

EXHIBIT "A" R-14-06 Zoning Regulations Update

Draft Zoning Regulations R-14-06

Definitions

Agriculture, General - A tract containing a minimum of 5 contiguous commercial acres which is being used for the production of farm, garden, or orchard crops, or the grazing or raising of farm animals, including feeding pens that are incidental and subordinate to a grazing operation. Examples of commodities produced include vegetables, fruit trees, grapes, cotton, grain, poultry, horses, cattle, sheep and swine. The term "general agriculture" includes such uses as the necessary treatment, packing or storage of farm products produced on premises, the sale of any farm crops or livestock raised on premises, and any signs, structures, or fences utilized for agricultural functions. By statute "general agriculture" includes dairy operations, including areas designated for raising heifers and bulls owned by the same dairy operation that is on property contiguous to the dairy operation or within one-quarter of a mile. It does not include signs advertising off-premise facilities, junkyards, other retail sales, manufacturing, any non-agricultural services, stockyards, slaughterhouses/meat packing plants, commercial pen feeding, production wineries, bone yards, plants for the reduction of animal matter, poultry feeding operations, agricultural processing plants, or the growing of medical marijuana.

Community Garden – An area used to grow food and/or fiber products for use, consumption, or sale by the garden participants. Accessory uses may include greenhouses, sheds, and outdoor storage of farm equipment. Community gardens are considered residential uses for the purposes of site development standards.

Repair Services, Large Engines - Services designed to repair large vehicles such as trucks with more than two axles, recreational vehicles, tractors, combines, and/or other large engines and may include incidental retail sales of parts.

Repair Services, Light - Services designed to repair items, such as watches, jewelry, furniture, electrical equipment, appliances, and clocks and may include incidental retail sales.

Repair Services, Small Engines - Services designed to repair vehicles with no more than two axles, recreational vehicles and/or other small engines and may include incidental retail sales.

504 Official Zoning District Map

504.01 The Official Cochise County Zoning District Map, together with all digital explanatory matter hereon, is hereby adopted by reference and declared to be an official record and a part of these Zoning Regulations.

504.02 Whenever amendments or changes are made in Zoning District boundaries, such amendments or changes shall be made promptly on the Official Zoning District Map.

504.03 No changes of any kind shall be made in the Official Zoning District Map except in conformance with the procedures set forth in these Zoning Regulations. Any unauthorized change of whatever kind by any person or persons shall be considered a violation of these Zoning Regulations and punishable as provided in Article 23.

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504.04 Regardless of the existence of purported copies of the Official Zoning District Map which may from time to time be made or published, the Official Zoning District Map shall be a digital map in the custody of the Clerk of the Board of Supervisors. Said digital map shall be the final authority as to the current Zoning status of all lands in the area of jurisdiction.

603.10 Bed and breakfast inn, subject to procedures in Article 17.

606 Other Permitted Uses

The following rural uses will be allowed without the establishment of a permitted principal use:

606.01 Solid fences or walls six-feet in height or less. Setbacks do not apply; no permit required unless greater than three feet in height on a corner lot (informational permit required).

606.02 Well houses, in a fixed location. Required minimum setbacks shall be 50-feet from the property lines; no permit required if 200-square feet or less. Permit is required for electrical and/or if located in a floodplain.

606.03 In Category A and B only, one out-building, in a fixed location, corrals, and pens. Multiple structures allowed in Category C and D.

607.29 Repair services, large engines.

607.30 Repair services, light.

607.31 Repair services, small engines.

607.32 Recycling centers.

607.33 Cultural, historic and/or nature exhibits.

607.34 Residential care institutions.

607.35 Offender rehabilitation facilities.

607.36 Group quarters.

607.37 Funeral and/or crematory services.

607.38 Golf courses.

607.39 Agricultural processing services with less than 300-foot minimum setback.

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- 607.40** Communications towers exceeding 30-feet in height, subject to site development standards in Article 18.
- 607.41** Cemeteries.
- 607.42** Slaughterhouses/meat packing plants.
- 607.43** Day care establishments.
- 607.44** Commercial plant nurseries.
- 607.45** Bed and breakfast establishment.
- 607.46** Grocery Stores.
- 607.47** Research and/or Testing Laboratories.
- 607.48** Impound Storage Yards.
- 607.49** Wind Energy Power Plants (in Category D Areas only).
- 607.50** Mini-warehouses.
- 607.51** Riding stables, commercial, on a site less than 10-acres.
- 607.52** Solar Energy Power Plants-in Category D areas only.
- 607.53** Medical Marijuana Cultivation Facility in RU-4 and greater only, subject to site development standards in Article 18.
- 607.54** Medical Marijuana Dispensary in RU-4 and greater only, subject to site development standards in Article 18.
- 607.55** Medical Marijuana Dispensary Cultivation Facility in RU-4 and greater only, subject to site development standards in Article 18.
- 607.56** Medical Marijuana Infusion Facility in RU-4 and greater only, subject to site development standards in Article 18.

706 Other Permitted Uses

The following uses will be allowed without the establishment of a permitted principal use on parcels four-acres or larger:

- 706.01** Well houses, in a fixed location. Required minimum setbacks shall be 50-feet from the property lines; no permit required if 200-square feet or less. Permit is required for electrical and/or if located in a floodplain.
- 706.02** One out-building, in a fixed location, corrals and pens.
- 706.03** Solid fences or walls six- feet in height or less. Setbacks do not apply; no permit required, except if greater than three feet in height on a corner lot (informational permit required).

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- 1106.13** Repair services (enclosed), large engines.
- 1106.14** Repair services (enclosed), small engines.
- 1106.15** Communication towers, subject to site development standards in Article 18.
- 1105.16** Bed and breakfast establishment.
- 1106.17** Lighted Outdoor Recreation Facilities.
- 1106.18** Animal Husbandry Services.
- 1106.19** Mini-warehouses.
- 1106.20** Commercial Plant Nurseries.

- 1205.10** Repair services, large engines.
- 1205.11** Repair services (unenclosed), small engines.
- 1205.12** Communications towers exceeding 40-feet in height, subject to site development standards in Article 18.
- 1205.13** Regional sewage treatment plants.
- 1205.14** Truck stops.
- 1205.15** Lighted Outdoor Recreation Facilities.
- 1205.16** Golf courses.
- 1205.17** Solar Energy Power Plants, subject to site development standards in Article 18.
- 1205.18** Wind Energy Power Plants, subject to site development standards in Article 18.
- 1205.19** Medical Marijuana Cultivation Facility, subject to site development standards in Article 18.
- 1205.20** Medical Marijuana Dispensary, subject to site development standards in Article 18.
- 1205.21** Medical Marijuana Dispensary Cultivation Facility, subject to site development standards in Article 18.
- 1205.22** Medical Marijuana Infusion Facility, subject to site development standards in Article 18.

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- 1302.16** Repair services, large engines.
- 1302.17** Repair services, light.
- 1302.18** Repair services, small engines.
- 1302.19** Contract construction services.
- 1302.20** Communications towers at a maximum height of 199-feet , subject to site development standards in Article 18.
- 1302.21** Parking lots, commercial.
- 1302.22** Bus, rail, and/or truck terminals, and accessory maintenance yards and garages.
- 1302.23** Manufacturing, wholesaling, warehousing, distribution, and/or storage of goods.
- 1302.24** Motion picture production sites/studios.
- 1302.25** Printing and/or publishing businesses.
- 1302.26** Custom butchering/meat curing/processing.
- 1302.27** Mini-warehouses.
- 1302.28** Hospitals, including ambulatory services.
- 1302.29** Funeral and/or crematory services.
- 1302.30** Recycling centers.
- 1302.31** Cultural, historic and/or nature exhibits.
- 1302.32** Welfare and/or charitable services.
- 1302.33** Impoundment storage yards.
- 1302.34** Zoos and/or other animal exhibits.
- 1302.35** Fairgrounds and/or amusement parks.
- 1302.36** Truck stops.
- 1302.37** Emergency vehicle stations not otherwise exempted by Article 20.
- 1302.38** Recycling/Solid waste transfer facilities.
- 1302.39** Commercial plant nurseries.
- 1302.40** Car Wash.
- 1302.41** Anemometers, with temporary use permit not to exceed 3-years.

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1302.42 Ag-processing with a 300-foot minimum setback.

1302.43 Slaughterhouse/meat packing plants with a 300-foot minimum setback.

1302.44 Farmers markets.

1302.45 Community gardens.

1304.01 One dwelling or recreational vehicle for the family or employees of the owner/operator or caretaker of the site of a principal use.

1304.02 Recreational Vehicles (RV's) are allowed as follows:

- A. No permit is required for storage of no more than two RV's on a parcel.
- B. Temporary occupancy of one RV in conjunction with a permitted principal use up to six months in a calendar year with a required Temporary Use Permit; stays of 15-consecutive days or less do not require a permit.
- C. Temporary occupancy of RV's in conjunction with the construction of a residential or non-residential permitted principal use. Such occupancy shall be limited to the length of the permit with a required Temporary Use Permit, subject to Article 17.
- D. Recreational vehicles accessory to a principal permitted use may not be rented out.

1402.05 Repair services, large engines.

1402.06 Repair services, light

1402.07 Repair services, small engines.

1402.08 Contract construction services.

1402.09 Communications towers, subject to site development standards in Article 18.

1402.10 Bus, rail, and/or truck terminals, and accessory maintenance yards and garages.

1402.11 Commercial feedlots, stockyards, and/or auction barns.

1402.12 Manufacturing, wholesaling, warehousing, distribution, and/or storage of goods.

1402.13 Ag-processing with a 300-foot minimum setback.

1402.14 Custom butchering/meat curing/processing.

1402.15 Jails, prisons and/or detention centers.

1402.16 Offender rehabilitation facilities.

1402.17 Recycling centers.

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- 1402.18** Impoundment storage yards.
- 1402.19** Motion picture production sites/studios.
- 1402.20** Parking lots, commercial.
- 1402.21** Printing and/or publishing businesses.
- 1402.22** Gasoline/service stations.
- 1402.23** Banks and/or banking services.
- 1402.24** Personal and professional services.
- 1402.25** Truck stops.
- 1402.26** Emergency vehicle stations not otherwise exempted by Article 20.
- 1402.27** Funeral and/or crematory services.
- 1402.28** Restaurants, bars, taverns, nightclubs and/or off-site winery tasting rooms
- 1402.29** Recycling/Solid waste transfer facilities.
- 1402.30** Carwash.
- 1402.31** Anemometers, with temporary use permit not to exceed 3-years.
- 1402.32** Commercial feedlots with 300-foot minimum setback.
- 1402.33** Slaughterhouses/meat packing plants with a 300-foot minimum setback.
- 1402.34** Commercial plant nurseries.
- 1402.35** Cemeteries.
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- 1404.01** One dwelling or recreational vehicle for the family or employees of the owner/operator or caretaker of the site of a principal use.
- 1404.02** Recreational Vehicles (RV's) are allowed as follows:
- A. No permit is required for storage of no more than two RV's on a parcel.
 - B. Temporary occupancy of one RV in conjunction with a permitted principal use up to six months in a calendar year with a required Temporary Use Permit; stays of 15-consecutive days or less do not require a permit.
 - C. Temporary occupancy of RV's in conjunction with the construction of a residential or non-residential permitted principal use. Such occupancy shall be limited to the length of the building permit with a required Temporary Use Permit, subject to Article 17.
 - D. Recreational vehicles accessory to a principal permitted use may not be rented out.

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1502.13 Personal and professional services.

1502.33 Repair services, large engines.

1502.34 Repair services, light.

1502.35 Repair service, small engines.

1502.36 Manufacturing, wholesaling, warehousing, distribution, or storage of goods.

1502.37 Jails, prisons, and/or detention centers.

1502.38 Motion picture production sites/studios.

1502.39 Restaurants, bars, taverns, nightclubs and/or off-site winery tasting rooms.

1502.40 Fairgrounds and/or amusement parks.

1502.41 Residential care homes.

1502.42 Residential care institutions.

1502.43 Offender rehabilitation facilities.

1502.44 Agricultural processing services.

1502.45 Zoos and/or other animal exhibits.

1502.46 Recycling centers.

1502.47 Communications towers.

1502.48 Truck stops.

1502.49 Commercial plant nurseries.

1502.50 Heliports, helipads, airports, and/or airstrips designed to serve the development.

1502.51 Lighted Outdoor Recreation Facilities.

1502.52 Anemometers, with temporary use permit not to exceed 3-years.

1502.53 Wind Energy Systems, subject to the site development standards in Article 18.

1502.54 Animal Husbandry Services.

1502.55 Solar energy systems, subject to the site development standards in Article 18.

1502.56 Solar Energy Power Plants, subject to the site development standards in Article 18.

1502.57 Community Gardens.

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1502.58 Hospitals

1704 Building/Use Permit Required

1704.01 It shall be unlawful to erect, construct, reconstruct, alter or use any structure or building without first obtaining a building/use permit from the County Zoning Inspector; except that no building/use permit shall be required for any repairs or improvements of a value not exceeding \$1,000 dollars (market value labor and materials or actual receipts for cost of materials can be provided) except that those items listed* in this section below are completely exempted from permit requirements for single family residential dwellings only.

For non-residential uses a permit is required regardless of the dollar value of the improvement when there are applicable building code requirements.

For the purpose of determining the value of any such repair, alterations, or improvements, the normal retail value of materials and labor performed shall be used. Even though no permit is required for repairs or improvements having a certain value or listed below, such repairs, improvements, or alterations shall comply with all other provisions of these Zoning Regulations.

Re-establishment of a discontinued non-residential use shall not require a permit for the same use, provided that the discontinued use was established through the permitting process in place at the time of establishment, and that no new construction is proposed.

*List Of Exemptions From Permit Requirements For Single Family Residential Dwellings Only

- A. Re-roofing (when no structural changes are proposed or any reinforcement is required to add heavier roofing materials), re-siding or replacement of exterior trim.
- B. Replacing or adding gutters or downspouts.
- C. Replacing or adding soffit, gable, or roof ventilation.
- D. Replacing existing windows or doors with no structural changes.
- E. Decks less than 30-inches in height above the lowest grade within 5-feet of deck edge.
- F. Replacing existing plumbing fixtures such as toilet, tub, sink, garbage disposal, water heater, or faucets.
- G. Replacing existing appliances or internal light fixtures.
- H. Replacing like for like or repairing existing furnace, air-conditioner, cooler, heat pump, or heater.
- I. General landscaping including lawn sprinkler systems, subject to water conservation requirements, and retaining walls up to 4-feet in height.
- J. Installation of low-voltage wiring for security alarm systems.
- K. Flooring of wood, vinyl, ceramic, stone, masonry or carpeting.
- L. Installation or removal of non-structural interior wall partitions, if no utilities are involved.
- M. Adding or replacing insulation in walls, floors, or ceilings.
- N. Wood, concrete block or wire fences up to six-feet high unless on a corner lot. Solid fences or walls greater than three-feet in height on corner lots require an informational permit.

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- O. Painting, interior or exterior, and wallpapering.
- P. Concrete walkways, not in County right-of-way, and patio slabs.
- Q. Replacing cabinets or countertops.
- R. Window awnings supported by an exterior wall which do not project more than 54-inches.
- S. Swings and other playground equipment accessory to a single family dwelling.
- T. Water Tanks supported directly on grade if the capacity does not exceed 5000-gallons and the ratio of height to diameter or width does not exceed 2:1.
- U. One-story detached accessory structures provided the floor area does not exceed 200-square feet and has no utilities. Floodplain regulations may apply.

1720 Temporary Uses

The following regulations shall govern the operation of certain transitory or seasonal uses:

1720.01 Permits

Application for a temporary use permit shall be made to the County Zoning Inspector at a minimum of 10-working days prior to the event; applications shall include the following:

- A. A description of the property to be used, rented or leased for the temporary use, including all information necessary to accurately portray the property;
- B. A site plan and description of the proposed use;
- C. Sufficient information to determine setback requirements, sanitary facilities, and availability of parking space to service the proposed use; and
- D. The applicable fee as specified in the fee schedule as adopted by the Board of Supervisors.

1720.03 Particular Temporary Uses Permitted

Upon obtaining a temporary use permit, the following temporary uses shall be permitted, subject to the following standards and/or other standards imposed by the County Zoning Inspector to mitigate off-site impacts:

- E. Contractor's Office, Security Dwelling, or Other Temporary Dwelling During Construction of a Building.

Temporary buildings, manufactured homes, and recreational vehicles used in conjunction with construction work only during the period of such construction, subject to the following:

1. Permitted in all Zoning Districts.
2. Any use permit approved for such temporary building, manufactured home or recreational vehicle shall be limited to a period of time not to exceed 1-year from the date of such approval; said permit may be renewed for like periods thereafter as approved by the County Zoning Inspector upon receipt of satisfactory evidence indicating that the need for such temporary use continues to exist.

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3. Unless the use permit is renewed, such temporary building, manufactured home, or recreational vehicle shall be removed from the property upon the expiration of the previously approved use permit or within 10-days after completion of the construction work, whichever occurs first.

1804.05 Schedule of Required Off-Street Parking

Cultural, Historic, Nature Exhibits,
and Stockyard/Auction Sales

1-per 500-square feet of gross floor area and exterior
exhibit area

1806.02 Placement of Landscaping

A. Exemptions:

The following shall be exempt from the installation and maintenance of landscaping:

1. Single-household dwelling sites in all Growth Category Areas
2. Uses within the Category C and D Areas

B. Category A and B Growth Areas

All uses in Category A (Urban Growth) and Category B (Community Growth) Areas shall have landscaped a minimum of five-percent of the total developed area of a site. The landscaping shall be integrated into the developed area and shall include a minimum five-foot wide strip along the abutting street(s). Landscaping shall be approved as part of building permit approval.

C. Sight Distance at Intersections

No landscaping shall present traffic visibility hazards within the sight triangle as described in Section 1807.06.

1902 Administrative Procedures and Requirements

1902.01 Sign Permit Required

It shall be unlawful for any person, firm or corporation to erect, alter, or relocate within the unincorporated area of Cochise County any sign as defined herein without first obtaining a sign permit in compliance with Article 17 from the County Zoning Inspector, except that:

- A. Minor repairs, maintenance, or painting of signs, or changes in copy which alter neither the structural characteristics nor the sign classification shall not require a permit.
- B. Provided all other provisions of these Zoning Regulations are met, sign permits shall not be required for the following signs:
 1. Name Plate Signs.
 2. Home Occupation Signs.
 3. Traffic Control Signs (Private).
 4. Real Estate Signs.

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5. Political Signs.
6. Window Graphics (Temporary).
7. Contractor's Signs.
8. Developer's Signs.
9. Subdivision Development Signs.
10. On-Site and Off-Site Special Event Signs (Temporary).
11. Non-illuminated wall signs to a maximum of 50-square feet.
12. "No Trespassing" Signs.

2303 Remedies

All remedies concerning these Zoning Regulations shall be cumulative and not exclusive. Conviction and punishment of any person hereunder shall not relieve such persons from the responsibility of correcting prohibited conditions or removing prohibited buildings, structures, or improvements and shall not prevent the enforced correction or removal thereof. In addition to the other remedies provided herein, any adjacent or neighboring property owner specially damaged by the violation of any provision of these Zoning Regulations may institute, in addition to any other appropriate remedy or proceeding an action for injunction, mandamus, or proceeding to prevent, abate or remove such unlawful erection, construction, reconstruction, alteration, maintenance or use.

If a property is in violation for building without a permit the County Zoning Inspector may shorten the length of the permit to complete the project.