
COCHISE COUNTY

COMPREHENSIVE PLAN

ADOPTED 1984

AMENDED 1992

AMENDED 1996

AMENDED 2001

AMENDED 2002

AMENDED 2003

AMENDED 2006

AMENDED 2011

TABLE OF CONTENTS

ARTICLE 1	3
101 TITLE	3
102 PURPOSE	3
1. <i>Goals and Policies</i>	3
A. Land Use Activity Policies	4
B. Transportation Policies	11
C. Facilities and Services Policies	13
D. Affordable Housing, Neighborhood Rehabilitation and Enterprise Redevelopment	13
E. Water Conservation Goal and Policies	15
F. Intergovernmental Coordination	16
G. Federal Government Coordination	16
.....	16
ARTICLE 2	22
201 PLAN ELEMENTS	22
A. <i>Growth Area Categories</i>	22
B. <i>Plan Designations</i>	23
C. <i>Other Plan Areas</i>	26
D. <i>Plan Amendments, Definition of Major Amendment</i>	26
E. <i>Time Frame for Acceptance of Major Amendments</i>	27
202 COMPREHENSIVE PLAN LAND USE ELEMENT PLAN MAP	27
A. <i>Adoption of Map</i>	27
B. <i>Boundary Determination</i>	27
C. <i>Amendments and Corrections</i>	28
ARTICLE 3.....	29
301 ADMINISTRATION	29
302 COMPREHENSIVE PLAN AMENDMENTS.....	29
303 PUBLIC PARTICIPATION REQUIREMENTS	29
Section 1. <i>Purpose</i>	29
Section 2: <i>Public Participation Requirements for Comprehensive Plan Amendments</i>	30
Step 1: Requirements for All Plan Amendments: Preapplication meeting with County Planners.	30
Step 2: Additional Minimum Requirements for Major Comprehensive Plan Amendments	30
Step 3: Additional Requirements for Comprehensive Plan Amendments Not Defined as Major Amendments....	31
Section 3: <i>Formal Notification for Major Amendments</i>	31
ARTICLE 4	33
VALIDITY	33
401 <i>Severability</i>	33
402 <i>Conflicting Provisions Repealed</i>	33
403 <i>Effective Date</i>	33

COCHISE COUNTY COMPREHENSIVE PLAN

Article 1

101 Title

There is hereby established and adopted a plan for the guidance of growth in Cochise County, to be known as the Cochise County Comprehensive Plan.

102 Purpose and Background

The purpose of the Cochise County Comprehensive Plan is to promote the future growth of Cochise County such that it proceeds in an orderly, well-planned manner. A balance is sought among urban, rural and public land uses, which will enhance the customs, culture, economy and the qualities of the places where people choose to live. Arizona Revised Statutes §11-821 A. specifically requires counties to formulate comprehensive plans for the purpose of “guiding and accomplishing a coordinated, adjusted and harmonious development of the area of jurisdiction.”

Cochise County is a mixture of some urban, some small community and some rural lifestyles, with a strong history of livestock production, farming and mining throughout most of the County. Fort Huachuca has been a significant part of the County history and the largest single employer in the County. The varied climate, topography, and ecological systems within the county provide for a variety of habitats.

1. GOALS AND POLICIES

Overall Plan Goal: The overall goal of the Cochise County Comprehensive Plan is to promote the future growth of Cochise County in an orderly, harmonious, environmentally and economically responsible manner. 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, conservation and convenience. It shall be the policy of Cochise County to promote future growth and economic development with consideration for the following:

- * A productive and sustainable economic base.
- * A safe, healthy living environment that contributes to the general welfare of county residents.
- * Increased soil stability and ground cover to help promote water recharge, and plant and animal diversity.
- * Clean air.
- * Neighborhood stability and protection of property values.

- * Roads, streets, utilities, waste water treatment, drainage, fire and flood protection and other facilities and services needed or desired by the community are provided in the most cost effective manner, with the cost being borne by those benefited.
- * Effective citizen involvement striving for cooperative solutions and the identification of common ground in addressing the diverse needs and populations in the county.
- * A "customer service oriented" approach to implementation while maintaining the objectives of the Plan.
- * Coordination with local communities and state and federal agencies to further county and local goals that will benefit economic needs and the environment.
- * Promote efficient expenditure of public funds.

The Cochise County Comprehensive Plan reflects the following development policies:

A. *Land Use Activity Policies*

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, convenience, and environmental compatibility.

Policies

1. Growth area categories shall generally be designated around already existing communities, unless otherwise approved through a master development planning process.

Comment: 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. The task, then, is to designate reasonable areas to accommodate the growth dictated by market conditions as projected through analysis of our planning information base. We must promote designated growth areas that 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.

Comment: 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 purpose 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 intensive development shall be located in areas designated for growth.

Comment: Encouraging intensive development in designated growth 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 open space, and the preservation of rural lifestyle will be protected from inappropriate development.

4. The protection of significant resource areas, which may include: wildlife corridors; hydrologic recharge areas; floodplains; geologic features; historic, archaeological or cultural resources; among others, shall be taken into consideration by landowners and the County when developing new regulations, community plans or updates to the Comprehensive Plan. Protections by property owners may take the form of increased setbacks, private deed restrictions, and voluntary conservation easements, among others.

5. Viable, cost-effective, VOLUNTARY development alternatives for the use of land will be provided. These alternatives might include:

- (a) Clustering residential development (including roads, utilities and other infrastructure) leaving open areas and vistas, but retaining overall densities of the subdivision;
- (b) Allowing for smaller lots with provision of shared ownership in common open space;
- (c) Providing increased densities for a master planned development and subdivisions setting aside open space;
- (d) Conservation and agricultural easements for preservation of open space; and
- (e) Waiving certain subdivision requirements so long as they meet minimum health and safety standards.

Comment: The County may suggest development alternatives to minor land divisions that can serve to reduce development costs for roads, utilities and other infrastructure through clustering and other means, while also promoting a more efficient and marketable land use.

6. Overlay zoning districts may be proposed by landowners or the County in areas or neighborhoods that warrant a relaxation or intensification of specific site development standards.

Comment: In particular instances, the character of an area may not warrant a strict application of certain site development standards, such areas designated as enterprise re-development or neighborhood rehabilitation. Conversely, landowners may seek to voluntarily protect certain significant resources in their neighborhood, such as a wash or historic sites, where a stricter application of site development standards, such as setbacks or screening, may be appropriate for certain land use activities. Overlay zoning districts are a way, with community support, to tailor site development standards to meet an area's needs without changing the underlying zoning district.

7. Urban improvement standards shall be required for development within designated growth areas, with the level of improvements dependent upon the following classifications:

- CATEGORY A, Urban Growth Areas
- CATEGORY B, Community Growth Areas
- CATEGORY C, Rural Community Areas

Comment: Within developed or developing areas, the added protection of infrastructure, 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.

Urban growth areas should be designated partly on the basis of availability or provision of sewers or State-approved waste disposal system alternatives and water service, fire protection, and public utilities, as well as the existence or the expectation of above-average intensity of development. Therefore, it is both feasible and desirable in those areas to require developers to provide acceptable State approved waste disposal systems and water hook-ups and urban street improvements.

In Community Growth areas and unincorporated rural communities - those areas designated for growth but not subject to or appropriate for especially high intensities, those services are often neither available nor 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. The County shall monitor, review and update the Zoning and Subdivisions Regulations, as necessary, to:

- (a) ensure compliance with this Comprehensive Plan;
- (b) facilitate cost-efficient development and innovative land use design.
- (c) reduce complexity, contradictions and unnecessary regulations.
- (d) tailor the number of zoning districts to accommodate the diversity of land use proposals found throughout the County.
- (e) create a compatible mix of uses conducive to convenient and economical circulation and the efficient provision of services and facilities within each zoning district.
- (f) encourage subdivision development in lieu of minor land divisions of property through density bonuses and other incentives.

9. 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 building/use 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. A number of uses having a more intense impact than permitted uses on 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 using review criteria adopted in the Zoning Regulations.

Comment: Site development standards contained in the Zoning Regulations will in most cases provide all necessary protections to neighboring properties. For those uses warranting supplementary conditions in addition to the basic site development standards, the supplementary conditions should be specified whenever possible within the regulations themselves. 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.

10. 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 or the approval of special uses within each plan designation shall be guided by rezoning or special use criteria developed to promote the following land use principles:

(a) A compatible mixture of zoning districts shall be promoted within each plan designation. Special uses proposed with a plan designation shall be compatible with the plan designation.

Comment: Each of the plan designations has a distinctive character. Within each designation, a different range of zoning districts or special uses can be permitted without altering the intended character of the designation. The appropriate range of zoning districts or special uses 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 and special use criteria to: identify those zoning districts and special uses which are compatible with the character of each plan designation; to establish relationships between zoning districts and special uses which will maintain compatibility between the uses permitted within the various districts; and to promote the optimum mixture of land uses to maximize free market dynamics and permit convenient and economical circulation between homes, businesses, facilities, and services.

(b) Only zoning districts, which are identified in the Regulations as being compatible with the existing plan designation shall be formed. Only special uses that are deemed compatible based on the special use criteria in the Zoning Regulations shall be approved.

Comment: Certain zoning districts are inherently incompatible with the intended character of certain plan designations. 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. A special use that does meet the special use criteria in the Zoning Regulations may still be deemed incompatible with existing development and recommended for disapproval.

(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(s) permitted in the applicable zoning district(s) in conformance with all specified site development standards and zoning districts requirements.

Comment: The desired relationship between the comprehensive plan and the zoning regulations depends upon the feasibility of 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 sites. This would probably result in requests for variances from those conditions, in effect circumventing the intent of County policies and regulations. If a careful examination of the impacts of a proposed rezoning on individual parcels reveals that applicable conditions could not be met, the rezoning should not be accomplished.

(d) Small, isolated rezonings shall be discouraged.

Comment: Zoning districts which are large enough to accommodate only one or two uses and which bear no logical relationship to surrounding zoning districts 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 site development standards by permitting developers to utilize a set of site development standards, which are less stringent than those affecting surrounding development.

(e) Commercial development consisting of a shallow tier of unrelated commercial developments lining a major thoroughfare shall be discouraged.

Comment: This type of development 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, but 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.

Comment: Intensive-zoning districts should be created only where adequate access to the improved public roadway system is available. This will promote a situation where heavy traffic generated by such districts is served by safe and convenient roadways. The criteria for limiting shallow tiers of unrelated commercial developments 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" into areas designated as Rural areas shall be discouraged.

Comment: "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 non-conformances through rezonings shall be minimized.

Comment: Because non-conformances 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 creating 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 non-conforming lots or uses that will be created.

(i) Intensive, urban types of development should occur only where adequate facilities (sewers or State approved waste disposal system alternatives, water, fire protection, and public utilities and roadways) are or can be readily made available to support it.

Comment: 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 demand for public utilities and services. Therefore, rezoning criteria must also address those issues.

(j) Rezoning and special use applications involving the storage, transport or production of hazardous materials or waste shall include enough information to determine whether on and off-site impacts will be mitigated. To ensure the health, welfare and safety of the county citizens, industrial rezonings or special uses will be evaluated according to the following factors:

- impact on sensitive land uses such as schools, residentially developed or zoned areas, hospitals and parks;
- impact on air, floodplains, wells, water systems and aquifers;
- suitability of soils;
- appropriateness of transport routes;
- impact upon and adequacy of the infrastructure serving the site; and
- exclusion of residences and schools from a potential hazardous materials containment area.

(k) As adopted in the Zoning Regulation rezoning and special use criteria, adequate information for the review of rezonings and special uses shall be provided before they are scheduled for Planning and Zoning Commission action including at a minimum submission of a concept plan.

11. Compliance with all applicable rezoning and special use criteria shall create a rebuttal presumption in favor of a rezoning or special use. Public input and other significant issues particular to that area may rebut this presumption.

Comment: The factors represent policy decisions by the Planning and Zoning Commission and Board of Supervisors, reducing uncertainty concerning their probable response to a given rezoning or special use request.

No set of policies or factors 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 factor against the proposal. Conversely, determination that unusual circumstances exist which are not adequately provided for in the rezoning or special use criteria may result in a denial. However, the specification of permitted zoning districts within the plan designations shall not be waived.

12. “Downzonings” shall be encouraged where property owners express an interest in maintaining low densities.

Comment: In the rural areas, owners of 36-acre or larger properties may be interested in maintaining the rural character of their area and ensuring that their property will not be broken up into smaller parcels in the future. Rezoning to a larger lot-size district is one tool that property owners can ask the Planning and Zoning Commission to use on their behalf to ensure minimal splitting in the future.

13. Public involvement shall be sought in master development plans, special uses, zoning and plan amendments in accordance with the Cochise County Public Participation and Citizen Review requirements.

Comment: State law requires legal notification to all owners with property located within 300 feet of a subject parcel. Where this legal notification requirement may be insufficient in obtaining public involvement in special uses, rezoning or plan amendment hearings, notification areas and methods can be expanded based on an adopted policy in the Zoning Regulations.. Firearms ranges and airports are examples of land uses most likely to warrant such expanded notice.

14. Statutory exemptions and non-conforming 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.

Comment: 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 ownership of property rather than by actual use, or using too broad a definition of the exempt uses - can, however, destroy the purpose of the 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. Additionally, non-conforming 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., eventually bring property into conformance with the uses allowed for the particular zoning districts and plan designation. Non-conforming businesses, however, will be permitted to expand up to 100 percent in area, as required by statute.

15. Federal and state lands will be zoned by the County so that lands are regulated at the time they transfer into private ownership.

Comment: The County cannot jurisdictionally regulate uses of other governmental entities, but will seek voluntary compliance with County regulations. 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.

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

17. In order to protect the public health, welfare and safety and natural resources, if proposed land uses involve hazardous materials (toxic, explosive, flammable, radioactive, corrosive, chemically reactive and biologically hazardous), the County shall require the submittal of complete information necessary to do a comprehensive review. The County shall then transmit to all applicable Federal, State and local agencies with an interest in regulating such land uses.

Comment: The intent of this policy is to regulate land uses that constitute an unusual hazard, not common uses such as gas stations which are already extensively regulated through State and Federal regulations or land uses that produce normal impacts such as additional traffic or dust. A

warehouse facility storing mining chemicals or explosives is an example of a land use that would need a more thorough investigation. Impacts from these land uses are generally contained on site but could have dangerous off-site impacts if not properly sited or designed. Review of land uses involving hazardous uses will be completed in as timely a fashion as possible, however, the need for extensive hazard assessment and risk analysis could result in an extension of the review period.

18. Solar energy or other energy conservation measures shall be encouraged by granting variances from setback requirements when a developer demonstrates, that: (1) it is necessary in order to maximize the use of these measures; (2) the variance will not have an adverse impact upon adjoining properties.

Comment: While site development 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 alternative energy sources. Such services shall be encouraged to minimize our dependence on expendable energy resources.

19. Light Pollution Code

For the purposes of preserving, protecting and enhancing the lawful nighttime use and enjoyment of all property; for protecting access to the dark night skies and for encouraging the conservation of energy and resources, outdoor lighting requirements shall be adopted that require reasonable measures to minimize adverse man-made light pollution such as sky-glow, glare and light trespass.

Comment: Cochise County is known by amateur astronomers and others nationwide as one of the few remaining regions in the country that hasn't yet been seriously impacted by light pollution. While light pollution is an off-shoot of development, alternative measures and technology to minimize this type of pollution are available at reasonable cost to developers of residential and non-residential property. The County will strive, on an ongoing basis, to update its outdoor lighting requirements with regard to reasonableness, enforceability and the latest available technology for mitigating light pollution impacts.

20. Building Codes

Building codes shall be adopted County-wide in order to protect public health, safety and welfare from the risk of fires, explosion, building collapse, and the economic risks associated with sub-standard construction methods.

Comment: Construction practices that adhere to internationally-recognized building standards protect property owners and the public in general. Local adaptations of these standards that include alternative building methods proposed to increase energy efficiency and that reflect the diversity of building materials and methods commonly found in Cochise County will be taken into consideration when developing a building code.

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, community 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 and design as defined in the Cochise County Road Construction Standards and Specifications for Public Improvements.
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 streets that primarily serve residential areas.
 - (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) 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.
 - (d) If a street is identified as a major thoroughfare on a transportation plan, master development plan or community plan or by approval of the Board of Supervisors, limited direct access shall be allowed to it.
 - (e) Single-household dwellings shall be discouraged from having direct access onto arterial and collector streets.
 - (f) 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.
 - (g) Public alleys shall be discouraged.
4. All approved master development plans shall include a traffic circulation element which is adequate to serve the transportation needs of the area itself and which is compatible with the traffic circulation system and plans of surrounding areas. Development of sites within such areas shall require appropriate off-site improvements in accordance with the approved plan.
5. 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.
 - (a) On-site and off-site access, shall be improved to Cochise County Road and Construction Standards and Specifications for Public Improvements.

(b) Owners of non-residential property whose development initially presents minimal impacts but may present greater future impacts as the business grows, may enter into an off-site delayed improvement agreement to address the appropriate scope of improvements needed.

Comment: Cochise County is noted for having many scenic and natural resources that are visited by tourists. These visitors are generally considered an economic asset to the County. They often prefer services (e.g. Bed and Breakfast Inns) in rural areas near the sites they visit and prefer the "rustic" look such as rural roads. Further, such businesses in the early stages, cannot estimate the level of traffic that will ultimately be generated by their business, therefore it is difficult to determine what roadway improvements are necessary. In fact the road may be adequate to serve the traffic generated when the business begins operations and yet prove to be inadequate later after the business has become successful. This policy allows some flexibility to delay improvements and allows the business to establish some success before paying for potentially costly improvements, so long as basic safety issues are addressed before the public is invited to the site.

6. Developers shall adequately address traffic and safety problems that are reasonably related and roughly proportional to the impact of their use on the public roadway system and surrounding properties.

Comment: Developments can be located a considerable distance from an intersection or roadway and yet still have significant impacts if the road represents the only route to service or employment centers. For this reason, a specific distance has not been used to define "reasonably related to the impact". Instead, the County will require a traffic analysis to determine the impact of major developments. The scope of this analysis will vary according to the type of land use proposed, the level and type of traffic generated by the use and the adequacy of the roads serving the development.

C. *Facilities and Services Policies*

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.

Policies:

1. Subdivision developers shall be required to construct street improvements or post security for deferred construction of street improvements before lots can be conveyed to the public.
2. Developers shall be encouraged to place construction of utilities beneath the surface of the public right-of-way or dedicated easement and make provisions other than alleys for garbage pick-up.
3. Permissibility of individual septic systems will depend upon applicable health codes. However, availability of sewers or a State-approved waste disposal system alternative shall be a

guiding factor in the consideration of high-density development, especially within Category A (Urban Growth) areas.

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

5. Development within flood hazard zones will be subject to special Floodplain Use Permit requirements, and will be further controlled through site plan requirements.

6. 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, acceptable State-approved waste disposal systems, and water systems.

D. Affordable Housing, Neighborhood Rehabilitation and Enterprise Redevelopment

Goal 1: 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.

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 targeted for enterprise redevelopment; rezoning to residential districts in such areas shall be prohibited.

3. Economic incentives shall be provided for redevelopment or rehabilitation of distressed neighborhoods.

Goal 2: Promote Safe and Affordable Housing

Policies

1. Work with the Housing Authority of Cochise County to develop housing strategies affordable to very low, low and moderate income persons as defined by the United States Department of Housing and Urban Development (HUD) income limits.

Comment: Zoning and Subdivision Regulations can offer ‘disincentives’ to creating affordable housing by requiring certain lot sizes or densities in an effort to preserve the health, safety, and welfare of a community. However, density bonuses or other tools can reverse this by offering incentives to build affordable housing while ensuring the health, safety, and welfare of the community by mandating closer oversight.

2. Create mechanisms to allow for flexible standards and codes to facilitate affordable housing within the limits of public health and safety in areas deemed appropriate.

Comment: Flexibility is essential in Cochise County to allow individuals and communities to make improvements to their properties. This flexibility is most important in areas when rehabilitation and upgrading of infrastructure is ongoing. Often codes are written for new construction which makes the rehabilitation of existing housing cost prohibitive.

3. Identify and encourage the establishment of manufactured home parks and multi-family residential development where appropriate and served by adequate infrastructure and services.

Comment: Manufactured home parks and multi-family residential developments are the only options for some Cochise County residents. Therefore, the County should encourage the development of areas best suited for this type of housing by providing sufficient infrastructure.

4. Encourage designated Colonias within unincorporated Cochise County to work with the Planning Department and the Housing Authority of Cochise County to create area plans to enable them to focus their efforts and seek greater funding.

Comment: Cochise County currently has sixteen designated Colonias which are characterized by being within 150 miles of the US/Mexico border, lacking some infrastructure, and having housing in poor condition. The rehabilitation of Colonias has become a national agenda and as such these communities are eligible for additional funds from HUD and USDA. Community based planning provides a framework in which different agencies can understand the residents priorities and allow them to work more effectively. Area planning is also required to be eligible for some grants and assistance.

5. Recognize the housing needs of very low, low and moderate income special needs groups, including but not limited to the elderly, disabled, junior enlisted military personnel and seasonal workers. The County should partner with non-profits, state and federal agencies as well as the Housing Authority of Cochise County to meet the needs of these groups.

Comment: The needs of some groups within the County are not provided for by the free-market system. These groups often need either direct provision of housing or government subsidies to meet the affordable housing demand. The County should work with developers and agencies to encourage the development of safe and affordable housing for all segments of the County.

6. The Housing Authority of Cochise County should create a task force to examine the feasibility of creating and funding a housing trust fund inclusive of all the municipalities and the County.

Comment: As the state housing trust fund is facing funding reductions communities around Arizona need to create their own solutions to fill this gap. A regionally based housing trust fund could be a way for the entire County to pool resources and coordinate activities. The taskforce should therefore be comprised of representatives from Cochise County, all municipalities, and other stakeholders in order to address the concerns of the entire County. Creative funding mechanisms could be examined including but not limited

to a real estate transfer fee, impact fees and inclusionary zoning with a buyout or in lieu of fee option.

E. Water Conservation Goal and Policies

Goal: Sustain an adequate, safe water supply through water conservation measures; incentive programs; education; conservation and enhancement of natural recharge areas; and cooperative, multi-jurisdictional planning.

Comment: Water is a limited and limiting resource throughout the County, but certain areas face more immediate issues. Arizona Revised Statutes §11-821.C(3) allows all counties to specifically plan for development as it relates to available water resources.

Policies:

1. The County will use its most current water resources inventory of available surface water, groundwater, and effluent supplies to evaluate the potential impacts to local water supplies from master development plans, rezonings, special uses, major amendments to this plan and other major developments.
2. Major developments shall indicate the design features that will be incorporated into the development to:
 - (a) Minimize overall water use through water conservation measures such as drought-tolerant landscaping, low-flow fixtures, re-use, water harvesting, deed restrictions and other water conservation methods.
 - (b) Address accelerated run-off due to construction and impervious surfaces.
 - (c) Conserve and enhance recharge through methods such as the use of detention basins, protection of open space and minimizing disturbance of soils and other methods.
3. Major development shall be defined as all subdivisions; and non-residential, multi-family residential and manufactured home park developments of one (1) acre or larger.
4. The County will pursue methods for individual homeowners and businesses to decrease water use through incentives, education and various zoning mechanisms.
5. In order to minimize or mitigate water usage, golf courses and other high water uses will be permitted only as Special Uses.
6. The County may implement joint development plans through intergovernmental agreements and a joint planning effort with incorporated cities that choose to participate, pursuant to ARS §9-461.11.E and ARS §11-951, et seq.
The joint development plans may address water issues that include existing and proposed mechanisms for conserving water, infrastructure, vested property rights, incentive programs, implementation schedules, and other issues as they relate to development. The County may

implement joint development plans for basins, sub-watersheds, or portions thereof, as necessary.

7. The County will work with agencies and organizations throughout the County, as necessary, to address regional water resources issues as they relate to growth and protection of the County's natural resources.

8. The County may develop additional water conservation and management policies to be applied to all new development on a sub-watershed by sub-watershed basis.

9. Overlay zoning districts may be used by the County as a tool to implement such additional water conservation and management policies, through the enforcement of applicable provisions of adopted building codes and specific site development standards for all residential and non-residential development, where appropriate.

F. *Intergovernmental Coordination*

This Comprehensive Plan, along with the Comprehensive Plan Land Use maps, are the basic land use planning documents of Cochise County. The goals and policies included herein collectively represent that which is determined by this local government to be necessary for the protection and preservation of the community stability, the heritage, the culture, the resources, the economy and the health and welfare of this area and its people. As required by applicable law, the actions of other governmental agencies which may impact upon the people, land and resources within Cochise County must be carried out in a manner consistent with or implemented in coordination with the goals and policies expressed in this Comprehensive Plan.

G. *Federal Government Coordination*

Goal: To ensure that the Federal Government provides Cochise County opportunity to participate in the development of land use plans, to cooperate and coordinate with the County in developing such plans, and to ensure that federal policies are consistent with local or regional policies.

Comment: Approximately 26% of land in Cochise County is administered by federal agencies. Policies for managing these lands significantly impact Cochise County's culture, history, economy, environment and lifestyles. Therefore, it is extremely important for Cochise County to participate in making these policies, with opportunities for the public to be heard. The National Environmental Policy Act (NEPA), the National Forest Management Act (NFMA) and the Federal Land Policy and Management Act (FLPMA) require federal agencies to allow local governments, including Cochise County, to participate in the developing of land use plans, to cooperate and coordinate with local governments in developing such plans, and to ensure that federal policies are consistent with policies of local governments. Furthermore, A.R.S. § 11-269.09 mandates that "[i]f a county has laws, regulations, plans or policies that are less restrictive than a federal or state regulation, rule, plan or policy, the county shall demand by any lawful means that the federal or state government coordinate with the county before the federal or state government implements, enforces, expands or extends the federal regulation, rule, plan or policy within the county's jurisdictional boundaries."

1. San Pedro Riparian National Conservation Area (SPRNCA)

Goal: Coordinate efforts with other organizations and jurisdictions, including the Bureau of Land Management, to protect the SPRNCA, as well as the economic and social well-being of Cochise County residents, by assisting Fort Huachuca in meeting its environmental goals, especially regarding water conservation.

Comment: Cochise County recognizes both the historic and current value of the SPRNCA as a national riparian wildlife habitat, migratory bird corridor, recreational and agricultural resource, and critical habitat for an endangered species. Fort Huachuca and its dependent and associated organizations both on and off the military reservation form the economic underpinning of communities in the surrounding area and contribute nearly \$3 billion annually to the economy of the State of Arizona. The economic, social and cultural character of Cochise County would change unacceptably were we to fail to preserve the SPRNCA and thereby protect the Fort from environmental sanctions.

Policies:

1. Public lands, including the SPRNCA, shall be managed so as to minimize negative impacts on the regional ground water aquifer.
2. Public access to public lands, including the SPRNCA for recreation, should be consistent with preservation of a viable conservation area.
3. Agricultural uses, including grazing, may be permitted on public lands, including the SPRNCA, within limits consistent with preservation goals.
4. Sub-watershed-wide conservation, reuse, recharge and augmentation policies and projects must be used to resolve both riparian condition issues and the overall balance of water levels in the aquifer.
5. All water use, including riparian water use, must be carefully managed to help maintain a viable riparian area and protect the economic and social sustainability of Cochise County.

2. Other Federal Lands

Goal: To protect the culture, history, economy, environment and lifestyles of Cochise County residents by requiring federal agencies to coordinate land use plans with Cochise County and to establish plans that provide for continued multiple use of public lands consistent with the following policies:

Comment: By becoming a participating and coordinating agency, Cochise County is guaranteed a “seat at the table” in the preparation of Environmental Assessments (EAs), Environmental Impact Statements (EISs) and other federal land use considerations that have the potential to affect the cultural, historical, economic and environmental character of the County, and to preserve traditional rural ways of life, including farming, ranching and other agricultural-related activities in the County. In addition, however, the County seeks to require federal agencies to establish plans consistent with County policies by requiring them to coordinate with County government. To that end, the following policy statements were developed regarding various public land management issues:

A. Wilderness Designation

1. Any consideration of any new wilderness designations of federal lands in Cochise County will be a result of a collaborative process, including federal, state and county officials.
2. The only legal designations of Wilderness Study Areas (WSA) are those designated under section 603 of the Federal Land Policy and Management Act (FLPMA) and the opportunity to create additional wilderness ended in 1991, except as authorized by Congress; any new wilderness designation must be provided for by Congress and created in cooperation with the County and the State.
3. Wilderness designation is not always an appropriate, effective, efficient, economic or wise use of land. These lands can be adequately protected through mitigation, minimizing negative impacts and proper reclamation.
4. Wilderness management must provide for continued and reasonable access for holders of property rights within the area and provide for full use and enjoyment of these rights.
5. WSAs released by Congress must be managed based on the principles of multiple use and sustained yield.

B. Other Designations

1. Special designations, such as Areas of Critical Environmental Concern (ACEC), critical habitat, semi-primitive and non-motorized travel, etc., result in single-purpose or non-use and may be detrimental to the area economy, lifestyles, cultures, and heritage.
2. No special designations or management plan should be proposed until it is determined and substantiated by reproducible scientific data, that there is a need for the designation, that protections cannot be provided by well-planned and managed development, and the area in question is unique when compared to other area lands.
3. Designations must be made in accordance with the spirit and direction of the acts and regulations that created them.

C. Introduced, Threatened, Endangered and Sensitive Species, Recovery Plans, Experimental Populations and Related Guidelines and Protocols

1. These designations or reintroductions could grow beyond boundaries and scope and may result in detrimental effects on the area economy, lifestyles, cultures and heritage.
2. No such designations or reintroductions should be made until it is determined and substantiated by reproducible scientific data that there is a need for such action, that protections cannot be provided by other methods and the area in question is unique when compared to other area lands.
3. Designation or reintroduction plans, guidelines, and protocols must not be developed or implemented without the full involvement of the County and full public disclosure.

4. Any analysis of such proposed designations or reintroductions must be inclusive and analyze all needed actions associated with the proposal to prevent growth beyond the scope and boundaries that were analyzed in the proposal.
5. Recovery plans must provide for indicators to track the effectiveness of the plan and identify at what point recovery is accomplished.

D. Public Access, RS 2477 Roads

1. Access across and to public lands is critical to the use, management, and development of those lands and adjoining private lands.
2. No roads, trails, rights-of-way, easements or other traditional access for the transportation of people, products, recreation, energy or livestock may be closed, abandoned, withdrawn, or have a change of use without full public disclosure and analysis.
3. Roads covered by RS 2477 should remain open and the County will take any action needed to protect these rights. This includes identification, inventory, and participation in any legal process to protect them.
4. Access to all water-related facilities such as delivery systems, monitoring facilities, livestock water and handling facilities, etc., must be maintained. Access routes must be adequately maintained by the owner of that route. Unreasonable restrictions may result in the loss of use of such facilities and property rights.

E. Land Exchanges, Acquisitions and Sales

1. The State and Federal Governments hold a sufficient amount of land to protect public interest, so there shall be no net loss of private land base.
2. Any affected district within the County must be compensated for any net loss of private lands with public lands of equal value or compensated for any loss of assessed valuation resulting from these exchanges by the appropriate acquiring agency.
3. A private property owner has a right to dispose of or exchange his property as he/she sees fit within applicable law.

F. Recreation and Tourism

1. The County has outstanding potential for recreation and tourism.
2. Resource development, recreation, and tourism are compatible through proper planning and management.
3. Potential developments should include family-oriented activities and developments that are accessible to the general public and not limited to special interest groups.

4. It supports cultivating recreational facility development and maintenance partnerships with other entities, agencies, and general special interest groups.

G. Wildlife

1. Properly managed wildlife populations are important to the recreation and tourism economy and to the preservation of the culture and lifestyles of its residents.
2. With proper management and planning, healthy wildlife populations are compatible with other resource development.
3. No increases in wildlife numbers or the introduction of additional species may be made until the availability of forage or habitat has been determined and the impacts on other wildlife species have been assessed.

H. Forage Allocation/Livestock Grazing

1. The proper management and allocation of forage on public lands is critical to the viability of the county's agriculture, recreation and tourism industry.
2. The viability of a large number of agriculture and livestock operations is dependent on access to grazing on public lands.
3. Forage allocated to livestock should not be reduced for allocation to other uses. Current livestock allocation should be maintained.

I. Off Highway Vehicles (OHVs)

1. OHVs have become an important segment of the recreation industry and is an important tool and mode of transportation for farmers, ranchers, and resource development.
2. Public Land Management agencies must implement and maintain an aggressive OHV program to educate users on how to reduce resource impacts. This is to be followed by an aggressive enforcement program.
3. The non-recreational use of OHVs, such as development and livestock operations, should be provided for in all areas unless restricted by law.

Article 2

201 Plan Elements

A. GROWTH AREA CATEGORIES

The entire area of Cochise County, with the exception of incorporated cities, shall be divided into four (4) categories, based on each area's existing or foreseeable infrastructure, character and capacity for growth:

1. Category A -Urban Growth Areas - This category includes those areas adjacent to or surrounded by incorporated cities, and having the necessary facilities and services to support it. These areas are largely built out or established but may have pockets of vacant land. Category A Urban Growth Areas include the areas presently identified as "Category A" and any additional areas that have been determined to meet the following criteria:

- (a) The area has established or planned residential and/or non-residential development, and has the potential to be annexed by an abutting incorporated city.
- (b) The area can be adequately served by a community sewer system, water system, and fire district.
- (c) Average residential lot sizes are less than one acre in size.
- (d) The area provides major regional commercial and other non-residential services.
- (e) Building codes, street improvements and urban site development standards (e.g. limitations on residential outdoor storage and requirements for asphaltic parking areas) are appropriate.
- (f) The area has the potential for or is currently served by adequate drainage, transportation and K-12 school systems, as well as organized recreational facilities that can serve high-density development.

2. Category B Community Growth Areas - This category includes those areas adjacent to Category A Urban Growth Areas as well as the larger unincorporated communities of the County, which are experiencing growth. These are areas in transition from a traditional rural environment to something more urbanized. Category B Community Growth Areas include the areas presently identified as "Category B" and any additional areas that have been determined to meet the following criteria:

- (a) The area to be designated has a moderate level of residential and/or non-residential growth.
- (b) The area serves as a logical transition between urban growth and rural areas and/or has a distinctive community identity.

(c) The area has adequate water, access, drainage and sewage disposal capability to accommodate medium to high density development.

(d) In general, residential lot sizes are one acre or less in size but may transition to larger lot sizes at the fringes of the area. Smaller lot sizes have access to sewer and/or water and are commonly found in established subdivisions and manufactured/mobile home parks or historic town sites.

(e) Improved streets designated as arterial or collectors can support limited non-residential development.

(f) There is substantial potential for further development along with opportunities to preserve undeveloped recreational resources, i.e. open space and washes.

3. Category C -Rural Community Areas – This category includes less populated rural communities that are characterized by a slow rate of growth and the desire to maintain the existing neighborhood or rural atmosphere. These areas are generally found as small clusters of residential and non-residential development adjacent to agricultural production areas. Non-residential enterprises generally serve or coincide with local agricultural, ranching or tourist activities. Category C areas are often populated enough to warrant or provide a K-8 grade school. Their rural, low density, and often scenic qualities have the potential to attract future residents at a growth rate that may warrant consideration of a plan change to Category B. Category C Rural Community Areas include those areas presently identified as “Category C” and additional areas that have been determined to meet the following criteria:

(a) Residential and non-residential development is clustered in settlements on a variety of lot sizes as typified in established townsites and immediate environs..

(b) Other than arterials and collectors, roads are generally unimproved. However, increases in residential and non-residential development will likely warrant improvements, such as paving, in the future.

(c) Farming and ranching are prevalent activities adjacent to these areas.

(d) Non-residential enterprises generally serve the rural/agricultural community as well as visitors passing through if located on a major arterial road.

4. Category D Rural Areas - This category includes the outlying rural areas between cities and unincorporated communities and characterized by a low rate of growth; unimproved roads; low density, large lot rural residential development; agricultural production; and large tracts of undeveloped private and public lands. Non-residential development is geared toward providing local services, tourism or intensive uses that are not appropriate in more the densely populated parts of the County, such as power plants and feedlots. These sparsely populated rural lands also have the potential for future master-planned communities that will provide the infrastructure to support any proposed increases in residential density or non-residential activities. Category D Rural Areas include those areas presently identified as “Category D” and all areas that do not meet the criteria for inclusion in either Category A, B or C.

B. PLAN DESIGNATIONS

Within the four Growth Categories, there are seven potential plan designations. These designations more specifically identify the existing character of smaller areas within each Growth Area. Plan

Designations may be established, in addition to those that presently exist, based upon the following criteria:

1. Neighborhood Conservation (NC) - A "Neighborhood Conservation" (NC) plan designation identifies an area as having an established character which is primarily residential, and which needs special rezoning protections to maintain the character of land use that occurs, in general, on lot sizes of one acre or less. The NC plan designation may occur within a Growth Category A, B or C Area, and shall be established according to the following criteria:

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

2. Enterprise (ENT) - An "Enterprise" (ENT) plan designation identifies an area as having an established pattern of commercial and/or industrial land use; any future development should follow that trend. The ENT plan designation may occur in Category A, B, or C Growth Area Categories, and shall be established according to the following criteria:

- (a) The area consists of existing or proposed commercial or industrial enterprises.
- (b) Enterprise development has reached the level whereby additional residential growth within the area to be designated is undesirable to the parties in interest.
- (c) 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.
- (d) The infrastructure can accommodate enterprise uses.

3. Developing (DEV) - The "Developing" (DEV) plan designation is used to describe areas experiencing non-rural growth rates that are developed with scattered, mixed residential, business or industrial and agriculture-related uses and that ultimately will accommodate future growth as the more populated areas reach build-out. Since these areas are assumed to be in transition, the Planning Department will periodically re-evaluate these areas to determine if the rate of new development warrants a new designation or growth area that is either more or less intense. The Developing designation may occur in Growth Category A, B, and C Areas that do not meet the criteria of the other designations.

4. Neighborhood Rehabilitation (NR) - The "Neighborhood Rehabilitation" (NR) plan designation is assigned to deteriorating residential neighborhoods which show potential need for revitalization as residential neighborhoods. Such areas may be designated for improvement projects when the necessary funding is available. An NR plan designation may occur within a Growth Category A, B, or C Area, and shall be established according to the following criteria:

- (a) The area to be designated is within a Growth Category A, B or C Area.
- (b) The area is a residential neighborhood with a high number of dilapidated, or unsafe 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 and/or municipal interest in improving the area.

(e) Some flexibility in site development and building code standards may be appropriate to facilitate investment.

5. Enterprise Redevelopment (ER) - An "Enterprise Redevelopment" (ER) plan designation is assigned to an existing developed area undergoing change which may be designated for improvement as a commercial/industrial area. An ER plan designation may occur within a Growth Category A, B, or C Area, and shall be established according to the following criteria:

(a) The area to be designated is within a Growth Category A, B, or C Area.

(b) The area is:

1. Composed of dilapidated or unsafe enterprise uses; and/or
2. Has a large number of incompatible neighborhood and enterprise uses that are dilapidated or unsafe.

(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 and/or municipal interest in improving the area.

(e) Some flexibility in site development and building code standards may be appropriate to facilitate investment.

6. Rural Residential (RR) -The "Rural Residential" (RR) plan designation is used to describe areas in Category D (Rural) areas with a definite pattern of residential development on larger lots, two acres or larger in size. Due to the well-established residential character of these areas, rezonings or special uses to allow for more intensive developments that do not directly serve the residents of these areas are not generally appropriate. Less intensive businesses that serve area residents may be appropriate.

7. Rural - Areas designated as "Rural" are identified as those remaining lands in Category D Rural Areas that are not designated Rural Residential. They are identified by one or more of the following characteristics: sparsely populated; larger lot sizes; agricultural production or grazing; availability of sites large enough for intensive industrial uses that can not be accommodated in other growth areas; large expanses of private and public lands; and/or have developed and undeveloped recreational resources.

C. AMENDING AREA CATEGORIES AND PLAN DESIGNATIONS

1. Consideration of a change in an Area Category shall depend upon an evaluation of the following criteria:

- (a) The extension of urban standard facilities and services (including major road improvements and extensions of waste disposal systems and water service) into the area has changed the optimum intensity of development appropriate for the area.

- (b) Nearby growth areas have reached capacity and there is continued demand for new growth areas.
 - (c) A master development plan area is proposed.
 - (d) The new Growth Area Category is an extension of an existing Growth Area Category or otherwise is not limited to a single parcel but is large enough to be expected to develop with the range of services and land uses expected in the Growth Area Category proposed.
2. Consideration of a change in a Plan Designation shall depend upon an evaluation of the following criteria:
- (a) The pattern of growth in the area no longer reflects the type of growth expected in the current designation.
- Comment: Substantial changes in an area, for example a designated neighborhood conservation area, may make continuation of the conforming development within the plan designation undesirable. Such changes may include the deterioration of surrounding development, a change in character in the area due to capital improvements, non-conforming development by exempt entities, or approval of special uses or rezonings.
- (b) The extensions of urban standard facilities and services (including major road improvements and extension of waste disposal systems and water service) into the area have changed the optimum type of development appropriate for the area.
 - (c) There is substantial support from property owners for the proposed change.
 - (d) Developing designations shall be changed to another appropriate designation as a distinguishable pattern of development has occurred.
 - (e) New designations shall be of a size, type or design to provide a harmonious transition between existing designations.

D. OTHER PLAN AREAS

There may be established other plan areas, including community plans, area plans, neighborhood plans, specific plans and master development 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, economic development element among others as well as policies and procedures applicable thereto.

E. PLAN AMENDMENTS, DEFINITION OF MAJOR AMENDMENT

Plan Designation or Growth Category Area amendments or plan adoptions, amendments, or extensions may be initiated by the Commission, either upon the application of interested persons or upon its own motion.

An amendment shall be considered a “major amendment” if it would result in a substantial alteration of the County’s land use mixture or balance as established in the existing Comprehensive Plan land use element for that area of the County.

A “substantial alteration” is defined as an amendment of the Comprehensive Plan that would result in an increase in the potential densities or intensities of uses for an area of two thousand (2000) acres or more.

F. TIME FRAME FOR ACCEPTANCE OF MAJOR AMENDMENTS

1. Applications for major amendments shall be accepted from January 1 to the last business day in August.
2. The Board of Supervisors hearing shall be the first available meeting in December.

202 Comprehensive Plan Land Use Element Plan Map

A. ADOPTION OF MAP

The Cochise County Comprehensive Plan Use Element Plan Map is hereby adopted by reference and declared to be a part of this Resolution.

B. BOUNDARY DETERMINATION

Where uncertainty exists as to the boundaries of plan designations on the official land use plan map, the following rules shall apply:

1. Boundaries indicated as approximately following the centerlines of streets, highways, or alleys shall be construed as following the centerlines;
2. Boundaries indicated as approximately following platted lot lines shall be construed as following such lot lines;
3. Boundaries indicated as approximately following city limits shall be construed as following city limits;
4. Boundaries indicated as following railroad lines shall be construed to be midway between the main tracks;
5. Boundaries indicated as approximately following the centerlines of streams, rivers, lakes or other bodies of water shall be construed to follow such centerlines;
6. Boundaries indicated as parallel to or extensions of features indicated in subsections (1) through (5) above shall be so construed;

7. Distances not specifically indicated on the land use plan maps shall be determined by the scale of the map; and
8. Where physical or cultural features existing on the ground are at variance with those shown on the plan map; or in other circumstances not covered by subsections (1) through (7) above, the Board of Adjustment shall interpret the designation boundaries.

C. AMENDMENTS AND CORRECTIONS

1. Whenever amendments or changes are made in plan area boundaries, such amendments or changes shall be made promptly on the official plan.
2. The Planning Director may order correction to drafting or other errors or omissions in the official plan map, but no such corrections shall have the effect of amending the Growth Area Category or Plan Designation of any property. No other changes shall be made in the official plan map except in conformance with the procedure set forth herein.
3. In the event that the official plan map becomes damaged, destroyed, lost, or difficult to interpret because of the nature or number of changes and amendments thereto, the Board of Supervisors may, by resolution, adopt a new official plan map, which shall supersede the prior plan map.
4. Per Arizona Revised Statutes, the Planning and Zoning Commission will review the entire Comprehensive Plan every ten years or more frequently as needed.

Article 3

301 Administration

The Cochise County Planning and Zoning Commission, the Board of Supervisors, and any other County department, commission, official, or employee acting in an advisory capacity to the Board of Supervisors shall consult, consider, and generally be guided by the Comprehensive Plan stated herein. The Cochise County Zoning Regulations, Subdivision Regulations, and other ordinances affecting growth and land use in Cochise County shall be constructed to implement the policies and elements of the Comprehensive Plan.

302 Comprehensive Plan Amendments

The Cochise County Comprehensive Plan may be amended from time to time. The Comprehensive Plan Growth Area Categories and Designations are designed to provide a measure of protection to the existing character of an area. An amendment must be justified by citing specific examples of existing or future growth patterns that do not support continuing the pattern that is implied by the existing Area Category or Designation otherwise the presumption is in favor of retaining the existing Area Category or Designation.

Comment: Plan Amendments raise regional issues about the future character of an area. A small acreage plan amendment from a Rural Area to a Category C Rural Community Area, for example, implies that this is an appropriate location for a small community, including infrastructure and services, as opposed to continuing agriculture or large lot residential land uses. Once established, a precedent is set to request additional plan changes in proximity to the original request thus significantly changing the pattern of growth and drawing development away from established communities. Due to these larger issues, a small acreage plan amendment may not be supported unless a master development plan is submitted. Based on this analysis it may be necessary to expand the size of the amendment area to encompass a logical plan amendment area rather than approve a spot amendment designed to accommodate a single parcel rezoning.

303 Public Participation Requirements

The applicant shall complete the public participation process as described herein, before any amendment is presented to the Board of Supervisors for final adoption.

SECTION 1. PURPOSE

The Cochise County public participation process is intended to:

1. Allow for effective, early and continuous public participation by citizens from all geographic, ethnic and economic areas of the county in the consideration of major amendments;

2. Provide sufficient information to the public to give each citizen the opportunity to develop an informed response;
3. Provide opportunities for other interested governments, agencies and community groups to consult with, advise and provide official comment on Comprehensive Plan updates and amendments; and
4. Comply with ARS §11 806 D and ARS §11 806 F. (See appendix).

SECTION 2: PUBLIC PARTICIPATION REQUIREMENTS FOR COMPREHENSIVE PLAN AMENDMENTS

The requirements described below are the minimum County requirements for public notification.

Comment: Nothing in this process precludes the applicant from creating a more extensive public participation plan. Effective public involvement may increase the length of the initial stages of this process, but it can yield more widely accepted proposals, with fewer objections at the formal hearings if the expressed concerns of the public are addressed early in the process. It is recognized that the public participation process may not produce complete agreement on all proposals, but is worthwhile because it fosters a meaningful discussion between the applicant and parties affected by the project. Significant public objections raised for the first time at the formal public hearings before the Planning and Zoning Commission and the Board of Supervisors can cause the project to be tabled by the decision-making body, thereby creating unexpected delays.

I. Pre-application meeting with County Planners.

Prior to submitting a formal plan amendment application, an applicant shall participate in a pre-application meeting with planning staff. This meeting has a four-fold purpose:

- (1) Review the public participation requirements;
- (2) Review the application requirements;
- (3) Familiarize staff with the project and identify and discuss any issues related to the amendment; and
- (4) Determine if the plan amendment boundaries represent a logical plan amendment area.

A formal plan amendment application consists of:

- A. The plan amendment application and all supporting documentation; and
- B. A report documenting the public participation process, including:
 - (1) copies of notices;
 - (2) copies of all information provided to the public;
 - (3) letters, advertisements, posters, flyers;
 - (4) sign up sheets from all public meetings if any;
 - (5) any responses received from the public during this process; and
 - (6) a description of how the applicant responded to this feedback.

II. Notification Requirements for Major Comprehensive Plan Amendments

A. The applicant shall send notices of the proposed amendment to, and if requested, meet with the following individuals and organizations. The notices shall contain a copy of the plan amendment application and all supporting documentation as submitted to the Planning Department so that the notified parties can effectively evaluate the impacts of the project.

- (1) The City Manager of the nearest City.
- (2) Service providers, to include the School District, Fire District, Utilities, Ambulance Service, and Law Enforcement where applicable.
- (3) State or Federal agencies with land adjacent to the boundaries of the amendment area or responsible for roads serving the amendment area.
- (4) All community or homeowner's associations on the list maintained by the County.
- (5) All interested parties on the list maintained by the County.

B. The applicant shall place an 1/8th of a page display advertisement in the official County paper and at least one other subscription paper published in each geographical quarter of the County, such that citizens of all geographic, ethnic and economic areas of the County are notified of the amendment. This advertisement shall include a description and location of the project and how verbal and written comments can be submitted. If public meeting(s) are scheduled, the time, date and location of the meeting(s) shall be included.

III. Notification Requirements for Comprehensive Plan Amendments Not Defined as Major Amendments

A. The applicant shall notify and, if requested, meet with all adjacent and potentially impacted property owners. These property owners shall be defined to include:

- (1) All of those who own property located within the area subject to the amendment.
- (2) In Category D Rural Areas, all of those property owners who own property outside of the area subject to the application, but within 1500 feet from the boundaries of the subject property.
- (3) In Category A, B, or C Growth areas, all of those property owners who own property outside of the area subject to the application, but within 1000 feet from the boundaries of the subject property.

B. This notification shall include a description and location of the project and how verbal and written comments can be submitted. If public meeting(s) are scheduled, the time, date and location of the meeting(s) shall be included.

SECTION 3: FORMAL NOTIFICATION FOR MAJOR AMENDMENTS

Pursuant to, ARS §11 806H., **60-days** prior to the Board of Supervisors meeting, the Planning Department will transmit a formal notice of any **major** amendment to:

1. The Board of Supervisors.
2. All municipalities in the county.
3. Each other county that is contiguous to the county.
4. The regional planning agency in the county (Southeastern Arizona Government Organization (SEAGO)).

5. The department of commerce or any other state agency that is subsequently designated as the general planning agency for this state.
6. The department of water resources for review and comment on the water resources element, if a water resources element is required.
7. The military airport if the comprehensive plan or a portion, element or amendment of the comprehensive plan is applicable to territory in the vicinity of a military airport as defined in section 28-8461.
8. Any person or entity that requests in writing to receive a review copy of the proposal.

Article 4

VALIDITY

401 SEVERABILITY

If any provisions of the Cochise County Comprehensive Plan be held invalid, such invalidity shall not affect other provisions which can be given effect with the invalid provision, and to this end the provisions of the Cochise County Comprehensive Plan are declared to be severable.

402 CONFLICTING PROVISIONS REPEALED

All other ordinances, regulations, resolutions and parts thereof which conflict with the provisions of the Cochise County Comprehensive Plan, to the extent of such conflict and not further, are hereby repealed.

403 EFFECTIVE DATE

The Cochise County Comprehensive Plan shall become effective beginning on the 27th day of August, 1984 and remaining in full force thereafter.

APPROVED AND ADOPTED BY THE COCHISE COUNTY BOARD OF SUPERVISORS THIS 27th DAY OF AUGUST, 1984.

AMENDED AND ADOPTED BY THE COCHISE COUNTY BOARD OF SUPERVISORS THIS 14th DAY OF DECEMBER, 1992, ORDINANCE NO. 006-92

AMENDED AND ADOPTED BY THE COCHISE COUNTY BOARD OF SUPERVISORS THIS 1st DAY OF APRIL, 1996, RESOLUTION NO. 96-34

AMENDED AND ADOPTED BY THE COCHISE COUNTY BOARD OF SUPERVISORS THIS 27th DAY OF NOVEMBER, 2001, RESOLUTION NO. 01-72

AMENDED AND ADOPTED BY THE COCHISE COUNTY BOARD OF SUPERVISORS THIS 9th DATE OF SEPTEMBER, 2002, RESOLUTION NO. 02-79.

AMENDED AND ADOPTED BY THE COCHISE COUNTY BOARD OF SUPERVISORS THIS DATE OF DECEMBER 16, 2003 , RESOLUTION NO 03-.

AMENDED AND ADOPTED BY THE COCHISE COUNTY BOARD OF SUPERVISORS THIS 26TH DATE OF JULY, 2011, RESOLUTION NO. 11-34

View Menu

← View In: English (U.S.) Add In -select language- 

 Planning and Zoning Links

loading...