource Conservation areas will be established to preserve and protect the natural environment and scenic beauty of Cochise County, to preserve wildlife habitats and recreation areas, to protect~~

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~~our water resources, and to control growth in areas susceptible to geological hazards.~~

~~6. Only low density and non intensive developments shall be permitted in areas containing:~~

- ~~(a) Geologic hazards such as steep slopes and major floodplains;~~
- ~~(b) Aquifer recharge areas; and~~
- ~~(c) Other ecologically fragile features, such as wildlife habitats.~~

~~Commentary: Policies 4, 5, and 6 will help to preserve and protect the natural setting of Cochise County by channeling growth into specific areas. In addition to enhancing the natural qualities of the county which have attracted many of its residents, "resource" areas can protect our invaluable water resources and wildlife habitats. They can be used to minimize the conflict that inevitably arises when non-rural development begins to encroach upon rural areas.~~

~~7. Urban improvement standards including compliance with the Uniform Building Code, should it be adopted by the County shall be required for development within designated growth areas, with the level of improvements dependent upon the following classifications:~~

- ~~(a) Intensive growth areas.~~
- ~~(b) Urban Growth (non intensive growth areas having an urban character).~~
- ~~(c) Rural Growth (non intensive growth areas having a rural community character).~~

~~Commentary: Within urbanized areas, where growth can be expected to be both more rapid and more intensive, the added protection of urban standard facilities, services, and construction is desirable. It is important to remember, however, that the provision of such standards is feasible to different extents in different types of growth areas.~~

~~Intensive growth areas should be designated partly on the basis of availability of sewer and water service, fire protection, and public utilities, as well as the existence of expectation of above average intensity of development. Therefore, it is both feasible and desirable in those areas to require developers to provide sewer and water hook ups and urban standard street improvements and building construction.~~

~~In non intensive growth areas those areas designated for growth but not subject to or appropriate for especially high intensities, those services are often neither available nor~~

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~~necessary. In such growth areas surrounding incorporated cities, however, the existing growth potential and the need for uniform standards between city and county jurisdictions render urban standard streets, parking facilities, building construction, etc., desirable. In those growth areas not abutting any corporate city limits, the need for building code compliance and urban standard street and parking improvements may be more reasonably tied to the given use or zoning district.~~

~~8. Development shall be encouraged in areas designated for intensive growth by provision of density bonuses for such development.~~

~~Commentary: In order to offset the higher costs associated with providing the amenities of sewer, water, fire protection, improved streets, etc., a density bonus shall be given in intensive growth areas. Smaller size sites will encourage developers to locate in these areas rather than leapfrogging further outside the urban area. Although the cost of developing in an intensive growth area will be greater due to the higher improvement standards, density bonuses will produce a proportionately higher return on investments. In addition, the desirability of a developer's project will be enhanced through the provision of increased amenities and improvement standards.~~

~~9. Customized performance standards shall be developed for each use within each zoning district and plan designation, in order to reduce negative constraints to development and maximize the role of free enterprise, while protecting against the adverse impacts of some uses.~~

~~Commentary: Performance standards, which are in part generated by gauging the effects of each use on surrounding properties, provide protection to surrounding properties; yet, at the same time, they increase the number of uses which can exist within a given area without conflict, and they tell a property owner in advance exactly how a piece of property can be developed. The owner's ingenuity and the prevailing economic conditions will determine which of the available alternatives is best for his property.~~

~~10. To the maximum extent feasible, the Zoning Regulations shall specify requirements for each permitted use within the Regulations themselves, in most cases allowing property owners to obtain use/building permits immediately upon compliance with the specified criteria. Administrative delays due to additional site plan review and conditional use procedures shall be kept to a minimum.~~

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~~Commentary: Performance standards, as previously explained, will in most cases provide all necessary protections to neighboring properties. For those uses warranting supplementary conditions in addition to the basic performance standards, the supplementary conditions should be specified whenever possible within the regulations themselves. This will largely eliminate the need to impose additional requirements at the site plan review stage or through Board of Adjustment hearing for "Uses Permitted on Appeal". For the vast majority of uses, the developer will know in advance what conditions he must meet in order to obtain a use or building permit.~~

~~A small number of uses having a severe and/or far reaching impact upon surrounding properties may require a "Special Use" hearing procedure. This would apply to uses and areas which can only be evaluated on a case by case basis.~~

~~11. A compatible mix of uses conducive to convenient and economical circulation and efficient provision of services and facilities shall be promoted within each zoning district.~~

~~Commentary: With the adoption of performance standards to cushion the impacts of uses having a higher impact value, it is possible to permit a wider range of uses within a given zoning district, without altering the intent and character of that district. Thus, it is feasible to locate non residential uses serving a neighborhood support function within the neighborhoods they serve, at the same time, the requirement for a larger site, greater setbacks and bufferyards, and smaller buildable areas will protect neighborhoods from undesirable changes in character. This encourages land use patterns in which people live near the services they require and even, in some cases, to their places of employment without endangering lifestyles or property values. Such land use patterns promote more energy efficient and cost effective transportation and reduce the costs associated with the provision of amenities to developed areas. In addition, property owners will find themselves with a wider range of possible uses for a site, each use being subject to a specified set of performance standards and site development requirements.~~

~~12. In order to preserve the character and intent of each plan designation, maintain orderly growth patterns, and provide a direct relationship between the Comprehensive Plan and the regulatory mechanisms, the formation of zoning districts within each plan designation shall be guided by rezoning criteria developed to promote the following land use principles:~~

~~(a) A compatible mixture of zoning districts shall be promoted within each plan designation.~~

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~~Commentary:~~ Each of the plan designations has a distinctive character. Within each designation, a different range of zoning districts can be permitted without altering the intended character of the designation. The appropriate range of zoning districts depends upon the type and intensity of uses permitted within each district, and upon the maximum density of development which can occur within the district. It is the function of the rezoning criteria to: identify those zoning districts which are compatible with the character of each plan designation; to establish relationships between zoning districts which will maintain compatibility between the uses permitted within the various districts; and to promote the optimum mixture of those districts to maximize free market dynamics and permit convenient and economical circulation between homes, businesses, facilities, and services.

Criteria for promoting a mixture of zoning districts should pave the way for more convenient and energy efficient lifestyles by preventing extremely large areas of homogeneous development, which would encourage dependence upon the automobile for virtually all aspects of day-to-day living.

~~(b)~~ Only zoning districts which are identified in the Regulations as being compatible with the existing plan designations shall be formed.

~~Commentary:~~ Certain zoning districts are inherently incompatible with the intended character of certain plan designations. For instance, commercial and industrial zoning would negate the purpose of setting aside certain areas for resource conservation or production or for preservation as existing neighborhoods. The rezoning criteria identify the permitted zoning districts in each plan designation. A rezoning to a district not permitted in the applicable plan designation first requires a plan amendment. A plan amendment represents a decision on the part of the Planning Commission and Board of Supervisors that conditions affecting the entire area or neighborhood merit a change in plan area designation. It constitutes a broad policy decision affecting an entire plan area, rather than a response to an individual developer.

~~(c)~~ Rezoning shall not create sites, either within the area of the rezoning or adjacent to it, which cannot be developed with the typical use permitted in the applicable zoning district(s) in conformance with all specified performance standards and zoning district requirements.

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~~Commentary: The desired relationship between the comprehensive plan and the zoning regulations depends upon the feasibility applying all of the conditions which have been developed to maintain orderly growth patterns and compatibility between uses. The creation of sites which cannot conform to those conditions would eliminate most options for the development of the sites. If a careful examination of the impacts of a proposed zoning on individual parcels reveals that applicable conditions could not be met, the rezoning should not be accomplished.~~

~~(d) Small, isolated "spot rezonings" shall be discouraged.~~

~~Commentary: Zoning districts which are large enough to accommodate only one or two uses and which bear no logical relationship to surrounding zoning district constitute "spot zonings". These are to be discouraged because they lack the potential for design solutions capable of preventing adverse impacts upon surrounding areas, and because they tend to be developed with uses which are incompatible with surrounding neighborhoods. Spot zonings can circumvent the intended protections of performance standards by permitting developers to utilize a set of performance standards which are less stringent than those affecting surrounding development.~~

~~Rezoning criteria setting minimum areas for zoning districts formed in each plan designation prevent spot zonings.~~

~~(e) "Strip commercial" development shall be discouraged.~~

~~Commentary: "Strip commercial" development consists of a shallow tier of unrelated commercial developments lining a major thoroughfare. This type of development, because it is totally highway oriented and lacks the depth to allow for development of alternative circulation systems, creates hazardous traffic congestion and obstructs the functioning of major arterials. It also contributes to sprawl, rather than in-filling of development, by extending commercial development for long distances along major arterials. Such development occurs primarily to take advantage of direct frontage on an arterial, ignoring the relationship of the commercial zoning district to surrounding uses. Developers are to be encouraged to orient their businesses toward collector streets carrying traffic from surrounding neighborhoods as well as toward through traffic on the major arterials, and zoning configurations conducive to excessive numbers of access points on arterial streets are to be discouraged.~~

~~(f) A workable interrelationship between land use patterns and the public road system shall be promoted.~~

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~~Commentary: Intensive zoning districts should be created only where access to major streets in the improved public roadway system is available. This will insure the heavy traffic generated by such districts is served by safe and convenient roadways. The criteria for limiting strip commercialization will also promote a desirable relationship between intensive land use activity and transportation networks.~~

~~Conversely, residential uses should be protected from the adverse impacts of heavy commercial and through traffic by denying rezonings which would result in heavy traffic generation on local residential streets.~~

~~(g) "Leapfrog development," in which areas close to existing development are passed over and more remote areas are developed instead, results in rural sprawl in which provision of services and amenities is costly, inefficient, and sometimes unobtainable. In addition, such sprawl encroaches upon and conflicts with rural areas of the county.~~

~~(h) Creation of nonconformances through rezonings shall be minimized.~~

~~Commentary: Because nonconformances are sites or uses which do not comply with the zoning regulations but have the legal right to exist under the "grandfathering laws", they can impair the effectiveness of the regulations. They create a situation similar to a "spot rezoning", where adjacent property owners are subject to differing sets of requirements, and reduce public confidence in regulatory mechanisms. The rezoning of an area containing a high percentage of uses which do not conform to the regulations of the proposed district should be discouraged. Exceptions should be granted only when a determination is made that other advantages offered by the proposed rezoning offset the undesirable effects of the nonconforming lots or uses that will be created.~~

~~(i) Established neighborhoods shall be afforded an additional measure of stability through requirement of consent signatures for rezoning to higher density or more intense zoning districts in such areas, within or in close proximity to, such areas.~~

~~Commentary: State statutes require that rezoning petitions be accompanied by the consent signatures of 51 percent of the owners of property within 300 feet of the site, both by number and area.~~

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~~However, Arizona case law has upheld the ability of the Planning Commissions to grant waivers of "majority consents requirements" and hold public hearings on their own initiative. The requirement will be retained in existing neighborhoods, where property owners need the increased ability to preserve the neighborhood character which they, in part, have established. It will also be retained for rezonings close enough to neighborhood boundaries to have a real impact upon neighborhood character.~~

~~(j) Intensive, urban types of development should occur only where adequate facilities (sewer, water, fire protection, and public utilities) are or can be readily made available to support it.~~

~~Commentary: Whenever high density residential development is proposed, sewage disposal and water supply become matters of serious concern. Because septic tank systems and individual wells are trouble-prone in small lot developments and densely inhabited areas, provisions should be made for sewer and water systems to serve these areas. High intensity zoning districts also increase the danger of fire spreading from one property to another and greatly increase demand for public utilities and services. Therefore, rezoning criteria must also address those issues.~~

~~13. Compliance with all applicable rezoning criteria shall create a presumption in favor of a rezoning, which may be overcome by environmental factors, or other unusual obstacles to the proposed type of development.~~

~~Commentary: The rezoning criteria represent policy decisions by the Planning Commission and Board of Supervisors, reducing uncertainty concerning their probable response to a given rezoning request.~~

~~No set of policies or criteria can totally determine the acceptability of 100 percent of all land use proposals. A property owner who adequately demonstrates that he is complying with the intent of County land use policies may be able to receive his rezoning in spite of an individual criterion. Conversely, determination that unusual circumstances exist which are not adequately provided for in the rezoning criteria may result in a denial. However, the specification of permitted zoning districts within the plan designations shall not be waived.~~

~~14. Innovative land development design shall be encouraged by: (a) allowing the aggregation of individual lots into a common site, thereby eliminating minimum individual lot area~~

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~~requirements and applying minimum setbacks as exterior yards around the perimeter of the entire site rather than on individual lots therein; (b) providing incentives for planned unit developments and large-scale projects.~~

~~15. Public participation shall be sought in zoning and plan changes.~~

~~Commentary: Where legal notification requirements may be insufficient in obtaining public participation in rezoning or plan amendment hearings, notification areas and methods will be expanded.~~

~~16. Consideration of a change in plan designations shall depend upon a determination that one or more of the following conditions exist:~~

~~(a) Substantial conditions exist rendering conforming development within the plan designation undesirable. Such conditions may include the deterioration of surrounding development, a change in character in the area due to capital improvements, nonconforming development by exempt entities, or changes in the natural environment.~~

~~(b) The extension of urban standard facilities and services (including sewer and water service) into the area has changed the optimum level of intensity for the area.~~

~~(c) Substantial in-filling of designated growth areas around a community has resulted in the need for new developing areas.~~

~~(d) A majority of the property owners within the affected area have signed a petition requesting the change.~~

~~17. Statutory exemptions and nonconforming uses shall be permitted to the full extent required by state law, but shall be otherwise discouraged through a strict interpretation as to their existence and extent.~~

~~Commentary: Cochise County, by statute, is prohibited from regulating the use of land for railroad, mining, metallurgical, grazing, and general agricultural purposes. A broad interpretation of these exemptions i.e., granting an exemption on the basis of~~

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ownership of property rather than by actual use, or using too broad a definition of the exempt uses — can, however, destroy the purpose of our regulations and render worthless or unfair the controls imposed upon other non-exempt properties. Accordingly, the actual use of land for resource production is covered by the statutory exemption, but the further processing of the raw product is not. The use of land for railroad operations is exempt, but the private use of railroad-owned land is not.

Similar immunity from County regulations exists for governmental uses of land. However, since Cochise County has a great deal of property under state or federal ownership, a significant legal trend away from exemption for private uses of lands owned by governmental entities may have a truly great impact on future development. Exemption from local regulations of such lands, because of their great size and extent, can result in unfairness to other property owners and tends to weaken the purpose of the regulations themselves.

Finally, nonconforming uses also tend to undermine the intent of the regulations and are to be discouraged. Provisions made for abandonment for non use, relinquishment of the right upon obsolescence, etc., will eventually bring property into conformance with the uses allowed for the particular zoning district and plan designation. Nonconforming businesses, however, will be permitted to expand up to 100 percent in area, as required by statute.

18. Cooperation with other governmental entities will be encouraged so that land uses in areas owned, leased or otherwise controlled by such entities will be compatible with our Comprehensive Plan.

Commentary: Federal and state lands will be zoned by the County so that such lands are regulated at the time they transfer into private ownership. We can not jurisdictionally regulate uses of other governmental entities, but will seek voluntary compliance with our regulations. This will work only if Cochise County in turn voluntarily complies with the regulations of those entities. State leased lands are the ripest area of controversy in the question of how much control local governments have over the private use of lands owned by other governmental entities. State leased lands will be regulated to the extent permitted under state law.

19. In order to promote traffic safety, to safeguard the public health, and to prevent adverse impacts upon community appearance, signs shall be regulated to permit legibility and effectiveness but to prevent over-concentration and improper

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placement. Much more restrictive standards shall be applied to signs in residential zoning districts; non-accessory billboards shall be severely restricted.

~~20. Use of solar energy shall be encouraged by granting variances from buffer distances and setback requirements when a developer demonstrates that: (1) it is necessary in order to maximize his use of solar energy; (2) the variance will not have an adverse impact upon adjoining properties.~~

~~Commentary: While performance standards will determine the size and location of a structure on a given parcel, flexibility will be built in should a developer choose to take full advantage of solar energy. Such services shall be encouraged to minimize our dependence on expendable energy resources. Actual extent of solar use will be left to the discretion of the property owner and free market dynamics.~~

105.02 Transportation Policies

~~A. Goal: Circulation systems and patterns shall be designed to integrate land use development with adequate transportation facilities, in order that a safe, cost-effective and energy-efficient transportation network exists for the use and enjoyment of county residents.~~

~~B. Policies:~~

~~1. An interconnecting network of through streets shall be planned and developed to provide for the public safety, convenience and general welfare. Design of the public street network shall be based upon existing streets, topographic conditions, drainage, and surrounding land uses. Subject to the foregoing considerations and in the absence of an approved transportation plan, master development plan, or existing improved streets sufficient to fulfill traffic circulation needs, major streets should be located and constructed on or near section and/or mid-section lines.~~

~~2. Roadways shall be classified on the basis of function, according to the following definitions:~~

~~(a) Residential Streets — Streets used primarily for direct access to and from abutting properties, principally single household dwellings, and characterized by relatively low volumes of traffic traveling~~

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~~at slow speeds. Residential streets are designed and controlled to discourage through traffic; however, major residential streets may provide access to other residential streets such as cul de sac streets.~~

~~(b) Local Non Residential Streets — Streets used primarily for direct access to abutting property having major service functions of parking, loading, and unloading, and being controlled in such a fashion as to discourage through traffic and to maintain relatively slow speeds.~~

~~(c) Collector Streets — Streets that serve both local traffic movement within an area and as connectors of residential streets to arterials. Collector streets function to provide access to residential streets, to form barriers around residential neighborhoods, to provide direct access to non-residential uses, and to provide access to arterial streets. Collector streets are characterized by higher volumes and speeds of traffic than local streets. Section line and mid section line streets shall be deemed collector streets, unless they are clearly functioning as arterials or residential streets.~~

~~(d) Arterial Streets — Streets with the principal function of serving as a part of a major network for through traffic flow, separate from local traffic, to and from areas of principal traffic generation, of adequate design, capacity and construction to provide for the safe and rapid distribution and collection of through traffic and to provide limited ingress and egress to and from collector and residential streets. Arterial streets shall have minimal direct access from adjacent properties. All state and federal highways shall be considered arterial streets. Arterial streets are designed for high speeds and traffic volumes.~~

~~3. Development along a street shall be at a location and in a manner consistent with preservation of the function of the street. In this connection:~~

~~(a) Non-residential development shall be discouraged from accessing directly onto local~~

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~~residential streets.~~

~~(b) Non residential development should have access to collector and arterial streets in the County public roadway system, provided that such development shall be discouraged if the primary connecting streets between the site and the County public roadway system are local residential streets.~~

~~(c) Single household dwellings shall be discouraged from having direct access onto arterial and collector streets.~~

~~(d) Local subdivision streets shall be designed and constructed so as to provide access, loading and parking for abutting properties, but shall be located and designed so that through traffic is discouraged.~~

~~(e) Access to arterials and collectors and intersections thereto shall be located so as to promote free flow of traffic when the area is fully developed, by minimizing congestion and maximizing street capacities.~~

~~(f) If a street is identified as a major thoroughfare on a transportation plan or by approval of the Board of Supervisors, limited direct access shall be allowed to it.~~

~~4. All approved master development plans shall include a traffic circulation plan which is adequate to serve the transportation needs of the area itself and which is compatible with the traffic circulation systems and plans of surrounding areas. Development of sites within such areas shall require appropriate off site improvements in accordance with the approved plan.~~

~~5. Off site access to sites shall be adequate to provide safe, permanent and smooth traffic flow to the site without substantial adverse impact to surrounding properties and streets outside the boundaries of the site.~~

~~6. Developers shall be required to insure that traffic and safety problems that are reasonably related to the impact of their use on the public roadway system and surrounding properties are solved.~~

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~~7. Two (2) sets of minimum standards for street design, spacing and improvements shall be specified in the Subdivision and Zoning Regulations, one for areas requiring rural standards, and one for areas requiring urban standards. Urban standards include but are not limited to paving, curbs, and gutters.~~

105.03 Facilities

~~A. Goal: Facilities for sewage disposal, water service, fire protection, and utilities shall be commensurate with the growth area classification and the intensity of proposed development. New development shall not be permitted to degrade the quality of those facilities for existing users or place an unreasonable financial burden upon those users or the public.~~

~~B. Policies:~~

~~1. Developers shall be required to construct street improvements or post security for deferred construction of street improvements before final plat recording may occur.~~

~~2. Developers shall be encouraged to place construction of utilities beneath the surface of public right-of-way and to make provisions other than alleys for garbage pick-up and public utilities to all subdivision lots shall be required as part of street improvements in a subdivision.~~

~~3. Permissibility of individual septic systems will depend upon applicable health codes. However, availability of a sanitary sewer system shall be a guiding factor in the consideration of rezonings for high density development, especially within Category A (Intensive Growth) areas.~~

~~4. No Category A (Intensive Growth) area shall be formed unless said area is within an organized fire district.~~

~~5. Developer preferences shall be allowed for protection against flood damage outside a flood hazard area; development within a flood hazard zone will be subject to special Floodplain Use Permit requirements, and will be further controlled through site plan requirements.~~

Article 1 - Title, Purpose and Guiding Principles

~~6. All construction within a designated flood hazard area shall be above the base 100 year flood level, so that all structures can survive the effects of a flood having a one percent (1%) chance of occurring in a given year. Due to the great likelihood of flood damage and the accompanying health hazards that may be created therefrom, no structures will generally be permitted within the flood channel itself.~~

~~7. Where the need for such improvements is reasonably related to the use a developer proposes to establish, conditions of site plan approval shall include on-site or off-site street improvements, sewer, and water systems.~~

~~105.04 Neighborhood Rehabilitation and Enterprise
Redevelopment Policies~~

~~A. Goal: Certain economically distressed or deteriorated areas of Cochise County will be targeted for revitalization and redevelopment so as to become productive and viable parts of the growth of the county.~~

~~B. Policies:~~

~~1. Residential neighborhoods having a high percentage of substandard lots or uses, but having sufficient potential for improvement to become acceptable places to live shall be targeted for neighborhood rehabilitation; only residential or neighborhood business zoning districts shall be formed in such areas.~~

~~2. Distressed areas which have become unsuitable for residential development due to condemnations for public right of way, the existence of a substantial percentage of incompatible uses, or extreme pressures for commercial development, shall be designated for redevelopment as "Enterprise" areas; rezonings to residential districts in such areas shall be prohibited.~~

~~3. Economic incentives will be encouraged for redevelopment or rehabilitation of distressed neighborhoods.~~

Category "A" Growth Area - A Category "A" Growth Area, Intensive Growth, is a plan area which is experiencing an unusually high rate of growth and which has the necessary services and facilities available to support such growth. Plan designations which occur within Category "A" growth areas include all Established Enterprise, Neighborhood Conservation, Developing, and Redeveloping Neighborhood Rehabilitation and Enterprise Redevelopment designations.

Category "B" Growth Area - A Category "B" Growth Area, Urban Growth, is a plan area surrounding an incorporated city, or an unincorporated community experiencing urban growth or desiring a higher level of improvement standards. ~~Established, Developing, and Redeveloping plan designations within Category "B" growth areas.~~ Plan designations which occur within Category "B" growth areas include all Enterprise, Neighborhood Conservation, Developing, and Redeveloping Neighborhood Rehabilitation and Enterprise Redevelopment designations.

Category "C" Growth Area - A Category "C" Growth Area, Rural Growth, is a plan area which includes an unincorporated rural community and its surrounding area of influence. Category "C" growth areas are expected to experience a limited amount of non-rural growth, with a fairly slow rate of change. Plan designations which may occur within Category "C" growth areas include all Established Enterprise, Neighborhood Conservation, Developing, and Redeveloping Neighborhood Rehabilitation and Enterprise Redevelopment designations.

Category "D" Growth Area - ~~Category "D", Growth Areas Resource~~ Rural Areas, are the sparsely populated rural lands of the county which serve primarily as rural residential and agricultural areas, and not identifiable communities. These are the areas of the county which will experience the least change and which are in need of protection against the encroachment of inappropriate urban types of development; only ~~Resource Conservation and Resource Productive and Neighborhood Conservation~~ Rural plan designations may occur in Category "D" ~~growth~~ areas.

Growth Area - A "growth area" is an area identified on the Cochise County Comprehensive Plan maps according to the type and degree of change, or growth, which is expected within that area. All lands within the jurisdiction of Cochise County lie within one of the following four (4) types of growth areas: Category A, Intensive Growth; Category B, Urban Growth; Category C, Rural Growth; or Category D, Resource Rural area. (See also definitions by specific category.)

Neighborhood - For the purposes of these Regulations, a "neighborhood" is an area used primarily for the dwellings and compatible services, having commonly recognized "boundaries," and a unified character which includes common or similar and compatible zoning classifications on the majority of properties within the neighborhood boundaries. "Neighborhood" plan designations include

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ARTICLE 2 - Definitions

zoning classifications on the majority of properties within the neighborhood boundaries. "Neighborhood" plan designations include Neighborhood Conservation (NC) and Neighborhood Rehabilitation (NR), whether within the bounds of Intensive Growth, Urban Growth, or Rural Plan areas.

Plan Designation - A plan designation is a classification of land which identifies either its present character, or its status as a developing area. For greater detail, see the "Cochise County Comprehensive Plan, Summary Report."

~~Plan Designation, Established~~ - The "Established" plan designations are: ~~Neighborhood Conservation (NC); and Enterprise (E).~~ These designations indicate that the character of an area has been established and identified, and merits preservation through zoning protection.

~~Plan Designation, ResourceRural~~ - The "Resource" plan designations are ~~Resource Conservation (RC) and Resource Productive (RP).~~ These are areas which are rural in character and in need of protection against the encroachment of inappropriate urban types of development.

~~Plan Designation, Resource Conservation~~ - The "Resource Conservation" areas are rural areas which are: (a) unsuitable for production of food, fibers, or minerals; or (b) inappropriate for substantial development due to geologic/topographic features or historical, scenic, archeological or wildlife resources.

~~Plan Designation, Resource Productive~~ - The "Resource Productive" plan areas are rural areas capable of producing food, fibers, or minerals or suitable for development with residential uses on large parcels.

ResourceRural Area - See "Category D Areas" and "Plan Designation, Resource Rural."

Resource Conservation Area - Resource Conservation areas (RCAs) may be proposed by any landowner to preserve and protect the natural environment and scenic beauty of Cochise County, to preserve wildlife habitats and recreation areas, to protect water resources, and to control growth in areas susceptible to geological hazards on their own property. If proposed by a property owner(s) on their own property and approved by the Board of Supervisors, the RCA will be denoted on the Cochise County Comprehensive Plan Maps.

Site, Transitional - A vacant site which is zoned RU-10, RU-4, RU-2, TR-36, or TR-18, and which is not located within a Neighborhood Conservation, Neighborhood Rehabilitation, Resource Conservation, or Resource Productive or Rural plan area designation.

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ARTICLE 4

PLAN AREA DESIGNATIONS AND MASTER DEVELOPMENT PLANS

Commentary: This article is designed to create a substantial link between the Comprehensive Plan and the regulatory mechanisms. The plan area designations described below can and must be used as a guide to development as a part of the zoning process. In addition, a formal procedure is provided for adopting more specific master development plans. Equally important is the creation of a mechanism for changing plan area designations so that they are responsive to the marketplace. In this manner, such areas become an effective tool for orderly development, which protects the health, safety, welfare, and general convenience of the residents of Cochise County.

401 Establishment of Plan Area Categories and Designations

The following growth area categories and plan designations are hereby established, the boundaries of which are set forth on the Land Use Plan Maps of the Comprehensive Plan, incorporated herein by reference:

401.01 There are hereby established four (4) categories of growth areas.

- A. Category A - Intensive Growth Areas
- B. Category B - Urban Growth Areas
- C. Category C - Rural Growth Areas
- D. Category D - Resource Rural Areas

401.02 There are hereby established six (6) ~~seven (7)~~ plan designations, each of which may occur in the growth categories indicated.

- | | | |
|---------------|---|---|
| A. | Neighborhood Conservation (NC) | (Categories A, B, & C & D) |
| B. | Enterprise (ENT) | (Categories A, B & C) |
| C. | Developing (DEV) | (Categories A, B & C) |
| D. | Neighborhood Rehabilitation (NR) | (Categories A, B, & C & D) |
| E. | Enterprise Redevelopment (ER) | (Categories A, B, & C) |
| F. | <u>Rural (R) Resource Productive (RP)</u> | (Category D) |
| G. | Resource Conservation (RC) | (Primarily Category D,
also A, B, & C) |

ARTICLE 4 - PLAN AREA DESIGNATIONS AND MASTER DEVELOPMENT PLANS

Commentary: The four growth categories identify the degree and types of change appropriate in a broad area, while the plan designations define more specific characters for areas within these growth areas. "Intensive Growth Areas" are areas experiencing a rapid rate of urban growth; "Urban Growth Areas" are areas which are subject to a more moderate rate of urban growth; "Rural Growth Areas" are subject to a slower growth rate, with development having a less urban character; and "~~Rural Resource~~ Areas" are the sparsely populated rural areas of the county which serve primarily as rural residential and agricultural areas. The type of growth area and plan designation will influence how these Regulations are applied to a site.

401.03 There may be established other plan areas, including community plans, area plans, neighborhood plans, and specific plans, which may either replace existing plan designations identified in this Section, or which may have policies, elements or standards which modify, replace or supersede those in otherwise applicable growth areas or plan designations. Such plan areas may be adopted in whole or in part, and may contain elements such as a land use element, circulation element, transportation element, housing element, conservation, rehabilitation or redevelopment element, recreation element, safety element, public services and facilities element, bicycling element, among others as well as policies and procedures applicable thereto.

402 Declaration

The Plan Area Designations adopted herein comprise the broad parameters for land use delineated in the Cochise County Comprehensive Plan, within which the orderly and harmonious growth of the unincorporated areas of Cochise County may occur. Zoning district formation shall be consistent with the character of the plan area designation in which the site is located. Therefore, public hearings to consider zoning changes shall be granted only for those zoning districts listed below as being permitted in the applicable plan designation, unless otherwise provided for pursuant to an adopted community plan, area plan, neighborhood plan, or specific plan.

Plan Designation

Permitted Zoning Districts

Neighborhood Conservation (NC)

PD-1, ~~RU-2~~, TR-36, TR-18, TR-9,
SM-174, SM-87, SM-36, SM-18,
SM-9, SR-43, SR-22, SR-12, SR-8,
MH-72, MH-54, MH-36, MR-A, MR-B,
NB

ARTICLE 4 - PLAN AREA DESIGNATIONS AND MASTER DEVELOPMENT PLANS

Enterprise (ENT)	PD-2, NB, GB, LI, HI
Developing (DEV)	PD-1, PD-2, RU-2, TR-36, TR-18, TR-9, SM-87, SM-36, SM-18, SM-9, SR-43, SR-22, SR-12, SR-8, MH-72, MH-54, MH-36, MR-A, MR-B, NB, GB, LI, HI, SM-87
Neighborhood Rehabilitation (NR)	Same as NC
Enterprise Redevelopment (ER)	Same as ENT
Rural (R) Resource Productive (RP)	RU-10, RU-4, RU-2, SM-174, SM-87
Resource Conservation (RC)	RU-10, RU-4, SM-174

403 Identifying Plan Areas by Growth Area Category

The following principles shall be used as official guides in identifying plan areas as Category A (Intensive Growth), Category B (Urban Growth), Category C (Rural Growth), or Category D (Rural Resource):

403.01 Identifying Plan Areas as Intensive Growth (Category A)

- A. The area is now identified as a Category B (Urban Growth) area.
- B. The area can be adequately served by an existing community sewer system.
- C. The area can be adequately served by existing community water systems.
- D. The area has available organized fire protection.
- E. The land has the carrying capacity for high density development.
- F. The area has the potential for drainage and transportation systems that can adequately serve very high density development.

ARTICLE 4 - PLAN AREA DESIGNATIONS AND MASTER DEVELOPMENT PLANS

Commentary: The intent of this growth area category is to provide for high-density, urban growth. Specific criteria to determine the appropriateness of the designation include the existence of sufficient paved access serving the proposed area, the predominance of urban development within and adjacent to the area, and community interest in future urban development of the area. In addition, soil conditions, slopes, presence of aquifer recharge areas and erosion may be considered.

403.02 Identifying Plan Areas as Urban Growth (Category B)

- A. The area to be designated has a moderate to high level of non-rural growth anticipated.
- B. The present growth area is insufficient to accommodate the projected growth of the area.
- C. The area has adequate water, access, drainage and sewage disposal capability to accommodate non-rural growth.
- D. The land has the carrying capacity for higher density development.

Commentary: This growth area category is intended primarily for areas having or expected to have a moderate rate of urban development. These areas occur primarily around the incorporated cities, but may also be designated around unincorporated communities having similar growth characteristics. Specific criteria to determine the appropriateness of the designation include density and type of existing development, soil conditions, slopes, presence of aquifer recharge areas, erosion, and the existing condition and location of streets. Category B may in some cases be applied to communities otherwise meeting the criteria for establishment of a Category C growth area, but favoring the higher quality "urban style" improvement standards of Category B.

403.03 Identifying Plan Areas as Rural Growth (Category C)

- A. The area to be designated includes and/or surrounds an identifiable rural community or settlement.
- B. The area has a slow to moderate rate of growth anticipated.

ARTICLE 4 - PLAN AREA DESIGNATIONS AND MASTER DEVELOPMENT PLANS

C. Anticipated growth consists primarily of low and medium density residential development with a small percentage of commercial/industrial uses expected for the support of the immediate community.

D. The present growth area is insufficient to accommodate the projected growth of the area.

E. The land has the carrying capacity for medium density development.

Commentary: This growth area category is intended for plan areas of a primarily rural character, but which have higher density development than that permitted in rural zoning districts. In addition, these areas exhibit a concentration of population sufficient to justify development standards that are greater than those targeted for Rural Resource areas and preservation of rural densities.

403.04 Identifying Plan Areas as Rural Resource Areas (Category D)

Any area under the jurisdiction of Cochise County which does not meet the criteria established above for designation as Category A, B, or C Growth Areas shall be designated as Category D (Rural Resource).

404 Guiding Principles for Amending Plan Designations

The following principles shall be used as official guides in determining whether or not a plan designation shall be amended:

Commentary: The following subsections outline general guidelines the Commission and Board shall consider in determining plan designation amendments. The commentaries with these subsections include specific criteria that may not be appropriate in every case, but should also be considered where applicable.

404.01 Designating Areas as Neighborhood Conservation (NC)

A. The area to be designated is a developed residential neighborhood that needs protection from non-residential uses; or the area is an approved subdivision for which all required improvements are in place and constructed to minimum County standards.

B. The carrying capacity of the land can accommodate the expected residential density.

ARTICLE 4 - PLAN AREA DESIGNATIONS AND MASTER DEVELOPMENT PLANS

Commentary: The intent here is to designate established residential neighborhoods, not specific lots or parts of lots (unless they are extensions of an existing NC area). The principal inquiry is whether or not sufficient activity has occurred in the area to establish a residential character of land use pattern. More specific criteria that may be used are water supply, street access and improvements, percolation rates of soils and existing floodplains.

404.02 Designating Areas as Enterprise (ENT)

A. The area to be designated consists of commercial or industrial enterprises.

B. The area to be designated is within a developing area.

C. Enterprise development has reached the level whereby additional residential growth within the area to be designated is undesirable to the parties in interest.

D. The area to be designated contains or can provide sufficient dedicated public access, improved to County standards, to carry traffic which will be generated by and to such area.

E. The carrying capacity of the land can accommodate enterprise uses.

Commentary: Enterprise areas are intended to be business or industrial districts. In some cases, such as large industry or airport, one use may comprise a plan area. In most cases, the intent of the designation will not be achieved unless several enterprise uses are included. More specific criteria which may be used in determining the appropriateness of Enterprise areas are must have the ability of soils to handle commercial wastes, availability of sewer service, and compatibility of surrounding land use.

404.03 Designating Areas as Developing (DEV)

To designate land as a Developing area, a Category A, B, or C Growth Area must be established or enlarged in accordance with Subsections 403.01, 403.02, 403.03. All lands within that growth area which are not established, ~~Redeveloping or Resource Conservation areas (i.e., which are not NC, ENT, NR, ER or RRC)~~, shall then be designated as Developing (DEV).

ARTICLE 4 - PLAN AREA DESIGNATIONS AND MASTER DEVELOPMENT PLANS

404.04 Designating Areas as Neighborhood Rehabilitation (NR)

- A. The area to be designated is within a Category A, B, or C ~~or D~~ Growth Area.
- B. The area is a residential neighborhood with a high number of deteriorating dwellings.
- C. The infrastructure of the area is unable to provide for adequate public health, safety, welfare and general convenience.
- D. There is some existing private interest in improving the area.

Commentary: The Neighborhood Rehabilitation designation is intended to help continue improvement of blighted residential areas of the county. Specific indicators of these areas include substandard streets, septic system failures, fire hazards and buildings that are defined as dangerous in Section 302 of the Uniform Code for the Abatement of Dangerous Buildings. Oftentimes, these areas are targeted for capital improvement projects such as streets, sewers, or water, which will create a pressure to upgrade the quality of development in the area.

404.05 Designating Areas as Enterprise Redevelopment (ER)

- A. The area to be designated is within Category A, B, or C Growth Area.
- B. The area is:
 - 1. Comprising a high number of deteriorating enterprise uses; and/or
 - 2. Has a large number of incompatible neighborhood and enterprise uses that are deteriorating.
- C. The infrastructure of the area is unable to provide for adequate public health, safety, welfare and general convenience.
- D. There is some existing private interest in improving the area.

ARTICLE 4 - PLAN AREA DESIGNATIONS AND MASTER DEVELOPMENT PLANS

Commentary: This designation is intended to indicate blighted areas of business and industrial uses or blighted residential areas changing to such uses. Specific indicators of these areas include substandard streets, septic system failures, fire hazards and buildings that are defined as dangerous in Section 302 of the Uniform Code for the Abatement of Dangerous Buildings. These areas may also be targeted for capital improvements, which will upgrade the quality of the area.

404.06 Designating Areas as Rural(R)

To obtain this designation, the area must be within a Category D Rural Area.

~~404.06 Designating Areas as Resource Productive (RP)~~

~~A. The area to be designated is not surrounded by a Category A, B, or C Growth Area.~~

~~B. The area:~~

~~1. Is prime land desirable for producing food, fibers or minerals; or~~

~~2. Has rural residential development on large acreages; or~~

~~3. Would be suitable for rural/residential development up to a density of one dwelling unit per two acres, due to the lack of extraordinary geologic, topographic, scenic, historic, or wildlife features.~~

~~404.07 Designating Areas as Resource Conservation (RC)~~

~~A. The area is not prime for producing food, fibers or minerals.~~

~~B. The area has:~~

~~1. Important scenic, historical, archeological, wildlife, recreational or botanical resources that need conservation; or~~

~~2. Geologic and/or topographic features that make substantial non-rural development undesirable.~~

ARTICLE 4 - PLAN AREA DESIGNATIONS AND MASTER DEVELOPMENT PLANS

~~Commentary: The Resource designations are intended to protect the very rural areas of the county from inappropriate non-rural development, and to prevent inappropriate development in ecologically or geologically sensitive areas within Category A, B, and C Growth Areas. This not only includes farms, ranches, geologic hazards, and ecologically sensitive areas, but rural residential areas as well. Specific criteria that may be used in determining Resource areas are the extent of rural uses (farming, ranching, large lot residential, etc.), the size and ownership of parcels, existing street patterns, soil conditions, slope and slide conditions and areas of flooding. Scenic beauty, potential archeological sites, types of wildlife and vegetation may also be considered.~~

405 Master Development Plans

405.01 Definition

A master development plan is a duly adopted part of the Cochise County Plan which proposes any or all of the following: basic densities; future land uses and boundaries thereof; the general character, extent, and location of major thoroughfares, major drainageways, schools, parks, and community facilities for a designated unincorporated area of Cochise County.

405.02 Purpose

The purpose of a master development plan is to establish County policy regarding future development of a specific area of Cochise County warranting more detailed planning.

405.03 Limitations

Master development plans shall not be adopted if they are inconsistent or incompatible with the plan area designation or designations in which the property is located.

405.04 Status of Master Development Plan

A. Master development plans constitute official guides for the Commission, Board of Supervisors, and all county officials and agencies for accomplishing a coordinated, adjusted orderly and harmonious development of specific unincorporated areas through zoning regulations, subdivision design regulations, floodplain regulations, establishment of setback lines and land use locations, and other methods provided by law.

ARTICLE 4 - PLAN AREA DESIGNATIONS AND MASTER DEVELOPMENT PLANS

B. Master development plans constitute official notice to all agencies and to the general public of the general lands for development of areas.

C. All development within an approved master development plan area shall be substantially in conformance with the provisions of that plan.

405.05 Effect of Master Development Plans Upon Zoning Changes and Subdivision Plat Approvals

In amending zoning classifications, changing zoning district boundaries, or approving subdivision plats for properties included within an adopted master development plan, the Commission and Board of Supervisors may allow minor variations from that adopted plan for zoning district boundaries, exact land use classification, or the exact character, extent and location of major thoroughfares, collector streets, drainageways, schools, parks and other community facilities. However, in allowing these minor variations, the Commission and Board of Supervisors shall not alter the policy set by the master development plan with regard to basic densities, general boundaries of the various land use districts, and the general character, extent and location of the major thoroughfares, collector streets, drainageways, schools, parks, and other community facilities. In the event that the Commission and Board of Supervisors desire to alter the policy set by a specific area plan, they may amend the plan by following the procedures set forth in Section 406 herein. Zoning amendments which conform to adopted master development plans shall not be considered "spot" zoning.

Commentary: A master development plan gives a developer some assurance that his future development will be acceptable to the County, and gives the County some assurance that a developer's plans will further County Comprehensive Plan goals. ~~In addition, zoning amendments that conform to an adopted development plan aren't required to meet the consent provision as described in Section 2208.03(B).~~ Master development plans can thus be viewed as refinements of the plan area designations approved for the County as part of the Comprehensive Plan.

405.06 Submittal Requirements for Master Development Plans

A. Master development plan maps shall include the following:

ARTICLE 4 - PLAN AREA DESIGNATIONS AND MASTER DEVELOPMENT PLANS

1. Major street layout, including: existing major thoroughfares serving, traversing, abutting, or otherwise affecting or affected by the proposed plan area; proposed collector and arterial streets; existing easements and rights-of-way within the plan area.

2. Proposed land use locations and approximate densities.

3. Existing land use and zoning within 300 feet of the proposed plan area; ties to at least two section corners or quarter corners, and dimensions of plan area boundaries. Section lines and mid-section lines shall be clearly designated.

4. Any proposed park and school sites, open space, and recreation areas.

5. General topography - 10-foot contour intervals; more detail to be provided at tentative plat stage. (May be interpolated from USGS maps.)

6. All drainageways having a contributing drainage area of 150 acres or more, and all flood hazard zones.

7. Intended phasing of development.

B. The master development plan map shall be accompanied by a written report including the following information, to be adopted as a part of the master development plan*

1. An inventory of off-site improvements to be made, with approximate timing.

2. Provisions for controlling access to major streets.

3. Methods of screening and buffering, where unusual land use configurations necessitate protection for the proposed development or surrounding development.

4. Provisions for open space, recreation areas and preservation of scenic features of the land.

5. General provisions for pedestrian/bicycle circulation throughout the development.

ARTICLE 4 - PLAN AREA DESIGNATIONS AND MASTER DEVELOPMENT PLANS

6. Statement specifying how sewer service or a State approved waste disposal system, water supply, and utilities will be provided.

7. Statement of amenities to be provided (sidewalks, street lights, curb and gutter, landscaping, etc.).

8. Statement of general kinds of development standards intended to be controlled through deed restrictions (i.e., architectural design, building height, construction materials, common area development and maintenance, landscaping, screening and buffering of individual sites, etc.)

C. Supporting ~~date~~ data and documents:

1. Projected population and anticipated impact of the development upon utilities and community facilities and services (water, electricity, sewer and solid waste disposal, schools and parks, police and fire protection). Where anticipated impacts are significant, the following supporting documents shall be submitted:*

a. Report assessing adequacy of water supply to serve the proposed development.

b. Agreements/letters of intent from existing utility companies/franchise holders indicating ability and intent to meet projected needs for water service, State approved waste disposal system~~sewer service~~, solid waste disposal, and electric/gas service; or a description of preliminary plans to provide such services.

* Potential impacts shall be considered significant in every development containing 500 dwelling units or more.

2. Soils analyses for any proposed plan area shown on the General Soil Map of Cochise County (USDA, ~~Soil Conservation Service~~ Natural Resources Conservation Service, October 1971) as containing soils having: moderate to severe erosion hazard or corrosivity.

Article 5 - Zoning Districts, Maps and Boundaries

Commentary: Most zoning districts extend to the center of the roadway. Upon vacation, most roadways would similarly be divided at the center between the two adjoining properties. In a few instances, the property may revert to one owner in its entirety. This provision will avoid the possibility of creating a narrow strip of a differing zoning district in those few cases.

506 Lands Previously Zoned

Lands which for any reason come under the authority of Cochise County after these Zoning Regulations become effective, shall be subject to the regulations of that zoning district designated for such lands previously by Cochise County on the Official Zoning District Map.

507 Lands Not Previously Zoned

Lands under the authority of Cochise County at or after the time these Zoning Regulations become effective which have not been previously zoned by Cochise County, shall be subject to the regulations of an RU-10 (Rural) zoning district if in a Researee Rural plan designation, or an RU-2 (Rural) zoning district if within another plan designation, until such time thereafter that the zoning of such lands is amended in accordance with these Zoning Regulations.

508 Rural Zoned Districts

For the purposes of application of building codes, all lands in Category B, C and D Growth Areas shall be considered rural zoning districts. Certain lands within the above growth areas, as specified in the ordinance establishing building codes, as currently adopted or as may hereafter be amended, may be exempted from the Cochise County Building Safety Code by the Board pursuant to A.R.S. section 11-861 et. seq.

Section 501, amended, 3/9/87, Res. 87-18
Section 501, amended, 11/21/88, Res. 88-98
Section 508, added, 11/12/85, Res. 85-116
Section 508 amended, 9/14/87, Res. 87-74
Section 508 amended, 0/13/92, Res. 91-07

ARTICLE 6

RU RURAL DISTRICTS

Commentary: The list of permitted uses for the district is nearly identical to those in any other residential district. Because the RU district also serves a great majority of the county, and in particular, areas used extensively for agriculture and grazing, mining activities, and production of other resources, which are exempt from regulation, provision must be made for uses which support such activities. That device is the "special use permit," which operates somewhat like a rezoning; however, approval limits the user to that special use and no others. Thus, a balance is struck which will serve both kinds of interests. The special use permit operates as a safety valve to allow limited non-residential activity within ~~resource~~ rural areas without the necessity of a plan change ~~to a developing area~~.

601 Purpose

In addition to the objectives outlined in Article 1 (Purposes) herein, RU (Rural) zoning districts are established to achieve the following purposes:

601.01 To protect the present values of "~~Resource Conservation~~" and "~~Resource Production~~" "Rural" areas as designated in the Cochise County Comprehensive Plan.

601.02 To discourage small-lot, residential subdivisions where public facilities such as water, utilities, sewage disposal, parks and playgrounds, and governmental services are not available or could not reasonably be made available.

601.03 To discourage most commercial and industrial activity which is incompatible with rural living.

601.04 To preserve the agricultural character of those ~~undeveloped~~ portions of the county capable of resource production.

601.05 To provide space for people, minimize traffic congestion, and preserve the existing rural environment of unincorporated areas of the county situated outside of existing communities.

ARTICLE 6 RU RURAL DISTRICT

601.06 To protect the quality of the natural environment as it relates to safeguarding the health, safety and welfare of the people in Cochise County.

Commentary: It is our express intent to tie the RU Districts primarily to the Resource Rural areas of the Comprehensive Plan, and to preserve the rural character of areas outside the municipalities for rural growth. When sufficient market pressure develops for urban growth in these areas, decisions must be made by the Commission and Board of Supervisors as to whether a plan change should be made, or the above-described lifestyle preserved.

602 Division of RU Districts

The RU (Rural) district shall be further divided into the following density districts, which are so designated on the Official Zoning District Map, and subject to the regulations herein:

- 602.01 RU-10
- 602.02 RU-4
- 602.03 RU-2

603 Permitted Uses

The following uses shall be permitted in all RU-10, RU-4, and RU-2 (Rural) zoning districts, provided that they conform to the applicable site development standards for such uses set forth below, in this article, and in Article 18, and meet any other requirements for such uses found in these Regulations. Preceding each use below is its assigned performance level number, which shall be used to determine the appropriate site coverage ratio (Section 1803) and buffer distances (Section 1804) applicable to the permitted use.

	<u>Performance Level</u>	<u>Use</u>
<u>603.01</u>	I or II*	All single-and multiple-household dwellings, including mobile homes, manufactured homes, but excluding recreational vehicles (as permanent dwellings).

ARTICLE 6 RU RURAL DISTRICT

These covenants and restrictions shall be enforceable by the County.

C. Minimum Open Space Area

At least twenty-five percent (25%) of the gross area of the subdivision shall be retained as Open Space to qualify for the open space density bonus. The exact location of the Open Space shall be delineated on the subdivision plat and a reference made to the recorded document which shall detail the intended purpose, maintenance and ownership of the open space. Prior to the sale of any lot, site, unit or dwelling, the Open Space shall be designated, recorded and developed or maintained in conformance with the plat and related documents.

D. Density Bonus

A density bonus of ~~twenty-five percent (25%)~~ **thirty-four percent (34%)** will be permitted above what would normally be allowed in that zoning district. This will be the only density bonus provision applicable to such subdivisions.

E. Minimum Lot Sizes

There shall be no minimum lot size. Provided that the lot is of adequate size for the type of wastewater disposal and water delivery systems associated with the project, and that the roads and other infrastructure are sufficient for their anticipated usage, the lot can be of any size specified within these Regulations. If the subdivision includes lots in excess of the minimum size permitted in that zoning district, restrictions on further lot splitting, to an overall density in excess of that permitted above, shall be included.

F. Site Development Standards

1. The Minimum Site Width standards noted in 604.03 of the Zoning Regulations and the Depth-to-Width Ratio noted in Section 508(c) of the Subdivision Regulations shall not apply to lots approved using this Residential Open Space Subdivision option.

2. The required bufferyard shall be determined by calculating the lot size of each lot within the subdivision and applying the standards of the closest approximate zoning district, per Table

ARTICLE 15 - PD, Planned Development Districts

1504 Site Development Standards

In all planned developments, the site will be designed to: minimize adverse effects of or on land uses adjacent to the development; minimize impacts upon community facilities and services; prevent undue hazards to people or property on or off site from flooding, erosion, subsidence, soil slipping or other dangers, annoyances or inconveniences; and protect the visual and physical character of the site by considering any prominent natural features, vegetation, drainageways and slopes.

Commentary: Depending on existing information and the topography of the site, the developer may need to supply aerial photos, soil studies, average slopes and cut and fill data. This need will be determined at the preapplication conference.

1504.01 Minimum Development Area

The minimum area for a planned development shall be two (2) acres.

Commentary: The minimum area is set at the lowest level possible, while still allowing room for unified design having no adverse effect on surrounding property. For sites below the minimum, the Cluster Development Option allows some flexibility in design without inappropriate relaxation of external buffer distances, site coverage ratios, and density controls. No minimum area is set for individual sites or uses within a planned development, as that will vary according to site design.

1504.02 Maximum Density

A. Except when adjusted according to the provisions of Section 1505, the following basic densities shall apply in all Planned Development zoning districts.

<u>Plan Designation</u>	<u>Density (Dwelling Units/Gross Acre)</u>
All Category A Growth	Development up to 10 Areas Acres: 22 Over 10 acres: 15
All Category B and C Growth Areas	Development up to 10 Acres: 18 Over 10 acres: 12

B. Paragraph A notwithstanding, the maximum density for a PD district in a Neighborhood Conservation plan area designation shall not exceed fifty percent (50%) more than the average density of the existing neighborhood; in neighborhood Rehabilitation plan areas designation, PD zoning districts shall have a maximum density not more than one hundred percent (100%) higher than the average density of the existing neighborhood.

11. Time limits for the commencement of construction and/or review and further action by the Planning and Zoning Commission or Board of Supervisors and/or a time limit within which the special use shall cease to exist.

E. Following approval, if no appeal has been submitted within the fifteen (15) calendar days appeal period, the Planning Director shall issue the special use permit in accordance with all the approved conditions and modifications; provided, however, that if the applicant does not accept in writing the conditions or modification within thirty (30) days after approval, the application for a special use permit approval shall be deemed null and void. If the special use permit is denied, the building permit fee shall be refunded.

Commentary: In most cases, once the hearing is over and the special use is approved, the applicant will not have to do anything more to receive his or her permit. If conditions are attached, this provision mandates acceptance by the developer or the application is considered withdrawn.

F. Any use existing at the time these Regulations or amendments thereto become effective, which is permitted only as a special use in that district, shall be considered a nonconforming use, unless such use has been established as a special use as herein provided. Amendments shall be processed in the same manner as the initial plans and supporting statement of proposed use. The issuance of a special use permit shall not confer any right to the permittee to place any other special use on the site.

Commentary: The intent of this section is to give no special rights to uses that could otherwise qualify as a special use in a zoning district. One must go through the procedures listed herein to perfect a use as a special use. Additionally, granting a special use permit will not allow the applicant to change one special use to another special use. Each special use must independently qualify for a special use permit.

1719.04 Review of Special Use Permit Decisions.

A. The decision of the Planning and Zoning Commission is deemed to be final County action on the issue unless that decision is appealed within fifteen days following the date of decision. Any appeal shall be submitted for review by the Board of Supervisors at a public hearing to be scheduled within sixty (60) days of receipt of the appeal. An appeal may be filled by the applicant, by any other person aggrieved in any manner by the decision, or by the Planning Director if the director believes an

error was made.

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B. An appeal is filled by submitting a written notice of appeal to the Planning Director, together with an appeal fee ~~in the amount of one hundred fifty dollars (\$150.00)~~ in accordance with the adopted fee schedule. If the appeal is filed by the Planning Director, no fee is required. The notice of appeal shall include the following:

1. An identification of the decision being appealed.

2. A complete statement of all reasons why the appellant believes that the decision, or any part of the decision, was erroneous, arbitrary, capricious, or an abuse of discretion.

~~3. If the appellant requests a second public hearing with the~~ Written presentation of additional testimony and evidence, a full explanation of the additional testimony and evidence that will be submitted, with an explanation of why this was not presented to the Planning Commission.

Upon receipt of an appeal, the Planning Director or the director's designee shall compile the record of the proceeding and submit this to the Board of Supervisors with the appeal documents. ~~The Planning Director may include a recommendation as to the method for decision.~~

~~C. Within fifteen (15) days of the filing of the appeal, the Board of Supervisors shall meet to determine how the appeal shall be heard and to schedule the date for decision. No additional evidence, testimony, or argument will be admitted at this time. The Board, at its own discretion, may elect to decide the appeal in one of the following methods. as it sees fit:~~

~~1. Based solely upon the record compiled by the Planning Commission.~~

~~2. Based upon the record compiled, with additional argument or explanation to be provided by the appellant or permit applicant or legal representative.~~

~~3. Based upon additional testimony and evidence, following a second public hearing, in the event that the appellant has demonstrated in connection with the appeal why a second public hearing is necessary~~

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~~and appropriate.~~

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The Board shall send to the appellant and the permit applicant, if they differ, a notice of the designated date of decision the public hearing, ~~not less than ten (10) days prior to such date, together with notice of the manner in which the Board has elected to proceed.~~ The date of decision shall be not more than ~~forty (40)~~ ninety (90) days following the submittal of the notice of appeal. ~~In the event that a second public hearing is scheduled,~~ Notice of such public hearing shall be provided to the public in the manner specified in Section 2206-01.

D. Following its deliberations on the date of decision, the Board of Supervisors shall either affirm, reverse or modify the decision of the Planning Commission. The factual and legal basis for the decision shall be specifically stated by the Board. The Clerk shall record the basis for decision and shall provide a copy to the appellant, permit applicant, and to the Planning Commission.

E. If the special use permit is approved, ~~the Planning Director~~ the County Zoning Inspector shall issue the permit, subject to all applicable conditions; provided, however, that if the applicant does not accept in writing the conditions within thirty (30) days after issuance, the permit shall be deemed null and void. If the special use permit is denied, the building permit fee be refunded.

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Article 18 - Site Development Standards

TABLE 1803-01

SITE COVERAGE RATIO

Within Category B, C, or D Growth Areas

<u>Zoning District & Plan Designation</u>	<u>Performance Level Number of Permitted Use</u>							
	<u>I</u>	<u>II</u>	<u>III</u>	<u>IV</u>	<u>V</u>	<u>VI</u>	<u>VII</u>	<u>VIII</u>
RU-10, RU-4, RU-2, TR-36, TR-18, SM-174, SM-87, SM-36, SM-18:								
In DEV, ENT, ER Plan Areas	.25	.25	.25	.25	.50	.50	.40	.35
In NC, NR	.25	.25	.25	.25	.25	.20	.15	.10
In <u>RPRural</u>	.15	.15	.15	.15	.15	.15	.10	.05
In <u>RG</u>	.10	.10	.10	.10	.10	.10	.05	.02
SR-43, SR-22:								
In all plan designations other than <u>RG, RPRural</u>	.25	.25	.25	.25	.25	.20	.15	.05
In <u>RG, RP Rural</u>	.15	.15	.15	.15	.15	.15	.10	.05
SR-12, TR-9, SR-8, MH-72, SM-9:								
In all plan designations other than <u>RG, RP Rural</u>	.35	.35	.35	.35	.35	.30	.25	.05
In <u>RG, RP Rural</u>	.15	.15	.15	.15	.15	.15	.10	.05
MH-54, MH-36, MR-A:								
In all plan designations other than <u>RG, RPRural</u>	.45	.45	.45	.45	.45	.40	.30	.05
In <u>RG, RP Rural</u>	.15	.15	.15	.15	.15	.15	.10	.05
MR-B:								
In all plan designations other than <u>RG, RPRural</u>	.55	.55	.55	.55	.55	.50	.45	.05
In <u>RG, RP Rural</u>	.15	.15	.15	.15	.15	.10	.10	.05
NB:								
In NC or NR	.45	.45	.45	.45	.45	.40	.30	.15
In ENT or ER	.45	.45	.45	.45	.65	.60	.55	.45
In DEV	.45	.45	.45	.45	.60	.55	.50	.40
In <u>RG, RP Rural</u>	.45	.15	.15	.15	.15	.15	.10	.05
GB, LI, HI:								
In NC or NR	.35	.35	.35	.35	.45	.40	.30	.15
In DEV, ENT, or ER	.35	.35	.35	.35	.90	.85	.85	.50
In <u>RG, RPRural</u>	.15	.15	.15	.15	.15	.15	.10	.05

Commentary: For meaning of plan area abbreviations, refer to Article 4 and Article 2 (Definitions).

Article 18 - Site Development Standards

TABLE 1803-02

SITE COVERAGE RATIO

Within Category A (Intensive) Growth Areas

<u>Zoning District & Plan Designation</u>	<u>Performance Level Number of Permitted Use</u>							
	I	II	III	IV	V	VI	VII	VIII
RU-10, RU-4, RU-2, TR-36, TR-18, SM-174, SM-87, SM-36, SM-18:								
In NC or NR	.35	.35	.35	.35	.35	.30	.25	.10
In ENT, ER, DEV	.35	.35	.35	.35	.70	.70	.55	.50
In <u>RGRural</u>	.15	.15	.15	.15	.15	.15	.10	.05
SR-43, SR-22:								
In all plan designations other than <u>RGRural</u>	.35	.35	.35	.35	.35	.30	.25	.10
In <u>RGRural</u>	.15	.15	.15	.15	.15	.15	.10	.05
SR-12, TR-9, SR-8, MH-72, SM-9:								
In all plan designations other than <u>RGRural</u>	.45	.45	.45	.45	.45	.40	.35	.10
In <u>RGRural</u>	.15	.15	.15	.15	.15	.15	.10	.05
MH-54, MH-36, MR-A:								
In all plan designations other than <u>RGRural</u>	.55	.55	.55	.55	.55	.50	.45	.10
In <u>RGRural</u>	.20	.20	.20	.20	.20	.20	.15	.10
MR-B:								
In all plan designations other than <u>RGRural</u>	.65	.65	.65	.65	.65	.60	.55	.10
In <u>RGRural</u>	.20	.20	.20	.20	.20	.20	.15	.10
NB:								
In NC or NR	.55	.55	.55	.55	.55	.50	.40	.20
In ENT, ER	.55	.55	.55	.55	.75	.70	.65	.55
In DEV	.55	.55	.55	.55	.70	.65	.60	.50
In <u>RGRural</u>	.20	.20	.20	.20	.20	.20	.15	.10
GB, LI, HI:								
In NC or NR	.45	.45	.45	.45	.55	.50	.40	.20
In ENT, ER, DEV	.45	.45	.45	.45	.95	.90	.90	.60
In <u>RGRural</u>	.20	.20	.20	.20	.20	.20	.15	.10

Commentary: The intensity or degree of land coverage on a site has an impact upon the character of surrounding sites. Site coverage ratios in these tables take into consideration the different characteristics of uses permitted in a zoning district, rather than treating each permitted use exactly the same. For instance, when a TR-36 zoning district exists in a Neighborhood Conservation (NC) area, that neighborhood takes on a distinct character (i.e. an established

Article 18 - Site Development Standards

1804.04(B)(1) Is the Abutting Site Developed With a Conforming Use?

If the neighboring site contains a legal, conforming use, the performance level number for that existing use shall apply.

Commentary: Refer to permitted use listing for the zoning district of the abutting site (Ex. - if the neighboring site is in a GB district and has a legal auto repair business) on it, use the performance level number given in Article 12, the GB district article, for an auto repair business. The Planning Department can assist you in this process.

1804.04(B)(2) Is the Abutting Site Either a Vacant Site, a Developed Site With a Nonconforming Use, or a Developed Site With an Illegal/Unauthorized Use?

If the neighboring site: (1) consists of vacant land for which no application for a building permit has been received, or (2) contains a legal nonconforming use, or (3) contains an illegal or unauthorized use, that neighboring site shall be assigned the following performance level number:

<u>District of Vacant Neighboring Site</u>	<u>Performance Level Number</u>
RU-10, RU-4 District if within an NC or NR Plan Designation; all SM-174	I
RU-2, TR-36 in NC or NR Plan Designation; all SM-87, SM-36 districts	II
RU-10, RU-4 RU-2, TR-36 and TR-18 if number within DEV, ENT, ER, RP or RE <u>Rural</u> Plan Designation.	No performance level assigned. See Table 1804.04-1 for applicable buffer distance.
SR-43 or SR-22 District	II
TR-18 if within an NC, or NR Plan Designation, and SM-18	III
SR-12, TR-9, SM-9, or SR-8 District	III
MH-72, MH-54, MH-36, or MR-A District	IV
MR-8, NB District	V
GB District	VI
LI District	VII
HI District	VIII

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1804.04(B)(3) Is the Abutting Site Developed With an Exempt Use?

If the neighboring site contains an exempt use for which there is no designated performance level number, that neighboring site will be assigned a performance level number that is the same as the proposed use.

1804.04(B)(4) Is the Abutting Site a Developed Residential Site in an Enterprise Redevelopment Plan Designation?

If the neighboring site contains a conforming residential site but is situated in an ~~e~~Enterprise ~~r~~Redevelopment area Plan designation, that neighboring site shall be assigned a Performance Level Number V.

1804.04(B)(5) Is the Abutting Site a Vacant Site for Which an Application for Development Has Been Received?

If the neighboring site is vacant, but the Planning Department as received a completed application for a valid use on that site, that neighboring site shall be assigned a performance level number as if the use already existed.

1804.04(C) Calculate the Appropriate Buffer Distances to Neighboring Sites

Using Table 1804.04-1 below, calculate the appropriate buffer distances between the proposed use and each neighboring site. Adjust those distances (when applicable) by applying the rules for increasing or reducing buffer distances in Section 1804.04(D). The "buildable area" of the proposed site shall not be located closer to the neighboring site than the distances determined herein.

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TABLE 1804.04-1

TABLE OF BUFFER DISTANCES TO NEIGHBORING SITES*
Buffer Distance to Neighboring Site (in feet)*

Character of ABUTTING SITE (whether or not abutting site is separated by a street or alley from proposed use)	Performance Level Number of PROPOSED USE							
	I	II	III	IV	V	VI	VII	VIII
Vacant land in an RU, TR-36, TR-18 zoning district only if such district is in a DEV, ENT, ER, RC or RP Rural Plan Designation	40	20	10	5	20	20	20	40
Level I Use - (Dwelling(s) on site with density of less than one unit per two acres; vacant land zoned RU-10, RU-4, (in NC or NR Plan Designation); SM-174, etc.)	40	45	50	55	60	80	120	660
Level II Use - (Dwelling(s) on site with density between 21,780 square feet to two acres per dwelling unit; vacant land zoned RU-2 or TR-36 (in NC or NR plan designation), SM-87, SM-36, SR-43, SR-22, etc.)	20	20	25	30	40	60	120	660
Level III Use - (Dwelling(s) on site with density between 21,779 square feet per unit; vacant land zoned TR-18 (in NC or NR plan designation), SM-18, SR-12, SM-9, TR-9 or SR-8; etc.)	10	10	10	20	30	50	120	660
Level IV Use - (Dwelling(s) on site with density between 3,000 and 7,999 square feet per unit; or vacant land zoned MH or MR-A; etc.)	5	5	5	5	20	40	120	660
Level V Use - (Dwelling(s) on site with density of 3,000 square feet per unit or higher; or non-residential use rated level V; or vacant land zoned MR-B or NB; etc.)	0	0	0	0	0	20	40	220
Level VI Use - (Use rated level VI; or vacant land zoned GB; etc.)	0	0	0	0	0	0	20	90
Level VII Use - (Use rated level VII; or vacant land zoned LI; etc.)	0	0	0	0	0	0	0	40
Level VIII - (Use rated level VIII; or vacant land zoned HI; etc.)	0	0	0	0	0	0	0	0

* See following Section 1804.04(D) for adjustments increasing or decreasing
buffer distance in this table.

1. Site Abuts a Residential Street

Parking areas containing four (4) or more parking spaces shall be located no closer than twenty (20) feet to a residential street which either contains or is zoned for level I, II, III, or IV residential uses, except for points of ingress and egress.

2. Site Is Adjacent to Residential Sites

Parking areas containing four (4) or more parking spaces on a site directly adjacent to residential sites (performance levels I, II, III, and IV only) shall be located no closer to the boundaries of such adjacent residential property than:

<u>Number Spaces for Proposed Use</u>	<u>Buffer/Separation</u>
4-6 spaces	20 feet
7-25 spaces	30 feet
26-75 spaces	40 feet
76 or more spaces	50 feet

Provided, however, that above buffers may be reduced thirty percent (30%) by construction of a six (6) foot high masonry wall (or six (6) foot high natural vegetation screen of sufficient depth to be completely sight obscuring) or forty percent (40%) by construction of an eight (8) foot masonry wall near the boundary of the two sites.

3. Sites in Enterprise Redevelopment Areas Plan Designations

The buffers/separations in paragraphs (1) and (2) above shall not apply to properties in an Enterprise Redevelopment (ER) area Plan designation.

Commentary: Parking areas may be located outside the buildable area of the site. However, they can and do create an adverse impact on surrounding residential sites. Note that "parking areas" do not include areas of storage of trucks and equipment or "loading" areas, which have higher visual and noise impacts and must therefore be located within the buildable area of the site.

B. Parking Area Within Site Boundary

Irrespective of the district in which it is located, every part of a parking area shall be set back from every site boundary a sufficient distance to ensure that no part of any parked vehicle will project over any site boundary.

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C. Access to Parking from an Alley

Any parking area may use an abutting alley for direct access to parking spaces with a minimum four (4) foot backing area between the space and alley, provided that the alley is dedicated to the public. Developer may be required to improve the alley to the standard identified in 1805.08 if the alley is to be used as ingress or egress from the site. Such spaces will not create a traffic hazard or site distance problem at the alley.

D. Access to Parking from a Street

Access to a parking area from a street shall be limited to definable entry and exit driveways. There shall be no direct access to any off-street parking space from a street.

E. Ingress and Egress

No entrance or exit to a parking area shall be located closer than fifteen (15) feet to an adjacent residential district or conforming residential site.

F. Location of Driveways

No driveway entrance to a parking area shall be located closer than fifty (50) feet to any street intersection.

1805.08 Parking Area Improvements

A. Single-Household Dwellings

Single-household dwelling site (used for one permanent dwelling only), irrespective of plan area designation or zoning district, shall be exempt from parking area improvements.

B. Category C and D Growth Areas

1. Sites in Category C (Rural) Growth Areas shall comply with Subsection 1805.08(D) (Category B Growth Areas), when: (a) the site has more than twenty (20) spaces or six thousand (6,000) square feet of parking area; or (b) the site is used for non-residential purposes within a residential zoning district.

2. Parking areas for all other sites in Category C Growth Areas and for all sites in Category D (~~Resource~~Rural) Growth Areas, and all access drives thereto, shall be constructed and improved so as to provide an all-weather, dust-free, gravel surface, or equivalent or better surface approved by the County Engineer, and shall be properly drained to prevent impoundment of surface water. Required parking

B. Use of Hazardous Materials and Devices

No property line fence on a residential site, or on a boundary of a non-residential site which abuts a residential site, shall contain electrical current, broken glass, or similar hazardous materials or devices; however, barbed wire fences shall be permitted in ~~Resource~~Rural areas and RU zoning districts.

Commentary: Even though electrical fences are prohibited on and adjacent to all residential sites, including those in ~~Resource~~Rural areas, this won't apply to agricultural or ranching operations, which are exempt from these Regulations.

C. Screening of Refuse Collection Areas

All refuse collection areas shall be screened from view from all public streets and surrounding properties.

D. Location of Screening

Except as otherwise provided in Section 1806, all required screening shall be erected by the owner or designated agent of the owner across the full length of the site boundary, except for approved openings for access to the site where necessary.

E. Maintenance of Screening

All required screening shall be maintained by the owner for the duration of the use or until such time as the abutting site protected by the screening is developed in such a manner that screening is no longer required between the abutting sites.

F. Clearance for Overhead Wires

Other provisions of these Regulations notwithstanding, no vegetation, screening, or landscaping shall be planted or allowed to remain at any location where it will at maturity interfere with overhead utility lines and wires.

G. Encroachment Upon Sidewalks and Rights-of-Way

public Natural vegetation screening shall not encroach upon sidewalks and public rights-of-way.

H. Required Screening

1. Performance Level Number IV and V Multiple-Household Residential Sites

(Multiple-Household Dwellings having less than six thousand (6,000) square feet of lot area per dwelling unit.)

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8. Retention of native vegetation in a natural drainage channel shall satisfy the landscaping requirement for such area.

9. All landscaping shall be maintained for the duration of the use or uses on the site.

10. Sufficient curbing, screening, or other protection shall be provided so that ground cover or other landscaping materials do not escape from the site onto a street or abutting property.

Commentary: It is intended in those situations where landscaping is placed that there be a good faith effort by the owner to place and maintain suitable landscaping - landscaping which enhances rather than detracts from the natural beauty of the land.

1807 Street Improvements, Access, and Traffic Circulation

Commentary: We have defined in Section 102B of the Comprehensive Plan 105.02 a number of transportation policies, which are the beginning of a transportation plan, and which shall be used as a guide to development. In addition, we have to a degree identified streets by function. Until there is a complete traffic circulation plan clearly identifying streets by function, this will have to be done on a street-by-street basis. Standards for access, street improvements, and internal design have also been identified. A rigid improvement policy without a transportation plan would be unfair and would not serve the purposes identified in Section 1807.01.

1807.01 Purpose

It is the purpose of this section to identify streets according to their function as residential, collector, or arterial streets to the extent possible, and to coordinate development of land uses in accordance with policy guidelines adopted under the Comprehensive Plan. Standards are designed to minimize safety hazards, to prevent traffic congestion, to preserve the traffic carrying capacity of arterial and collector streets, to provide a suitable location for land uses, and to minimize other negative impacts of development.

1807.02 Street Policies

The transportation policies set forth in Section 102B of the Comprehensive Plan 105.02 ~~of these Regulations~~ shall be applied in determining the access and improvements necessary for development of a site.

Section-line and mid-section-line streets shall be presumed to be collector streets, unless they are clearly functioning or intended to function as arterials or residential streets.

D. Arterial Streets

Streets with the principal function to serve as a part of a major network for through- traffic flow, separate from local traffic, to and from areas of principal traffic generation, of adequate design, capacity and construction to provide for the safe and rapid distribution and collection of through traffic and to provide limited ingress and egress to and from collector and residential streets. All state and federal highways shall be considered arterial streets. Arterial streets are designed for high volumes and speeds of traffic.

1807.05 Access to Streets

The following specific access requirements shall apply to development of sites under these Regulations:

A. Permanent Legal Access

No building permit shall be issued unless a site has permanent legal access to a dedicated street which connects onto the County public roadway system. Said access shall be not less than twenty (20) feet wide throughout its entire length and shall adjoin the site for a minimum distance of twenty (20) feet. Unless otherwise specified, access may be provided by: direct frontage onto a public street; a permanent private easement of record for ingress and egress; or a valid court order recognizing a private right to use an existing private roadway.

Commentary: Before a property owner can put a use on a piece of property that can impact another, there must be an ability to reach that parcel. It is already mandatory for subdivided parcels by state statute. It matters not whether the "legal" access is the one actually used; it must be available for use.

B. Limitation on Location of Non-Residential Uses

New non-residential uses with a performance level of V (if over 1,500 square feet in floor area or display area), VI, VII or VIII shall not be permitted direct access onto a residential street (1) within a platted subdivision; or (2) within a Neighborhood Conservation or a Neighborhood Rehabilitation area Plan designation. This shall not apply to non- residential uses intended to serve only the neighborhood or subdivision.

1807.07 Street Improvements

A. For all uses, other than single-household dwellings, developers of a site shall construct those off-site improvements which reasonably relate to traffic and safety needs resulting from development of the site. Said improvements may include, but are not limited to: dedication of streets and alleys, construction of streets or additions to streets, widening of streets, traffic control signals and other devices, turn lanes and turn bays, drainage improvements, pavement or dust abatement. The type and extent of improvements shall be based upon:

1. The amount and type of additional traffic that will be created by development of the site;
2. Any adverse effect upon traffic flow along the street abutting the site resulting from traffic entering and leaving the site;
3. The ease and safety of vehicles entering and leaving the site;
4. Conformity to applicable provisions of the Comprehensive Plan, ~~the transportation policies set forth in Section 105.03 of these Regulations,~~ and any approved master development plans;
5. Existing and anticipated traffic patterns along the street(s);
6. Adverse impacts resulting to neighboring sites from the traffic to the proposed site.

B. The levels of improvement and design requirements of the Cochise County Subdivision Regulations shall be used as a guide in determining the minimum extent of improvements under paragraph A above.

C. If the proposed use is of such magnitude as to significantly reduce the level of service on a street or streets, or if it is likely to cause a substantial increase in traffic or congestion, the County Engineer may require a transportation impact study from the developer before a building permit is issued. The transportation impact study shall be prepared by a registered engineer, and shall describe the site, and all surrounding streets, intersections and access points; existing traffic conditions showing daily or peak hour volumes; and the transportation impact of the development, including its effect on service levels for all collectors and arterials within one-half mile of the site. Developers shall then be required to construct improvements in accordance with Paragraph A herein in

Article 18 - Site Development Standards

5. Such office shall be removed from the property being subdivided upon the expiration of the previously approved building permit, unless such building permit is renewed, or when eighty percent (80%) of the lots in said property have been sold, whichever occurs first.

Commentary: The limitation based on the percentage of lots sold is intended to protect the character of newly developed subdivisions which have become established neighborhoods. In districts where sales offices are a permitted use, the developer may opt to obtain a permanent building permit, in which case the time limit and limitation based on percentage of lots sold would not apply. This shall not apply where the sales office is to be eventually sold as one of the dwelling units.

D. Carnival or Circus

1. Permitted in all zoning districts except; SR, SM, TR-9, MH & MR & TR-36, TR- 18, and RU in Neighborhood Conservation or Neighborhood Rehabilitation plan areas designation. A carnival or circus may be granted a temporary permit within PD-1 zoning districts only in those areas designated on approved plans as neighborhood commercial centers.
2. Maximum length of permit shall be fifteen (15) days. Permittee may obtain a temporary building permit for up to three (3) different sites on the same temporary building permit application.
3. No structure or equipment shall be located within five hundred (500) feet of any existing residence.

E. Musical Festivals

Musical festivals shall be permitted only upon approval of the temporary building permit by the Board of Supervisors in accordance with the procedures established by resolution by the Board for such activities.

F. Christmas Tree Sales

1. Permitted in all zoning districts, except: SR, SM, TR-9, MR & MH, TR-36, TR- 18 and RU districts in Neighborhood Conservation or Neighborhood Rehabilitation plan areas designation. Christmas tree sales are permitted in PD-1 zoning districts only in those areas designated on approved plans as neighborhood commercial centers.
2. Maximum length for display and open lot sales of Christmas trees shall be forty-five (45) days. Unsold trees shall be removed from the site at the end of the forty-five (45) day period.

G. Events of Public Interest

1. Permitted in all districts.
2. Include but not limited to outdoor art and crafts shows and exhibits, outdoor concerts, revivals, and charity events. "Events of Public Interest" shall not include private profit-making enterprises.
3. Maximum length of temporary use permit shall be thirty (30) days.
4. No structure, equipment or display shall be located within three hundred (300) feet of an existing residence.

H. Retail Sales of Products

1. Permitted only in: GB, LI, and HI zoning districts; TR-36, TR-18, and RU districts not located in Neighborhood Conservation, Neighborhood Rehabilitation, or Reseuree Rural plan areas designation.
2. Sales shall be limited to not more than thirty (30) days in a one-year period.
3. Does not apply to sale of farm produce on the premises.

Article 19 - Signs

business districts. The area bonus for businesses listed on directional signs may not be utilized for any establishment which maintains any individual off-site advertising sign along the same route as that occupied by the directional sign. For the purposes of these Regulations, a major business district shall be any Enterprise plan area designation having four or more commercial establishments.

1904.07 Directory Sign

Any identification sign listing all occupants of a parcel having multiple uses.

1904.08 Double-Faced Sign

A sign having two (2) copy areas, only one (1) of which can be seen, either in whole or in part, from any given point on the ground.

1904.09 Fascia

A horizontal band covering the joint between the top of a wall and the projecting eaves.

Commentary: This definition is needed to clarify the definition of "Wall Sign."

1904.10 Ground (Free-Standing) Sign

A sign supported by uprights, braces, or similar structure which is placed directly in or affixed to the ground and not attached to any building. No permanent ground sign shall be located within the required bufferyard separating a Performance Level V, VI, VII, or VIII use from any Level I, II, III, or IV use. No permanent ground sign shall be located nearer than fifty (50) feet to any other permanent ground sign, other than a (private) traffic control sign, twenty (20) feet to any building, or ten (10) feet to any public right-of-way.

Commentary: Spacing requirements are intended to avoid clutter and to protect existing signs from loss of effectiveness due to the erection of new signs. The setback from right-of-way lines protects traffic visibility.

1904.11 Home Occupation Sign

A sign identifying an approved home occupation on the premises.

2206 Board of Supervisors Action

Upon receipt of the eCommission's recommendation the bBoard shall hold a public hearing thereon at least fifteen days' notice of which shall be given by one publication in a newspaper of general circulation in the county seat and by posting the area included in the proposed change. After holding the hearing the bBoard may adopt the amendment, but if twenty per cent of the owners of property by area and number within the zoning area file a protest to the proposed change, the change shall not be made except by a three-fourths vote of all members of the bBoard. If any members of the board are unable to vote on the question because of a conflict of interest, the required number of votes for the passage of the question is three-fourths of the remaining membership of the bBoard, except that the required number of votes in no event shall be less than a majority of the full membership of the bBoard. In calculating the owners by area, only that portion of a lot or parcel of record situated within three hundred feet of the property to be rezoned shall be included. In calculating the owners by number or area, eCounty property and public right-of-way shall not be included.

2207 Criteria for Establishment of a Zoning District in accordance with the General Comprehensive Plan

Commentary: The section establishes a basis for determining the appropriateness of a proposed rezoning in conformance with the goals and policies established in the Comprehensive Plan. The criterion establishing "permitted" zoning districts within plan designations is mandatory; the proposed rezoning must comply, or it cannot be granted. The remaining criteria are advisory in nature, creating a presumption either for or against a rezoning.

2207.01 Purpose

It is the intent of this section to establish criteria which will enable the developer, his or her neighbors, the Commission, and the Board of Supervisors to evaluate the appropriateness of a zoning amendment, and to provide a direct link between the Comprehensive Plan and individual land use decisions.

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Commentary: Nonconformances create a situation where adjacent properties are subject to differing sets of requirements, thus interfering with the development of appropriate land use patterns and undermining public confidence in the regulations. This criterion is designed to limit the creation of nonconforming uses in the areas most vulnerable to such conflict. In most cases, if a proposed rezoning would cause a substantial number of existing uses in an area to become nonconforming, then that zoning district is not appropriate for that area.

In Neighborhood Rehabilitation (NR) and Enterprise Redevelopment areas(ER) Plan designations, however, existing problems include inappropriate spot zonings and conflicting uses. These areas are generally in a state of change; therefore, a proposed rezoning which would result in more than a ten percent (10%) increase in nonconforming uses within the area to be rezoned may in the long run promote more appropriate and compatible land use patterns.

5. Deed Restrictions

Proposed zoning districts shall be compatible with prior existing deed restrictions which affect the property to be rezoned and which are designed to protect the surrounding properties.

Commentary: This provision is intended to give surrounding property owners protection which they expected at the time they purchased their property. It is not intended to be used as a means for an owner to dictate to the County a particular zoning classification.

6. More Intense Residential Districts

Property abutting, within, or within 1000 feet of a Neighborhood Conservation (NC) or Neighborhood Rehabilitation (NR) plan area designations shall not be rezoned to a residential district permitting densities more than double the density of neighborhoods within the NC or NR areas designations unless:

(a) The proposed district is buffered by an adequate intermediate district of sufficient size to provide an adequate transition to the existing NC or NR area Plan designations;

(b) The proposed district is a reasonable extension of a similar density district within the NC or NR area Plan designation to be protected;

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(c) The proposed district itself provides a transition between the NC or NR area Plan designation and a more intensive district, enterprise or Enterprise Redevelopment Plan Area designation, or an arterial street upon which high intensity uses are probable; or

(d) The proposed district abuts and is oriented toward an arterial street, the intersection of two collector streets, or other street of sufficient traffic-carrying capacity to warrant higher density development, provided, however, that the proposed district will not burden the streets and other facilities of the NC or NR area Plan designations.

Commentary: This promotes Comprehensive Plan policy ies in that 105.01(B)(12)(a) that a compatible mixture of zoning districts shall be promoted within each plan designation. This provides additional protection for NC and NR areas Plan designations from very intensive residential development disrupting the character of the area, unless there are other constraints such as a major street or higher intensity surrounding development which justify the intensification.

7. Master Development Plan for Residential Rezonings

Rezonings to a more intensive residential district which are designed to accommodate more than 150 dwelling units shall be granted only upon prior or concurrent approval of a master development plan demonstrating that (a) the existing or proposed street network is capable of handling additional traffic without detriment to existing streets and surrounding properties; (b) adequate water and sewerage facilities are or will be made available to the site to serve the proposed development without detriment to surrounding properties; (c) adequate school facilities exist or are planned to serve the needs of the development. The Master Development Plan shall also be required if a developer or successor thereto phases or releases property in such a manner as the sum of one or more of the phases totals 150 units. A master development plan or a report demonstrating adequate transportation and facilities shall be required whenever concentrations of developments at MH-72 or higher densities are such that a drain on existing streets and facilities is likely to occur if additional higher density development occurs in the general area.

Commentary: Rather than specify maximum district sizes, this section is intended to require that there be adequate facilities and streets to support higher intensity development. Even if an area has been developed with higher density districts on a piecemeal basis, at some point in time it is necessary for the

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resulting traffic impact would substantially reduce the level of service on surrounding public streets. This means that whenever the abutting public streets are not adequate to absorb the anticipated traffic increase, a rezoning is appropriate only if the applicant provides the necessary rights-of-way and off-site improvements to maintain the existing rate of unobstructed traffic flow in the area, and the existing level of safety. In most cases, it is reasonable to expect that at least the abutting street be developed to minimum County standards.

10. Traffic Circulation Criteria

In addition to the criteria in paragraph 9, formation of the proposed district shall be consistent with preservation of the functions of surrounding streets. Therefore, said rezoning should be consistent with the transportation policies set forth in section 102B of the Comprehensive Plan 105.02. In particular, if the rezoning is to GB, LI or HI, development shall not result in the use of any residential street for through traffic to and from the proposed district.

Commentary: The policies of section 102B of the Comprehensive Plan 105.02, and 105.02(B)(3) in particular, are designed to protect residential streets and neighborhoods from nonresidential traffic as well as higher-speed streets from direct access to residences. Commercial and industrial traffic, both in terms of volume and type of vehicles, is particularly incompatible with the desired character of residential areas.

11. Strip Commercial Development

Rezoning which create strip commercial development along collector and arterial streets shall not be approved unless provisions are made to preserve the function of such street(s) and limit access thereto.

Commentary: Strip commercialization is generally the product of individual parcel development along a major street, with each business having its own separate access. Developers along such corridors, if they choose to develop commercially, will have to look toward unified developments and limitations on access, through use of frontage roads, shared access, or other means.

12. Location of Enterprise Districts

No GB, LI, or HI district shall be formed within 1000 feet of the perimeter of an Enterprise or Enterprise Redevelopment area (ER) Plan designations.

Commentary: This criterion provides a way of limiting or controlling strip commercial development or commercial sprawl. When a commercial or industrial rezoning is proposed near an existing enterprise area Plan designations, the Board will look at existing facilities, transportation, and land use patterns to determine whether a new enterprise area Plan designations, or an extension of the existing one, is warranted. If not, then any additional commercial industrial development should take place within the existing enterprise designation.

13. Site Plan, Master Development Plans, or Subdivision Plat Approval--Developing Areas and Resource Productive Areas Rural Designations

a) Enterprise Districts Rezoning of Ten Acres or More in Developing Designations to Commercial/Industrial Zoning Districts

No rezoning to NB, GB, LI or HI of over ten (10) acres in area shall take place in any Developing area designation unless accompanied by a concurrent site plan, subdivision plat, or master development plan. Such plan or plat shall demonstrate adequate traffic circulation and facilities for the proposed rezoning site.

b) Other Rezoning of less than Ten Acres in more Intensive Districts to Commercial/Industrial/MRA/MH/SR Zoning Districts

If a proposed rezoning is to a more intensive zoning district within a Developing area Designation or a Resource Productive area submittal of an approval application for building permit, tentative plat, or a master development plan shall be required within eighteen (18) months of conditional approval. The rezoning shall take effect only upon the completion of construction in accordance with the building permit, upon certification by the County Engineer that all subdivision improvements have been completed to minimum County standards, or upon adoption of the master development plan.

Commentary: Purely speculative rezonings in developing areas interfere with logical emergence of land use patterns by predetermining the use of land without regard to the actual market conditions currently affecting the site. Such rezonings encourage sprawl, or "leapfrog" development, by passing over more appropriate

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sites--those which are ready for development due to will have to guarantee connection to the system even if he or she is not currently in an area which is then determined to be "reasonably available" for connection. The non-applicability statement allows some flexibility for an existing individual site. Future density increases above the level of one (1) dwelling unit per acre will not be considered appropriate in areas relying upon septic systems.

15. Unique Topographic Features

A rezoning to a more intensive zoning district shall not take place if there are unique features or ecologically sensitive areas on the site to be rezoned which substantially reduce the carrying capacity of the site. This criterion may be overcome by submission of a concurrent site plan, subdivision plat, or master development plan which provides adequate protection for these sensitive areas.

Commentary: There may be areas of unstable soils, steep slopes, severe washes, etc., which are not appropriate for intense development. Rezonings encompassing such areas will be discouraged unless the developer carefully plans development around these areas, such that they are appropriately protected.

16. Locations of HI Districts

Rezoning to an HI district shall be permitted only if the proposed district is abutted by an NB, GB, LI, or HI zoning district, or an RU or TR-36 district (outside a Neighborhood Conservation or Neighborhood Rehabilitation area, or an existing neighborhood in a Resource Rural plan designation).

17. Water Conservation

Does the development comply with the water conservation policies of section 102E in the Comprehensive Plan?

D. Failure To Satisfy Criteria

If the proposed district does not meet the applicable requirements for street, sewer, or water improvements, the Board may condition approval of the rezoning upon completion of such improvements. The Board may require appropriate improvement security, or use the mechanism of building permit, subdivision plat, or master development plan approval to cure these deficiencies.

TABLE 2207.03-1

ZONING DISTRICTS PERMITTED TO FORM WITHIN PLAN DESIGNATION

PLAN DESIGNATION
OF PROPOSED DISTRICT

ZONING DISTRICT TO BE FORMED

SEE ORIGINAL SET OF REGULATIONS FOR THIS SECTION - HAND TYPE IN

DEVELOPING (DEV)	P P P P P P P P P P P P P P P
NEIGHBORHOOD CONSERVATION (NC)	P P P P P P P P P P P P P P
NEIGHBORHOOD REHABILITATION (NR)	P P P P P P P P P P P P P P
ENTERPRISE (ER)	P P P P P
ENTERPRISE REDEVELOPMENT (ER)	P P P P P
RESOURCE PRODUCTION (RP) <u>Rural</u>	P P P P P
RESOURCE CONSERVATION (RC)	P P P

P = Permitted To Be Formed

Blank Space = Prohibited

TABLE 2207.03-3

MINIMUM AREA OF ZONING DISTRICT (ACRES)

PLAN DESIGNATION
OF PROPOSED

ZONING DISTRICT TO BE FORMED

SEE ORIGINAL SET OF REGULATIONS FOR THIS SECTION - HAND TYPE IN

Developing (DEV) 2 2	16	8	8	4	2	1	4	2	1	4	3	2	1	1	1	1	1	1	1	1	1/2	2	4	8
Neighborhood Conservation(NC)	NA	NA	NA	NA	2	1	NA	2	1	1	1	1	1	1	1	1	1	1	1	1	NA	NA	2	
Neighborhood Rehabilitation(NR)	NA	NA	NA	NA	2	1	NA	2	1	1	1	1	1	1	1	1	1	1	1	1	NA	NA	2	
Enterprise (ENT) NA																					NA	NA	NA	NA
Enterprise Redevelopment (RP) NA																					NA	NA	NA	NA
Resource Production (RP) Rural	NA	NA	NA	NA	8	NA																		
Resource Conservation (RC)	NA	NA	NA	NA	NA																			

"Number" is minimum number of acres for district to be formed

NA = No minimum district size

Blank Space = District prohibited

Board of Supervisors

Tony J. Saracino
Chairman,
District 1

Mike Palmer
District 2

Leslie E. Thompson
District 3



Jody N. Klein
County Administrator

Nadine Parkhurst
Clerk

CERTIFICATION

I hereby certify that I am the duly appointed, qualified, and Deputy Clerk of the Cochise County Board of Supervisors, Bisbee, Arizona; that as such, I have in my possession all of the original Ordinances adopted by the Cochise County Board of Supervisors; and that the attached is a true and correct copy of Ordinance 026-96 approved at the Board of Supervisors' meeting on December 2, 1996 which was published in the Tombstone Tumbleweed on December 19, 1996, as it appears in my records.

Dated this 31 day of December, 1996.

Maria G. Marsh
Deputy Clerk of the Board
Board of Supervisors

