



Cochise County
Community Development
Planning, Zoning and Building Safety Division
Public Programs...Personal Service
www.cochise.az.gov

MEMORANDUM

TO: Board of Supervisors
FROM: Dan Coxworth, AICP, Development Services Director
FOR: Richard Karwaczka, County Administrator
SUBJECT: Docket R-21-04 (Zoning Regulation Amendments Associated with the Building Code Update)
DATE: July 27, 2021

I. PROPOSED CHANGES

Docket R-21-04 is a proposed amendment to the Cochise County Zoning Regulations Article 17, Administration and Article 18, Site Development Standards. This amendment to the Zoning Regulations will:

- 1. Amend Section 1704.01 and 1704.04 Building/Use Permit Required**
- 2. Amend Section 1705 Application for Building/Use Permit**
- 3. Remove Sections 1709.02 and 1709.03**
- 4. Remove Section 1714.02 Combined Permit Fees**
- 5. Amend Section 1720.03 Particular Temporary Uses Permitted**
- 6. Amend Section 1816 Swimming Pools**
- 7. Amend Section 1819.02 Water Conservation Measures – Sierra Vista Sub-watershed Overlay Zone**

Development Services is also updating the County's Adopted building code from 2012 to 2015. The Building Code Advisory Committee is reviewing the changes and making a recommendation to the Board of Supervisors. For consideration by the Planning & Zoning Commission, the changes below essentially amends or removes sections of the Zoning Regulations regulated by the building code.

1. Amend Section 1704.01 and 1704.04 Building/Use Permit Required

The exemptions listed in the Zoning Regulations are already exempted by the building code. When the building code does not list any of the exemptions that will be removed from the Zoning Regulations, the exemption will be listed as a local amendment to the building code.

Planning, Zoning and Building Safety
1415 Melody Lane, Building F
Bisbee, Arizona 85603
520-432-9300
520-432-9278 fax
planningandzoning@cochise.az.gov

2. Amend Section 1705.08 Application for Building/Use Permit

Deleting the reference to paper copied because Cochise County no longer requires paper copies as all permits are submitted in digital format.

3. Remove Sections 1709.02 and 1709.03

The expiration of permits is stipulated by the County's adopted building code, allowing construction to begin within 180 days after permit issuance and continuing until the building is complete as long as work authorized by the permit is not suspended or abandoned for a period of 180 days. The Building Official may grant an extension.

Removing Section 1709 removes the conflict with the adopted building code and the Zoning Regulations that stipulates building permits expire after two years (extensions are subject to the building code) or 36 months for a permit issued under the Owner-Builder Rural Residential amendment (one 12 month extension is permitted). Since normal building inspections are not conducted on a no inspection, owner-builder permit, the property owner will be required to provide progress of construction documentation, such as pictures or, if necessary, a site visit by a county inspector within 180 days of permit expiration.

4. Remove Section 1714.02 Combined Permit Fees

Per Section 1714.02, an application for a permit qualifying for the Rural-Residential Owner-Builder may apply for a permit for a home and an unlimited number of accessory structures and a pool for the one flat permit fee of only the single-family dwelling.

Removing Section 1714.02 would require a permit fee for each structure or pool placed on the property. Each structure requires a separate building permit and associated processing by county staff. Removing Section 1714.02 allows the County to recoup the cost of processing and issuing the permit and associated inspections for each structure. Single-Family Residential Opt-out builders are assessed a flat \$157 fee (no inspection) or \$325 (limited inspection). Residential Accessory Opt-out buildings are assessed a flat \$147 fee (no inspection) or \$200 (limited inspection), which is, in most cases, represents a substantial saving over a traditional review and inspection-based permit.

5. Amend Section 1720.03 Particular Temporary Uses Permitted

Amending Section 1720.03 is consistent and provides clarity for temporary uses needed in association with a building permit. A temporary use is allowed in conjunction with construction activity and have an identical timeframe. When the construction is concluded, the temporary structure or RV should no longer be necessary.

6. Amend Section 1816 Swimming Pools

Amending Section 1816 removes an inaccurate reference to the adopted building code and referencing the building code is not necessary.

7. Amend Section 1819.02 Water Conservation Measures – Sierra Vista Sub-watershed Overlay Zone

Per the Building Code Advisory Committee, gray water plumbing is seldom used by the homeowner, and gray water stored in a tank can create strong odors when applied. Low utilization rates of gray water don't justify the additional cost of construction of a single-family home in the Sierra Vista Sub-watershed.

Provisions 5, 8, 9, and 12, which are landscape/irrigation requirements that planners review for zoning compliance, should remain. All other provisions are building feature requirements that should be considered for all of Cochise County as local amendments to the building code.

II. SUMMARY AND RECOMMENDATION

The proposed changes would amend Article 17 and Article 18 of the Cochise County Zoning Regulations as indicated in Exhibit A of the attached document.

III. ATTACHMENTS

Exhibit A amending Articles 17 and 18 of the Cochise County Zoning Regulations with strike-through and underline.