

ZONING ORDINANCE 11-10

AMENDING THE COCHISE COUNTY ZONING REGULATIONS TO PROVIDE REGULATORY RELIEF TO PROPERTY OWNERS WHOSE STRUCTURES WERE DAMAGED OR DESTROYED BY CATASTROPHIC EVENTS THAT ARE DECLARED EMERGENCIES BY THE BOARD OF SUPERVISORS, AND WHO WISH TO REPAIR OR REBUILD STRUCTURES DEEMED LEGAL AND NONCONFORMING

WHEREAS, Section 802 of Title 11 of the Arizona Revised Statutes gives the County Board of Supervisors the authority to adopt Zoning Regulations to address land use; and

WHEREAS, Cochise County has adopted Zoning Regulations as permitted by law; and

WHEREAS, Zoning Regulations were originally adopted in Cochise County by the County Board of Supervisors in 1975 with major revisions adopted in 1984, 1999 and 2008; and

WHEREAS, it is the overall intent of Docket R-11-03 to: 1) provide regulatory relief to property owners affected by catastrophic events that are declared emergencies by the Board of Supervisors; 2) allow property owners whose structures were damaged or destroyed by catastrophic events that the Board of Supervisors declares emergencies and who wish to repair or rebuild structures deemed legal, non-conforming (or which existed prior to January 1, 1975) to be exempt from the requirement that future use(s) comply with all requirements of the Zoning Regulations or amendments thereto for the zoning district in which such future use(s) is located; and 3) build in more flexibility into how the regulations would be administered and, as such, be in the best interest of the general public at large to adopt; and

WHEREAS, a public hearing has been held before the Cochise County Planning Commission on September 14, 2011 where the Commission recommended unanimous approval of Docket R-11-03 to the Board of Supervisors,

NOW, THEREFORE, BE IT RESOLVED that the Cochise County Zoning Regulations are hereby amended as set forth in Exhibit A, to be effective from and after October 27, 2011. Upon the effective date of these amended Cochise County Zoning Regulations all regulations and ordinances, or any portions of them, in conflict or inconsistent with these amended regulations shall be deemed to be repealed.

PASSED AND ADOPTED by the Board of Supervisors of Cochise County, Arizona,
this 27th day of September, 2011.



Patrick Call, Chairman
Board of Supervisors

ATTEST:



Katie Howard
Clerk of the Board

APPROVED AS TO FORM:



Britt W. Hanson, Chief Civil
Deputy County Attorney

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EXHIBIT A:

RECOMMENDED AMENDMENT TO THE ZONING REGULATIONS

ARTICLE 20 (EXEMPTIONS, EXCEPTIONS AND NONCONFORMANCES):

Add the following language (shown in **boldface**) to Article 20 and Section 2003.03(B):

2003.03 Discontinuance of Nonconforming Uses

B. In the event that a nonconforming use of land, building or structure is destroyed by fire, explosion, act of God or act of the public enemy, then the future use shall from and after the date of such destruction, be subject to all of these Regulations or amendments thereto for the zoning district in which such future use is located. **However, property owners whose structures were damaged or destroyed by a catastrophic event that the Board of Supervisors declares to be an emergency, and who wish to repair or rebuild structures deemed non-conforming, are exempt from this requirement.**