



**Cochise County**  
**Community Development**  
**Planning, Zoning and Building Safety Division**

Public Programs...Personal Service  
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MEMORANDUM

**TO:** Board of Supervisors  
**FROM:** Peter Gardner, Planner I for Ed Gilligan, Interim Planning Director  
**THROUGH:** Ed Gilligan, County Administrator  
**SUBJECT:** Docket R-17-02 (Home Occupations, Zoning Regulations Update)  
**DATE:** October 17, 2017 for the November 14, 2017 meeting

**I. BACKGROUND AND PROPOSED CHANGES**

On September 13, 2017, the Planning & Zoning Commission voted 9-0 to forward the docket as presented to the Board of Supervisors with a recommendation of approval.

**II. BACKGROUND AND PROPOSED CHANGES**

Docket R-17-02 is a proposed revision to Article 2, Definitions, of the Cochise County Zoning Regulations.

During the 2017 session, the State Legislature passed House Bill 2233, which was then signed by the Governor. The bill prohibited certain restrictions on Home Occupations, and this requires the Zoning Regulations to be amended to comply with the new law. The items that must be changed are:

- Increase the number of permitted employees who do not reside on site from one to two, and any number of family members as defined.
- Replace the existing language requiring traffic generated to be within the typical range of a dwelling with language prohibiting no off-site traffic or parking congestion.
- Strike language prohibiting the primary function of the home occupation as on-site retail sales or rental.
- Include language permitting a temporary sign that may be displayed during business hours.

Staff recommends the following language (underlined, italicized areas are new, strikethrough are deletions).

The complete draft document is included for consideration:

**Home Occupation** - An activity carried on by the occupant of a dwelling as a secondary use, including personal and professional services, subject to the following limitations:

- A. The Home Occupation may occupy an area no greater than one-quarter ( $\frac{1}{4}$ ) of the floor area of the residence whether occurring within the residence or in a detached structure.

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**B. Employees Allowed:**

1. Residents of the primary dwelling.
2. Immediate family members, including: spouse, child, sibling, parent, grandparent, grandchild, stepchild or stepsibling, whether related by adoption or blood.
3. Maximum of two individuals who do not meet the criteria B.1 or B.2~~No more than one person other than the residents of the dwelling shall be employed in the conduct of the Home Occupation.~~

- C. Any outdoor display or storage of materials, goods, supplies or equipment shall be prohibited, other than the signs noted below.
- D. The generation of noise, vibrations, noxious odors, dust, heat, or glare detectable beyond any property line or the storage or use of hazardous materials of a type and amount that could create safety concerns or are not appropriate to dispose of in residential garbage or sewer systems is prohibited.
- E. No parking or delivery activity that causes on-street parking congestion or a substantial increase of traffic through the residential area.~~No traffic shall be generated by such Home Occupation in greater volumes than would normally be expected in a residential neighborhood, and any need for parking generated by the conduct of such Home Occupation shall be met off the street.~~
- F. There shall be no change to the residential appearance of the premises ~~and the primary function of the occupation shall not be the sales or rentals of goods from the site.~~
- G. There shall be allowed one on-site non-illuminated permanent sign not to exceed four square feet with a maximum height of five-feet, and vehicular signs.

**III. SUMMARY AND RECOMMENDATION**

The proposed text amendment brings the definition of a Home Occupation in the Cochise County Zoning Regulations into compliance with current Arizona Revised Statutes. The Planning & Zoning Commission had unanimously recommended approval of the amendment.

**IV. ATTACHMENTS**

- A. Exhibit A (Text of revised ARS)